



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, WEDNESDAY, JUNE 6, 2018

No. 93

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

June 6, 2018.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

PAUL D. RYAN,

*Speaker of the House of Representatives.*

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 2333. An act to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies.

H.R. 4743. An act to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes.

The message also announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 113. Concurrent Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 8, 2018, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties,

and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### 126TH AIR REFUELING WING DAY

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

Mr. BOST. Mr. Speaker, I rise today to recognize the important efforts of the 126th Air Refueling Wing at Scott Air Force Base in St. Clair County, Illinois.

On June 2, I celebrated the many achievements of this unit when I attended the 126th Air Refueling Wing Day, which was done by proclamation by the Governor of the State of Illinois.

The 126th Air Refueling Wing routinely succeeds in its missions of providing immediate, sustained, long-range air refueling of both nuclear and conventional aircraft for both the U.S. Armed Forces and NATO allies.

The 126th Air Refueling Wing has more than 1,000 Air National Guard Active Duty United States Air Force personnel, who recently received its eighth Air Force Outstanding Unit Award for service provided from December 2014 through December 2016.

The servicemembers of the 126th Air Refueling Wing routinely demonstrate their excellence in performance while supporting the United States Air Force operations.

The significant awards and recognition the 126th Illinois Air National Guard has received sets the foundational framework for being a strong center of excellence for military aircraft.

I am proud of their hard work and dedication to ensuring the best aircraft maintenance and repair work is done at Scott Air Force Base.

Our national defense depends on having our military aircraft able to fly in

a moment's notice, so the work that they do every day is critical in keeping all of us safe at home.

### RECOGNIZING WILBER HESTERBERG'S 100TH BIRTHDAY

Mr. BOST. Mr. Speaker, I rise today to recognize Wilber "Whip" Hesterberg of Maeystown, Illinois, who will turn 100 years old on June 24.

Whip worked for A&P Food Stores for many years, was a Teamster, and served in the Army for 4 years.

He likes to camp, garden, and do word searches. He can also still be seen driving around town slowly, it is reported.

Family and neighbors say he is "loved by everyone."

Every Wednesday night, Whip continues to host a family dinner at his house with some of his five children, 17 grandchildren, 24 great-grandchildren.

This year, Whip will be honored as the Grand Marshal of Maeystown Homecoming celebration on June 15 and 16.

Whip, southern Illinois wishes you a happy 100th birthday.

### 100TH ANNIVERSARY OF THE BATTLE OF BELLEAU WOOD

Mr. BOST. Mr. Speaker, I also rise today and feel it is very important that we recognize and remember that today is D-day, but also that 100 years ago today was the battle of Belleau Wood in the First World War, where the Marines earned the title of Devil Dogs.

It was a very, very hard fought battle. We must remember that freedom is not free. So when we recognize not only D-day, but 100 years since that time on that day, we lost 1,086 Marines.

### HAPPY BIRTHDAY, MATT MCAULIFFE

Mr. BOST. Mr. Speaker, I also want to recognize today someone who works in my office that everyone looks up to, because he is so tall, is my chief of staff, and it is his birthday, Matt McAuliffe. Happy birthday.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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# EPA ADMINISTRATOR SCOTT PRUITT NEEDS TO RESIGN

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

Ms. CASTOR of Florida. Mr. Speaker, in April, I filed a resolution, it is H. Res. 834. It is a resolution of no confidence in the EPA Administrator Scott Pruitt. We now have over 140 co-sponsors to this resolution.

This is a resolution that points out that we have high standards for government service and it is unacceptable to have scandal after scandal, the waste of taxpayers' money, coming out of the Environmental Protection Agency's Administrator's office in Scott Pruitt.

What we know now, scandal after scandal that comes to light, is that Administrator Pruitt, he has a penchant for luxury travel at taxpayer expense, he likes to fly first class at taxpayer expense, he likes to stay in luxury hotels at taxpayer expense, and this is unacceptable.

Federal ethics laws bar public officials from using their position or using their staff to enrich themselves.

In addition to his luxury travel and luxury accommodations, we now know that he installed a secret privacy phone booth in his office to the tune of \$43,000, paid for by the taxpayers. He has installed biometric locks on his door at the EPA that cost over \$5,000.

Due to good journalism, we know that the EPA Administrator Scott Pruitt rented a condo here on Capitol Hill for \$50 per night. The Administrator said that the condo owner did not lobby him, but then it was discovered later that, in fact, that was not true, that was a lie.

Just in the past week, it has now been discovered that EPA Administrator Scott Pruitt has ordered very special fountain pens, paid for by the taxpayers, about \$1,500 worth of special pens for him to use and give out.

We know that he has received gifts, like court-side seats to a basketball game given to him by a coal baron.

It was also reported yesterday that he made from his office an official phone call to the CEO of a fast food franchise to try to secure for his wife a fast food franchise business. That is not acceptable.

We know, also due to good reporting, that he asked his staff to go out and find a mattress for his home. You are not allowed, as a government official, to use your government staff to do personal tasks. That is against Federal ethics laws.

All of that pales in comparison, however, to his standing up for special interests, the cost to our health, to our clean water and clean air, while the EPA Administrator again and again is siding with special interests, many of whom have lobbied him and are implicated in a lot of these sweetheart deals.

The interest of the public, the air we breathe, the water we drink, of simply confidence that our Environmental

Protection Agency is going to stand up for us: that is what is really at issue.

All of these things are awful, they are a violation of Federal ethics laws, and Scott Pruitt should resign.

I am very troubled, and a lot of my colleagues are troubled that my colleagues on the other side of the aisle, many of them have not called him out, they have not signed on to the resolution.

Down at the White House, they continue to say it is acceptable for Scott Pruitt to serve as our EPA Administrator.

I am here on the floor today because we simply cannot stand for this any longer. I am asking for all of our colleagues on both sides of the aisle to sign on to H. Res. 834 and say it is time to stand up for ethics in government.

This wasteful spending is undermining the confidence that the American people have in our country and the ability of our government to protect them from air pollution and water pollution and toxic chemicals.

But more importantly, this is a time for us to say to our Environmental Protection Agency, we have very high standards, we have high standards for what we believe in: the landmark Clean Water Act, the landmark Clean Air Act, everything that we do to protect the climate and to reduce carbon pollution.

It has just gotten that swampy here in Washington, D.C., Mr. Speaker, and it is time for a change at the EPA. The White House needs to take action.

Mr. Speaker, I urge my colleagues on both sides of the aisle to speak up, stand up, and say we are not going to stand for these lapses of ethical behavior anymore. Scott Pruitt needs to resign.

## FEDERAL OPPORTUNITY ZONES

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

Mr. MARSHALL. Mr. Speaker, this Congress and this President made pro-growth policies a top priority since day one. My colleagues and I should be very proud that due in part to the policies of this Republican Congress, consumer confidence is at an all-time high, businesses are optimistic, and our economy is booming. Even The New York Times has run out of words to explain and describe how great this economy is.

As families across Kansas receive an average tax break of more than \$2,000 a year, as well as seeing record wage growth and bonuses, I see the excitement growing firsthand throughout my district.

However, today in particular, I want to highlight one specific aspect of the Tax Cuts and Jobs Act: Federal Opportunity Zones, which are designed to promote economic development and job creation in communities throughout the country. This is where government meets private sector business in a very positive way.

The Treasury Department recently selected 22 opportunity zones in 17 different counties across the First District of Kansas.

When a tract is deemed an opportunity zone, it allows taxpayers to defer capital gains tax if they invest and prioritize local projects. This is a win-win scenario for both investors and communities that will spur growth and expansion.

My good friend, Ashley Hutchinson, in Cloud County, Kansas, said her community hopes to use these opportunity zones to recruit new businesses to areas in counties like hers that are in great need of investment incentives.

In Manhattan, Kansas, home of the Kansas State University Wildcats, the local Chamber is using these opportunity zone programs to revitalize and enhance Aggieville, a beloved and historic social district very near and dear to my heart.

In southwest Kansas, municipalities are using the program to spur job growth by updating existing buildings for new retail and commercial space, as well as attracting housing developments for the region's growing workforce.

In Emporia, Kansas, expansion of the growing pet industry is being allowed by these opportunity zones as well.

Across my district, community leaders and economic development departments are excited by the new opportunities these zones will deliver to their communities.

As the Tax Cuts and Jobs Act continues to help existing businesses grow and expand, opportunities are starting to rise across the country. In Kansas, we are excited about what is to come.

As a Congressman, I am often asked: What are you doing in Congress? What is this Congress doing to help save rural America? These Federal Opportunity Zones as well as the Tax Cuts and Jobs Act are one such example.

## RAISING AWARENESS OF ALOPECIA AREATA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to raise awareness of alopecia areata, an autoimmune disease that causes hair loss on the scalp and other areas of the body.

Today, close to 7 million Americans live with alopecia areata, including over 1 million children under the age of 12.

Alopecia areata is a greatly unpredictable disease and currently has no known cause and no known cure.

Sadly, this disease often presents itself at an early age, with small round, smooth patches appearing on the head.

With limited treatment options, many individuals use wigs, which come at a significant out-of-pocket cost.

It was one of my constituents, Deirdre Nero, an alopecia patient, who

first brought to my attention the challenges facing the alopecia areata community. That is why I have been proud to stand with my colleague, Congressman JIM MCGOVERN, and support H.R. 2925, legislation to provide coverage for wigs as durable medical equipment under the Medicare program.

Mr. Speaker, I encourage all of my colleagues to stand with alopecia areata patients across the Nation and cosponsor this commonsense and bipartisan measure.

□ 1015

#### HONORING SOUTH FLORIDIAN LARRY ADAMS

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor a remarkable south Floridian, Mr. Larry Adams.

Born in West Palm Beach in 1927 to a family of limited means, Larry understood from a young age the importance of getting an education. Larry also possessed a strong desire to serve his country during World War II. He enrolled at Purdue University as a U.S. Air Corps Cadet and served in the U.S. Air Force in Germany from 1945 to 1946.

Upon returning home, Larry attended his alma mater, the University of Miami—Go Canes—where he excelled at both sports and academics, including pitching for our university's baseball team.

In 1949, Larry began a 42-year career at Florida Power & Light Company—42 years. Starting from the bottom, he worked his way from being a lineman digging ditches and climbing power poles to being a vice president of the State's largest electric utility.

While excelling at his difficult job duties, Larry reenrolled in school while working for the company and earned a degree from Harvard Graduate Business School's Advanced Management Program for executives.

Never one to limit himself, Larry also devoted extraordinary time and effort to his community, serving in over 36 local, regional, State, and national community service organizations, which earned him many accolades.

Larry also played a founding and integral role in the development of management systems to improve the quality and cost of goods and services produced throughout our great Nation.

In 1987, President Ronald Reagan requested that certain U.S. corporations provide a team of quality management experts whose mission was to create an American Quality Management Award for Excellence program. Florida Power & Light assigned Larry to work under the direction of the U.S. Commerce Secretary and the National Institute of Standards and Technology, where Larry co-chaired one of four teams of professional quality improvement management experts provided by American businesses.

Together, they developed and secured Presidential and congressional approval to create the Malcolm Baldrige Foundation Award to empower U.S. organizations to reach their goals and become significantly more competitive in

national and international trade and commerce. Today, the now popular Sterling Management program is a derivative of the Baldrige program and is managed by the Governors of each of our 50 States.

At the age of 89, Larry became the recipient of the 2016 Florida Governor's Sterling Ambassador of the Year Award for successfully coaching businesses, charitable, and government agencies to learn and deploy Sterling and Malcolm Baldrige management systems during the past 25 years.

Larry has had an extraordinary life, which he has enjoyed with his wife of over 65 years, Betsy Gregg Adams. Together, they have three sons: Larry, Jr., an architect; Ron, a trial attorney; and Thad, a commercial realtor.

Congratulations to my friend, Larry Adams, for a remarkable life well lived.

#### RECOGNIZING SHERBURNE COUNTY VETERAN SERVICE OFFICER BRUCE PRICE

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

Mr. EMMER. Mr. Speaker, I rise today to recognize a local hero in my district, Sherburne County Veteran Service Officer Bruce Price.

County veteran service officers are one of the most important resources for our Nation's veterans. When our veterans need help filing a claim for disability or arranging transportation to their VA hospital appointments, service officers like Bruce are always there to serve.

Bruce and his staff go beyond this call of duty. They see 3,000 individuals every year and field nearly 20,000 calls from veterans experiencing difficulty or seeking resources.

While it was no secret to our community that Bruce is a hero, his efforts are now finally being recognized nationally. Bruce received the Life, Well Run Community Hero Award for his outstanding service to others from the International City/County Management Association. We are grateful to have such an outstanding public servant in Minnesota's Sixth Congressional District.

Congratulations, Bruce, and thank you for your service.

#### RECOGNIZING THE MINNESOTA LYNX

Mr. EMMER. Mr. Speaker, I rise today in recognition of one of Minnesota's most incredible and most successful sports teams, the four-time Women's National Basketball Association champions, Minnesota Lynx.

The Minnesota Lynx started their inaugural season in 1999 with just 12,000 fans in attendance to watch the first regular-season game. This year, as they celebrate their 20th season, the stands are packed. That is because, with four championships in the last 7 years, the Lynx are a dynasty, one that continues to grow.

While they have many incredible individual players, the Lynx are a true

team on and off the court. The Lynx are active in our local community in the Land of 10,000 Lakes, but they take their commitment to service even beyond our State's lines.

This week, I look forward to joining the team at Payne Elementary School at an event with the Samaritan's Feet Shoes of Hope Distribution. I also look forward to many more winning seasons from this group of talented and dedicated athletes.

Congratulations to the Lynx on 20 seasons, four championships, and the many more victories that surely lie ahead. You make Minnesota proud.

#### CELEBRATING 21ST CENTURY BANK'S 100TH ANNIVERSARY

Mr. EMMER. Mr. Speaker, I rise today to recognize an incredible financial institution in my district, 21st Century Bank.

Beginning as the Farmer's State Bank of Cedar in Anoka County in 1917, it served the rural agricultural community and is one of the few banks to come through the Great Depression. Over 100 years later, the bank has expanded across Minnesota, opening locations all over our State, including four banks in Minnesota's Sixth Congressional District.

At the helm is Thomas P. Dolphin, who said: "In the beginning, it was a handshake that sealed the deal, and that is still true today at 21st Century Bank."

Having been at the bank for more than 40 years, Tom has been an integral part of transforming 21st Century Bank from a small rural bank with just \$3 million in assets to an urban financial network with more than \$425 million in assets, allowing them to serve more families across Minnesota.

21st Century Bank brings convenient banking and reliable service; and, indeed, most businesses that work with them are small- to medium-sized businesses, making 21st Century Bank part of the foundation of our local economy.

After celebrating their 100th anniversary, they continue bringing families and small businesses the services they so desperately need. With respect and gratitude, thank you to the Dolphin family and to everyone at 21st Century Bank for your contribution to our local communities. We look forward to the next 100 years.

#### CARVER COUNTY, HEALTHIEST COUNTY IN MINNESOTA

Mr. EMMER. Mr. Speaker, there is no question that exercise is good for the body. Whether it is walking, biking, or playing hockey on a frozen lake, exercise reduces your chances of getting heart disease, helps maintain a healthy weight, improves mood and mental functioning, and so much more.

In my State, no place does it better than Carver County in Minnesota's Sixth Congressional District. Carver County has been named our State's healthiest county by the Robert Wood Johnson Foundation for the sixth consecutive year. The rankings are based on, among other factors, how people feel and how long they live.

The walkability of cities and towns in Carver allow its residents to skip the car ride and use their own two feet to get to the grocery store or shop; and with countless parks, playgrounds, and trails, there are plenty of places for Minnesotans to enjoy the outdoors.

Congratulations to the residents of Carver County for grabbing the top spot once again and setting a great example for the rest of our State to get out and get active.

#### RECOGNIZING BUCKS AND MONTGOMERY COUNTIES' EMERGENCY MEDICAL SERVICES PERSONNEL

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize those in Bucks and Montgomery Counties who serve in emergency medical services. Just recently, we celebrated National EMS Week, a time to honor the contributions and service of emergency medical technicians.

All too often, the service of EMTs goes unnoticed, despite the risks of their profession and the lifesaving actions they perform. Late last month, the Penn-del-Middletown Emergency Squad hosted an event with local officials to celebrate National EMS Week and to discuss the current issues faced in our community.

As an EMT myself, I can say, without a doubt, that this profession truly embodies public service, and I thank all EMTs in Bucks and Montgomery Counties for their dedicated service to saving lives. I would especially like to extend my gratitude to Dr. Gerald Wydro, the medical director of Penn-del-Middletown Emergency Squad, and to the Penn-del-Middletown Emergency Squad Chief, Andrew Foley, for their leadership.

#### NINTH ANNUAL RIDE FOR THE HEROES

Mr. FITZPATRICK. Mr. Speaker, I rise to honor the Central Bucks Rotary Club, who will host its Ninth Annual Ride for the Heroes, where motorcyclists from across Bucks County ride from Lower Makefield to Bedminster Township to raise money for local veterans' organizations.

Organized by Rotary member Mark Glidden, this event has grown from 200 bikers in its initial year to anywhere from 500 to 700 participants, yearly. Originally intended to provide financial assistance to nonprofits in the community, Ride for the Heroes became focused on helping military families at the inspiration of the Travis Manion Foundation in Doylestown.

Founded by retired Lieutenant Colonel Tom Manion and his late wife, Janet, in honor of their son, the Travis Manion Foundation's mission is to "empower veterans and families of fallen heroes to develop character in future generations."

In doing this, the Travis Manion Foundation seeks engagement between

veterans and families of fallen soldiers with the local community. The foundation brings young people together with veterans so that they can learn our Nation's values from heroes who have put those values into action in the United States military.

I applaud the vision of the Travis Manion Foundation and appreciate the work of the Central Bucks Rotary Club and those who will ride for those who served.

#### RECOGNIZING STUDENTS OF THE SOUDERTON AREA SCHOOL DISTRICT

Mr. FITZPATRICK. Mr. Speaker, I rise to recognize a group of students in Montgomery County, Pennsylvania, who recently collected 2,150 pounds of food, paper products, and personal care items for those in need.

The Souderton Area School District, comprised of nearly 6,500 students, recently held its annual food drive and quarter collection. This event collects items for the Keystone Opportunity Center, also in Souderton, which operates a homeless shelter and offers literacy education classes in Montgomery and Bucks Counties.

To diversify the goods donated, each school was assigned a certain item to donate, from peanut butter and jelly at Indian Crest Middle School to detergent and soap at Oak Ridge Elementary School. Additionally, Salford Hills and Vernfield Elementary Schools thoughtfully donated crops from their community gardens to the Keystone food pantry.

I would like to commend these students, along with their teachers and parents, for teaching them the virtues of charity and generosity. I would also like to thank the staff and volunteers at Keystone Opportunity Center for their service, especially President Arlene Daily for her outstanding leadership.

#### RECESS

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

Accordingly (at 10 o'clock and 27 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

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

#### PRAYER

Rabbi Aaron Krupnick, Congregation Beth El, Voorhees, New Jersey, offered the following prayer:

Our God and God of our ancestors:

On the long road to freedom from Egypt, You led 12 diverse tribes, instructing each to march under their own banner. They did not always see eye to eye, but they could, nonetheless,

walk shoulder to shoulder. In spite of their disagreements, they had sworn an oath to You to be one nation under God.

Dear Lord, help the Members of this Congress to be ever mindful of the fact that the right to disagree is fundamental to our democracy. Foster in them the art of disagreement that the Jewish people have been practicing for millennia. Enable them to grant their adversaries moral respect; to give those of opposing opinions the intellectual benefit of doubt; to have sympathy for their motives and listen with empathy to their lines of reasoning.

Grant all the Members of our House of Representatives insight into this art of disagreement. Endow them with discernment and wisdom, patience and understanding, kindness and compassion. Let them walk humbly before those who they serve and thereby bring us all that much closer to You and to one another. God, bless this great Nation and those who lead it.

Amen.

#### THE JOURNAL

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

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

Mr. SCHNEIDER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Ms. STEFANIK) come forward and lead the House in the Pledge of Allegiance.

Ms. STEFANIK led the Pledge of Allegiance as follows:

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

#### MOMENT OF SILENCE HONORING THOSE KILLED OR WOUNDED IN SERVICE TO OUR COUNTRY

The SPEAKER. The Chair asks that the House now observe a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families.

# WELCOMING RABBI AARON KRUPNICK

The SPEAKER. Without objection, the gentleman from New Jersey (Mr. NORCROSS) is recognized for 1 minute.

There was no objection.

Mr. NORCROSS. Mr. Speaker, it is my honor to welcome our guest chaplain, Rabbi Aaron Krupnick of Congregation Beth El in Voorhees, New Jersey.

The congregation has been part of our South Jersey community since 1920, when it was originally founded in Camden City.

Now it offers a spiritual home for hundreds of Jewish families in South Jersey.

Rabbi Krupnick came to our community in 1994 from Montgomery, Alabama. There, he helped lead interfaith services with leaders like Martin Luther King, III, and Rosa Parks.

As you heard in his prayer, he often discusses patience, understanding, kindness, compassion.

In a world where religion too often creates so much conflict, Rabbi Krupnick focuses on togetherness. He knows there is more that connects us than divides us.

I have been fortunate enough to attend services and seder at Beth El. I have witnessed firsthand how the community is welcoming, loving, and supportive of all.

Mr. Speaker, today I am honored to welcome Rabbi Krupnick to the House of Representatives and I thank him for his offering of this morning's prayer.

His compassion, his teachings, his strong leadership have helped foster a vibrant Jewish community in our region, and I know it will stay that way for years to come.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

# RELEASE PASTOR ANDREW BRUNSON

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

Mr. MCHENRY. Mr. Speaker, I rise today to draw attention to the ongoing plight of Pastor Andrew Brunson, a Christian missionary from my district in western North Carolina who has been held as a prisoner of the Turkish Government for the last 20 months.

Prior to being arrested by the Turkish Government in October of 2016, Pastor Brunson had lived peacefully in Turkey for decades. He had opened a church, raised his family, and made a life in the country.

That all changed in 2016, when the Turkish Government arrested Pastor Brunson on a series of bogus charges. He has been detained ever since.

Last month, I sent a letter to the Turkish President, signed by a bipartisan group of 154 lawmakers, calling on their government to release Pastor Brunson. It is a long time in coming, but I hope and I pray that Pastor Brunson will be released so that he can be reunited with his family here in the United States.

## IMMIGRANT HERITAGE MONTH

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

Mr. SCHNEIDER. Mr. Speaker, I rise today in strong opposition to the Trump administration's shameful new policy separating parents and children at our southern border. This policy is even being applied to those legally seeking asylum here while fleeing violence in their home countries.

The current system of prioritizing criminal prosecution of those seeking protection rather than assessing legitimate asylum claims has to stop.

These are not our Nation's values. Our country is better than this, our people are better than this.

But we have a chance to get something right. We are currently within just a handful of signatures of forcing a vote on a series of immigration proposals, including the bipartisan USA Act, which pairs a resolution for our Dreamers with smart investments in our border security.

June, this month, is Immigrant Heritage Month, a time to reflect on the history of immigration that so many Americans share. We must live up to our heritage by ending this cruel policy of family separation, securing Dreamers a permanent future here in the United States, and finally formally reforming our broken immigration system.

## HONORING MAJOR GENERAL JEFFREY BANNISTER

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

Ms. STEFANIK. Mr. Speaker, I rise today to honor an exceptional patriot and military leader, Major General Jeffrey Bannister, who recently passed away.

General Bannister served as the 10th Mountain Division commander and senior commander at Fort Drum in my district.

I am proud to have gotten to know General Bannister and his family during my first term in office, when we worked closely together to successfully prevent devastating personnel cuts from taking place at Fort Drum.

Whenever I visited Fort Drum, Major General Bannister was always a wonderful host. It was clear he commanded the greatest respect from the men and women stationed on post, and I know his greatest interest was their well-being.

I remember running into Jeff with his family at the Cream Cheese Festival in Lowville after he returned from a recent deployment. He was casually wearing his baseball cap and eating at a picnic table with his wife, and they both gave me a warm hug.

He was truly dedicated to our country and our community.

The hearts of our entire Fort Drum community go out to the family of Major General Bannister, his wife Trese and his daughter Lindsey during this difficult time.

## SOCIAL SECURITY AND MEDICARE

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

Mr. CICILLINE. Mr. Speaker, there is nothing that demonstrates the deeply held American value of living a retirement with dignity than the promise of Social Security and Medicare. These are benefits that America's seniors have earned after a lifetime of hard work so they can enjoy their retirement years with dignity and economic security.

But yesterday we learned the Medicare trust fund will be depleted in just 8 years, 3 years earlier than expected. The Social Security trust fund will run dry just 8 years after that.

A few months ago, our Republican friends passed a huge tax cut for the wealthiest Americans and most powerful corporations. And how do Republicans want to pay for it: by cutting Social Security and Medicare.

That is a bad deal for the American people. They deserve better.

When Democrats take back the majority, we are going to deliver A Better Deal for the American people. We are going to put working people first and we are going to ensure a secure retirement for everyone who works hard in this country. Most importantly, we are going to return the promise of America.

## NORMANDY: JUNE 6, 1944

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

Mr. POE of Texas. Mr. Speaker, in the cold, damp, dark rain of morning, thousands of young American soldiers sailed across the treacherous English Channel. The day was June 6, 1944; their destination, Normandy, France; the mission, not conquest, but liberation of Europe.

Operation Overlord, or D-Day, called for a massive ally invasion of the continent during World War II. Securing the brutal Omaha and Utah beachheads inch by bloody inch, our boys finally declared victory, forcing Hitler to begin his long retreat into oblivion.

That victory did not come without cost, however. Today, 9,387 white crosses and Stars of David overlook the silent beaches of Normandy, marking

the final resting place of America's war dead.

The soldiers buried there were part of the Greatest Generation, young men from every State and territory in the United States.

We remember them, our warriors, those that were killed, those that returned, and those that returned with the wounds of war, because, Mr. Speaker, the worst casualty of war is to be forgotten.

And that is just the way it is.

#### IMMIGRANT HERITAGE MONTH

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

Mr. VEASEY. Mr. Speaker, I rise today to celebrate our immigrants' heritage. Over one-third of north Texans in the Dallas-Fort Worth area were born outside of the United States. They live and work in my district: Hondurans in South Irving, Somalians in Stop Six, Mexican nationals in Oak Cliff.

Whether they are from Jalisco to Tijuana, El Salvador to Nigeria, they are our fellow Texans.

Across the metroplex, they fulfill their own version of the American Dream as teachers in classrooms, engineers who design defense equipment, doctors who care for our families, and soldiers who protect our Nation. Quite frankly, Mr. Speaker, they are fulfilling a lot of jobs in agriculture and construction and other areas that are simply hard to fill and cannot be filled at home by native-born Americans.

This administration is attempting to abolish their patriotism and demoralize their American spirit, but we can't let them win.

We need to heal the distrust and fear that comes from talks of border walls, and instead, build community ties that can withstand. Let's start with the protection of our Active Duty servicemembers and veterans. Let's celebrate our immigrants' heritage this month by honoring our country's legacy as a Nation of immigrants.

Let's pass a clean Dream Act now.

#### COMMEMORATING THE 74TH ANNIVERSARY OF D-DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today on the 74th anniversary of the Allied D-Day invasion of France to honor the bravery of our Armed Forces who served in that operation.

73,000 Americans took part in Operation Overlord on June 6, 1944. This operation secured a beachhead on the European continent that began the liberation of France and then the rest of Western Europe.

Sadly, the United States suffered more than 6,000 casualties in this oper-

ation. Ultimately, thousands more U.S. servicemembers would fall in the coming weeks and months liberating the rest of Western Europe from German control.

The courage, bravery, and sacrifice displayed by our military on this day continues to serve as an example for the cost of freedoms that we enjoy in the United States today.

Mr. Speaker, I recently had the honor and the privilege of attending a wreath-laying ceremony on Omaha Beach in Normandy at the Normandy American Cemetery in France.

This memorial serves as a constant reminder to the world that the United States will fight and die to protect the freedoms of not just American citizens, but for citizens around the globe.

□ 1215

#### CELEBRATING PRIDE MONTH

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

Ms. KELLY of Illinois. Mr. Speaker, I rise today to celebrate Pride Month.

For generations and across industries, LGBTQ Americans have directly contributed to America's greatness. Chicagoland is home to many of these leaders, like Carol A. Johnson, a union and HIV activist; Kim Hunt, a policy expert; the late Vernita Gray, a community activist; business leaders like Fred Eychaner and Tracy Baim.

In the last few years, we have made remarkable progress towards equality. On June 26, we will celebrate the fifth anniversary of marriage equality for all Americans, yet much work still remains.

Trans Americans are still too often the victims of violence, harassment, and exploitation. Too many struggling with who they are or whom they love resort to self-harm and suicide. And, sadly, we have a man in the White House who is unwilling to recognize June as Pride Month.

Despite these challenges, LGBTQ Americans and their family, including me, stand as united as ever, and we will keep pushing until real, true, and lasting equality isn't just encoded in law but encoded in our hearts.

Happy Pride.

#### THE HISTORIC RESCUE OF BULGARIAN JEWS FROM THE HOLOCAUST

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

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful that, 28 years ago this week, I was appointed by the International Republican Institute as an election observer for the first free elections in Bulgaria as it emerged from totalitarian communism. Since that time, I have seen Bulgaria advance to be a vibrant democracy as a

member of NATO and the European Union.

On the 75th anniversary of the rescue of Bulgarian Jews from the Holocaust, the world recognizes this as a remarkable event in history. Over 50,000 Jewish people were saved by the Bulgarian church, some intellectuals and members of Parliament, but most of all, the Bulgarian people.

The Bulgarian Jewish community was the only one in Europe which not only survived World War II, but increased in size.

The Bulgarian people should always be appreciated for their courage and action. As co-chair of the Bulgaria Caucus, I cherish the mutually beneficial friendship between our two countries inspired by Prime Minister Boyko Borissov and Ambassador Tihomir Stoytchev.

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

God bless the memory of the American-led Allied troops who landed at Normandy 74 years ago to begin the liberation of Europe, defeating national socialism.

#### RISE AGAINST HUNGER

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

Mr. MCGOVERN. Mr. Speaker, on May 15, I joined several of my colleagues from the House and Senate, officials from USDA, Ambassadors to the United States, and 150 volunteers at a meal packaging event hosted by the nonprofit organization Rise Against Hunger and The Kraft Heinz Company. Together, we packaged 20,000 meals that will be sent to Mozambique and distributed to families through a school feeding program in that country.

I admire the incredible efforts of Rise Against Hunger, under the leadership of Rod Brooks, in hosting meal packaging events like this one I attended on Capitol Hill a few weeks ago. Last year alone, Rise Against Hunger served 1.4 million people in 74 countries across the globe as they worked toward the important goal of ending global hunger by 2030.

I also applaud the work of Kraft Heinz in advancing its laudable goal of delivering 1 billion meals to those struggling with hunger by 2021. Kraft Heinz CEO Bernardo Hees, Board Vice Chairman John Cahill, and Board Member George Zoghbi traveled to D.C. to lead the event, and I am grateful for their commitment to ending hunger once and for all.

#### URGING THE ADMINISTRATION TO SANCTION ORTEGA REGIME OFFICIALS

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

Ms. ROS-LEHTINEN. Mr. Speaker, it has been 48 days since Ortega began his brutal crackdown on the Nicaraguan people. With over 110 Nicaraguans killed, including one U.S. citizen, the U.S. must take swift action to hold accountable those responsible for the bloodshed. Though I appreciate the administration's remarks condemning the violent attacks, actions must follow.

I sent a bipartisan, bicameral letter urging the administration to sanction two key regime operatives: Francisco Lopez, head of Albanisa, for money laundering and corruption; and Francisco Diaz, who leads the national police, for orchestrating the repression and killing of Nicaraguans.

I also urge our Senate colleagues to pass my NICA Act, to condition our vote at international financial institutions until Nicaragua takes significant steps to restore democratic order.

The U.S. has an opportunity to lead the way, Mr. Speaker. Let's do that.

**PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3249, PROJECT SAFE NEIGHBORHOODS GRANT PROGRAM AUTHORIZATION ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 8, WATER RESOURCES DEVELOPMENT ACT OF 2018; AND PROVIDING FOR CONSIDERATION OF H.R. 5895, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2019**

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 918 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 918**

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 3249) to authorize the Project Safe Neighborhoods Grant Program, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on the Judiciary or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 8) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the

chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-72 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-71 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived except as follows: page 66, line 14, through page 66, line 20. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules and pro forma amendments described in section 4 of this resolution. Each further amendment printed in part B of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment

except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 4. During consideration of H.R. 5895 for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate.

SEC. 5. (a) During consideration of H.R. 5895, it shall not be in order to consider an amendment proposing both a decrease in an appropriation designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an increase in an appropriation not so designated, or vice versa. (b) This paragraph shall not apply to an amendment between the Houses.

□ 1230

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the ranking member of the Rules Committee, the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

**GENERAL LEAVE**

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I am excited to be down here with my friend from Massachusetts today, Mr. Speaker. You heard the Reading Clerk work her way through this rule. It is a big one today, and it is a big one because we have got a lot to talk about today. I am going to try not to go over. I appreciate the Speaker starting proceedings a little early today so that we have time to get through all of the material that we have to work through.

In this rule today, House Resolution 918, we are providing for three separate appropriations bills to be considered as a single package in addition to two other bills that are very important.

First of all, the rule today, Mr. Speaker, provides for concurrence in the Senate amendment to the House-passed bill, H.R. 3249. It is the Project Safe Neighborhoods Grant Program Authorization Act.

Mr. Speaker, our colleague from Virginia (Mrs. COMSTOCK) has been working so aggressively on this bill. You will remember the House passed this bill by a voice vote back in March of this year. It went over to the Senate. The Senate amended it. They, too,



passed it by unanimous consent. House Resolution 918 today provides for the consideration to approve those Senate amendments, send this bill directly to the President's desk, and let it begin to make a difference in these communities right away.

The bill supports Federal, State, and local law enforcement efforts, Mr. Speaker, to combat gang-related violence throughout our communities and to get involved in other prevention techniques.

We have all seen street gang activities increasing in our communities. If you are from a community that has not yet seen that impact, consider yourself fortunate. According to the House Judiciary Committee, Mr. Speaker, we have these crimes on the increase. We have all been hearing about transnational gangs, such as MS-13, as they are becoming increasingly organized and increasingly more violent.

Giving our Nation's law enforcement authorities the ability to keep Americans safe and to have the tools they need to fight these gangs is a priority of all of us in this institution, and approval of this rule today will allow us to bring that bill to the floor and send it to the President's desk for his signature.

House Resolution 918 also provides for a structured rule, Mr. Speaker, for consideration of the first of our fiscal year 2019 appropriations bills. As I mentioned, there are three bills in this package. H.R. 5895 combines the Energy and Water Development bill with the Legislative Branch Appropriations bill and with the Military Construction and Veterans Affairs bill. It puts them all under one umbrella, maintaining our commitment to the Bipartisan Budget Act of 2018 spending caps.

The House Appropriations Committee, Mr. Speaker, has already passed 6 of the 12 annual appropriations bills. I will say that again. Six of the 12 annual appropriations bills have already moved through the House Appropriations Committee.

I look forward to the remainder of those bills being on this floor very soon. In fact, the Subcommittee on Interior, Environment, and Related Agencies is marking up their bill today, and the Defense Subcommittee is marking up their bill tomorrow.

So before the end of the week, I would expect we will have 7 of 12 appropriations bills ready for the floor, and we will be well on our way to having an eighth ready for the floor soon. This is only the first week of June, Mr. Speaker, and this is already the progress that the House Appropriations Committee has achieved. I am very proud of their success, and I want to talk a little bit about the bills they have before us today.

You will remember, Mr. Speaker, the Legislative Branch Appropriations bill was approved unanimously by the Appropriations Committee. Republicans and Democrats came together to sup-

port that bill. You will recall that we decided early on, Mr. Speaker, that thrift would begin here in this House.

With this Legislative Branch Appropriations bill, not only are we funding the shared priorities across the Capitol, we are also at a funding level still below the level at which this House was funded the year I was first elected to Congress, Mr. Speaker. Thrift does begin at home. We have avoided being penny-wise and pound-foolish. We funded important priorities and were again able to pass this out of committee on a unanimous, bipartisan vote.

The Military Construction and Veterans Affairs bill also came out of committee on a unanimous, bipartisan vote, 47-0 in both cases, Mr. Speaker. And, clearly, this type of collaboration, this type of bipartisan activity is something we would like to see more often in this Chamber, but we have it in these two bills today.

The third appropriations bill that is bundled together here, Mr. Speaker, is the Energy and Water bill, a bill that is tremendously important to my part of the world there on the Georgia coast, involving Georgia's water infrastructure. It passed the Appropriations Committee on a slightly less powerful vote. It was 29-20, still a bipartisan vote, but not as big a majority—in fact, not unanimous, as the others were. But it is critically important to so many of our States, Mr. Speaker, and I am confident we will be able to move it across the floor.

I will just give a couple of examples. I know everybody has their own story to tell about the importance in their State.

In my State, it provides \$49 million as a Federal partnership to the more than \$300 million that the State of Georgia has already put into deepening the Port of Savannah. The Savannah Harbor Expansion Project is one of the largest economic development projects in the Southeastern United States. It has a Corps of Engineers report authorizing this construction. Georgia put all of its money in up front, and now the Feds are coming through with \$49 million of their own.

Mr. Speaker, the bill includes millions of dollars for operations and maintenance of the Corps of Engineers. If you live in the Southeastern United States, as I do, odds are, the Corps controls your water supply. More than 80 percent of the people who live in the multimillion-person metropolitan Atlanta area, Mr. Speaker, depend on Corps of Engineers facilities for their drinking water. Eighty percent depend on Corps of Engineers for their drinking water. It is tremendously important to families across the district.

I am heartened that the Appropriations Committee, even though they could not be unanimous, persisted in moving this bill through committee in a bipartisan way, and I am optimistic of what it is going to do for water and energy infrastructure for years to come.

Finally, Mr. Speaker, to a committee that is almost as near and dear to my heart as the Rules Committee is, this bill brings to the floor a bill from the Transportation Committee, H.R. 8, the Water Resources Development Act of 2018.

Folks often think of the Veterans Affairs' Committee as being one of the most bipartisan committees on Capitol Hill, and, candidly, I think it makes us all proud to know that is true; but the House Transportation Committee sits a very close second.

Infrastructure projects, whether it be safe drinking water, whether it be roads and bridges, whether it be airport facilities, these are issues that we all confront, and these are issues that bring us together in an also unanimous fashion, Mr. Speaker. The House Transportation Committee reported the Water Resources Development Act of 2018, and we have that before us today.

If you haven't gotten to see a good committee chairman and ranking member working in partnership, Mr. Speaker, I would recommend Chairman BILL SHUSTER of Pennsylvania and Ranking Member PETE DEFAZIO of Oregon to you any time. To suggest that these two men agree on everything would be folly, but to suggest that they find a way to work through everything would not be too much said. They never take no for an answer. They always work hard together. In the case of the Water Resources Development Act, Mr. Speaker, that doesn't just exist at the committee chairman level; it exists at the subcommittee level.

On the Republican side of the aisle, we have Chairman GARRET GRAVES from Louisiana; and on the Democratic side of the aisle, we have Ranking Member GRACE NAPOLITANO from California—again, two Members who work incredibly closely together. They produce a superior work product that you are going to be able to see in the line items in this legislation.

We are talking about America's ports. We are talking about inland waterways. We are talking about locks and dams. We are talking about flood protection. We are talking about water infrastructure and ecosystem protection. Line item after line item, we were able to come together in a bipartisan way.

I would argue this is going to be one of the most important bills that the Congress passes in 2018, Mr. Speaker. And, again, it took a lot of hard, bipartisan work to get here.

Our Nation's ports, Mr. Speaker, process about \$4 billion in product a day, imports and exports. About 11 percent of everything we buy in the State of Georgia has come through one of our ports. Nearly 440,000 jobs, Mr. Speaker, in my State alone are dependent on ports and waterways, and there is \$25 billion worth of State income from that.

And that is just a State like Georgia, Mr. Speaker. If you go to Florida, North Carolina, Louisiana, California,



or Washington State, you are going to hear those same stories told time and time again.

Now, I would like to believe, because we passed this bill out of the Transportation Committee where transportation experts sit, that we produced a perfect work product out of the Transportation Committee. But wearing my Rules Committee hat, I recognize that other Members of this Chamber may have some good ideas of their own that they would like to make in order for the debate on the Water Resources Development Act.

To that end, the rule today, Mr. Speaker, passed by this body will make 52 additional amendments in order to be considered for this bill. That is 19 Republican amendments, 20 Democratic amendments, and 13 bipartisan amendments.

I will say that again, Mr. Speaker. Fifty-two amendments were made in order by this rule for the Water Resources Development Act: 19 Republican amendments, 20 Democratic amendments, and 13 bipartisan amendments.

All amendments are intended to make this bill better. This body will decide, if this rule is approved, whether, in fact, they do.

We had four subcommittee meetings on WRDA this year, this cycle, Mr. Speaker—two roundtable discussions in Florida and Oregon, and two hearings here in Washington, D.C.—all seeking to involve stakeholders.

You may not recall, Mr. Speaker, but there was a while that this Congress was unable to pass WRDA bills. We went through 7 years of this Congress failing to pass any WRDA bills at all. I was not in Congress at the time that began, but I am in Congress at the time that that comes to an end.

Beginning with BILL SHUSTER's leadership there on the Transportation Committee, we have gotten back in the habit of moving a water resources bill every single Congress. This will be the third in that cycle, and it matters: It matters for certainty to stakeholders back home; it matters for certainty to constituents back home; and it matters that we don't have to do it all in one giant omnibus bill every single time. We are able to break it down into smaller chunks because we are taking care of it as challenges arise, again, in a bipartisan fashion.

Mr. Speaker, I am proud to sit on the Transportation and Infrastructure Committee where the kind of collaboration and mutual respect that you have heard me talk about exists every single day.

I want to thank, again, Chairman SHUSTER and Ranking Member DEFAZIO for making that environment one that can exist.

I think we brought a very fair rule to the floor today to try to bring not just the Water Resources Development Act to the floor, the Project Safe Neighborhoods Grant Program Authorization to the floor, but also the first three appro-

priations bills in our annual cycle to the floor.

Mr. Speaker, I hope all my colleagues can support the rule, I hope they will support the underlying bills, and I reserve the balance of my time.

□ 1245

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

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. WOODALL) for yielding me the customary 30 minutes.

Mr. Speaker, this rule is a study in contradictions from my Republican colleagues. They have brought up H.R. 8, the Water Resources Development Act. This is an incredibly important bill to improve our Nation's ports, locks, dams, and more all across the country. It is a bipartisan bill, and it was the product of a process that shows how Congress is supposed to work.

Hearings were held, and thoughtful testimony was given, including from the head of the Army Corps of Engineers. There was a markup. Input and ideas were heard from Members on both sides. Remarkably, a majority of amendments offered were adopted en bloc by a voice vote without much controversy.

That is important to note, Mr. Speaker, because Republicans these days aren't known for their lack of controversy. Just this week the President of the United States is talking about pardoning himself of possible Federal crimes. His lawyer is floating wild theories about how the President could shoot his former FBI Director without facing prosecution while in office.

So this bipartisan bill and the mostly collaborative process that got us here came as welcome relief—until this bill got to the Rules Committee. That is when Republican leaders ran into a back room somewhere and took out a bipartisan amendment from the ranking member of the Transportation and Infrastructure Committee, Congressman DEFAZIO. The amendment would reform the harbor maintenance trust fund to make sure money gets where it needs to go: to actually maintaining our harbors.

They did this without any debate and despite the fact that both the chairman and ranking member of the committee supported it. The gentleman from Georgia says he is on the Transportation and Infrastructure Committee, and he voted against his chairman and ranking member. So much for bipartisanship. The majority threw sand in the gears of what was a good process. They just can't help themselves, and this is par for the course here.

Just look at the other water development bill, the Energy and Water Appropriations Act. This could have been another bipartisan measure. It funds most programs at an adequate level.

But the majority reverted back to their usual ways: ignoring Democratic ideas and filling this up with one bipartisan proposal after another. It is like a Christmas tree loaded up with bad ideas.

More than \$400 million was cut from 2018 enacted levels for some of our biggest priorities, things like energy efficiency and renewable energy programs. Even nuclear nonproliferation programs were cut; and for what, Mr. Speaker? So the majority can reward their allies by skewing resources toward the fossil fuel industry.

There are controversial riders that are completely unnecessary and would do more harm than good. They have no business being in an appropriations bill.

One of the riders would hinder the Army Corps' ability to protect clean water. Another would kill the Waters of the United States rule. There is one rider that would threaten the Endangered Species Act. There is even language tucked inside this bill that would allow firearms to be carried on all Army Corps lands; and this from a majority that refuses to even consider ways to combat gun violence on the House floor. We can't even get a vote on anything related to gun violence on this floor. This is outrageous.

The majority is also using this appropriations process to fund President Trump's stupid, ridiculous, offensive border wall. Mr. Speaker, didn't the President tell us that Mexico was going to foot the bill for this ridiculous wall? It is being funded by shortchanging priorities for the middle class. That includes programs to educate our children, help students afford college, and provide job training to our workers, all for this stupid wall—more red meat for the most narrow parts of the Republican base.

I remember my Republican colleague talking for years about the importance of passing a budget resolution. Maybe that was just something they cared about under the Obama administration or something they do only when they are trying to take healthcare away from people or reward the wealthy with more tax cuts, because here they are under a Republican President with a Republican Congress pushing ahead with an appropriations package without passing a budget. That April 15 deadline came and went a long time ago.

Mr. Speaker, what happened to doing one bill at a time? We used to consider appropriations bills separately, but the majority's rule lumps several together to try to speed up the process and I guess limit debate; and for what? Funding the government is one of our most important responsibilities. Two of these bills would probably pass with broad, bipartisan support, but, apparently, bipartisanship is not a priority for some of the Republican Conference. So they had to cram them together with a partisan bill that is filled with harmful ideological riders.

I would like to think that the majority would want strong, bipartisan votes on appropriations bills. We used to have them in the past. We don't have any bipartisanship now as a direct result of the choices made by this Republican leadership.

Mr. Speaker, why is the majority using a process that makes it harder to pass bipartisan bills? It may please their base, but it is an awful way to legislate. This majority has had 8 years to decide how to run this place. Mr. Speaker, clearly, they haven't figured it out. There is no budget and not even an attempt to get one. Where are all the Republican budget hawks? Where is their countdown clock with "days since the last budget"? This majority can't even keep the lights on. We have seen two government shutdowns this year alone, and it is only June. My colleague from Georgia again said: Look at all we have done, and it is June.

The other thing they did is they broke their own record of now being the most closed Congress in the history of the United States of America. They have brought more bills to the floor under a restrictive, closed process than any other Congress in history. Yes, they have accomplished a lot, it is only June, and it is going to get worse.

There is virtually no oversight of the executive branch from this majority. None. Just one example, and this is a beauty: we have an EPA administrator who allegedly got a sweetheart deal on an apartment and spent \$43 on a phone booth. You can't make this stuff up. He asked a Federal employee who reported to him to hunt for a used mattress from President Trump's hotel.

None of this seems to bother my Republican colleagues. How is that possible?

Mr. Speaker, it is time for the adults in Congress to stand up, bring sanity back to our government, bring professionalism back to our government, and bring some integrity back to this institution. Make your constituents proud. Make your government great again. You can start here today by voting "no" on this rule.

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

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

Mr. Speaker, I didn't come to the floor today to tell anybody that the process was perfect, and I didn't come to the floor today to tell anybody that the pieces of legislation before us are perfect. I am certain that they are not perfect, Mr. Speaker, because I didn't write every line of every one of them. That is my indication that they didn't turn out exactly right.

What I did do, however, because I serve on the committees of jurisdiction, is I worked with my Democratic colleagues to get to a bill that we can all be proud of.

Understand what we are talking about here today, Mr. Speaker. We can go back and have a series of recriminations and talk about all the injustices

that have happened to each and every one of us over the years or we can celebrate the fact that in a really difficult budget environment we found a way to get the appropriations bills out—two out of three of these bills today unanimously—to the floor. The third one that didn't come out unanimously still came out with a bipartisan vote, Mr. Speaker. We should be celebrating that, not pretending that we are not making an honest effort with one another to get things done.

The Water Resources Development Act, Mr. Speaker, the largest water infrastructure bill that this Congress will produce, and we produced it on a committee that has members from the far left to the far right and produced it unanimously, Mr. Speaker, because we did not take no for an answer and continued to work shoulder to shoulder until we found a place that each and every member could live with.

No, these bills are not perfect today, which is why, in the case of WRDA, for example—again, the best work product the Transportation and Infrastructure Committee could produce—we allowed more than 50 additional amendments—more Democratic amendments than Republican amendments, bipartisan amendments as well—to try to improve that language.

How does this WRDA bill come to the floor? It comes after a long period of time where this Congress was controlled by both parties where no WRDA bill was produced at all. I will say it again, Mr. Speaker: it comes after a time when this Congress, controlled by both parties, produced no Water Resources bill at all. No bill for ports, no bill for inland waterways, no bill for water infrastructure, and no bill for locks and dams. No bill, Mr. Speaker, at all.

Fast forward to today, Mr. Speaker. We are talking about the third consecutive Congress where we have come together and gotten it done—not gotten it done for one party or another, not gotten it done for one Member or another—but gotten it done on behalf of all of our constituents who sent us all here, not to find excuses, not to find things to complain about, but to find a way to make it happen.

Support this rule today, Mr. Speaker. I urge all my colleagues to support this rule today, Mr. Speaker, because if they do, we will bring that bipartisan work product to the floor. We will bring that unanimously approved gang violence prevention bill to the floor. And we will bring those three appropriations bills all passing in a bipartisan way out of committee to this floor. It is a day we can be proud of, Mr. Speaker, and I am proud to be here with you to talk about it.

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

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

Mr. Speaker, I am glad the gentleman came here to celebrate. I came here to remind everybody, again, that

this is the most closed Congress in the history of the United States of America. I think that is an important fact for people to consider and digest, because process is important. Process equals substance. I am sorry, but that is not something to celebrate.

We have no problem with the WRDA bill. We will support that, no problem. The gang violence bill, I think most of us will support that. Where we have a problem is what the majority did with the appropriations bills. The majority took two appropriations bills where there could be virtual unanimity—certainly bipartisan support—and says: If you want those bills, you have got to swallow a poison pill. You have to also vote as part of that package an Energy and Water bill that is filled with antienvironmental riders.

I get it. I know where the allegiance of the majority party is when it comes to the environment. It is in the pockets of the oil companies, the fossil fuel industry, and now the coal companies. I get it.

But for those who are offended by the antienvironmental record of the Republicans who run this House and certainly by the antienvironmental record of this administration, we don't want any part of that. That is not a bipartisan process. That is not a good process.

By the way, these antienvironmental riders have no business being on an appropriations bill. It is stuff that just was added because the majority could. So we can't celebrate that process.

Yes, we will vote for the WRDA bill, applaud Chairman SHUSTER and applaud Ranking Member DEFAZIO and all the members of the Transportation and Infrastructure Committee. We have no problem with that.

But this rule is designed for a purpose, and that is to limit debate and that is to try to put pressure on people to vote for a package that includes some really horrendous riders on it that do great harm to our environment. That is not the way this place is supposed to work.

Unfortunately, the majority controls the process. This is a process the majority chooses to embrace. It is not fair, and, again, it is now the most closed process in the history of the United States of America.

Mr. Speaker, the infrastructure in our Nation is in dire need of repair and maintenance. Reports are that Chairman SHUSTER is hoping to release an infrastructure bill later this summer. This is good news, but given the Republican majority's recent history, the American taxpayers first need to know where our priorities with that bill lie.

The American people have good reason to be worried about whom such an important bill would actually benefit. Just a few months ago the GOP passed a tax bill that skewed nearly all of the benefits to the wealthy and rich corporations leaving working class people behind. We can't allow this same approach to trickle into an infrastructure

bill that could skew all the benefits to billionaires and Wall Street banks looking to profit from the privatization of our infrastructure.

We need to send a clear signal that our priority in repairing and upgrading our infrastructure is to not privatize these essential resources to enrich a lucky few; but instead will prioritize creating millions of living-wage jobs without selling off our roads and bridges to private investors. Mr. Speaker, here is the Republicans' chance to prove that they stand with hardworking Americans in fixing our Nation's infrastructure and not with billionaires, Wall Street banks, and foreign investors.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative LIEU's resolution, H. Con. Res. 63, which outlines priorities for efforts to enact a bold jobs and infrastructure package that benefits all Americans, not just billionaires.

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

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

There was no objection.

□ 1300

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. TED LIEU) to discuss our proposal.

Mr. TED LIEU of California. Mr. Speaker, I thank the gentleman from Massachusetts for yielding.

Since the beginning of this Congress, we have had more infrastructure weeks than I can count, but we have yet to take up a comprehensive infrastructure bill. America desperately needs that.

The American Society of Civil Engineers has estimated that for the next 10 years, we need \$4.6 trillion of infrastructure funding just to keep pace. Over \$2 trillion of that is not funded.

So, for example, 53 percent of our public schools need funding to make repairs. More than 18 million Americans drink from water systems that fail to meet Federal lead tests. Forty percent of rural America and those on tribal lands lack broadband access.

The President has designated week after week as Infrastructure Week, but this House majority has yet to consider a serious infrastructure proposal. When it comes to infrastructure, the President and this GOP majority has been all talk, no action. America deserves better. We have to fix our roads and highways, water infrastructure, schools, transit systems, and VA facilities. We have to have key principles for this infrastructure.

First, we have to create millions of new jobs through investments in 21st century projects. We also need to emphasize public investment over corporate giveaways and the selling of

public goods. We need to embrace 21st century clean energy jobs, including expanding solar and wind power, promoting energy efficiency, and modernizing the energy grid.

We also need to ensure that investments are not paid for at the expense of Social Security, Medicare, or Medicaid. We need to not weaken or repeal existing environmental laws.

H. Con. Res. 63, which embodies all of these principles, is supported by more than one-third of the House, with 157 cosponsors. We need to bring this proposal up rather than considering partisan appropriations bill that cut funding for renewable energy and energy efficiency and repeal protections that keep our waterways clean without offering a meaningful opportunity for debate.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I support the underlying water resources development legislation.

In communities across the country, our infrastructure is falling apart, as colleagues on both sides of the aisle have pointed out. This is evident in the state of our Nation's dams. In communities like Waterbury, Vermont, dams are rapidly aging and the risk of breach continues to grow.

In 2016, Congress took a very positive step to address this issue with the passage of the WIIN Act. Section 1177 of the WIIN Act authorized funding for the Army Corps to rehabilitate some of the Nation's oldest Corps-constructed dams that are classified as high hazard potential. As you know, the failure of a dam that is so classified is anticipated to cause the loss of life.

While section 1177 was a positive start, its limited authorization and per project cap have hindered its effectiveness. To that end, I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for their willingness to work with me to address this matter.

Section 105 of the legislation before us addresses these shortcomings by increasing the provisions in authorization and giving dams greater authority to accrue Federal funds over multiple years.

The benefits of these changes to communities like Waterbury, Vermont are very clear. In 2011, Mr. Speaker, Waterbury suffered a devastating flood during Hurricane Irene. Despite the damage that the village suffered—totally flooded—the flooding in Waterbury would have been far more catastrophic if it weren't for the Corps-built Waterbury Dam, a 1930s-era construction in need of significant repair. Section 105 will give the Corps the tools it needs to get work done rehabbing high-hazard dams like Waterbury across the country.

Both parties agree we need to improve our infrastructure. This bill will take important steps to do that and ad-

dress some of our most outdated, hazardous dams in this country. I urge my colleagues to support this bill.

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

I appreciate the words of my friend from Vermont. He is absolutely right. Fiscal conservatives, as a rule, are out there trying to save money. Occasionally, we find ourselves in those spaces where we end up being penny wise and pound foolish.

The flood mitigation projects that my friend from Vermont referenced saved countless dollars, but, more importantly, countless lives. As some of these aging infrastructure projects look to be on the brink of failure, the time to act is now, not later.

I am glad to see that we were able to come together to invest needed resources today in a water resources development bill so that we are not spending dollars tomorrow in a disaster relief bill. This is the right time to do it, and I appreciate my friend from Vermont making that point.

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

Mr. MCGOVERN. Mr. Speaker, may I inquire of the gentleman from Georgia how many more speakers he has on his side?

Mr. WOODALL. Mr. Speaker, I would advise my friend that I am prepared to close when he is.

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

Mr. Speaker, in spite of the fact that this is the most closed Congress in the history of the United States, I believe in giving credit where credit is due. This WRDA bill is a bill that is the product of a bipartisan process. I applaud the chairman, Mr. SHUSTER, and the Ranking Democrat, Mr. DEFAZIO, on working together, and all the members of the Committee on Transportation and Infrastructure coming together to try to come to an accommodation that resulted in this bill.

I regret very much that, despite their good work, in some backroom in the Rules Committee somewhere, the majority decided to rip out a bipartisan provision that the chairman and ranking member had agreed on. Then, making that even worse, the chairman and the ranking member had an amendment to try to at least have a debate on the floor and let the Members decide that issue, but the Rules Committee decided not to make that in order as well. Anyway, I don't want to be too picky. Overall, the WRDA bill is good. It will get a bipartisan vote.

Of the three appropriations bills—this new approach where we bunch everything together so we don't have a lot of time to talk about them—two of the appropriations bills are fine. There would be, I think, a pretty big bipartisan vote. The Legislative Branch Appropriations bill would pass with a strong bipartisan vote. I think that is a good thing. The Military Construction-VA bill would pass with a strong bipartisan vote. That is a good thing. But

my friends are allergic to bipartisan-ship.

So, what they have to say is: You know what? Yeah, that is bipartisan, that is bipartisan, but we are going to bunch it in with a bill that is extremely partisan, that is filled with these horrific anti-environmental riders in it. If you want the good stuff, you have got to take this awful stuff as well.

We are not going to do that. You are not going to have a bipartisan vote. I think if we were running this House, we would prefer to see a bipartisan vote than simply a partisan vote on everything.

If this is the beginning of an appropriations process that you are going to employ throughout the remaining time, I worry about how this will all end up. My guess is, it will be what it usually is: this massive, gigantic mess at the end where deals are struck behind closed doors and things are put together, and we get a vote on one big, massive bill, take it or leave it. And then we will find out what is in it weeks and months later.

I think that we are at a point where we have to really decide how this House should be run. I would just respectfully say to my Republican friends that this is not the way we should do the appropriations process. In general, this is not the way we should run the House. We ought to be debating appropriations bills one at a time. We ought to be encouraging bipartisanship, not trying to make it impossible. We have to be more accommodating.

It shouldn't be a proud day for the majority to be able to break their own record of being the most closed Congress in the history of the United States. That is not the way this place is supposed to run. I think it has become too convenient for my Republican friends to run it in a way where they just put bills on the floor and say: Take it or leave it, my way or the highway.

I guarantee you, if you are more accommodating, if you are more open, you will have more bipartisan votes. You will have less rancor in this Chamber. Maybe people will actually like Congress better if they see us working together.

So I regret very much that I think my words are falling on deaf ears, but it really is disappointing and I think it is a disservice to the institution.

I urge my colleagues to vote "no" on the previous question so we can bring up Mr. LIEU's bill. If that doesn't pass, I would urge my colleagues to vote "no" on this rule. This is not the kind of process we want to see move forward on appropriations. I think this is the only opportunity for Democrats and Republicans to be able to express that, by voting "no" on the rule.

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

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

Mr. Speaker, first things first. I mentioned earlier I don't think any of these bills are perfect bills; I just think they are the best we were able to work out together.

I do want to mention that in the Rules Committee report in the summary of Mr. NOLAN's amendment, we did describe that amendment incorrectly. We have now corrected that for the record, that has been submitted, but I just want to highlight that for the purposes of transparency.

I think my friend from Massachusetts is exactly right, Mr. Speaker. It is time for us to decide how we want to run this institution. I don't question his numbers. He is very good. When he says this is the most closed Congress in American history, I am sure he has some set of numbers that backs up that attestation.

But what I know is, when I was running for Congress and Democrats were leading this institution at the time, for the entire cycle that I was running, Democrats allowed less than 1,000 amendments totally for the entire session of Congress.

Mr. Speaker, this Congress, we have considered more than 1,000 amendments before the month of May got out. We haven't even gotten into the appropriations cycle yet. That doesn't include the 30 amendments made in order on the appropriations bill today. It doesn't include the 50-plus amendments made in order on WRDA today.

We have already done more to allow Members to be heard in this Congress than was happening when the other side led this institution. I don't think that should be the measure of success, Mr. Speaker. I don't think that should be the measure of success. My friend from Massachusetts was right when he said we are going to get bigger votes and better votes when we bring better bills and a better process to the House floor.

Let me tell you what I have brought today, Mr. Speaker. I will tell you what I brought today. I brought a bill that passed this House unanimously before it went to the Senate to be passed unanimously after a few amendments—and I brought it back here so that we can again pass it unanimously—a bill to protect communities, to empower law enforcement to fight gang violence on the front lines. I want to send that bill to the President, Mr. Speaker. And if we pass this rule today, we will be able to send that unanimously agreed-upon legislation to the President. That is in this rule.

Also in this rule is the Water Resources Development Act, which passed the Transportation and Infrastructure Committee unanimously. Unanimously, Republicans, Democrats, conservatives, liberals, everyone working together to bring a bill out of committee unanimously.

The Rules Committee still made another 50 amendments in order in case folks want to improve upon it—50-

plus—but we made those amendments in order to a bill that had already been agreed upon unanimously.

What else does this rule do?

It brings a third piece of legislation to the floor as a part of our appropriations package, the legislative branch appropriations bill, which passed out of committee how, Mr. Speaker? Unanimously, Republicans and Democrats working together to bring that bill out of committee.

We include the Military Construction-Veterans Affairs bill in this package, Mr. Speaker. It came out of committee how? Don't tell me.

Unanimously, as Republicans and Democrats came together to move that legislation forward.

□ 1315

And then we have a fifth part of this package, the Energy and Water appropriations bill, which I confess—I want to be clear; I want to be transparent—did not pass unanimously. It just received a simple bipartisan vote to come out of committee.

So I challenge my colleagues who want a better process, who want to see better bills come to the floor. We are already making more amendments in order than my friends on the other side ever dreamed of doing. We are already bringing bills to the floor that have passed in a collaborative, in fact, unanimous way.

If Members support this rule, they will be supporting five things, four of them that passed unanimously, and one that passed with a bipartisan vote. Is that going to get everybody what they want here today? I doubt it. It is a tall order, but is it worth supporting? Is it worth saying it is a step in the right direction? Is it worth celebrating because you know it could have gone a different way, but we committed ourselves to the excellence that we have here? It is.

I will finish where I began, Mr. Speaker. I am proud to be down here carrying this rule today. I am the luckiest guy in the world to be able to come down here and talk about it, because folks don't get to hear it, they don't get to read about it, they don't get that around the water cooler back home, Mr. Speaker, that we are working together; that we are working together not only on the easy problems, but on the hard problems; that we are doing things here together that we have not done before, but we are doing them now because we have serious men and women on both sides of the aisle who want to make it happen.

Support this rule. Support this rule. Let's show the American people the work product that has gone into this legislation: the rule and those five underlying provisions. I urge my colleagues to vote "yes."

Mr. SESSIONS. Mr. Speaker, the Rules Committee report (H. Rept. 115-711) to accompany House Resolution 918 included an incorrect amendment description of amendment No. 14 offered by Representative NOLAN of Minnesota.

The correct amendment description should read:

Expresses the sense of Congress that the construction of a new lock at the Soo Locks at Sault Ste. Marie, Michigan, is vital to our national economy, national security, and national need for new critical infrastructure.

Mr. SESSIONS. Mr. Speaker, the Rules Committee report (H. Rept. 115–711) to accompany House Resolution 918 should have included in its waiver of all points of order against amendments to H.R. 8 a disclosure of following violation:

Clause 9 of rule XXI, which requires a list of all earmarks, limited tax benefits, or limited tariff benefits contained in an amendment to a bill or joint resolution to be offered at the outset of its consideration for amendment by a member of a committee of initial referral as designated in a report of the Committee on Rules to accompany a resolution, or a certification that the amendment does not contain any of those items. While a statement has not yet been printed in the CONGRESSIONAL RECORD for amendment No. 1 offered by Rep. SHUSTER, it is important to note that Rep. SHUSTER filed the required earmark statement on June 6, 2018, prior to floor consideration of the bill and amendment.

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

AN AMENDMENT TO H. RES. 918 OFFERED BY  
MR. MCGOVERN

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

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 63) supporting efforts to enact a bold jobs and infrastructure package that benefits all Americans, not just billionaires. The first reading of the bill shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall be confined to the concurrent resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. All points of order against provisions in the concurrent resolution are waived. At the conclusion of consideration of the concurrent resolution for amendment the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and preamble thereto to adoption without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the concurrent resolution, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the concurrent resolution.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H. Con. Res. 63.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote

against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

The SPEAKER pro tempore (Mr. POE of Texas). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adopting the resolution, if ordered; and

Agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 224, nays 176, not voting 27, as follows:

[Roll No. 234]

YEAS—224

Abraham	Graves (GA)	Palmer
Aderholt	Graves (LA)	Paulsen
Allen	Graves (MO)	Pearce
Amash	Griffith	Perry
Amodei	Grothman	Pittenger
Arrington	Guthrie	Poe (TX)
Babin	Handel	Poliquin
Bacon	Harper	Posey
Banks (IN)	Harris	Ratcliffe
Barletta	Hartzler	Reed
Barr	Hensarling	Reichert
Barton	Herrera Beutler	Renacci
Bergman	Hice, Jody B.	Rice (SC)
Biggs	Higgins (LA)	Roe (TN)
Bishop (UT)	Hill	Rogers (AL)
Black	Holding	Rogers (KY)
Blackburn	Hollingsworth	Rokita
Blum	Hudson	Rooney, Francis
Bost	Huizenga	Rooney, Thomas J.
Brady (TX)	Hultgren	Ros-Lehtinen
Brat	Hurd	Roskam
Brooks (IN)	Issa	Ross
Buchanan	Jenkins (KS)	Rothfus
Buck	Jenkins (WV)	Rouzer
Bucshon	Johnson (LA)	Royce (CA)
Budd	Johnson (OH)	Russell
Burgess	Johnson, Sam	Rutherford
Byrne	Jones	Sanford
Calvert	Jordan	Scalise
Carter (GA)	Joyce (OH)	Schweikert
Carter (TX)	Katko	Scott, Austin
Chabot	Kelly (MS)	Sensenbrenner
Cheney	Kelly (PA)	Sessions
Coffman	King (IA)	Shimkus
Cole	King (NY)	Shuster
Collins (GA)	Kinziger	Simpson
Collins (NY)	Knight	Smith (MO)
Comer	Kustoff (TN)	Smith (NE)
Comstock	Labrador	Smith (NJ)
Conaway	LaHood	Smith (TX)
Cook	LaMalfa	Smucker
Costello (PA)	Lamborn	Stefanik
Cramer	Lance	Stewart
Crawford	Latta	Stivers
Culberson	Lesko	Taylor
Curbelo (FL)	Lewis (MN)	Tenney
Curtis	LoBiondo	Thompson (PA)
Davidson	Long	Thornberry
Denham	Loudermilk	Tipton
DeSantis	Love	Trott
DesJarlais	Lucas	Turner
Diaz-Balart	Luetkemeyer	Upton
Donovan	MacArthur	Valadao
Duffy	Marchant	Wagner
Duncan (SC)	Marino	Walberg
Duncan (TN)	Marshall	Walden
Dunn	Massie	Walker
Emmer	Mast	Walorski
Estes (KS)	McCarthy	Walters, Mimi
Faso	McCaul	Weber (TX)
Ferguson	McClintock	Webster (FL)
Fitzpatrick	McHenry	Wenstrup
Fleischmann	McKinley	Westerman
Flores	McMorris	Williams
Fox	Rodgers	Wilson (SC)
Frelinghuysen	McSally	Wittman
Gaetz	Meadows	Womack
Gallagher	Messer	Woodall
Garrett	Mitchell	Yoder
Gianforte	Moolenaar	Yoho
Gibbs	Mooney (WV)	Young (AK)
Gohmert	Mullin	Young (IA)
Goodlatte	Newhouse	Zeldin
Gosar	Norman	
Gowdy	Nunes	
Granger	Olson	

## NAYS—176

Adams Fudge Nadler  
 Aguilar Gabbard Napolitano  
 Barragán Gallego Neal  
 Bass Garamendi Nolan  
 Bera Gonzalez (TX) Norcross  
 Beyer Gottheimer O'Halleran  
 Bishop (GA) Green, Al O'Rourke  
 Blumenauer Green, Gene Pallone  
 Blunt Rochester Grijalva Panetta  
 Bonamici Hanabusa Pascrell  
 Boyle, Brendan Hastings Payne  
 F. Heck Peters  
 Brady (PA) Higgins (NY) Peterson  
 Brown (MD) Himes Pingree  
 Brownley (CA) Hoyer Pocan  
 Bustos Huffman Price (NC)  
 Butterfield Jackson Lee Quigley  
 Capuano Jayapal Raskin  
 Carbajal Jeffries Rice (NY)  
 Carson (IN) Johnson (GA) Richmond  
 Cartwright Johnson, E. B. Rosen  
 Castor (FL) Kaptur Roybal-Allard  
 Castro (TX) Keating Ruiz  
 Chu, Judy Kelly (IL) Ruppersberger  
 Cicilline Kennedy Rush  
 Clark (MA) Khanna Ryan (OH)  
 Clarke (NY) Kihuen Sarbanes  
 Clay Kildee Schakowsky  
 Cleaver Kilmer Schiff  
 Clyburn Kind Schneider  
 Connolly Krishnamoorthi Schrader  
 Cooper Kuster (NH) Scott (VA)  
 Correa Lamb Scott, David  
 Costa Langevin Serrano  
 Courtney Larsen (WA) Sewell (AL)  
 Crist Larson (CT) Shea-Porter  
 Crowley Lawrence Sinema  
 Cuellar Lawson (FL) Sires  
 Cummings Levin Smith (WA)  
 Davis (CA) Lewis (GA) Soto  
 Davis, Danny Lieu, Ted Speier  
 DeFazio Lipinski Suozzi  
 DeGette Loeb sack Swallow (CA)  
 Delaney Lofgren Takano  
 DeLauro Lowenthal Thompson (CA)  
 DelBene Lowey Thompson (MS)  
 Demings Lujan, Ben Ray Titus  
 DeSaulnier Lynch Tonko  
 Deutch Maloney, Torres  
 Dingell Carolyn B. Tsongas  
 Doggett Maloney, Sean Vargas  
 Doyle, Michael Matsui Veasey  
 F. McCollum Vela  
 Engel McEachin Velázquez  
 Eshoo McGovern Visclosky  
 Espallat Meeks Wasserman  
 Esty (CT) Meng Schultz  
 Evans Moore Watson Coleman  
 Foster Moulton Welch  
 Frankel (FL) Murphy (FL) Yarmuth

## NOT VOTING—27

Beatty Gutiérrez Polis  
 Bilirakis Hunter Roby  
 Bishop (MI) Lee Rohrabacher  
 Brooks (AL) Lujan Grisham, Sánchez  
 Cárdenas M. Sherman  
 Cohen McNerney Walz  
 Davis, Rodney Noem Waters, Maxine  
 Ellison Palazzo Wilson (FL)  
 Fortenberry Pelosi  
 Gomez Perlmutter

□ 1344

Mr. PAYNE, Ms. SEWELL of Alabama, Messrs. RUSH, and COSTA changed their vote from “yea” to “nay.”

Mr. DESANTIS changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 234.

The SPEAKER pro tempore. The question is on the resolution.

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

## RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 175, not voting 29, as follows:

[Roll No. 235]

## AYES—223

Abraham Granger Nunes  
 Adersholt Olson  
 Allen Graves (GA)  
 Amodei Graves (LA)  
 Arrington Graves (MO)  
 Bacon Griffith  
 Babin Grothman  
 Guthrie Poe (TX)  
 Handel Poliquin  
 Harper Posey  
 Harris Ratcliffe  
 Hartzler Reed  
 Hensarling Reichert  
 Herrera Beutler Renacci  
 Hice, Jody B. Rice (SC)  
 Higgins (LA) Roe (TN)  
 Hill Rogers (AL)  
 Holding Rogers (KY)  
 Hollingsworth Rokita  
 Hudson Rooney, Francis  
 Huizenga Rooney, Thomas  
 Hultgren J.  
 Hurd Ros-Lehtinen  
 Issa Roskam  
 Jenkins (KS) Ross  
 Jenkins (WV) Rothfus  
 Johnson (LA) Rouzer  
 Johnson (OH) Royce (CA)  
 Johnson, Sam Russell  
 Jordan Rutherford  
 Joyce (OH) Sanford  
 Katko Scalise  
 Kelly (MS) Schweikert  
 Kelly (PA) Scott, Austin  
 King (IA) Sensenbrenner  
 King (NY) Sessions  
 Kinzinger Shimkus  
 Knight Shuster  
 Kustoff (TN) Simpson  
 Labrador Smith (MO)  
 LaHood Smith (NE)  
 LaMalfa Smith (NJ)  
 Lamb Smith (TX)  
 Lamborn Smucker  
 Lance Stefanik  
 Latta Stewart  
 Lesko Stivers  
 Lewis (MN) Taylor  
 LoBiondo Tenney  
 Long Thompson (PA)  
 Loudermilk Thornberry  
 Love Tipton  
 Lucas Trott  
 Luetkemeyer Turner  
 MacArthur Upton  
 Marchant Valadao  
 Marino Wagner  
 Marshall Walberg  
 Mast Walcott  
 McCarthy Walker  
 McCaul Walorski  
 McClintock Walters, Mimi  
 McHenry Weber (TX)  
 McKinley Webster (FL)  
 McMorris Wenstrup  
 Rodgers Westerman  
 McSally Williams  
 Meadows Wilson (SC)  
 Messer Wittman  
 Mitchell Womack  
 Mooleenaar Woodall  
 Mooney (WV) Yoder  
 Mullin Yoho  
 Murphy (FL) Young (AK)  
 Newhouse Young (IA)  
 Norman Zeldin

## NOES—175

Adams Brown (MD)  
 Aguilar Brownley (CA)  
 Amash Bustos  
 Barragán Butterfield  
 Bass Capuano  
 Bera Carbajal  
 Beyer Carson (IN)

Cartwright Hoyer Panetta  
 Castor (FL) Huffman Pascrell  
 Castro (TX) Jackson Lee Payne  
 Chu, Judy Jayapal Peters  
 Cicilline Jeffries Peterson  
 Clark (MA) Johnson (GA) Pingree  
 Clarke (NY) Johnson, E. B. Pocan  
 Clay Jones Price (NC)  
 Cleaver Kaptur Quigley  
 Clyburn Keating Raskin  
 Cohen Kelly (IL) Rice (NY)  
 Connolly Kennedy Richmond  
 Cooper Khanna Rosen  
 Correa Kihuen Roybal-Allard  
 Courtney Kildee Ruiz  
 Crist Kilmer Ruppersberger  
 Crowley Kind Rush  
 Cuellar Krishnamoorthi  
 Cummings Kuster (NH) Ryan (OH)  
 Davis (CA) Langevin Sarbanes  
 Davis, Danny Larsen (WA) Schakowsky  
 DeFazio Larson (CT) Schiff  
 DeGette Lawrence Schneider  
 Delaney Lawson (FL) Schrader  
 DelLauro Levin Scott (VA)  
 DelBene Lewis (GA) Scott, David  
 Demings Lieu, Ted Serrano  
 DeSaulnier Lipinski Sewell (AL)  
 Deutch Loeb sack Shea-Porter  
 Dingell Lofgren Sinema  
 Doggett Lowenthal Sires  
 Doyle, Michael Lowey Smith (WA)  
 F. Lujan, Ben Ray Soto  
 Engel Lynch Speier  
 Eshoo Maloney, Suozzi  
 Espallat Carolyn B. Swallow (CA)  
 Esty (CT) Maloney, Sean Takano  
 Evans Massie Thompson (CA)  
 Foster Matsui Thompson (MS)  
 Frankel (FL) McEachin Titus  
 Fudge McGovern Tonko  
 Gabbard Meeks Torres  
 Gallego Meng Tsongas  
 Garamendi Moore Vargas  
 Gonzalez (TX) Moulton Veasey  
 Gottheimer Nadler Vela  
 Green, Al Napolitano Velázquez  
 Green, Gene Neal Visclosky  
 Hanabusa Nolan Wasserman  
 Hastings Norcross Schultz  
 Heck O'Halleran Watson Coleman  
 Higgins (NY) O'Rourke Welch  
 Himes Pallone Yarmuth

## NOT VOTING—29

Beatty Gutiérrez Perlmutter  
 Bilirakis Hunter Pittenger  
 Bishop (MI) Lee Polis  
 Brady (TX) Lujan Grisham, Roby  
 Brooks (AL) M. Rohrabacher  
 Cárdenas McCollum Sánchez  
 Cohen McNerney Sherman  
 Davis, Rodney Noem Sherman  
 Ellison Palazzo Walz  
 Fortenberry Gomez Waters, Maxine  
 Gomez Grijalva Pelosi Wilson (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1350

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 177, answered “present” 1, not voting 30, as follows:

[Roll No. 236]

## YEAS—219

Abraham Gabbard Moulton  
 Aderholt Algego Mullin  
 Aguilar Garamendi Murphy (FL)  
 Allen Garrett Nadler  
 Amodei Gianforte Napolitano  
 Arrington Gonzalez (TX) Newhouse  
 Babin Goodlatte Norman  
 Bacon Gowdy Nunes  
 Banks (IN) Granger O'Rourke  
 Barletta Griffith Olson  
 Barr Guthrie Pascarell  
 Barton Hanabusa Pelosi  
 Bishop (UT) Handel Peters  
 Black Harper Pingree  
 Blum Harris Pocan  
 Blumenauer Hartzler Posey  
 Blunt Rochester Heck  
 Bonamici Hensarling Rice (SC)  
 Brat Higgins (LA) Rogers (KY)  
 Brooks (IN) Higgins (NY) Rooney, Francis  
 Brown (MD) Himes Rooney, Thomas  
 Buchanan Hollingsworth J.  
 Bucshon Huffman Ross  
 Budd Hultgren Rothfus  
 Bustos Issa Royce (CA)  
 Butterfield Jeffries Ruppersberger  
 Byrne Johnson (GA) Russell  
 Calvert Johnson (LA) Sanford  
 Carter (TX) Johnson, E. B. Scalise  
 Cartwright Johnson, Sam Schneider  
 Castro (TX) Joyce (OH) Schweikert  
 Chabot Kaptur Scott, Austin  
 Cheney Katko Scott, David  
 Chu, Judy Kelly (MS) Sensenbrenner  
 Cicilline Kelly (PA) Sessions  
 Clay Kennedy Shea-Porter  
 Clyburn Kildee Shimkus  
 Cole King (IA) Shuster  
 Collins (NY) King (NY) Simpson  
 Comstock Knight Smith (MO)  
 Cook Krishnamoorthi Smith (NE)  
 Cooper Kuster (NH) Smith (NJ)  
 Costello (PA) Kustoff (TN) Smith (TX)  
 Courtney Labrador Smith (WA)  
 Cramer LaMalfa Smucker  
 Crawford Lamb Speier  
 Culberson Lamborn Stefanik  
 Cummings Larsen (WA) Stewart  
 Curtis Larson (CT) Stivers  
 Davidson Lesko Takano  
 Davis (CA) Lewis (MN) Thornberry  
 Davis, Danny Lipinski Titus  
 Davis, Rodney Long Trotter  
 DeGette Loudermilk Tsongas  
 DeLauro Love Turner  
 DelBene Lucas Vela  
 Demings Luetkemeyer Wagner  
 DeSaulnier Marchant Walden  
 DesJarlais Marino Walker  
 Deutch Marshall Walorski  
 Dingell Massie Walters, Mimi  
 Doggett McCarthy Wasserman  
 Donovan McCaul Schultz  
 Duffy McClintock Weber (TX)  
 Duncan (TN) McCollum Webster (FL)  
 Emmer McEachin Welch  
 Engel McHenry Westerman  
 Eshoo McMorris Williams  
 Estes (KS) Rodgers Wilson (SC)  
 Fleischmann Meadows Wittman  
 Flores Meeks Womack  
 Foster Meng Yarmuth  
 Frankel (FL) Messer Young (IA)  
 Frelinghuysen Mooney (WV) Zeldin

## NAYS—177

Adams Carter (GA) Diaz-Balart  
 Amash Castor (FL) Doyle, Michael  
 Barragán Clark (MA) F.  
 Bass Clarke (NY) Duncan (SC)  
 Bera Cleaver Espallat  
 Bergman Coffman Esty (CT)  
 Beyer Cohen Evans  
 Biggs Comer Faso  
 Bishop (GA) Conaway Ferguson  
 Blackburn Connolly Fitzpatrick  
 Bost Correa Foxx  
 Boyle, Brendan Costa Fudge  
 F. Crist Gaetz  
 Brady (PA) Crowley Gallagher  
 Brownley (CA) Cuellar Gibbs  
 Buck Curbelo (FL) Gohmert  
 Burgess DeFazio Gosar  
 Capuano Delaney Gottheimer  
 Carbajal Denham Graves (GA)  
 Carson (IN) DeSantis Graves (LA)

Graves (MO) Lowenthal Rosen  
 Green, Al Lowey Roskam  
 Green, Gene Lujan, Ben Ray Rouzer  
 Grijalva MacArthur Roybal-Allard  
 Grothman Maloney, Ruiz  
 Hastings Carolyn B. Rush  
 Herrera Beutler Maloney, Sean Rutherford  
 Hice, Jody B. Mast Ryan (OH)  
 Hill Matsui Sarbanes  
 Holding McGovern Schakowsky  
 Hoyer McKinley Schiff  
 Hudson McSally Schrader  
 Huizenga Mitchell Scott (VA)  
 Hurd Moolenaar Serrano  
 Jackson Lee Moore Sewell (AL)  
 Jayapal Neal Sinema  
 Jenkins (KS) Nolan Sires  
 Jenkins (WV) Norcross Soto  
 Johnson (OH) O'Halleran Suozzi  
 Jones Pallone Swalwell (CA)  
 Jordan Palmer Taylor  
 Keating Panetta Tenney  
 Kelly (IL) Paulsen Thompson (CA)  
 Khanna Payne Thompson (MS)  
 Kihuen Pearce Thompson (PA)  
 Kilmer Perry Tipton  
 Kind Peterson Torres  
 Kinzinger Poe (TX) Upton  
 LaHood Poliquin Valadao  
 Lance Price (NC) Vargas  
 Langevin Quigley Veasey  
 Latta Raskin Velázquez  
 Lawrence Reed Visclosky  
 Lawson (FL) Renacci Walberg  
 Levin Rice (NY) Watson Coleman  
 Lewis (GA) Richmond Wenstrup  
 Lieu, Ted Roe (TN) Woodall  
 LoBiondo Rogers (AL) Yoder  
 Loebsack Rokita Yoho  
 Lofgren Ros-Lehtinen Young (AK)

## ANSWERED "PRESENT"—1

Tonko

## NOT VOTING—30

Beatty Gutiérrez Polis  
 Bilirakis Hunter Ratcliffe  
 Bishop (MI) Lee Roby  
 Brady (TX) Lujan Grisham, Rohrabacher  
 Brooks (AL) M. Sánchez  
 Cárdenas Lynch Sherman  
 Collins (GA) McNerney Walz  
 Dunn Noem Waters, Maxine  
 Ellison Palazzo Wilson (FL)  
 Fortenberry Perlmutter  
 Gomez Pittenger

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1357

Mr. WELCH changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. BRADY of Texas. Mr. Speaker, I was unavoidably detained to cast my votes on time. Had I been present, I would have voted "yea" on rollcall No. 235 and "yea" on rollcall No. 236.

## PERSONAL EXPLANATION

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I missed three votes on June 6, 2018.

Had I been present, I would have voted: "Nay" on rollcall No. 234, "nay" on rollcall No. 235, and "yea" on rollcall No. 236.

□ 1400

PERMISSION TO CONSIDER  
 AMENDMENT OFFERED BY MR.  
 MOULTON OF MASSACHUSETTS  
 DURING CONSIDERATION OF H.R.  
 8

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that, during con-

sideration of H.R. 8 in the Committee of the Whole pursuant to House Resolution 918, the amendment by Mr. MOULTON of Massachusetts now at the desk be considered as though printed as the last amendment printed in part A of House Report 115-711 and be debatable for 10 minutes.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ CORPS OF ENGINEERS CONTINUING  
 AUTHORITIES PROGRAM.**

Section 3(c) of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g(c)) is amended—

(1) in paragraph (1), by striking "\$30,000,000" and inserting "\$45,000,000"; and

(2) in paragraph (2)(B), by striking "\$10,000,000" and inserting "\$15,000,000".

Page 55, line 1, strike "\$3,000,000,000" and insert "\$3,150,000,000".

Page 57, line 24, strike "\$3,000,000,000" and insert "\$3,150,000,000".

Mr. WOODALL (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

There was no objection.

**PROJECT SAFE NEIGHBORHOODS  
 GRANT PROGRAM AUTHORIZATION  
 ACT OF 2017**

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 918, I call up the bill (H.R. 3249) to authorize the Project Safe Neighborhoods Grant Program, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WOODALL). The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Project Safe Neighborhoods Grant Program Authorization Act of 2018".*

**SEC. 2. DEFINITIONS.**

*For the purposes of this Act—*

(1) the term "firearms offenses" means an offense under section 922 or 924 of title 18, United States Code;

(2) the term "Program" means the Project Safe Neighborhoods Block Grant Program established under section 3; and

(3) the term "transnational organized crime group" has the meaning given such term in section 36(k)(6) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(k)(6)).

**SEC. 3. ESTABLISHMENT.**

*The Attorney General of the United States is authorized to establish and carry out a program, to be known as the "Project Safe Neighborhoods Block Grant Program" within the Office of Justice Programs at the Department of Justice.*

**SEC. 4. PURPOSE.**

(a) **PROJECT SAFE NEIGHBORHOODS BLOCK GRANT PROGRAM.**—The purpose of the Program



is to foster and improve existing partnerships between Federal, State, and local agencies, including the United States Attorney in each Federal judicial district, entities representing members of the community affected by increased violence, victims' advocates, and researchers to create safer neighborhoods through sustained reductions in violent crimes by—

(1) developing and executing comprehensive strategic plans to reduce violent crimes, including the enforcement of gun laws, and prioritizing efforts focused on identified subsets of individuals or organizations responsible for increasing violence in a particular geographic area;

(2) developing evidence-based and data-driven intervention and prevention initiatives, including juvenile justice projects and activities which may include street-level outreach, conflict mediation, provision of treatment and social services, and the changing of community norms, in order to reduce violence; and

(3) collecting data on outcomes achieved through the Program, including the effect on the violent crime rate, incarceration rate, and recidivism rate of the jurisdiction.

(b) **ADDITIONAL PURPOSE AREAS.**—In addition to the purpose described in subsection (a), the Attorney General may use funds authorized under this Act for any of the following purposes—

(1) competitive and evidence-based programs to reduce gun crime and gang violence;

(2) the Edward Byrne criminal justice innovation program;

(3) community-based violence prevention initiatives; or

(4) gang and youth violence education, prevention and intervention, and related activities.

#### **SEC. 5. RULES AND REGULATIONS.**

(a) **IN GENERAL.**—The Attorney General shall issue guidance to create, carry out, and administer the Program in accordance with this section.

(b) **FUNDS TO BE DIRECTED TO LOCAL CONTROL.**—Amounts made available as grants under the Program shall be, to the greatest extent practicable, locally controlled to address problems that are identified locally.

(c) **TASK FORCES.**—Thirty percent of the amounts made available as grants under the Program each fiscal year shall be granted to Gang Task Forces in regions experiencing a significant or increased presence of criminal or transnational organizations engaging in high levels of violent crime, firearms offenses, human trafficking, and drug trafficking.

(d) **PRIORITY.**—Amounts made available as grants under the Program shall be used to prioritize the investigation and prosecution of individuals who have an aggravating or leadership role in a criminal or transnational organization described in subsection (c).

#### **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Attorney General to carry out the Program \$50,000,000 for each of fiscal years 2019 through 2021.

#### **MOTION TO CONCUR**

Mr. GOODLATTE. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Goodlatte moves that the House concur in the Senate amendment to H.R. 3249.

The SPEAKER pro tempore. Pursuant to House Resolution 918, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from

Texas (Ms. JACKSON LEE) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

#### **GENERAL LEAVE**

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3249.

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

There was no objection.

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

Mr. Speaker, gangs are a poison in America. They bring violence, drugs, and death. They paralyze our communities with flagrant acts of violence and flood our neighborhoods with drugs. Gangs tear apart families by prematurely taking the lives of sons, daughters, and parents.

Unfortunately, today, some areas of our country have been overrun by gang violence. Homicide rates skyrocketed in St. Louis, Baltimore, and Chicago in 2016. Compared to the previous 5 years, 2016 represented a 15.8 percent increase in homicides in St. Louis, a 12.7 percent increase in Baltimore, and an 11.4 percent increase in Chicago.

We must stand up to violent gangs and provide an antidote to their poison.

H.R. 3249 is a vital part of the antidote. This legislation reforms and reauthorizes the Project Safe Neighborhoods Block Grant Program. This program operates under four key principles: partnerships, strategic planning, training, and outreach.

First and foremost, the program brings all the important actors together. This legislation will foster and improve existing partnerships between Federal, State, and local agencies, community groups, and researchers.

Strategic planning is the foundation of the Project Safe Neighborhoods program.

Moreover, H.R. 3249 promotes the robust enforcement of existing criminal laws and the development of intervention and prevention programs, such as juvenile justice projects and activities, including street-level outreach, conflict mediation, and social services. Intervention and prevention programs provide extensive training and community outreach.

Furthermore, in relying on localized and contemporaneous data, this bill strategically prioritizes a focus on individuals or organizations that are responsible for increasing violence in a particular geographic area.

This legislation will ensure that 30 percent of Project Safe Neighborhoods funding is allocated to gang task forces in regions experiencing a significant or increased presence of violent crime, firearm offenses, human trafficking, and drug trafficking.

As a result, critical resources, such as the deployment of law enforcement and funding, are put to their best use.

Altogether, this legislation takes a balanced approach by combining enforcement with prevention to combat gang violence in our communities across the Nation.

Mr. Speaker, the comprehensive, coordinated, and community-focused nature of the Project Safe Neighborhoods program will serve as a key part of the antidote to the poisonous effects gangs have on our country.

Mr. Speaker, I thank my colleague from Virginia, Congresswoman BARBARA COMSTOCK, for taking the lead on this important bill, and I urge my colleagues to support this legislation.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, the chairman is correct: the protection of our neighborhoods, the protection of our young people, the securing of our schools, the stopping of gun violence, the safeguarding of this Nation, are important responsibilities of this Congress, and certainly of the Nation itself. So I join with that commitment of safeguarding our neighbors and friends and families and our children.

So I would certainly like to say of the Senate amendment dealing with the Safe Neighborhoods Grant Program Reauthorization Act of 2018, it does provide additional resources to help local jurisdictions prevent and fight crime in their communities. It would authorize the Attorney General to establish and implement a program to be known as the Project Safe Neighborhoods Block Grant Program within the Office of Justice Programs at the Department of Justice, thereby providing a formal authorization for the Project Safe Neighborhoods program, which is currently implemented by DOJ. That is an absolutely positive step to protect our neighborhoods.

Thirty percent of the funding awards under this program would be, however, allocated to fighting gang-related crime.

While I support authorizing this program, I would like to highlight two major concerns with this Senate amendment.

First, a substantial portion of the funding under this bill would be dedicated to anti-gang task forces. I support preventing and fighting crime no matter who the perpetrator may be, but I must caution against targeting groups of young people who are not engaged in crime, or who are standing around, or who may be, in essence, said to be engaged in crime, or may be from particular neighborhoods or ethnicities or backgrounds.

I think all of our children deserve a chance to grow and become contributing citizens. I would want to make sure that we get the gangs and that we get those who are the deadly ones that are killing and maiming, and those names, we know, have been cited, but I also want to make sure that we give our children a chance.

However, under the current framework, focus is placed on identified subsets of individuals or organizations responsible for increasing violence. This creates a danger where innocent young people will likely become targets, whether by virtue of clothes color or mere acquaintance of someone in light of the various talk, if you will, about gangs like MS-13, which I will acknowledge are in all of our communities from east to west and north to south.

Let's get the bad guys. Let's make sure we help our children not be destined to be the bad guys.

We must not use law enforcement as a means to target individuals based solely on their ethnicity or national origin. Far too often, the rhetoric that we are fighting gangs may be laced with bias toward difference.

That is why I wanted to offer an amendment at the Rules Committee to the Senate amendment, which would reflect the original provision offered by Representative COMSTOCK related to targeting groups. That was one that we were able to work with here in the House. That specific provision in H.R. 3249 was a much better provision.

If accepted, my amendment would have ensured that funding be allocated justly based on sincere need and not on abuse that may occur to demonstrate a significant or increased presence of criminal organizations; and, number two, prevent funding being used towards a wide range of people that might need help, but labeled as criminal groups, rather than the smaller number of people in communities responsible, as you will hear law enforcement say, for the majority of violent crimes, like concentrated transnational organized crime groups as defined by the statute.

This eliminates the sweeping effect this bill will have in application, where groups of people not defined by statute as transnational organized crime groups will become targets based on possible biases or rhetoric launched at particular classes of people.

We cannot ignore that unfortunately, in the reality of our times, things may go awry. Therefore, in addition to introducing legislation, we must be vigilant in conducting oversight of the use of program funds and in protecting against such possible abuse.

Second, I have concerns about the provision of the bill that focuses on data-driven intervention. I advocate instead for a robust focus on prevention-driven initiatives that will save us an enormous amount of money when done effectively.

That is why I wanted to offer a second amendment which would amend the Crime Control Safe Streets Act of 1968 to allow for strong emphasis on gang prevention programs, which is key to curtailing much of these problems. It is imperative to provide front-end mechanisms that would prevent the problems that are often costly, resulting in both human costs and tax dollars for our prisons.

□ 1415

This amendment was practical and inexpensive.

Now, let me clarify something. Data is very important because it helps us move toward best practices. But in addition to data, we need to be able to use our good sense to talk about intervention, prevention, and working with youngsters again, who may be categorized as being violent but, instead, may be the right kind of targets for intervention and prevention programs.

This Senate amendment authorizes \$50 million for each of the fiscal years 2019 to 2021, \$150 million. The Senate amendment does not comply with House Republican CutGo requirements so that \$50 million may be authorized for the program for this time.

I certainly believe where we are trying to help children, we should also take that into consideration, particularly with prevention and intervention or gang violence and antibullying initiatives. They are equally worthy goals.

Therefore, I urge my colleagues to look further into how we continue to work together and to work to monitor this legislation to ensure that there is not an adverse impact on individuals clearly because of neighborhoods and backgrounds, because that is what America is all about: an equal opportunity for particularly our young people, to get out of where they are and to be able to surge to be a good and contributing citizen.

Mr. Speaker, I rise to speak on the Senate amendment to H.R. 3249, the "Project Safe Neighborhoods Grant Program Act of 2017".

This Senate amendment would provide additional resources to help local jurisdictions prevent and fight crime in their communities.

It would authorize the Attorney General to establish and implement a program, to be known as the "Project Safe Neighborhoods Block Grant Program" (Program), within the Office of Justice Programs (OJP) at the Department of Justice (DOJ), thereby providing a formal authorization for the Project Safe Neighborhoods Program, which is currently implemented by DOJ.

Thirty percent of the funding awards under this Program would be allocated to fighting gang-related crime. While I support authorizing this Program, I would like to highlight two major concerns of this Senate amendment.

First, a substantial portion of the funding under this bill would be dedicated to anti-gang task forces. I support preventing and fighting crime no matter who the perpetrator may be, but I must caution against targeting groups of young people who are not engaged in crime.

However, under the current framework, focus is placed on "identified subsets of individuals or organizations" responsible for increasing violence. This creates a danger, where innocent young people will likely become targets, whether by virtue of clothes color or mere acquaintance of someone, in light of the administrations' rhetoric around MS-13s. We must not use law enforcement as a means to target individuals based solely on their ethnicity or national origin. Far too often, the rhetoric of fighting gangs has been laced with racial bias.

This is why I offered an amendment at Rules to this Senate amendment, which would reflect the original provision offered by Rep. COMSTOCK relating to targeted groups. That specific provision in H.R. 3249 was a much better provision.

If accepted, my amendment would have:

1) ensured that funding be allocated justly based on sincere need and not on abuse that may occur to demonstrate a "significant or increased presence" of criminal organizations; and 2) prevented funding being used towards a wide range of people that need help but labeled as criminal gangs, rather than the small number of people in communities responsible for majority of violent crimes, like concentrated "transnational organized crime groups", as defined by statute.

This eliminates the sweeping effect this bill will have in application, where groups of people not defined by statute as "transnational organized crime groups" will become targets based on biases and/or rhetoric launched at a particular class of people.

We cannot ignore that unfortunate reality of current times. Therefore, in addition to introducing legislation, we must be vigilant in conducting oversight of the use of Program funds and in protecting against such possible abuse.

Second, I have concerns about the provisions of the bill that focus on data-driven intervention and I advocate instead, for a robust focus on prevention-driven initiatives that will save us enormous amount of money when done effectively.

This is why I offered a 2nd amendment, which would amend the Crime Control and Safe Streets Act of 1968, to allow for strong emphasis on gang prevention programs, which is key to curtailing much of these problems. It is imperative to provide front-end mechanisms that would prevent the problems that are often costly, resulting in both human cost and tax dollars for our prisons. This amendment was practical and inexpensive.

This Senate amendment authorizes \$50,000,000 for each of fiscal years 2019 through 2021, totaling \$150,000,000.

This Senate amendment does not comply with House Republican "cut-go" requirements so that \$50 million may be authorized for the Program for this time period. I believe prevention and intervention of gang violence and anti-bullying are equally worthy goals.

Therefore, I urge my colleagues to pursue avenues that will not adversely impact individuals based solely on their ethnic backgrounds.

Mr. Speaker, I do not argue against the merit of this Program. It would be but one facet of DOJ's efforts to address gun and gang violence at the local, state, and tribal levels. We should view it from that holistic perspective, and as an effort to supplement but not supplant alternatives that may employ different, yet, still-effective approaches.

During the Committee's consideration of the H.R. 3249, we expressed these funding concerns, and urged that these funding prohibitions be eliminated.

Today, we also address the concerns in the Senate amendment to H.R. 3249, which states as a purpose:

Developing and executing comprehensive strategic plans to reduce violent crimes "including the enforcement of gun laws, and prioritizing efforts focused on 'identified subsets of individuals or organizations' responsible for increasing violence in a particular geographic area."

For these reasons, I respectfully request serious consideration of these concerns and caution against possible abuse that may occur, which will prove counterproductive.

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

Mr. GOODLATTE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Virginia (Mrs. COMSTOCK), the chief sponsor of this legislation.

Mrs. COMSTOCK. Mr. Speaker, I rise today to urge the Members of this body to concur with the Senate amendment to my bill, the Project Safe Neighborhoods Grant Program Authorization Act of 2018, so that we may send this bill to the President for his signature.

I appreciate all the work that Chairman GOODLATTE and the committee has done and the bipartisan nature in which they have worked with us, as well as the administration and the Attorney General.

This bill will help address the problem of the rise of violence from gangs like MS-13 that have threatened my area in Northern Virginia, as well as the entire Washington metropolitan region and other places such as Long Island, Houston, and Los Angeles. MS-13 is actually active in 40 States and the District of Columbia, and their goal is to grow.

Gangs like MS-13 have branched into human trafficking as well as drugs and, of course, their murderous rampages. In Virginia, we actually, several years ago, increased the penalties on any of these gang members involved with human trafficking, so we know we constantly need to change how we address these gangs.

Now, let's just look at some of the recent headlines in The Washington Post, our local paper, which they have actually covered the violence, the murders, the trials and more of the approximately over 30 killings over the past several years, and that is the number according to the gang task force.

Here are some of the headlines:

"MS-13 Is 'Taking Over the School,' One Teen Warned Before She Was Killed."

"He Was Flashing Gang Signs on Facebook. It Got Him Killed by MS-13."

"Heinous and Violent: MS-13's Appeal to Girls Grows as Gang Become Americanized."

And finally, one: "She Told the Girl She'd See Her in Hell Before Stabbing Her. Now She's Guilty of an MS-13 Murder."

That particular murder was detailed about a young woman, Damaris Reyes Rivas, and her body was found here, this highway, which is just in Springfield, in Virginia, about a dozen, a little over a dozen miles here from the Capitol. You can see the MS-13 gang signs here, and that is where they left her body.

At age 12, Damaris was brought to the U.S. by her mom to escape gangs in El Salvador. By 15, she was dead, killed by those very gangs, numerous gang

members, who then sent a video of her killing back to El Salvador because that is one of their goals, to show what they have done here.

Just to give you a little detail on this, Fairfax County Commonwealth's Attorney Ray Morrogh played the videos in court, saying he wanted to make clear for the judge the depravity involved in the horrific murder of the high school girl. Her mother was in the courtroom.

The prosecutor said: "Some kids are prodigies at the violin, and some kids are prodigies at violence. This is a prodigy at violence."

The first video shows Damaris in the Springfield, Virginia, woods, being interrogated by the gang members, numerous gang members, all of whom were between the ages of 15 and 21. They shout at her as she gets up from the snow-dusted ground.

At one point, they clicked a cigar cutter, threatening her that she could lose a finger. They made her take off her shoes and her shirt so she could feel how cold it was. They were interrogating her about a previous MS-13 murder.

People were wielding knives, and they could hear, "Just stick the steel in her," another one was telling them. They took her away to another area, then they took her back into the woods, forcing her to crawl through a 3-foot tunnel covered in MS-13 graffiti. Then they brutally murdered her, and they left her body, and then they came back that night to take the video of the murder to be able to send it back.

As the prosecutor explained, those videos were taken so some of the MS-13 members could send it back to El Salvador to earn a promotion within the gang, which requires violence to move up the ranks.

Now, these are The Washington Post stories, I should add, and they also have written stories about how gangs are a problem in our jails. This is in Maryland.

It says: "'Our incidents every month are predominantly MS-13,' said a jail investigator speaking on the condition of anonymity for his safety. 'They are vying for the control of our jails.'"

So there is violence going on in our jails as a result of this also.

We had another victim, Carlos Otero Hernandez, in Leesburg, Virginia. His body was dumped in a quarry in West Virginia after a brutal murder. The acting U.S. attorney for the eastern district of Virginia said of the killing: "The hallmark of MS-13 is extreme violence. . . . This brutal kidnapping and murder is a tragic reminder of the impact MS-13 has on communities here in Northern Virginia."

MS-13 gangs prey on their own community, as the example of this young woman.

Last summer, I went on a ride-along with the Northern Virginia Regional Gang Task Force, which is comprised of 13 local, State, and Federal law enforcement agencies working together.

They are going to be—they should be—some of the beneficiaries of the bill here today.

I do want to assure everyone, they work very carefully with the community. What they do is—their projects are to educate, to prevent, to work with the children in schools. They have Spanish-speaking members of the task force so they can make sure they are working with the kids to keep them safe.

In one case, they had an MS-13 member who was trying to recruit his brother to join the gang, and then when his brother would not join the gang, they put a hit out on the brother. Fortunately, the gang task force was able to intervene, protect that brother, sort of a Cain and Abel type of situation. Abel was protected. Cain, we were able to have the task force deal with him.

But what I saw in working with the Task Force is their need for more technology, their need for resources. Whenever I talk to them, they talk about how they need to be out in the schools, at the fairs.

At one local fair in Herndon, actually, I believe it was in Mr. CONNOLLY's district, the task force told me, at a Labor Day fair, they identified up to about 200 suspected gang members, just in there, weaving about among the children.

So when we went on the ride-along with them, in one night, they picked up four suspected gang members. One of them turned out to be somebody who, at 16 years old, had committed murder in El Salvador; and then he had already been deported from the country twice and was now back on Sterling Boulevard in Sterling, Virginia, about 25 miles or so from the Capitol. There he was, on a Friday evening, as children and everyone else were playing around. He was covered with gang signs when he lifted up his shirt.

One of the tools that our gang task force needs more of is a little device that looks a lot like an iPad where, when you put the fingerprint of that gang member on the pad, his record then came up and we could see the entire record, and the gang task force members knew who they were dealing with.

So it is clear that the resurgence of MS-13 is a multifaceted problem that needs a multifaceted solution, incorporating efforts from all levels of government, law enforcement, and communities. Passing the Project Safe Neighborhoods Grant Authorization Act of 2018 today, which the Senate has now already passed, will really get us back on the path to getting the resources that they previously had in our local task force.

They called us today to let us know they aren't even getting the money that they used to get. Unfortunately, this was State money that they used to get that they aren't getting anymore that the State attorney general's office used to provide them, and now they

aren't getting it. So this is needed more than ever in regions like ours.

I know the gentlewoman in Houston, they have problems there, too, and the beauty of this program is they work with those communities that are being targeted. They work with those children. They protect them. They become their friends. But they also get the MS-13 gang members out.

Now, we do have another bill that I know the chairman worked with us to get out, which would make sure that we don't have MS-13 gang members able to get in the country in the first place; and if they are here, we can remove them more quickly. That still needs to get through Senate passage also.

But I am pleased that now, today, we have been able to make sure that we don't see this proliferating in our communities, this kind of gang activity, and to see these gang signs as we are driving home from work, going to a soccer game, you know, going to see our kids, and seeing that this is going on in our communities. This is something that cannot be happening in our communities.

I urge my colleagues on both sides of the aisle to support this important legislation to protect our communities and combat gang violence and provide more safe neighborhoods.

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

Mr. Speaker, the gentlewoman from Virginia is absolutely right on our commitment to working to protect the children that we don't want to be the victims. Certainly, gangs like MS-13 are in many places, and that is what my focus is. Those bad guys, those who would do harm, clearly, we stand united on.

At the same time, I want to make sure that those who stumble in have alternatives, particularly in this country, to get out of that web. As we protect against them and give law enforcement their tools, I want to make sure that we give to others to find other ways to move away from this so that the bad intent, the murderous intent of those gangs can be separated and handled by law enforcement, while other young people have other opportunities.

I might also say that I would hope that the Department of Justice will fund this program and, when I say that, Congress will work with us to fund other programs of intervention.

So I might, if I could, engage the chairman in a colloquy. I would be eager to hear the gentleman's thoughts on this thought.

I am concerned that all of the talk of fighting gang violence may be, beyond this august Hall, laced with bias, racial bias, ethnicity, et cetera. The Senate amendment includes a reference to focusing on identified subsets of individuals and organizations responsible for increasing violence in a particular geographic area. I might indicate that that may be some bad behavior kids.

Will the gentleman assure me that the intent of this provision referring to subsets of individuals is not to encourage or condone the targeting of anyone because of their race or national origin and that they happen to be in groups?

Mr. GOODLATTE. Will the gentlewoman yield?

Ms. JACKSON LEE. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, the answer is yes.

This legislation is intended to help our communities fight criminal gangs and the violence and mayhem they wreak, and the bill is not intended to target anyone because of their race or national origin.

□ 1430

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman. I just wanted to make a concluding comment. We worked together on this. Would the gentleman also say that intervention and prevention programs are a positive contribution to helping our young people stay away from violence?

Mr. GOODLATTE. If the gentlewoman will continue to yield, yes, I do. And I certainly support, at every level of government, making sure that we are doing what we can to intervene and get people headed in the right direction and avoiding some of those problems in the first place. And, certainly, some of that is contained within the programs that are funded by this legislation.

Ms. JACKSON LEE. Mr. Speaker, I certainly look forward to working further with the gentleman on these matters, and I thank the gentleman.

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

Mr. GOODLATTE. Mr. Speaker, I am pleased to yield such time as she may consume to the gentlewoman from Virginia (Mrs. COMSTOCK).

Mrs. COMSTOCK. Mr. Speaker, I think when I was speaking about the ride along that I did with the Northern Virginia Regional Gang Task Force, someone said they thought they heard me say they had picked up 14 in one night. I just wanted to clarify. If it sounded like 14, I meant to say 4. So it was four in one night. Nevertheless, it goes to the problem of right in our communities there were four people there that they were able to pick up.

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

Again, let me just say, we have a solid and unified commitment to protect our children, our neighborhoods, our families, and to isolate violent gangs, some of whom carry the name MS-13, but also to work with law enforcement as they work to isolate those violent persons, but help find a way to steer other juveniles into a way of redemption, if I might utilize that term.

Mr. Speaker, I want to continue working with the Judiciary Committee and my colleagues on that very point. So, Mr. Speaker, I do not argue the

merit of this program. It would be but one facet of DOJ's efforts to address gun and gang violence at the local, State, and Tribal levels. We would view it from the holistic perspective and as an effort to supplement, but not supplant, alternatives that may employ different yet still effective approaches. And that is antibullying, bullying intervention, intervention in gang activity, cyberbullying, and prevention of gang activities from the perspective that we understand in our neighborhoods.

During the committee's consideration of H.R. 3249, we expressed these funding concerns and urged that these fund prohibitions be eliminated. What I want to see is other programs continue to be funded that can help law enforcement and others on the question of prevention.

Today, we also address concerns in the Senate amendment to H.R. 3249 which states as a purpose, developing and executing comprehensive strategic plans to reduce violent crimes, including the enforcement of gun laws and prioritizing efforts focused on identifying subsets of individuals and organizations responsible for increasing violence and in a particular geographic area.

I want to thank the chairman for what I believe is a clarification on the record, and we will continue to monitor as we work with our law enforcement across the Nation. For these reasons, I am respectfully asking that we continue to express our concerns, that we review it, that we ensure that the DOJ, as it works through these grants, continues to keep our legislative thoughts in mind so that this bill is productive and certainly not counterproductive of what we intend to do.

Mr. Speaker, I again indicate a commitment that all of us have to get rid of those who terrorize our neighborhoods through the violence of gangs, like MS-13, and save our children who can be saved—which I know they can be—in our neighborhoods and throughout the Nation.

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

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

Mr. Speaker, I just want to say that I appreciate the bipartisan effort that has gone into passing this very important legislation which will now go to the President's desk for his signature, and will do a lot of good in fighting gang violence and helping young people steer toward a better future and a better life.

Both of those things are the purpose of this legislation. I want to especially thank, again, the gentlewoman from Virginia (Mrs. COMSTOCK) for her long-dedicated work to fighting gang violence and helping our young people have better opportunities for the future, not only in Virginia, but all across this country.

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

The SPEAKER pro tempore (Mr. PALMER). All time for debate has expired.

Pursuant to House Resolution 918, the previous question is ordered.

The question is on the motion by the gentleman from Virginia (Mr. GOODLATTE).

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

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

The yeas and nays were ordered.

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

## WATER RESOURCES DEVELOPMENT ACT OF 2018

### GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 8.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 918 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 8.

The Chair appoints the gentleman from Alabama (Mr. PALMER) to preside over the Committee of the Whole.

□ 1437

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 8) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, with Mr. PALMER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring to the floor today the Water Resources Development Act of 2018. This marks the third Congress in a row that the Transportation and Infrastructure Committee of the House will consider a water resources bill, so we are back to regular order when it comes to WRDA.

I hope we bring it to the floor today, and I hope we pass a WRDA bill. That is good news for the American people and the American economy, because WRDA works. WRDA works because it ensures that Congress carries out its clear Federal role in addressing infrastructure that is critical to our commerce and competitiveness, and to protecting communities throughout the country.

WRDA authorizes targeted investments in America's harbors, ports, locks, dams, inland waterways, flood protection, environmental restoration, and other water resources infrastructure.

This infrastructure, maintained by the U.S. Army Corps of Engineers, is vital to every part of the country and every American benefits from it. You don't have to live near a port or a major waterway to experience these benefits. The health of this infrastructure directly impacts how efficiently the things we buy get onto our store shelves, and how quickly the goods that we produce get to markets around the world.

WRDA improvements originate at the local level. They grow our local, regional, and national economies, and they create good-paying jobs. Restoring WRDA legislation to a 2-year congressional cycle was one of the first goals when I became chairman in 2013. By working together, we passed WRDA into law in 2014 and 2016.

Both of these measures attracted broad bipartisan support, and this bill is no different, passing out of our committee unanimously 2 weeks ago. I want to thank Ranking Member DEFAZIO, Water Resources Environment Subcommittee Chairman GARRET GRAVES, and Subcommittee Ranking Member GRACE NAPOLITANO for working with me to introduce this bill.

Our bipartisan legislation follows the fiscally responsible, transparent process for considering Corps activities that Congress established in 2014. It maintains strong congressional oversight and the constitutional authority of the Legislative Branch. It deauthorizes old projects to fully offset new authorizations, and sunsets new authorizations to prevent future backlogs.

WRDA also builds on past reforms of the Corps and explores new ways to deliver projects more efficiently. In keeping with traditional WRDAs, my co-sponsors and I agreed to narrowly focus our bill on the civil works program of the Corps. Preserving the civil works focus of this bill increases the likelihood of final passage.

If we don't enact a bill into law this year, we will delay necessary water infrastructure improvements and increase project costs. Let's approve this vital bill today. Let's build our water infrastructure. Let's grow our economy, and let's create jobs. Let's pass WRDA, because WRDA does work, and

let's ensure that WRDA continues to work for the American people.

Mr. Chairman, I look forward to a good debate today and to moving this bill to the Senate, so I urge all of my colleagues to support the bill.

Mr. Chair, I include in the RECORD a cost estimate from the Congressional Budget Office for H.R. 8.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, June 4, 2018.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and Infrastructure, House of Representatives,  
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 8, the Water Resources Development Act of 2018.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

KEITH HALL,  
Director.

Enclosure.

## H.R. 8—WATER RESOURCES DEVELOPMENT ACT OF 2018

As reported by the House Committee on Transportation and Infrastructure on June 1, 2018

### SUMMARY

H.R. 8 would authorize the U.S. Army Corps of Engineers (Corps) to construct projects to improve navigation and flood management, to mitigate storm and hurricane damage and to provide assistance for water recycling and water treatment projects. The bill also would authorize the Federal Emergency Management Agency (FEMA) to assist states and local governments in mitigating flood risks from aging dams and levees. CBO estimates that implementing H.R. 8 would cost about \$1.1 billion over the next five years and \$2.5 billion over the 2019–2028 period, assuming appropriation of authorized and necessary amounts.

Enacting H.R. 8 also would increase direct spending by \$5 million over the 2019–2028 period; therefore, pay-as-you-go procedures apply. The bill would authorize the Corps to convey nine acres of federal land to the city of Nashville, Tennessee, in exchange for the fair market value of the property, which CBO estimates would total about \$1 million. The bill also would authorize the Corps to credit the nonfederal sponsor of the Kismimmee River Restoration Project for certain in-kind contributions totaling \$6 million. Enacting the bill would not affect revenues.

H.R. 8 would significantly increase direct spending by more than \$2.5 billion and on-budget deficits by more than \$5 billion in at least one of the four consecutive 10-year periods beginning in 2029, by authorizing the Corps to spend amounts in the Harbor Maintenance Trust Fund without further appropriation.

H.R. 8 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

### ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary effect of H.R. 8 is shown in the following table. The costs of the legislation fall within budget function 300 (natural resources and environment).

By Fiscal Year, in Millions of Dollars—

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2019– 2023	2019– 2028
INCREASES OR DECREASES (–) IN DIRECT SPENDING												
Estimated Budget Authority .....	0	–1	0	0	0	0	6	0	0	0	–1	5
Estimated Outlays .....	0	–1	0	0	0	0	6	0	0	0	–1	5
INCREASES IN SPENDING SUBJECT TO APPROPRIATION												
Water Resources Infrastructure:												
Estimated Authorization Level .....	13	157	152	226	231	224	226	171	161	165	778	1,726
Estimated Outlays .....	5	67	110	161	198	208	215	193	172	163	541	1,491
Dam and Levee Safety:												
Authorization Level .....	30	123	123	123	123	30	30	30	0	0	522	612
Estimated Outlays .....	12	57	89	108	116	83	56	40	20	9	382	590
Navigation and Nonfederal Construction Programs:												
Authorization Level .....	13	38	38	38	38	13	13	13	13	13	163	225
Estimated Outlays .....	5	19	28	33	36	26	18	14	12	12	121	203
Studies and Other Provisions:												
Estimated Authorization Level .....	26	29	27	24	16	12	12	12	13	13	122	184
Estimated Outlays .....	36	23	25	24	19	14	12	12	12	12	104	167
Total:												
Estimated Authorization Level .....	82	346	339	410	408	278	281	225	187	190	1,584	2,747
Estimated Outlays .....	36	165	252	326	369	330	302	260	216	195	1,148	2,451

BASIS OF ESTIMATE

For this estimate, CBO assumes that H.R. 8 will be enacted near the end of 2018 and that the authorized and necessary amounts will be appropriated for each fiscal year. Estimates of amounts necessary to implement the bill are based on information from the Corps and FEMA; estimated outlays are based on historical spending patterns for similar projects and programs. Major components of the estimated costs are described below.

SPENDING SUBJECT TO APPROPRIATION

CBO estimates that H.R. 8 would authorize appropriations totaling about \$2.7 billion over the 2019–2028 period for water infrastructure projects and studies administered by the Corps and FEMA. We estimate that implementing those provisions would cost \$2.5 billion over the 2018–2028 period.

WATER RESOURCES INFRASTRUCTURE

CBO estimates that implementing provisions of the bill that would authorize the Corps to construct and modify water infrastructure projects would cost about \$1.5 billion over the 2019–2028 period, assuming appropriation of the specified amounts and accounting for anticipated inflation. Those provisions would authorize the Corps to construct seven new projects and would modify the existing authorization of three projects aimed at mitigating hurricane and storm damage, strengthening flood-risk management, improving the nation’s navigation system, restoring the environment, and providing assistance for water recycling and water treatment projects. Using information from the Corps, CBO estimates that the total cost to complete those projects would be \$4.2 billion. H.R. 8 would authorize the appropriation of \$2.7 billion to cover the federal share of those costs—of that \$1.7 billion would need to be appropriated over the 2019–2028 period (assuming historical rates of spending for similar projects)—and nonfederal entities would be responsible for the remaining costs, totaling an estimated \$1.5 billion.

The estimated cost of the largest project authorized by H.R. 8 totals \$3.3 billion; the federal share would total about \$2.2 billion. That project aims to address erosion along the coast in Galveston, Texas, and restore ecosystems including wetlands and marshes to enhance protection from storm surge in the area that was damaged by Hurricane Harvey. The estimated cost for the other projects authorized by the bill total \$0.9 billion; the federal share of those projects totals about \$0.6 billion.

Assuming appropriation of the necessary amounts, CBO estimates that spending on the project to restore the Texas coast in Galveston would total about \$940 million over the 2019–2028 period. CBO estimates that construction spending for the other six projects and three modifications would total about \$550 million over the next 10 years.

To estimate how funds appropriated for those projects would be spent, CBO used information from the Corps about when construction for each project could begin, how long it would take to complete, and what funding would be necessary to complete it over the anticipated construction period. Construction schedules and the pattern of spending for such projects is uncertain and plans are subject to change because of delays in obtaining funding and other unforeseen circumstances. For this estimate, CBO assumed that those projects with greater costs to benefits ratios would be prioritized for funding. Information on cost benefit ratios was provided to CBO by the Corps. CBO also analyzed the historical spending patterns of similar projects. Because of their size and complexity some large Corps projects can take several years to commence and more than ten years to complete. CBO estimates that the federal share of the projects and modifications authorized by this title would require the appropriation of about \$1.7 billion over the 2019–2028 period; the remainder of the federal share to complete the projects would be needed after 2028.

Finally, the bill would withdraw the authorization for five projects originally authorized more than 70 years ago. Information from the Corps indicates that these projects are complete and no additional construction is planned; therefore CBO expects that deauthorizing them would have no budgetary effect.

DAM AND LEVEE SAFETY

Using information provided by the Corps and FEMA, CBO estimates that implementing provisions addressing dam and levee safety would cost \$590 million over the 2019–2028 period, assuming appropriation of authorized amounts.

H.R. 8 would reauthorize the national dam and levee safety programs operated by FEMA Corps. Those programs provide grants to local and state governments to assist with levee safety and rehabilitation, maintaining databases for the nation’s dams and levees, and implementing a public awareness and education program for managing dam and levee safety. Under those programs the Corps also would provide technical assistance to local and state governments to rehabilitate high risk levees. H.R. 8 would authorize the appropriation of \$372 million for FEMA and the Corps to implement those programs. Using information on historical spending patterns for similar projects, CBO estimates that implementing those provisions would cost \$365 million over the 2019–2028 period.

The bill also would increase amounts authorized to be appropriated each year for the Corps to rehabilitate dams considered to be highly hazardous until the authorization for program expires in 2026. Dams eligible for funding would include those constructed by

the Corps before 1940 that have been classified as a high hazard by the state where the dam is located and that are operated by a nonfederal entity. Using information on historical spending patterns for this program, CBO estimates that implementing that provision would cost \$225 million over the 2019–2028 period.

NAVIGATION AND NONFEDERAL CONSTRUCTION PROGRAMS

CBO estimates that implementing provisions of the bill related to navigation and nonfederal construction programs would cost \$203 million over the 2019–2028 period, assuming appropriation of the specified amounts.

H.R. 8 would increase the amounts authorized to be appropriated each year by \$12.5 million for the Corps to construct small harbor projects to improve navigation. Using information from the Corps, CBO estimates that implementing that provision would cost \$108 million over the 2019–2028 period.

The bill also would reauthorize a pilot program for the Corps to contract with non-federal partners to construct projects to manage risk from floods, reduce damage from storms and improve navigation of the nation’s harbors. The program aims to identify opportunities for reducing the costs and the time required to complete construction projects. The provision would authorize the appropriation of \$25 million for each year from 2020 through 2023. Using information from the Corps, CBO estimates that implementing that provision would cost \$95 million over the 2019–2028 period.

STUDIES AND OTHER PROVISIONS

Using information provided by the Corps, CBO estimates that implementing the provisions described below would cost \$167 million over the 2019–2028 period, assuming appropriation of the necessary amounts. Those provisions would:

Authorize the Corps to credit non-federal partners for work carried out on projects to protect, preserve, and restore the Louisiana coastal ecosystems;

Authorize the Corps to conduct about 20 feasibility studies for projects to reduce risks stemming from floods, to restore ecosystems, and to improve navigation; and

Direct the Corps to prepare a report on aquatic invasive species and other management reports, fund a demonstration project aimed at harmful algal bloom, and provide housing support to Indian tribes displaced by the construction of John Day Dam on the Columbia River in Washington and Oregon.

CBO’s cost estimate for H.R. 8 excludes the costs of implementing section 108, which would authorize the Corps to restore infrastructure for shore protection damaged by natural disasters to pre-storm levels because the number of eligible projects is not available.



## CHANGES IN DIRECT SPENDING

Using information provided by the Corps, CBO estimates that implementing the provisions described below would increase direct spending by about \$5 million. The construction phase of the Kissimmee River Restoration Project in Florida is nearly complete and the Corps anticipates that the final accounting for the federal and nonfederal shares of the project's cost will occur in about 5 years. The Corps has previously determined that certain in-kind contributions provided by the local sponsor of the project were ineligible as a qualifying credit toward the portion of the local cost share. H.R. 8 would reverse that decision by the Corps and reduce any cash settlement that would be required by the local sponsor to reconcile the nonfederal account. The Corps would be required to credit the nonfederal sponsor for the Kissimmee River Restoration Project for those in-kind contributions, which total \$6 million.

The bill also would authorize the Corps to convey 9 acres of federal land to the city of Nashville, Tennessee, in exchange for payment of the fair market value of the property. Using information provided by the Corps, CBO estimates the city would pay the federal government about \$600,000 in 2020 when the property is transferred.

## PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlay that are subject to those pay-as-you-go procedures are an increase in direct spending of \$5 million.

Enacting the bill would not affect revenues over the 2019–2028 period.

## INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS

CBO estimates that enacting H.R. 8 would increase net direct spending and on-budget deficits by more than \$2.5 billion and on-budget deficits by more than \$5 billion in at least one of the four consecutive 10-year periods beginning in 2029.

Under the bill, balances in the Harbor Maintenance Trust Fund (HMTF) would become available to the Corps, without further appropriation, beginning in fiscal year 2029. The Corps would expend those funds on non-routine maintenance costs and deferred repairs at eligible projects. CBO estimates that the balance in the HMTF would total about \$15 billion in 2029. In recent years the annual appropriation from the HMTF has been about \$1 billion. CBO estimates that direct spending from the HMTF in 2029 and later years would exceed \$1 billion per year. CBO cannot predict whether annual discretionary appropriations from the HMTF would continue at any level after 2028.

## MANDATES

H.R. 8 contains no intergovernmental or private-sector mandates as defined in UMRA.

## ESTIMATE PREPARED BY

Federal Costs: Aurora Swanson; Mandates: Jon Sperl.

## ESTIMATE REVIEWED BY

Kim P. Cawley, Chief, Natural and Physical Resources Cost Estimates Unit.  
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Mr. SHUSTER. Mr. Chair, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I rise in support of H.R. 8, the Water Resources Development Act of 2018. This is the product of many months of hard work by members of

the committee and staff, and I particularly want to congratulate the chairman. This will be his last WRDA bill, but until his leadership, water resources bills had languished for, I believe, a decade. So this has been a tremendous achievement.

This is a good bill. However, it could be better. In the last Congress, I offered an amendment in committee to take the harbor maintenance trust fund off budget, allow the Corps to spend the proceeds in the trust fund every year, and draw down the surplus that deals with a backlog on all of our ports.

Ports affect the entire Nation, any time you have an import or an export, which covers virtually all of the States of the union. These red dots are harbors that are critical to our infrastructure. On a daily basis, our major ports are at about 35 percent of their authorized depth. 35 percent. Why is that? Well, because we don't have the money to fix them. And the jetties are falling apart. We don't have the money to fix them.

Well, actually, we do have the money to fix them, but some very short-sighted people around here want to play games. They want to collect a tax from the American people—a minuscule tax, 0.0125 cents on the value of every imported good that comes through a harbor. That is, if you buy a \$30,000 car, you are going to spend about \$37.50 that, starting with Ronald Reagan, was dedicated to maintaining our harbors at proper depths and maintaining the jetties for these harbors, not limiting the funds just to the commercial harbors, but to small and emerging ports, which are also critical to the Nation: the fishing industry, recreation, and others.

However—and this has been a bipartisan problem, starting even when Democrats have been in charge—this has been underspent on an annual basis. Today, there is \$10.5 billion of taxes collected from the American people sitting idle or having been spent somewhere else. It has got a theoretical trust fund.

Now, that is going to grow every year as we underspend this tax. It could grow to \$20 billion within a decade. So we don't have the money to dredge the ports and we don't have the money to fix the jetties, because Congress is diverting the money. I actually worked on this with the chairman's father quite some time ago, and the chairman has been supportive of my efforts.

Unfortunately, it was stripped out of that bill by the Rules Committee 2 years ago. And this year, again, the Rules Committee found that they would not allow this to go forward. So we offered it in a different form to get around their technical objections about budget caps and discretionary spending.

□ 1445

So we offered—well, there actually is a way around that. They didn't like

that either. They want to continue to steal money from the American people and divert it to be spent who knows where—somewhere else, but not on our harbors and our ports.

Now, the administration actually sent to what is called their statement down to us with an SAP—and it really is a SAP; they are SAPs—a Statement of Administration Policy is what it stands for. They sent down a provision where they said: This is great that you are not allowing the Congress to spend the tax collected from the American people on the stated purpose.

What? Really? Yes. That is their position. They say that the ports should have greater flexibility to spend local money on the ports.

Well, they have all the flexibility in the world to spend local money on local ports. They can partner with the Corps and fund Corps activities. I did that a number of years ago in Oregon. They don't have the money, and we are depriving them of the money.

But this is the Trump administration's solution. The big infrastructure package? This is going to be counted. We are going to add \$3 billion to the pile of unfunded Corps projects.

We have got today \$96 billion of Corps projects that have been authorized by Congress that aren't funded in the foreseeable future. At the end of this debate there will be \$99 billion—almost \$100 billion—quite an achievement, and the administration is applauding this. They think this is just great because it gives the local ports the capability of raising money they can't raise to spend on the improvements they can't make.

Meanwhile, we are stealing money from the American people. It is a very sad day. So with that said, I will move on. There are other issues in this bill that are critical.

We have \$3 billion to new Chief's Reports which will go on the shelf for the indefinite future, maybe 100 years or longer. But people can go home and say: Well, I got that project, all we need to do now is get the money.

Maybe a future Congress—maybe next year—we will decide to start spending the harbor maintenance tax on harbor maintenance. Who knows? It might depend upon who is in charge around here.

There are other provisions in here that are critical, authorizing the national levee safety initiative, the national dam safety program—those are pretty important things—promoting improved safety measures, and reducing the risk to life and property.

There are a couple of provisions that benefit or would go for Corps projects in my district, one related to Fern Ridge Dam, and a collapsing road near the dam. A number of years ago, we had to expedite funds to fix a collapsing dam, now we have a collapsing road by the collapsing dam, and hopefully, the Corps can get to that before we have a major problem; and then delivering on a very long-ago promise to



Indian tribes that were displaced by dams that were built three-quarters of a century ago. Their villages were flooded and displaced, and this would authorize the Corps to provide housing assistance to those tribes.

There are other meritorious things in this bill. Again, I want to congratulate the chairman on what will be the third conservative 2-year authorization of the Water Resources Development Act. We just need to find the will and the money to fund the necessary projects.

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

Mr. SHUSTER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. GRAVES), who is the chairman of the Subcommittee on Water Resources and Environment.

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from Pennsylvania for all of his leadership on this important legislation. I want to thank my friend from Oregon and my friend from California for working with us on this, as there is a bipartisan agreement to move this bill forward.

Mr. Chairman, why are we doing this bill? People at home who are watching this, people who are living in their communities, why are we doing this bill?

We are doing this bill because we need to ensure that people live in places that are safe—safe from flooding and safe from hurricanes. We just saw last year the 2017 hurricanes, Hurricanes Harvey, Irma, Maria, and Nate, where we spent well over \$150 billion so far—I believe we are near \$180 billion—responding to those disasters. People need to live in safe, resilient communities.

We need to ensure that we can build navigation channels that stay compatible with trends in shipping. We built the Panama Canal. The United States built the Canal, yet the Panamanians have stepped in and deepened and widened the canal and the lock system in a shorter period of time than we have been able to even deepen ports here in the United States.

Then, of course, there are environmental issues, the environmental consequences of many of these projects, including in my home State of Louisiana, where we have lost 2,000 square miles of our coast, and the Corps of Engineers has not stepped in and done a single thing to actually restore the environmental consequences of their actions—2,000 square miles of coastal wetlands. If you or I did that, we would be in jail today.

So the reason we are doing this bill is because as the ranking member, Mr. DEFAZIO, mentioned a few minutes ago, we have a nearly \$100 billion backlog in projects. We are putting forward somewhere around \$2 billion a year in construction funds. You can do the math. I am a math whiz, and I can tell you that you will finish those projects approximately never, because \$2 billion a year on \$100 billion, you can't even

keep up with inflation. We must reform the process, and this bill moves in that direction.

There are important reforms in this bill like allowing the non-Federal sponsors, the States, the parishes, the counties, the water boards, and the ports, to grab components of these projects and move them forward on their own working in collaboration with the Corps of Engineers to ensure that we are moving these projects forward efficiently.

We need to make sure that we are moving redundancies in the process and allowing these non-Federal entities to use the same permitting process that the Corps of Engineers just went through and spent millions of dollars complying with. We are still being respectful to the environment, but we are not forcing them to carry out redundant measures, paying twice for the same actions because that doesn't make sense.

Let me go back and talk about, again, what these outcomes actually yield. We are talking about projects to prevent communities from flooding, to prevent hurricane damages, to restore the environment, and to ensure that our ports and waterways can facilitate the ships that are growing in width and in depth across the globe to where we can have more cost-effective shipping in the United States and our port systems and we can facilitate the trade that comes around the globe and into our country.

Mr. Chairman, they have projects that have been in the study phase, not for months or years, but for decades. We have projects that have been waiting on full implementation of construction for decades. Once again, in my home State of Louisiana, we have the Comite project that has been around for 32 years, \$100 million nearly has been spent, and nothing has been done to actually provide flood relief—\$100 million.

We have another project in southeast Louisiana in Terrebonne and Lafourche Parishes, where the Corps of Engineers has spent nearly \$80 million and hasn't put a shovel in the ground yet.

How do you do that when you look at the fact that we have a \$20 trillion deficit and we are spending those sorts of dollars on actions that aren't benefiting taxpayers? Who is that representing? Because it is not the people who sent us here.

So I will say it again: this bill moves forward in transparency, it moves forward in efficiency while respecting the environment, it allows projects to be expedited, and it gives more flexibility for the Corps and their non-Federal partners to work together to deliver these projects.

One thing that is in here that I know the chairman is a big fan of and we pushed as well with our friends across the aisle, is taking a look to study whether or not the Corps of Engineers should remain within the Department of Defense.

Is this a mission that is truly compatible with our Department of De-

fense? I want Secretary Mattis focused on Syria and focused on Iran, North Korea, China, Russia, and other threats to our country. I don't want him or her also worried about what is happening with a coastal wetlands permit. I want him focused on the national defense of our country, so looking at where this mission perhaps could be better housed, better compatibility, and ultimately to deliver better outcomes to taxpayers across the country.

Mrs. NAPOLITANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I associate the remarks of my ranking member, the chairman of the committee, and the chairman of the subcommittee, Mr. GRAVES. I rise in strong support of the bipartisan bill, H.R. 8, the Water Resources Development Act of 2018.

I very strongly thank Chairman SHUSTER, Ranking Member DEFAZIO, and Chairman GRAVES for their work on this legislation. It is encouraging to see that the Transportation and Infrastructure Committee continue in a bipartisan fashion on this legislation every 2 years.

This bill authorizes Army Corps of Engineers' feasibility studies, Chief's Reports, and section 7001 water resource projects across the country for a diverse array of purposes, including flood damage reduction, ecosystem restoration, hurricane and storm damage reduction, water supply—very important to me—and navigation.

It also includes an important water recycling project for Los Angeles County in California, with the West Basin Municipal Water District's Harbor/South Bay project. This project provides a \$35 million increase for an existing, successful authorization to improve microfiltration of wastewater and delivery to residents and businesses. This will create long-term water supply reliability in our drought-prone region.

I want to thank my good friends, Directors Carol Kwan and Gloria Gray, for their commitment to this cost-effective and innovative water supply option for all their constituents.

I also am pleased to see the inclusion of several provisions that will continue the work we have done in recent WRDAs to assist communities experiencing drought with additional water supply options.

These provisions include section 109 that will require the Corps to work with local governments on integrated water resources planning to incorporate in Corps projects locally developed plans for stormwater management, water quality improvements, and—my baby—water recycling.

Section 107 provides for forecast-informed reservoir operations in water control manuals to ensure that dams are being used effectively to maximize local water supply.

Section 115 provides a comprehensive report on the operation and maintenance backlog of Corps projects so that

Congress has a full accounting of the unmet needs of authorized water resource projects.

We have such a backlog, and there is that fund that goes nowhere, the billions of dollars that should be going to the ports that do not benefit, and we have a tremendous backlog.

I am concerned that the bill does not include a bipartisan provision supported by the Transportation and Infrastructure Committee that would fully fund the harbor maintenance trust fund. Congress needs to remedy this inequity in the harbor maintenance trust fund once and for all, so that the taxes paid into the system are benefiting the projects they were intended for. I support the efforts of port stakeholders, including the American Association of Port Authorities, which includes all ports in the United States which recently approved, for the first time, a national agreement with all ports to create fairness in the harbor maintenance trust fund. It is very unfortunate that the House leadership is using procedural tactics to prevent the House from addressing this critical issue.

I am confident that this bill, when and if enacted, will provide drought-prone regions like mine and other very necessary areas with the tools necessary to increase water supply and water conservation measures and be prepared for future storm events to capture and reuse the water that would have otherwise been lost.

I want to thank my constituent water agencies for their input throughout this process, including the Upper San Gabriel Valley Municipal Water District, the Three Valleys Municipal Water District, the San Gabriel Valley Municipal Water District, the San Gabriel WaterMaster, the Los Angeles County Department of Public Works, and my local Corps leadership, General Helmlinger, Colonel Gibbs, and David Van Dorpe.

Mr. Chairman, I urge passage of this bill, and I ask Members to support H.R. 8.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. GRAVES). The other Mr. GRAVES from the Transportation and Infrastructure Committee is the chairman of the Subcommittee on Highways and Transit.

Mr. GRAVES of Missouri. Mr. Chairman, I rise today in support of H.R. 8.

I want to say, too, the chairman's commitment to passing bipartisan WRDA bills every 2 years has been very impactful on better managing the bureaucracy of the Corps of Engineers.

I think we can all agree that the Corps needs regular examination of projects and policy to hold them accountable, and this is good government and a policy I would like to see the committee remain committed to in the future.

In my district, Mr. Chairman, this bill is extremely important to the agri-

culture economy and to everyone who relies on the Missouri and Mississippi Rivers.

□ 1500

My district alone is bordered by 400 miles of Missouri and Mississippi River frontage. So we in northern Missouri are directly affected by the Corps' actions.

I am glad that the committee unanimously adopted my amendment to bring some common sense to the management of the endangered species—specifically, the pallid sturgeon—that live along the Missouri River.

Past efforts to help the pallid sturgeon have led to multiple years of flooding and millions of dollars' worth of damage to my constituents. What is worse is the fact that the Corps has spent money year after year on population recovery, and it has not helped the pallid sturgeon one bit. This is absolutely unacceptable.

Before the Army Corps builds any new, unproven structures along the Missouri and spends millions of taxpayer dollars, they are now required to prove that it actually works. Furthermore, the Army Corps must prove that these structures, called IRCs, do not negatively impact the other management priorities on the Missouri River that the Corps is responsible for, most importantly, which is flood control and navigation.

Mr. Chairman, the Corps shouldn't be focused on constructing environmental habitats. They should be protecting people and businesses from flooding and helping facilitate navigation on the river. We have been down this road before with unproven methods to help fish over people.

In closing, this is a good bill. It is necessary to advance important flood control projects and ensure our inland waterways remain a reliable and efficient option for transporting goods up and down the rivers. I urge all my colleagues to vote for H.R. 8.

Mrs. NAPOLITANO. Mr. Chairman, I yield 3 minutes to the gentlewoman from Michigan (Mrs. LAWRENCE), my colleague on the Transportation and Infrastructure Committee.

Mrs. LAWRENCE. Mr. Chairman, as a member of the Water Resources and Environment Subcommittee and a cosponsor of this bill, I rise in support of H.R. 8.

Our water infrastructure is important to the health of our economy and job growth, including infrastructure job opportunity in the skilled trades.

Supporting our water infrastructure is essential to the goal of ensuring environmental justice. Communities in poverty and women and children are especially vulnerable to the harsh consequences of failing and faulty water infrastructure. Let us not forget Flint, Michigan. This bill continues this important bipartisan process.

As a Representative from Michigan, this bill continues to protect the Great Lakes region. The Davis amendment on

the floor today affirms the commitment to fighting invasive species. Completion of the long-awaited Brandon Road Study is needed to combat environmental threats to our region.

The Great Lakes waterways create thousands of jobs and create billions in revenue, annually. We must continue to support the Army Corps' operations that operate these critical waterways.

As Members know, our Nation's infrastructure is in desperate need of repair, and we cannot kick the can down the road anymore. I urge my colleagues to support this bipartisan bill.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), a member of the committee.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank Chairman SHUSTER and GRAVES, Ranking Member DEFAZIO, and also my other good friend, the ranking member on the subcommittee, Mrs. NAPOLITANO. I am proud to join them to support this bill and to say that WRDA works.

In 2014, during my first term in Congress, we passed the first Water Resource Development Act in 7 years. This bill made critical reforms to add efficiencies to the Corps' process of studying and recommending projects for authorization, and, importantly, it set us up to get WRDA back on a 2-year cycle of authorizations. This bill represents the continuation of that process.

Our bill authorizes a total of eight Army Corps of Engineers Chief's Reports received since the last WRDA passed by us in 2016. All of these Chief's Reports have been fully vetted by the committee at hearings during this Congress and in an open and transparent process.

Now, I haven't shied away from my criticism of the Corps in the past. I think that the Corps is good at building things, but actually getting to construction is typically the most difficult part of the process.

One particular provision in this bill directs the National Academy of Sciences to analyze the Corps' civil works functions and the potential impacts of transferring those functions to another Federal agency. They will be required to provide recommendations to us in Congress.

Mr. Chairman, it is truly clear that WRDA works. The authorizing committee has diligently worked over the past three Congresses to get us back on this 2-year cycle to ensure that we continue to improve processes.

I would also be remiss, Mr. Chairman, if I didn't mention those projects of national significance that have been authorized for many years and yet have seen very little progress, including the Navigation and Ecosystem Sustainability Program, or NESP. Authorized by Congress in 2007, this critical project would expand seven locks on the Upper Mississippi and Illinois Rivers to meet the demand for barges to transport agricultural and other commodities to the global marketplace.

Unfortunately, because of incongruent priorities at the Corps in the past and a reluctance from the Appropriations Committee, we have yet to see this move forward.

The Acting CHAIR (Mr. HARPER). The time of the gentleman has expired.

Mr. SHUSTER. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, we can and must do better to align our priorities with the Corps to ensure critical projects of national significance don't languish after an initial authorization, which is why, related to my earlier comments, I believe it is important for Congress to understand the implications and potential efficiencies of moving the Corps' mission to another Federal agency.

Mrs. NAPOLITANO. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank the gentlewoman for yielding, and I thank the committee Democrats and Republicans for bringing this bipartisan bill to the floor.

One of the most important pieces of infrastructure in my particular district in the State of Michigan is the Saginaw River. This Federal port allows for raw material from around the world to be brought into our communities to be used in manufacturing and agriculture and is really the lifeblood of the economy there.

The depth of the river, however, currently limits the size of the ships that can use this very important port. Our dock owners on the Saginaw River have joined with the local government and businesses to propose deepening the Saginaw River to increase business opportunities and grow jobs in our region.

The Army Corps process to authorize deepening of the river, however, can sometimes be rather time-consuming. While millions have been spent by dock owners, under current law, the Army Corps construction plan for considering construction projects does not allow those investments that have already been made.

So I am supporting this legislation, in part, because of the reforms in the bill. It changes the way the Army Corps does their cost-benefit analysis on a project. It will greatly benefit many projects, including the Saginaw River's deepening project.

This will grow jobs in my district, in our State, and in our country. It is a step in the right direction. I encourage the Corps to work with those local members and that local coalition on the deepening of this river using the reforms in this bill. This is really important for my district.

I really appreciate the work of the committee in coming together and delivering these reforms and delivering a good bill to the floor in a bipartisan fashion. I encourage my colleagues to support it.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I rise as a conservative in support of this measure.

As conservatives, we want less government; but the government that we have, we want to work better. I think that WRDA does that.

I think one of the things we look at is how do we become more competitive as a society relative to all the other places around the globe in the way that we deliver goods, whether by land, by air, or by sea. Again, this bill does that.

I stand in support of this measure and thank the chairman for his work on it. I want to particularly single him out for what he has done with the WRDA process.

As has already been mentioned, there was a 7-year skip between WRDA bills. But there was a bill in 2014; there was a bill in 2016; there was a bill in 2018. That kind of predictability is absolutely necessary if you are going to see marine and other investments as we have seen, for instance, in a place like Charleston.

Two, I want to thank him for what he is doing with regard to non-Federal sponsors. This idea of adding new flexibility in the way that we originate programs, I think, makes a lot of sense. One authorization means a bottleneck. What this bill does is frees up bottlenecks in the way that things get funded.

Third, I want to single out GARRET GRAVES and, again, the chairman, for this study on whether or not civil works can be done by nonmilitary actors. I think that this is vital in moving the backlog through that now exists on the WRDA front.

Finally, I want to say thanks for what he is doing on cost-benefit analysis. A place like Charleston has been heavily hampered as a consequence of their throwing in local money. What we want to reward at the Federal level is more in the way of State and local money as we leverage Federal investment.

Again, I thank the chairman for what he has done on this measure, and I rise in support of H.R. 8.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Chairman, this legislation is a bright light of bipartisanship that is sorely needed by communities like mine in Hawaii and those in Florida as well.

There is nothing more necessary and basic to life than water. Strengthening and upgrading our water infrastructure is critical to protecting the health, safety, and welfare of communities all across the country. Those like mine, who are surrounded by water, and those in our coastal communities are acutely aware of the dire need for investment.

For example, for us in Hawaii, we rely on our ports for the vast majority of the basic needs and supplies that we have to ship in for our residents. We

have also experienced historic floods in Hawaii recently, like other States, exposing the urgent need for investment in water infrastructure.

Just one example, risk experts in Hawaii have warned that the Ala Wai watershed's high vulnerability to devastating flooding could result in financial devastation to the tune of over \$1.1 billion, damaging more than 3,000 structures, and speaks to the fact that the area is home to over 150,000 residents and over 80,000 visitors every day.

This bipartisan legislation will secure critical funding for flood risk management both on the Ala Wai Canal, other places in Hawaii, and across the country, helping to provide that necessary safety and security for our residents.

This is a critical piece of bipartisan legislation that deserves the support of Congress. Let's take this opportunity to better the lives of our constituents and residents across the country by strengthening our national infrastructure and ensuring clean and safe drinking water for all.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chairman, North Carolina's Seventh Congressional District is fortunate to have some of the most beautiful beaches and waterways in the United States, which are major contributors to our State's vibrant tourism industry, attracting more than 50 million visitors a year and generating more than \$22.9 billion in revenue. This Water Resources and Development Act is critical to strengthening our country's infrastructure projects, all of which are so critical to the Nation's economy.

In the district I represent, Carolina Beach's Coastal Storm Damage Reduction project reached the end of its 50-year authorization in 2014. While the Army Corps of Engineers works to complete their study to determine future authorization of this project, this bill provides for continued authorization in the interim and long-term certainty of nourishment should the Corps study be favorable and funding available.

Our ports, beaches, inlets, and waterways are the lifeline of economic activity and job growth for our coastal communities, and they are incredibly important for the Nation as a whole.

I thank Chairman SHUSTER, Ranking Member DEFAZIO and the rest of my colleagues on the Transportation and Infrastructure Committee for putting forth a strong bill that addresses the unique coastal needs of North Carolina's Seventh District and makes great improvements to current law enabling critical projects to move forward while saving taxpayer dollars in multiple ways. A job well done.

I urge everyone's support.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Chairman, when I first got to the U.S. House, a WRDA bill hadn't passed in 6 years. Since then, Chairman SHUSTER has led a renaissance in the committee, putting us back on the 2-year cycle, which I applaud him and all of our colleagues on the committee for spearheading these efforts. What we are looking for is predictability and stability in this process. Just a few weeks ago, that process continued, as the Water Resources Development Act of 2018 passed through the committee in a unanimous and bipartisan fashion.

□ 1515

Now, WRDA stands before the House ready for final passage. This legislation will institute, importantly, a review process of the Army Corps of Engineers' backlog that can save, in the near term, \$3 billion. Now, with \$100 billion worth of work identified, and maybe \$2 billion per year allocated, when will we ever get caught up on this unless there is a review and new process put in place?

We will also implement a study to improve Army Corps' administration and procedures, and greatly increase the role of local shareholders in carrying out water development projects like we have seen in Sutter and Butte Counties in northern California. Indeed, the public will be much better served in safety when working on these levee projects and getting them done timely and for lower costs.

This whole WRDA legislation will be key for important flood control work and levee work, in addition to the many other things that have been talked about today. This bill is an important next step in moving this process forward, and I urge my colleagues to support it.

Mr. DEFAZIO. Mr. Chair, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chair, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. I rise today in support of H.R. 8—the Water Resources Development Act (WRDA) of 2018. As the most senior Texan on the House Transportation & Infrastructure Committee and former chair of the Water Resources and Environment Subcommittee, I am pleased to support this bill which represents a bipartisan effort to authorize critical water infrastructure projects and develop our nation's future water resources.

Our ports, inland waterways, locks, dams, flood protection, and other water infrastructure are vital to our nation and its global competitiveness. Water infrastructure forms a critical backbone in support of our overall infrastructure needs and H.R. 8 will ensure that the United States can provide not only basic water resources for its people, but also promote commerce along our nation's waterways.

One element of the WRDA bill that I wish had been addressed is the full use of the Harbor Maintenance Trust Fund

(HMTF). The HMTF was established to cover the operation and maintenance (O&M) expenses of our waterways and harbors. As Harbor Maintenance Taxes (HMTs) are collected, it is the responsibility of Congress to appropriate its spending for dredging and other O&M activities. A sufficient amount of HMT revenue is collected each year to meet our nation's annual authorized harbor maintenance needs. It is critical that we remain open to the idea of fully utilizing the HMTF for harbor maintenance purposes.

Mr. Chair, I look forward to working with Congress to continue authorizing these important projects and sticking to a two-year authorization cycle. Doing so will ensure that we are able to advance water resources development projects in a timely manner and provide the predictability and support that is so desperately needed.

Mr. GENE GREEN of Texas. Mr. Chair, I rise today in support of H.R. 8, the Water Resources Development Act of 2018. Our district, centered in Eastside and Northside Houston and eastern Harris County, was one of the most highly impacted by Hurricane Harvey. While we have passed emergency supplemental funding the Port of Houston and the Army Corps of Engineers have drastic needs for mitigating the damage done by Harvey.

The Port of Houston is the second busiest in the U.S. in terms of overall tonnage and the busiest in the U.S. in terms of foreign tonnage. Silt, from the bayous has drastically limited maneuverability and depth. The port had recently completed dredging to 45 feet. Many of the ships can no longer get through the channel due to hurricane damage. The disaster funding has not reached our ports.

The port currently estimates that first phase of recovery from the storm will cost an estimated \$457 million dollars. The ship channel is the lifeblood of Houston. The energy renaissance that we have experienced in this country is also driven by industry that relies on the Port and the ship channel. It's absolutely essential to our district that we adequately fund corps projects that get the port back at their normal capacity.

Decades ago Congress created the Harbor Maintenance Fund, a tax on goods to keep our ports and harbors in good working order, and every year appropriators do not appropriate the needed funds. It is past time that we start putting all the money collected from port economic activity back into maintaining our ports.

Army Corps of Engineer projects go hand in hand with the health of our ports as well. Houston is a city of Bayous. When our Bayou's are damaged in a storm like Harvey the silt flows downstream into the ship channel. The turning basis, which was hit hard in the Tax Day Floods of 2016 has seen draft restrictions for over 1,300 days now.

These Army Corps projects don't just save money though, they create jobs. These improvements in this bill aren't theoretical, they're shovel ready projects the Corps has read to go.

The Army Corps of Engineers recently announced that it was allocating around \$360 million to address high-priority needs for hurricane ravaged regions but unfortunately while many projects have been submitted to the Of-

fice of Management and Budget, no action has been taken to clear these projects.

I call on Director Mulvaney to take immediate action on these needs so OMB won't stand as a roadblock to protecting my constituents as we enter a new hurricane season. I'd like to thank my colleagues on the Transportation and Infrastructure committee for crafting a Water Resources Development Act that addresses these pressing issues and urge my colleagues to support the bill.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-72, shall be considered as adopted, and shall be considered as an original bill for purpose of further amendment under the 5-minute rule. The bill, as amended, shall be considered as read.

The text of the bill, as amended, is as follows:

#### H.R. 8

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Water Resources Development Act of 2018”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

#### TITLE I—GENERAL PROVISIONS

Sec. 101. Sense of Congress regarding water resources development bills.

Sec. 102. Assessment of harbors and inland harbors.

Sec. 103. Levee safety initiative reauthorization.

Sec. 104. Dam safety.

Sec. 105. Rehabilitation of Corps of Engineers constructed dams.

Sec. 106. Forecast-informed reservoir operations.

Sec. 107. Identification of nonpowered dams for hydropower development.

Sec. 108. Emergency response to natural disasters.

Sec. 109. Integrated water resources planning.

Sec. 110. Mitigation banks.

Sec. 111. Indian Tribes.

Sec. 112. Columbia River.

Sec. 113. Dissemination of information.

Sec. 114. Non-Federal engagement and review.

Sec. 115. Comprehensive backlog report.

Sec. 116. Structures and facilities constructed by Secretary.

Sec. 117. Transparency in administrative expenses.

Sec. 118. Study of the future of the United States Army Corps of Engineers.

Sec. 119. Acknowledgment of credit.

Sec. 120. Non-Federal implementation pilot program.

Sec. 121. Study of water resources development projects by non-Federal interests.

Sec. 122. Construction of water resources development projects by non-Federal interests.

Sec. 123. Advanced funds for water resources development studies and projects.

Sec. 124. Funding to process permits.

Sec. 125. Study on economic and budgetary analyses.

- Sec. 126. Study of corrosion management at Corps of Engineers projects.
- Sec. 127. Costs in excess of Federal participation limit.
- Sec. 128. Report on innovative materials.
- Sec. 129. Study on Corps of Engineers.
- Sec. 130. GAO study.
- Sec. 131. GAO report on Alaska Native village relocation efforts due to flooding and erosion threats.
- Sec. 132. Study and report on expediting certain waiver processes.
- Sec. 133. Corps of Engineers continuing authorities program.
- Sec. 134. Credit in lieu of reimbursement.
- Sec. 135. Lake Okeechobee regulation schedule review.
- Sec. 136. Missouri River.
- Sec. 137. Access to real estate data.
- Sec. 138. Aquatic invasive species research.
- Sec. 139. Harmful algal bloom technology demonstration.
- Sec. 140. Bubbly Creek, Chicago ecosystem restoration.
- Sec. 141. Operation and maintenance of navigation and hydroelectric facilities.
- Sec. 142. Hurricane and storm damage reduction.
- Sec. 143. Post-disaster watershed assessments in the territories of the United States.

#### TITLE II—STUDIES

- Sec. 201. Authorization of proposed feasibility studies.
- Sec. 202. Additional studies.
- Sec. 203. Expedited completion of reports for certain projects.

#### TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

- Sec. 301. Deauthorization of inactive projects.
- Sec. 302. Backlog prevention.
- Sec. 303. Project modifications.
- Sec. 304. Milwaukee Harbor, Milwaukee, Wisconsin.
- Sec. 305. Bridgeport Harbor, Connecticut.
- Sec. 306. Conveyances.
- Sec. 307. Clatsop County, Oregon.
- Sec. 308. Kissimmee River Restoration, Central and Southern Florida.
- Sec. 309. Lytle and Cajon Creeks, California.
- Sec. 310. Yuba River Basin, California.

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

- Sec. 401. Project authorizations.

#### SEC. 2. SECRETARY DEFINED.

In this Act, the term “Secretary” means the Secretary of the Army.

#### TITLE I—GENERAL PROVISIONS

#### SEC. 101. SENSE OF CONGRESS REGARDING WATER RESOURCES DEVELOPMENT BILLS.

It is the sense of Congress that, because the missions of the Corps of Engineers for navigation, flood control, beach erosion control and shoreline protection, hydroelectric power, recreation, water supply, environmental protection, restoration, and enhancement, and fish and wildlife mitigation benefit all Americans, and because water resources development projects are critical to maintaining the country's economic prosperity, national security, and environmental protection, Congress should consider a water resources development bill not less often than once every Congress.

#### SEC. 102. ASSESSMENT OF HARBORS AND INLAND HARBORS.

Section 210(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended—

- (1) in paragraph (1), by striking “shall assess the” and inserting “shall assess, and issue a report to Congress on, the”; and
- (2) in paragraph (2), by adding at the end the following:

“(C) OPPORTUNITIES FOR BENEFICIAL USE OF DREDGED MATERIALS.—In carrying out para-

graph (1), the Secretary shall identify potential opportunities for the beneficial use of dredged materials obtained from harbors and inland harbors referred to in subsection (a)(2), including projects eligible under section 1122 of the Water Resources Development Act of 2016 (130 Stat. 1645; 33 U.S.C. 2326 note).”.

#### SEC. 103. LEVEE SAFETY INITIATIVE REAUTHORIZATION.

Title IX of the Water Resources Development Act of 2007 (33 U.S.C. 3301 et seq.) is amended—

- (1) in section 9005(g)(2)(E)(i), by striking “2015 through 2019” and inserting “2019 through 2023”; and

- (2) in section 9008, by striking “2015 through 2019” each place it appears and inserting “2019 through 2023”.

#### SEC. 104. DAM SAFETY.

Section 14 of the National Dam Safety Program Act (33 U.S.C. 467j) is amended by striking “2015 through 2019” each place it appears and inserting “2019 through 2023”.

#### SEC. 105. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED DAMS.

Section 1177 of the Water Resources Development Act of 2016 (33 U.S.C. 467f–2 note) is amended—

- (1) in subsection (e), by striking “\$10,000,000” and inserting “\$40,000,000”; and

- (2) in subsection (f), by striking “\$10,000,000” and inserting “\$40,000,000”.

#### SEC. 106. FORECAST-INFORMED RESERVOIR OPERATIONS.

(a) REPORT ON FORECAST-INFORMED RESERVOIR OPERATIONS.—Not later than one year after the date of completion of the forecast-informed reservoir operations research study pilot program at Coyote Valley Dam, Russian River Basin, California (authorized by the River and Harbor Act of 1950 (64 Stat. 177)), the Secretary shall issue a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the results of the study pilot program.

(b) CONTENTS OF REPORT.—The Secretary shall include in the report issued under subsection (a)—

- (1) an analysis of the use of forecast-informed reservoir operations at Coyote Valley Dam, California;

- (2) an assessment of the viability of using forecast-informed reservoir operations at other dams owned or operated by the Secretary;

- (3) an identification of other dams owned or operated by the Secretary where forecast-informed reservoir operations may assist the Secretary in the optimization of future reservoir operations; and

- (4) any additional areas for future study of forecast-informed reservoir operations.

#### SEC. 107. IDENTIFICATION OF NONPOWERED DAMS FOR HYDROPOWER DEVELOPMENT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall develop a list of existing non-powered dams owned and operated by the Corps of Engineers that have the greatest potential for hydropower development.

(b) CONSIDERATIONS.—In developing the list under subsection (a), the Secretary may consider the following:

- (1) The compatibility of hydropower generation with existing purposes of the dam.

- (2) The proximity of the dam to existing transmission resources.

- (3) The existence of studies to characterize environmental, cultural, and historic resources relating to the dam.

- (4) Whether hydropower is an authorized purpose of the dam.

(c) AVAILABILITY.—The Secretary shall provide the list developed under subsection (a) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public

Works of the Senate, and make such list available to the public.

#### SEC. 108. EMERGENCY RESPONSE TO NATURAL DISASTERS.

(a) IN GENERAL.—Section 5(a)(1) of the Act of August 18, 1941 (33 U.S.C. 701n(a)(1)) is amended in the first sentence—

- (1) by striking “strengthening, raising, extending, or other modification thereof” and inserting “strengthening, raising, extending, realigning, or other modification thereof”; and

- (2) by striking “structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to the design level of protection when, in the discretion of the Chief of Engineers,” and inserting “structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to either the pre-storm level or the design level of protection, whichever provides greater protection, when, in the discretion of the Chief of Engineers,”.

(b) DURATION.—Section 156(e) of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5(f)) is amended by striking “6 years” and inserting “9 years”.

#### SEC. 109. INTEGRATED WATER RESOURCES PLANNING.

In carrying out a water resources development feasibility study, the Secretary shall consult with local governments in the watershed covered by such study to determine if local water management plans exist, or are under development, for the purposes of stormwater management, water quality improvement, aquifer recharge, or water reuse.

#### SEC. 110. MITIGATION BANKS.

(a) DEFINITION OF MITIGATION BANK.—In this section, the term “mitigation bank” has the meaning given that term in section 332.2 of title 33, Code of Federal Regulations.

(b) GUIDANCE.—The Secretary shall issue guidance on the use of mitigation banks to meet requirements for water resources development projects in order to update mitigation bank credit release schedules to—

- (1) support the goal of achieving efficient permitting and maintaining appropriate environmental protections; and

- (2) promote increased transparency in the use of mitigation banks.

(c) REQUIREMENTS.—The guidance issued under subsection (b) shall—

- (1) be consistent with—

- (A) part 230 of title 40, Code of Federal Regulations;

- (B) section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283);

- (C) part 332 of title 33, Code of Federal Regulations; and

- (D) section 314(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 33 U.S.C. 1344 note); and

- (2) provide for—

- (A) the mitigation bank sponsor to provide sufficient financial assurances to ensure a high level of confidence that the compensatory mitigation project will be successfully completed, in accordance with applicable performance standards, under section 332.3(n) of title 33, Code of Federal Regulations; and

- (B) the mitigation bank sponsor to reserve the share of mitigation bank credits required to ensure ecological performance of the mitigation bank, in accordance with section 332.8(o) of title 33, Code of Federal Regulations; and

- (C) all credits except for the share reserved under subparagraph (B) to be available upon completion of the construction of the mitigation bank.

#### SEC. 111. INDIAN TRIBES.

(a) COST SHARING PROVISIONS FOR THE TERRITORIES AND INDIAN TRIBES.—Section 1156(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2310(a)(2)) is amended by striking “section 102 of the Federally Recognized Indian

Tribe List Act of 1994 (25 U.S.C. 5130)” and inserting “section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))”.

(b) **WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.**—Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by striking “a federally recognized Indian tribe and, as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), a Native village, Regional Corporation, and Village Corporation” and inserting “an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))”.

#### SEC. 112. COLUMBIA RIVER.

(a) **BONNEVILLE DAM, OREGON.**—Section 1178(c)(1)(A) of the Water Resources Development Act of 2016 (130 Stat. 1675) is amended by striking “may provide assistance” and inserting “may provide assistance, which may include housing and related improvements.”.

(b) **JOHN DAY DAM, WASHINGTON AND OREGON.**—

(1) **IN GENERAL.**—The Secretary shall, not later than 180 days after the date of enactment of this Act, and in consultation with the Secretary of the Interior, conduct a study to determine the extent to which Indian Tribes have been displaced as a result of the construction of the John Day Dam, Columbia River, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179), including an assessment of effects related to housing and related improvements.

(2) **ADDITIONAL ACTIONS.**—If the Secretary determines, based on the study under paragraph (1), that assistance is required, the Secretary may use all existing authorities of the Secretary to provide assistance, which may include housing and related improvements, to Indian Tribes displaced as a result of the construction of the John Day Dam, Columbia River, Washington and Oregon.

(3) **REPEAL.**—Section 1178(c)(2) of the Water Resources Development Act of 2016 (130 Stat. 1675) is repealed.

(c) **THE DALLES DAM, WASHINGTON AND OREGON.**—The Secretary, in consultation with the Secretary of the Interior, shall complete a village development plan for any Indian Tribe displaced as a result of the construction of the Dalles Dam, Columbia River, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179).

#### SEC. 113. DISSEMINATION OF INFORMATION.

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

(1) Congress plays a central role in identifying, prioritizing, and authorizing vital water resources infrastructure activities throughout the United States.

(2) The Water Resources Reform and Development Act of 2014 (Public Law 113–121) established a new and transparent process to review and prioritize the water resources development activities of the Corps of Engineers with strong congressional oversight.

(3) Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) requires the Secretary to develop and submit to Congress each year a Report to Congress on Future Water Resources Development and, as part of the annual report process, to—

(A) publish a notice in the Federal Register that requests from non-Federal interests proposed feasibility studies and proposed modifications to authorized water resources development projects and feasibility studies for inclusion in the report; and

(B) review the proposals submitted and include in the report those proposed feasibility studies and proposed modifications that meet the criteria for inclusion established under such section 7001.

(4) Congress will use the information provided in the annual Report to Congress on Future Water Resources Development to determine au-

thorization needs and priorities for purposes of water resources development legislation.

(5) To ensure that Congress can gain a thorough understanding of the water resources development needs and priorities of the United States, it is important that the Secretary take sufficient steps to ensure that non-Federal interests are made aware of the new annual report process, including the need for non-Federal interests to submit proposals during the Secretary’s annual request for proposals in order for such proposals to be eligible for consideration by Congress.

(b) **DISSEMINATION OF PROCESS INFORMATION.**—The Secretary shall develop, support, and implement education and awareness efforts for non-Federal interests with respect to the annual Report to Congress on Future Water Resources Development required under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d), including efforts to—

(1) develop and disseminate technical assistance materials, seminars, and guidance on the annual process as it relates to non-Federal interests;

(2) provide written notice to local elected officials and previous and potential non-Federal interests on the annual process and on opportunities to address local water resources challenges through the missions and authorities of the Corps of Engineers;

(3) issue guidance for non-Federal interests to assist such interests in developing proposals for water resources development projects that satisfy the requirements of such section 7001; and

(4) provide, at the request of a non-Federal interest, assistance with researching and identifying existing project authorizations and Corps of Engineers decision documents.

#### SEC. 114. NON-FEDERAL ENGAGEMENT AND REVIEW.

(a) **PUBLIC NOTICE.**—

(1) **IN GENERAL.**—Prior to developing and issuing any new or revised implementation guidance for a covered water resources development law, the Secretary shall issue a public notice that—

(A) informs potentially interested non-Federal stakeholders of the Secretary’s intent to develop and issue such guidance; and

(B) provides an opportunity for interested non-Federal stakeholders to engage with, and provide input and recommendations to, the Secretary on the development and issuance of such guidance.

(2) **ISSUANCE OF NOTICE.**—The Secretary shall issue the notice under paragraph (1) through a posting on a publicly accessible website dedicated to providing notice on the development and issuance of implementation guidance for a covered water resources development law.

(b) **STAKEHOLDER ENGAGEMENT.**—

(1) **INPUT.**—The Secretary shall allow a minimum of 60 days after issuance of the public notice under subsection (a) for non-Federal stakeholders to provide input and recommendations to the Secretary, prior to finalizing implementation guidance for a covered water resources development law.

(2) **OUTREACH.**—The Secretary may, as appropriate (as determined by the Secretary), reach out to non-Federal stakeholders and circulate drafts of implementation guidance for a covered water resources development law for informal feedback and recommendations.

(c) **DEVELOPMENT OF GUIDANCE.**—When developing implementation guidance for a covered water resources development law, the Secretary shall take into consideration the input and recommendations received from non-Federal stakeholders, and make the final guidance available to the public on-line on a publicly accessible website.

(d) **COVERED WATER RESOURCES DEVELOPMENT LAW.**—In this section, the term “covered water resources development law” means—

(1) the Water Resources Reform and Development Act of 2014;

(2) the Water Resources Development Act of 2016;

(3) this Act; and

(4) any Federal water resources development law enacted after the date of enactment of this Act.

#### SEC. 115. COMPREHENSIVE BACKLOG REPORT.

Section 1001(b)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(4)) is amended—

(1) in the header, by inserting “AND OPERATION AND MAINTENANCE” after “BACKLOG”;

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

“(A) **IN GENERAL.**—The Secretary shall compile and publish—

“(i) a complete list of all projects and separable elements of projects of the Corps of Engineers that are authorized for construction but have not been completed; and

“(ii) a list of major Federal operation and maintenance needs of projects and properties under the control of the Corps of Engineers.”;

(3) in subparagraph (B)—

(A) in the heading, by inserting “BACKLOG” before “INFORMATION”; and

(B) in the matter preceding clause (i), by striking “subparagraph (A)” and inserting “subparagraph (A)(i)”; and

(4) by redesignating subparagraph (C) as subparagraph (D) and inserting after subparagraph (B) the following:

“(C) **REQUIRED OPERATION AND MAINTENANCE INFORMATION.**—The Secretary shall include on the list developed under subparagraph (A)(ii), for each project and property under the control of the Corps of Engineers on that list—

“(i) the authority under which the project was authorized or the property was acquired by the Corps of Engineers;

“(ii) a brief description of the project or property;

“(iii) an estimate of the Federal costs to meet the major operation and maintenance needs at the project or property; and

“(iv) an estimate of unmet or deferred operation and maintenance needs at the project or property.”; and

(5) in subparagraph (D), as so redesignated—

(A) in clause (i), in the matter preceding subclause (I), by striking “Not later than 1 year after the date of enactment of this paragraph, the Secretary shall submit a copy of the list” and inserting “For fiscal year 2019, and biennially thereafter, in conjunction with the President’s annual budget submission to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit a copy of the lists”; and

(B) in clause (ii), by striking “list” and inserting “lists”.

#### SEC. 116. STRUCTURES AND FACILITIES CONSTRUCTED BY SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) is amended by adding at the end the following:

“(d) **WORK DEFINED.**—For the purposes of this section, the term ‘work’ shall not include unimproved real estate owned or operated by the Secretary as part of a water resources development project if the Secretary determines that modification of such real estate would not affect the function and usefulness of the project.”.

#### SEC. 117. TRANSPARENCY IN ADMINISTRATIVE EXPENSES.

Section 1012(b)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2315a(b)(1)) is amended by striking “The Secretary” and inserting “Not later than 1 year after the date of enactment of the Water Resources Development Act of 2018, the Secretary”.

#### SEC. 118. STUDY OF THE FUTURE OF THE UNITED STATES ARMY CORPS OF ENGINEERS.

(a) **IN GENERAL.**—The Secretary shall enter into an agreement with the National Academy



of Sciences to convene a committee of experts to carry out a comprehensive study on—

(1) the ability of the Corps of Engineers to carry out its statutory missions and responsibilities, and the potential effects of transferring the functions (including regulatory obligations), personnel, assets, and civilian staff responsibilities of the Secretary relating to civil works from the Department of Defense to a new or existing agency or subagency of the Federal Government, including how such a transfer might affect the Federal Government's ability to meet the current statutory missions and responsibilities of the Corps of Engineers; and

(2) improving the Corps of Engineers' project delivery processes, including recommendations for such improvements, taking into account factors including—

(A) the effect of the annual appropriations process on the ability of the Corps of Engineers to efficiently secure and carry out contracts for water resources projects and perform regulatory obligations;

(B) the effect that the current Corps of Engineers leadership and geographic structure at the division and district levels has on its ability to carry out its missions in a cost-effective manner; and

(C) the effect of the frequency of rotations of senior leaders of the Corps of Engineers and how such frequency affects the function of the district.

(b) **CONSIDERATIONS.**—The study carried out under subsection (a) shall include consideration of—

(1) effects on the national security of the United States;

(2) the ability of the Corps of Engineers to maintain sufficient engineering capability and capacity to assist ongoing and future operations of the United States armed services; and

(3) emergency and natural disaster response obligations of the Federal Government that are carried out by the Corps of Engineers.

(c) **CONSULTATION.**—The agreement entered into under subsection (a) shall require the National Academy to, in carrying out the study, consult with—

(1) the Department of Defense, including the Secretary of the Army and the Assistant Secretary of the Army for Civil Works;

(2) the Department of Transportation;

(3) the Environmental Protection Agency;

(4) the Department of Homeland Security;

(5) the Office of Management and Budget;

(6) other appropriate Federal agencies;

(7) professional and nongovernmental organizations; and

(8) the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(d) **SUBMISSION TO CONGRESS.**—The Secretary shall submit the final report of the National Academy containing the findings of the study carried out under subsection (a) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate not later than 2 years after the date of enactment of this Act.

#### SEC. 119. ACKNOWLEDGMENT OF CREDIT.

Section 7007(a) of the Water Resources Development Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended by adding at the end the following: “Notwithstanding section 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(C)(i)), the Secretary may provide credit for work carried out during the period beginning on November 8, 2007, and ending on the date of enactment of the Water Resources Development Act of 2018 by the non-Federal interest for a project under this title if the Secretary determines that the work is integral to the project and was carried out in accordance with the laws specified in section 5014(i)(2)(A) of the Water Resources Reform and Development Act

of 2014 (128 Stat. 1331) and all other applicable Federal laws.”.

#### SEC. 120. NON-FEDERAL IMPLEMENTATION PILOT PROGRAM.

Section 1043(b)(8) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note(b)(8)) is amended by striking “2015 through 2019” and inserting “2019 through 2023”.

#### SEC. 121. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended—

(1) in subsection (a)(1), by inserting “federally authorized” before “feasibility study”;

(2) by amending subsection (c) to read as follows:

“(c) **SUBMISSION TO CONGRESS.**—

“(1) **REVIEW AND SUBMISSION OF STUDIES TO CONGRESS.**—Not later than 180 days after the date of receipt of a feasibility study of a project under subsection (a)(1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

“(A) the results of the Secretary's review of the study under subsection (b), including a determination of whether the project is feasible;

“(B) any recommendations the Secretary may have concerning the plan or design of the project; and

“(C) any conditions the Secretary may require for construction of the project.

“(2) **LIMITATION.**—The completion of the review by the Secretary of a feasibility study that has been submitted under subsection (a)(1) may not be delayed as a result of consideration being given to changes in policy or priority with respect to project consideration.”; and

(3) by amending subsection (e) to read as follows:

“(e) **REVIEW AND TECHNICAL ASSISTANCE.**—

“(1) **REVIEW.**—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, certifications, and other activities that are the responsibility of the Secretary in carrying out this section.

“(2) **TECHNICAL ASSISTANCE.**—At the request of a non-Federal interest, the Secretary shall provide to the non-Federal interest technical assistance relating to any aspect of a feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing such technical assistance.

“(3) **LIMITATION.**—Funds provided by non-Federal interests under this subsection shall not be eligible for credit under subsection (d) or reimbursement.

“(4) **IMPARTIAL DECISIONMAKING.**—In carrying out this section, the Secretary shall ensure that the use of funds accepted from a non-Federal interest will not affect the impartial decision-making of the Secretary, either substantively or procedurally.”.

#### SEC. 122. CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting “federally authorized” before “water resources development project”;

(B) in paragraph (2)(A), by inserting “, except as provided in paragraph (3)” before the semicolon; and

(C) by adding at the end the following:

“(3) **PERMIT EXCEPTION.**—

“(A) **IN GENERAL.**—For a project described in subsection (a)(1) or subsection (a)(3), or a separable element thereof, with respect to which a written agreement described in subparagraph (B) has been entered into, a non-Federal interest that carries out a project under this section shall not be required to obtain any Federal per-

mits or approvals that would not be required if the Secretary carried out the project or separable element unless significant new circumstances or information relevant to environmental concerns or compliance have arisen since development of the project recommendation.

“(B) **WRITTEN AGREEMENT.**—For purposes of this paragraph, a written agreement shall provide that the non-Federal interest shall comply with the same legal and technical requirements that would apply if the project or separable element were carried out by the Secretary, including all mitigation required to offset environmental impacts of the project or separable element as determined by the Secretary.

“(C) **CERTIFICATIONS.**—Notwithstanding subparagraph (A), if a non-Federal interest carrying out a project under this section would, in the absence of a written agreement entered into under this paragraph, be required to obtain a certification from a State under Federal law to carry out the project, such certification shall still be required if a written agreement is entered into with respect to the project under this paragraph.”; and

(2) in subsection (d)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking “; and” and inserting a semicolon;

(ii) in subparagraph (B)(ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) in the case of reimbursement, appropriations are provided by Congress for such purpose.”; and

(B) in paragraph (5)—

(i) by striking “flood damage reduction” each place it appears and inserting “water resources development”; and

(ii) in subparagraph (A), by striking “for a discrete segment of a” and inserting “for carrying out a discrete segment of a federally authorized”; and

(iii) in subparagraph (D), in the matter preceding clause (i), by inserting “to be carried out” after “project”.

#### SEC. 123. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

(a) **CONTRIBUTIONS BY STATES AND POLITICAL SUBDIVISIONS FOR IMMEDIATE USE ON AUTHORIZED FLOOD-CONTROL WORK; REPAYMENT.**—The Act of October 15, 1940 (54 Stat. 1176; 33 U.S.C. 701h–1) is amended—

(1) by striking “a flood-control project duly adopted and authorized by law” and inserting “a federally authorized water resources development project”; and

(2) by striking “such work” and inserting “such project”;

(3) by striking “from appropriations which may be provided by Congress for flood-control work” and inserting “if appropriations are provided by Congress for such purpose”; and

(4) by adding at the end the following: “For purposes of this Act, the term ‘State’ means the several States, the District of Columbia, the commonwealths, territories, and possessions of the United States, and Indian tribes (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))).”.

(b) **NO ADVERSE EFFECT ON PROCESSES.**—In implementing any provision of law that authorizes a non-Federal interest to provide, advance, or contribute funds to the Secretary for the development or implementation of a water resources development project (including sections 203 and 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232), section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), and the Act of October 15, 1940 (33 U.S.C. 701h–1)), the Secretary shall ensure, to the maximum extent practicable, that the use by a non-Federal interest of such authorities does not adversely affect—

(1) the process or timeline for development and implementation of other water resources development projects by other non-Federal entities that do not use such authorities; or



(2) the process for including such projects in the President's annual budget submission to Congress under section 1105(a) of title 31, United States Code.

(c) **ADVANCES BY PRIVATE PARTIES; REPAYMENT.**—Section 11 of the Act of March 3, 1925 (Chapter 467; 33 U.S.C. 561) is repealed.

#### **SEC. 124. FUNDING TO PROCESS PERMITS.**

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (3), by striking “10 years” and inserting “12 years”; and

(2) in paragraph (5)—

(A) by striking “4 years after the date of enactment of this paragraph” and inserting “December 31, 2022”; and

(B) by striking “carry out a study” and inserting “carry out a followup study”.

#### **SEC. 125. STUDY ON ECONOMIC AND BUDGETARY ANALYSES.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the National Academy of Sciences to—

(1) carry out a study on the economic principles and analytical methodologies currently used by or applied to the Corps of Engineers to formulate, evaluate, and budget for water resources development projects; and

(2) make recommendations to Congress on potential changes to such principles and methodologies to improve transparency, return on Federal investment, cost savings, and prioritization, in the formulation, evaluation, and budgeting of such projects.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall include—

(1) an analysis of the current economic principles and analytical methodologies used by or applied to the Corps of Engineers in determining the total benefits and total costs during the formulation of, and plan selection for, a water resources development project;

(2) an analysis of improvements or alternatives to how the Corps of Engineers utilizes the National Economic Development, Regional Economic Development, Environmental Quality, and Other Social Effects accounts developed by the Institute for Water Resources of the Corps of Engineers in the formulation of, and plan selection for, such projects;

(3) an analysis of whether such principles and methodologies fully account for all of the potential benefits of project alternatives, including any reasonably associated benefits of such alternatives that are not contrary to law, Federal policy, or sound water resources management;

(4) an analysis of whether such principles and methodologies fully account for all of the costs of project alternatives, including potential societal costs, such as lost ecosystem services, and full lifecycle costs for such alternatives; and

(5) an analysis of the methodologies utilized by the Federal Government in setting and applying discount rates for benefit-cost analyses used in the formulation, evaluation, and budgeting of Corps of Engineers water resources development projects.

(c) **PUBLICATION.**—The agreement entered into under subsection (a) shall require the National Academy of Sciences to, not later than 30 days after the completion of the study—

(1) submit a report containing the results of the study and the recommendations to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make a copy of such report available on a publicly accessible website.

(d) **SENSE OF CONGRESS ON BUDGETARY EVALUATION METRICS AND TRANSPARENCY.**—It is the sense of Congress that the President, in the formulation of the annual budget request for the U.S. Army Corps of Engineers (Civil Works), should submit to Congress a budget that—

(1) aligns the assessment of the potential benefit-cost ratio for budgeting water resources development projects with that used by the Corps of Engineers during project plan formulation and evaluation pursuant to section 80 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–17); and

(2) demonstrates the transparent criteria and metrics utilized by the President in the evaluation and selection of water resources development projects included in the budget request.

#### **SEC. 126. STUDY OF CORROSION MANAGEMENT AT CORPS OF ENGINEERS PROJECTS.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a study of corrosion management efforts at projects and properties under the control of the Corps of Engineers.

(b) **REQUIREMENTS.**—The study under subsection (a) shall include—

(1) an analysis of—

(A) asset management protocols that are utilized by the Corps of Engineers, including protocols that examine both asset integrity and the integration of corrosion management efforts within the asset lifecycle, which includes the stages of design, manufacturing and construction, operation and maintenance, and decommissioning;

(B) available corrosion prevention technologies that may be used at projects and properties under the control of the Corps of Engineers;

(C) corrosion-related asset failures and the management protocols of the Corps of Engineers to incorporate lessons learned from such failures into work and management practices;

(D) training of Corps of Engineers employees with respect to, and best practices for, identifying and preventing corrosion at projects and properties under the control of the Corps of Engineers; and

(E) the estimated costs and anticipated benefits, including safety benefits, associated with the integration of corrosion management efforts within the asset lifecycle; and

(2) a description of Corps of Engineers, stakeholder, and expert perspectives on the effectiveness of corrosion management efforts to reduce the incidence of corrosion at projects and properties under the control of the Corps of Engineers.

#### **SEC. 127. COSTS IN EXCESS OF FEDERAL PARTICIPATION LIMIT.**

Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by inserting “, and if such amount is not sufficient to cover the costs included in the Federal cost share for a project, as determined by the Secretary, the non-Federal interest shall be responsible for any such costs that exceed such amount” before the period at the end.

#### **SEC. 128. REPORT ON INNOVATIVE MATERIALS.**

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes activities conducted by the Corps of Engineers at centers of expertise, technology centers, technical centers, research and development centers, and similar facilities and organizations relating to the testing, research, development, identification, and recommended uses for innovative materials in water resources development projects.

#### **SEC. 129. STUDY ON CORPS OF ENGINEERS.**

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) describes the capacity and preparedness of the Corps of Engineers workforce, including challenges related to diversity, recruitment, retention, retirements, credentialing, professional

development, on-the-job training, and other readiness-related gaps in ensuring a fully prepared 21st century Corps of Engineers workforce; and

(2) contains an assessment of the existing technology used by the Corps of Engineers, the effects of inefficiencies in the Corps' current technology usage, and recommendations for improved technology or tools to accomplish its missions and responsibilities.

#### **SEC. 130. GAO STUDY.**

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the consideration by the Corps of Engineers of natural features and nature-based features in the study of the feasibility of projects for flood risk management, hurricane and storm damage reduction, and ecosystem restoration.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall include—

(1) a description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to consider natural features and nature-based features in project feasibility studies;

(2) an assessment of the costs, benefits, impacts, and trade-offs associated with natural features and nature-based features recommended by the Secretary for flood risk reduction, hurricane and storm damage reduction, and ecosystem restoration projects, and the effectiveness of those natural features and nature-based features;

(3) a description of any statutory, fiscal, regulatory, or other policy barriers to the appropriate consideration and use of a full array of natural features and nature-based features; and

(4) any recommendations for changes to statutory, fiscal, regulatory, or other policies to improve the use of natural features and nature-based features by the Corps of Engineers.

(c) **DEFINITIONS.**—In this section, the terms “natural feature” and “nature-based feature” have the meanings given such terms in section 1184 of the Water Resources Development Act of 2016 (33 U.S.C. 2289a).

#### **SEC. 131. GAO REPORT ON ALASKA NATIVE VILLAGE RELOCATION EFFORTS DUE TO FLOODING AND EROSION THREATS.**

(a) **DEFINITION OF ALASKA NATIVE VILLAGE.**—In this section, the term “Alaska Native village” means a Native village that has a Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

(b) **REPORT.**—The Comptroller General of the United States shall submit to Congress a report on efforts to relocate Alaska Native villages due to flooding and erosion threats that updates the report of the Comptroller General entitled “Alaska Native Villages: Limited Progress Has Been Made on Relocating Villages Threatened by Flooding and Erosion”, dated June 2009.

(c) **INCLUSIONS.**—The report under subsection (b) shall include—

(1) a summary of flooding and erosion threats to Alaska Native villages throughout the State of Alaska, based on information from—

(A) the Corps of Engineers;

(B) the Denali Commission; and

(C) any other relevant sources of information as the Comptroller General determines to be appropriate;

(2) the status of efforts to relocate Alaska Native villages due to flooding and erosion threats; and

(3) any other issues relating to flooding and erosion threats to, or relocation of, Alaska Native villages, as the Comptroller General determines to be appropriate.

#### **SEC. 132. STUDY AND REPORT ON EXPEDITING CERTAIN WAIVER PROCESSES.**

Not later than 1 year after the date of enactment of this Act, the Secretary shall complete

and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report based on the results of a study on the best options available to the Secretary to implement the waiver process for the non-Federal cost share under section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85; 123 Stat. 2851).

**SEC. 133. CORPS OF ENGINEERS CONTINUING AUTHORITIES PROGRAM.**

Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended—

(1) in subsection (a), by striking “\$50,000,000” and inserting “\$62,500,000”; and

(2) in subsection (b), by striking “\$10,000,000” and inserting “\$12,500,000”.

**SEC. 134. CREDIT IN LIEU OF REIMBURSEMENT.**

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended to read as follows:

**“SEC. 1022. CREDIT IN LIEU OF REIMBURSEMENT.**

“(a) REQUESTS FOR CREDITS.—With respect to an authorized flood damage reduction project, or separable element thereof, that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13), or an authorized coastal navigation project that has been constructed by the Corps of Engineers pursuant to section 11 of the Act of March 3, 1925, before the date of enactment of the Water Resources Development Act of 2018, the Secretary may provide to the non-Federal interest, at the request of the non-Federal interest, a credit in an amount equal to the estimated Federal share of the cost of the project or separable element, in lieu of providing to the non-Federal interest a reimbursement in that amount.

“(b) APPLICATION OF CREDITS.—At the request of the non-Federal interest, the Secretary may apply such credit to the share of the cost of the non-Federal interest of carrying out other flood damage reduction and coastal navigation projects or studies.”.

**SEC. 135. LAKE OKEECHOBEE REGULATION SCHEDULE REVIEW.**

The Secretary, acting through the Chief of Engineers, shall expedite completion of the Lake Okeechobee regulation schedule to coincide with the completion of the Herbert Hoover Dike project, and may consider all relevant aspects of the Comprehensive Everglades Restoration Plan described in section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680).

**SEC. 136. MISSOURI RIVER.**

(a) IRC REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report regarding the impacts of interception-rearing complex construction on the navigation, flood control, and other authorized purposes set forth in the Missouri River Master Manual, and on the population recovery of the pallid sturgeon.

(b) NO ADDITIONAL IRC CONSTRUCTION.—Until the report under subsection (a) is submitted, no additional interception-rearing complex construction is authorized.

**SEC. 137. ACCESS TO REAL ESTATE DATA.**

(a) IN GENERAL.—As soon as is practicable, using available funds, the Secretary shall make publicly available, including on a publicly accessible website, information relating to all real property with respect to which the Corps of Engineers holds an interest. The information shall include standardized real estate plat descriptions and geospatial information.

(b) LIMITATION.—Nothing in this section may be construed to compel or authorize the disclosure of data or other information determined by the Secretary to be confidential, privileged, national security, or personal information, or in-

formation the disclosure of which is otherwise prohibited by law.

**SEC. 138. AQUATIC INVASIVE SPECIES RESEARCH.**

(a) IN GENERAL.—As part of the ongoing activities of the Engineer Research and Development Center to address the spread and impacts of aquatic invasive species, the Secretary shall undertake research on the management and eradication of aquatic invasive species, including Asian carp and zebra mussels.

(b) LOCATIONS.—In carrying out subsection (a), the Secretary shall work with Corps of Engineers district offices representing diverse geographical regions of the continental United States that are impacted by aquatic invasive species, such as the Atlantic, Pacific, and Gulf coasts and the Great Lakes.

(c) REPORT.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report recommending a plan to address the spread and impacts of aquatic invasive species.

**SEC. 139. HARMFUL ALGAL BLOOM TECHNOLOGY DEMONSTRATION.**

(a) IN GENERAL.—The Secretary, acting through the Engineer Research and Development Center of the Chief of Engineers, shall implement a 5-year harmful algal bloom technology development demonstration under the Aquatic Nuisance Research Program. To the extent practicable, the Corps of Engineers shall support research that will identify and develop improved strategies for early detection, prevention, and management techniques and procedures to reduce the occurrence and effects of harmful algal blooms in the Nation's water resources.

(b) SCALABILITY REQUIREMENT.—The Secretary shall ensure that technologies identified, tested, and deployed under the harmful algal bloom program technology development demonstration have the ability to scale up to meet the needs of harmful-algal-bloom-related events.

**SEC. 140. BUBBLY CREEK, CHICAGO ECOSYSTEM RESTORATION.**

The Secretary shall enter into a memorandum of understanding with the Administrator of the Environmental Protection Agency to facilitate ecosystem restoration activities at the South Fork of the South Branch of the Chicago River (commonly known as Bubbly Creek).

**SEC. 141. OPERATION AND MAINTENANCE OF NAVIGATION AND HYDROELECTRIC FACILITIES.**

(a) IN GENERAL.—Section 314 of the Water Resources Development Act of 1990 (33 U.S.C. 2321) is amended—

(1) in the heading by inserting “NAVIGATION AND” before “HYDROELECTRIC FACILITIES”;

(2) in the first sentence, by striking “Activities currently performed” and inserting the following:

“(a) IN GENERAL.—Activities currently performed”;

(3) in subsection (a) (as designated by paragraph (2)), by inserting “navigation or” before “hydroelectric”;

(4) in the second sentence, by striking “This section” and inserting the following:

“(b) MAJOR MAINTENANCE CONTRACTS ALLOWED.—This section”;

(5) by adding at the end the following:

“(c) EXCLUSION.—This section does not—

“(1) apply to a navigation facility that was under contract on or before the date of enactment of this subsection with a non-Federal interest to perform operations or maintenance; and

“(2) prohibit the Secretary from contracting out commercial activities after the date of enactment of this subsection at a navigation facility.”.

(b) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Re-

sources Development Act of 1990 (104 Stat. 4604) is amended by striking the item relating to section 314 and inserting the following:

“Sec. 314. Operation and maintenance of navigation and hydroelectric facilities.”.

**SEC. 142. HURRICANE AND STORM DAMAGE REDUCTION.**

Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f) is amended in subsection (b)—

(1) by striking “Notwithstanding” and inserting the following:

“(1) IN GENERAL.—Notwithstanding”; and

(2) by adding at the end the following:

“(2) TIMING.—The 15 additional years under paragraph (1) shall begin on the date of initiation of construction of congressionally authorized nourishment.”.

**SEC. 143. POST-DISASTER WATERSHED ASSESSMENTS IN THE TERRITORIES OF THE UNITED STATES.**

Section 3025 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2267b) is amended by adding at the end the following:

“(e) ASSESSMENTS IN THE TERRITORIES OF THE UNITED STATES.—

“(1) IN GENERAL.—For any major disaster declared in the territories of the United States before the date of enactment of this subsection, all activities in the territory carried out or undertaken pursuant to the authorities described under this section shall be conducted at full Federal expense unless the President determines that the territory has the ability to pay the cost share for an assessment under this section without the use of non-Federal funds or loans.

“(2) TERRITORIES DEFINED.—In this subsection, the term ‘territories of the United States’ means those insular areas specified in section 1156(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2310(a)(1)).”.

**TITLE II—STUDIES**

**SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.**

The Secretary is authorized to conduct a feasibility study for the following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress on March 17, 2017, and February 5, 2018, respectively, pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress:

(1) CAVE BUTTES DAM, ARIZONA.—Project for flood risk management, Phoenix, Arizona.

(2) SAN DIEGO RIVER, CALIFORNIA.—Project for flood risk management, navigation, and ecosystem restoration, San Diego, California.

(3) J. BENNETT JOHNSTON WATERWAY, LOUISIANA.—Project for navigation, J. Bennett Johnston Waterway, Louisiana.

(4) NORTSHORE, LOUISIANA.—Project for flood risk management, St. Tammany Parish, Louisiana.

(5) OUACHITA-BLACK RIVERS, LOUISIANA.—Project for navigation, Little River, Louisiana.

(6) CHAUTAUQUA LAKE, NEW YORK.—Project for ecosystem restoration and flood risk management, Chautauqua, New York.

(7) TRINITY RIVER AND TRIBUTARIES, TEXAS.—Project for navigation, Liberty, Texas.

(8) WEST CELL LEVEE, TEXAS.—Project for flood risk management, Irving, Texas.

(9) COASTAL VIRGINIA, VIRGINIA.—Project for flood risk management, ecosystem restoration, and navigation, Coastal Virginia.

(10) TANGIER ISLAND, VIRGINIA.—Project for flood risk management and ecosystem restoration, Tangier Island, Virginia.

**SEC. 202. ADDITIONAL STUDIES.**

(a) LOWER MISSISSIPPI RIVER; MISSOURI, KENTUCKY, TENNESSEE, ARKANSAS, MISSISSIPPI, AND LOUISIANA.—

(1) IN GENERAL.—The Secretary is authorized to carry out studies to determine the feasibility

of habitat restoration for each of the eight reaches identified as priorities in the report prepared by the Secretary pursuant to section 402 of the Water Resources Development Act of 2000, titled "Lower Mississippi River Resource Assessment; Final Assessment In Response to Section 402 of WRDA 2000" and dated July 2015.

(2) **CONSULTATION.**—The Secretary shall consult with the Lower Mississippi River Conservation Committee during each feasibility study carried out under paragraph (1).

(b) **ST. LOUIS RIVERFRONT, MERAMEC RIVER BASIN, MISSOURI AND ILLINOIS.**—

(1) **IN GENERAL.**—The Secretary is authorized to carry out studies to determine the feasibility of a project for ecosystem restoration and flood risk management in Madison, St. Clair, and Monroe Counties, Illinois, St. Louis City, and St. Louis, Jefferson, Franklin, Gasconade, Maries, Phelps, Crawford, Dent, Washington, Iron, St. Francois, St. Genevieve, Osage, Reynolds, and Texas Counties, Missouri.

(2) **CONTINUATION OF EXISTING STUDY.**—Any study carried out under paragraph (1) shall be considered a continuation of the study being carried out under Committee Resolution 2642 of the Committee on Transportation and Infrastructure of the House of Representatives, adopted June 21, 2000.

#### **SEC. 203. EXPEDITED COMPLETION OF REPORTS FOR CERTAIN PROJECTS.**

(a) **FEASIBILITY REPORTS.**—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) Project for riverbank stabilization, Selma, Alabama.

(2) Project for ecosystem restoration, Three Mile Creek, Alabama.

(3) Project for navigation, Nome, Alaska.

(4) Project for flood diversion, Seward, Alaska.

(5) Project for navigation, Three Rivers, Arkansas.

(6) Project for flood control, water conservation, and related purposes, Coyote Valley Dam, California.

(7) Project for flood risk management, Lower Cache Creek, California.

(8) Project for flood risk management, Lower San Joaquin River, California, as described in section 1322(b)(2)(F) of the Water Resources Development Act of 2016 (130 Stat. 1707) (second phase of feasibility study).

(9) Project for flood risk management, South San Francisco, California.

(10) Project for flood risk management and ecosystem restoration, Tijuana River, California.

(11) Project for flood risk management in East Hartford, Connecticut.

(12) Project for flood risk management in Hartford, Connecticut.

(13) Projects under the Comprehensive Flood Mitigation Study for the Delaware River Basin.

(14) Project for ecosystem restoration, Lake Apopka, Florida.

(15) Project for ecosystem restoration, Kansas River Weir, Kansas.

(16) Project for water resource improvements, Willamette River Basin, Fern Ridge, Oregon.

(17) Project for ecosystem restoration, Resacas at Brownsville, Texas.

(18) Project for navigation, Norfolk Harbor, Virginia.

(19) Project for coastal storm risk management, Norfolk, Virginia.

(20) Project for navigation, Tacoma Harbor, Washington.

(b) **LOWER SAN JOAQUIN RIVER, CALIFORNIA.**—In expediting completion of the second phase of the Lower San Joaquin River feasibility study under subsection (a)(8), the Secretary shall review and give priority to any plans and designs requested by non-Federal interests and incor-

porate such plans and designs into the Federal study if the Secretary determines that such plans and designs are consistent with Federal standards.

(c) **POST-AUTHORIZATION CHANGE REPORTS.**—The Secretary shall expedite completion of a post-authorization change report for the following projects:

(1) Project for flood risk management, San Luis Rey River Flood Control Protection Project, California.

(2) Project for flood risk management, Success Reservoir Enlargement Project, California.

(3) Everglades Agricultural Area Reservoir, Central Everglades Planning Project, Florida.

(4) Project for navigation, Sault Sainte Marie, Michigan.

(d) **UPPER MISSISSIPPI RIVER PROTECTION.**—Section 2010 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270) is amended by adding at the end the following:

"(d) **CONSIDERATIONS.**—In carrying out a disposition study with respect to the Upper St. Anthony Falls Lock and Dam, including a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), the Secretary may not complete such study until the Secretary considers, and issues a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on—

"(1) the feasibility of carrying out modifications to the Upper St. Anthony Falls Lock and Dam to—

"(A) preserve and enhance recreational opportunities and the health of the ecosystem; and

"(B) maintain the benefits to the natural ecosystem and human environment; and

"(2) the preservation of any portion of the Upper St. Anthony Falls Lock and Dam necessary to maintain flood control."

#### **TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS**

##### **SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.**

(a) **PURPOSES.**—The purposes of this section are—

(1) to identify \$3,000,000,000 in water resources development projects authorized by Congress that are no longer viable for construction due to—

(A) a lack of local support;

(B) a lack of available Federal or non-Federal resources; or

(C) an authorizing purpose that is no longer relevant or feasible;

(2) to create an expedited and definitive process for Congress to deauthorize water resources development projects that are no longer viable for construction; and

(3) to allow the continued authorization of water resources development projects that are viable for construction.

(b) **INTERIM DEAUTHORIZATION LIST.**—

(1) **IN GENERAL.**—The Secretary shall develop an interim deauthorization list that identifies—

(A) each water resources development project, or separable element of a project, authorized for construction before November 8, 2007, for which—

(i) planning, design, or construction was not initiated before the date of enactment of this Act; or

(ii) planning, design, or construction was initiated before the date of enactment of this Act, but for which no funds, Federal or non-Federal, were obligated for planning, design, or construction of the project or separable element of the project during the current fiscal year or any of the 6 preceding fiscal years;

(B) each project or separable element identified and included on a list to Congress for deauthorization pursuant to section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)); and

(C) any project or separable element for which the non-Federal sponsor of such project or sepa-

table element submits a request for inclusion on the list.

(2) **PUBLIC COMMENT AND CONSULTATION.**—

(A) **IN GENERAL.**—The Secretary shall solicit comments from the public and the Governors of each applicable State on the interim deauthorization list developed under paragraph (1).

(B) **COMMENT PERIOD.**—The public comment period shall be 90 days.

(3) **SUBMISSION TO CONGRESS; PUBLICATION.**—Not later than 90 days after the date of the close of the comment period under paragraph (2), the Secretary shall—

(A) submit a revised interim deauthorization list to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) publish the revised interim deauthorization list in the Federal Register.

(c) **FINAL DEAUTHORIZATION LIST.**—

(1) **IN GENERAL.**—The Secretary shall develop a final deauthorization list of water resources development projects, or separable elements of projects, from the revised interim deauthorization list described in subsection (b)(3).

(2) **DEAUTHORIZATION AMOUNT.**—

(A) **PROPOSED FINAL LIST.**—The Secretary shall prepare a proposed final deauthorization list of projects and separable elements of projects that have, in the aggregate, an estimated Federal cost to complete that is at least \$3,000,000,000.

(B) **DETERMINATION OF FEDERAL COST TO COMPLETE.**—For purposes of subparagraph (A), the Federal cost to complete shall take into account any allowances authorized by section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), as applied to the most recent project schedule and cost estimate.

(3) **IDENTIFICATION OF PROJECTS.**—

(A) **SEQUENCING OF PROJECTS.**—

(i) **IN GENERAL.**—The Secretary shall identify projects and separable elements of projects for inclusion on the proposed final deauthorization list according to the order in which the projects and separable elements of the projects were authorized, beginning with the earliest authorized projects and separable elements of projects and ending with the latest project or separable element of a project necessary to meet the aggregate amount under paragraph (2)(A).

(ii) **FACTORS TO CONSIDER.**—The Secretary may identify projects and separable elements of projects in an order other than that established by clause (i) if the Secretary determines, on a case-by-case basis, that a project or separable element of a project is critical for interests of the United States, based on the possible impact of the project or separable element of the project on public health and safety, the national economy, or the environment.

(iii) **CONSIDERATION OF PUBLIC COMMENTS.**—In making determinations under clause (ii), the Secretary shall consider any comments received under subsection (b)(2).

(B) **APPENDIX.**—The Secretary shall include as part of the proposed final deauthorization list an appendix that—

(i) identifies each project or separable element of a project on the interim deauthorization list developed under subsection (b) that is not included on the proposed final deauthorization list; and

(ii) describes the reasons why the project or separable element is not included on the proposed final list.

(4) **PUBLIC COMMENT AND CONSULTATION.**—

(A) **IN GENERAL.**—The Secretary shall solicit comments from the public and the Governor of each applicable State on the proposed final deauthorization list and appendix developed under paragraphs (2) and (3).

(B) **COMMENT PERIOD.**—The public comment period shall be 90 days.

(5) **SUBMISSION OF FINAL LIST TO CONGRESS; PUBLICATION.**—Not later than 120 days after the date of the close of the comment period under paragraph (4), the Secretary shall—

(A) submit a final deauthorization list and an appendix to the final deauthorization list in a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) publish the final deauthorization list and the appendix to the final deauthorization list in the Federal Register.

(d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

(1) IN GENERAL.—After the expiration of the 180-day period beginning on the date of submission of the final deauthorization list and appendix under subsection (c), a project or separable element of a project identified in the final deauthorization list is hereby deauthorized, unless Congress passes a joint resolution disapproving the final deauthorization list prior to the end of such period.

(2) NON-FEDERAL CONTRIBUTIONS.—

(A) IN GENERAL.—A project or separable element of a project identified in the final deauthorization list under subsection (c) shall not be deauthorized under this subsection if, before the expiration of the 180-day period referred to in paragraph (1), the non-Federal interest for the project or separable element of the project provides sufficient funds to complete the project or separable element of the project.

(B) TREATMENT OF PROJECTS.—Notwithstanding subparagraph (A), each project and separable element of a project identified in the final deauthorization list shall be treated as deauthorized for purposes of the aggregate deauthorization amount specified in subsection (c)(2)(A).

(3) PROJECTS IDENTIFIED IN APPENDIX.—A project or separable element of a project identified in the appendix to the final deauthorization list shall remain subject to future deauthorization by Congress.

(e) SPECIAL RULE FOR PROJECTS RECEIVING FUNDS FOR POST-AUTHORIZATION STUDY.—A project or separable element of a project may not be identified on the interim deauthorization list developed under subsection (b), or the final deauthorization list developed under subsection (c), if the project or separable element received funding for a post-authorization study during the current fiscal year or any of the 6 preceding fiscal years.

(f) GENERAL PROVISIONS.—

(1) DEFINITIONS.—In this section, the following definitions apply:

(A) POST-AUTHORIZATION STUDY.—The term “post-authorization study” means—

(i) a feasibility report developed under section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282);

(ii) a feasibility study, as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)); or

(iii) a review conducted under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), including an initial appraisal that—

(I) demonstrates a Federal interest; and

(II) requires additional analysis for the project or separable element.

(B) WATER RESOURCES DEVELOPMENT PROJECT.—The term “water resources development project” includes an environmental infrastructure assistance project or program of the Corps of Engineers.

(2) TREATMENT OF PROJECT MODIFICATIONS.—For purposes of this section, if an authorized water resources development project or separable element of the project has been modified by an Act of Congress, the date of the authorization of the project or separable element shall be deemed to be the date of the most recent modification.

#### SEC. 302. BACKLOG PREVENTION.

(a) PROJECT DEAUTHORIZATION.—

(1) IN GENERAL.—A water resources development project, or separable element of such a project, authorized for construction by this Act

shall not be authorized after the last day of the 10-year period beginning on the date of enactment of this Act unless—

(A) funds have been obligated for construction of, or a post-authorization study for, such project or separable element during that period; or

(B) the authorization contained in this Act has been modified by a subsequent Act of Congress.

(2) IDENTIFICATION OF PROJECTS.—Not later than 60 days after the expiration of the 10-year period referred to in paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies the projects deauthorized under paragraph (1).

(b) REPORT TO CONGRESS.—Not later than 60 days after the expiration of the 12-year period beginning on the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and make available to the public, a report that contains—

(1) a list of any water resources development projects authorized by this Act for which construction has not been completed during that period;

(2) a description of the reasons the projects were not completed;

(3) a schedule for the completion of the projects based on expected levels of appropriations; and

(4) a 5-year and 10-year projection of construction backlog and any recommendations to Congress regarding how to mitigate current problems and the backlog.

(c) CLARIFICATION.—Section 6003(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579c(a)) is amended by striking “7-year” each place it appears and inserting “10-year”.

#### SEC. 303. PROJECT MODIFICATIONS.

(a) CONSISTENCY WITH REPORTS.—Congress finds that the project modifications described in this section are in accordance with the reports submitted to Congress by the Secretary under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d), titled “Report to Congress on Future Water Resources Development”, or have otherwise been reviewed by Congress.

(b) MODIFICATIONS.—

(1) HARBOR/SOUTH BAY, CALIFORNIA.—Section 219(f)(43) of the Water Resources Development Act of 1992 (113 Stat. 337; 114 Stat. 2763A–220) is amended by striking “\$35,000,000” and inserting “\$70,000,000”.

(2) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—Section 219(f)(25) of the Water Resources Development Act of 1992 (113 Stat. 336; 114 Stat. 2763A–220; 117 Stat. 1838; 130 Stat. 1677) is amended by striking “\$60,000,000” and inserting “\$89,550,000”.

#### SEC. 304. MILWAUKEE HARBOR, MILWAUKEE, WISCONSIN.

The portion of the project for navigation, Milwaukee Harbor, Milwaukee, Wisconsin, authorized by the first section of the Act of March 3, 1843 (5 Stat. 619; chapter 85), consisting of the navigation channel within the Menomonee River that extends from the 16th Street Bridge upstream to the upper limit of the authorized navigation channel and described as follows is no longer authorized beginning on the date of enactment of this Act:

(1) Beginning at a point in the channel just downstream of the 16th Street Bridge, N383219.703, E2521152.527.

(2) Thence running westerly along the channel about 2,530.2 feet to a point, N383161.314, E2518620.712.

(3) Thence running westerly by southwesterly along the channel about 591.7 feet to a point at

the upstream limit of the existing project, N383080.126, E2518036.371.

(4) Thence running northerly along the upstream limit of the existing project about 80.5 feet to a point, N383159.359, E2518025.363.

(5) Thence running easterly by northeasterly along the channel about 551.2 feet to a point, N383235.185, E2518571.108.

(6) Thence running easterly along the channel about 2,578.9 feet to a point, N383294.677, E2521150.798.

(7) Thence running southerly across the channel about 74.3 feet to the point of origin.

#### SEC. 305. BRIDGEPORT HARBOR, CONNECTICUT.

That portion of the project for navigation, Bridgeport Harbor, Connecticut, authorized by the Act of June 18, 1878 (20 Stat. 158), and modified by the Act of August 11, 1888 (25 Stat. 401), the Act of March 3, 1899 (30 Stat. 1122), the Act of June 25, 1910 (36 Stat. 633), and the Act of July 3, 1930 (46 Stat. 919), and lying upstream of a line commencing at point N627942.09, E879709.18 thence running southwesterly about 125 feet to a point N627832.03, E879649.91 is no longer authorized beginning on the date of enactment of this Act.

#### SEC. 306. CONVEYANCES.

(a) CHEATHAM COUNTY, TENNESSEE.—

(1) CONVEYANCE AUTHORIZED.—The Secretary may convey to Cheatham County, Tennessee (in this subsection referred to as the “Grantee”), all right, title, and interest of the United States in and to the real property in Cheatham County, Tennessee, consisting of approximately 9.19 acres, identified as portions of tracts E-514-1, E-514-2, E-518-1, E-518-2, E-519-1, E-537-1, and E-538, all being part of the Cheatham Lock and Dam project at CRM 158.5, including any improvements thereon.

(2) DEED.—The conveyance of property under this subsection shall be accomplished using a quitclaim deed and upon such terms and conditions as the Secretary determines appropriate to protect the interests of the United States, to include retaining the right to inundate with water any land transferred under this subsection.

(3) CONSIDERATION.—The Grantee shall pay to the Secretary an amount that is not less than the fair market value of the land conveyed under this subsection, as determined by the Secretary.

(4) SUBJECT TO EXISTING EASEMENTS AND OTHER INTERESTS.—The conveyance of property under this section shall be subject to all existing easements, rights-of-way, and leases that are in effect as of the date of the conveyance.

(b) NASHVILLE, TENNESSEE.—

(1) CONVEYANCE AUTHORIZED.—The Secretary may convey, without consideration, to the City of Nashville, Tennessee (in this subsection referred to as the “City”), all right, title, and interest of the United States in and to the real property covered by Lease No. DACW62-1-84-149, including any improvements thereon, at the Riverfront Park Recreational Development, consisting of approximately 5 acres, subject to the right of the Secretary to retain any required easements in the property.

(2) CONVEYANCE AGREEMENT.—A quit claim deed shall be used to convey real property under this subsection upon the terms and conditions mutually satisfactory to the Secretary and the City. The deed shall provide that in the event the City, its successors, or assigns cease to maintain improvements for recreation included in the conveyance or otherwise utilize the real property conveyed for purposes other than recreation and compatible flood risk management, the City, its successor, or assign shall repay to the United States the Federal share of the cost of constructing the improvements for recreation under the agreement between the United States and the City dated December 8, 1981, increased as necessary to account for inflation.

(c) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of

any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) **APPLICABILITY OF PROPERTY SCREENING PROVISIONS.**—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(4) **COSTS OF CONVEYANCE.**—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(5) **LIABILITY.**—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

#### **SEC. 307. CLATSOP COUNTY, OREGON.**

The portions of the project for raising and improving existing levees of Clatsop County Diking District No. 13, in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1590), that are referred to as Christensen No. 1 Dike No. 42 and Christensen No. 2 Levee No. 43 are no longer authorized beginning on the date of enactment of this Act.

#### **SEC. 308. KISSIMMEE RIVER RESTORATION, CENTRAL AND SOUTHERN FLORIDA.**

Subject to a determination by the Secretary that the costs are reasonable and allowable and that the work for which credit is requested was carried out in accordance with the laws speci-

fied in section 5014(i)(2)(A) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1331) and all other applicable Federal laws, the Secretary may credit toward the non-Federal share of the cost of the Kissimmee River project, authorized in section 101(8) of the Water Resources Development Act of 1992 (106 Stat. 4802), the value of in-kind contributions made by the non-Federal interest with respect to the six following actions, as described in the final report of the Director of Civil Works on the Central and Southern Florida Project, Kissimmee River Restoration Project, dated April 27, 2018:

- (1) Shady Oaks Fish Camp land preparation.
- (2) Rocks Fish Camp land preparation.
- (3) Levee breaching of Sparks Candler and Bronson Levees.
- (4) Packingham Slough construction related to land acquisition.
- (5) Engineering analysis of River Acres engineering solution.
- (6) Small local levee modifications.

#### **SEC. 309. LYTLE AND CAJON CREEKS, CALIFORNIA.**

That portion of the channel improvement project, Lytle and Cajon Creeks, California, authorized to be carried out as a part of the project for the Santa Ana River Basin, California, by the Act of December 22, 1944 (Chapter 665; 58 Stat. 900) that consists of five earth-filled groins commonly referred to as “the Riverside Avenue groins” is no longer authorized as a Federal project beginning on the date of enactment of this Act.

#### **SEC. 310. YUBA RIVER BASIN, CALIFORNIA.**

(a) **IN GENERAL.**—The project for flood damage reduction, Yuba River Basin, California, authorized by section 101(a)(10) of the Water Resources Development Act of 1999 (113 Stat. 275) is modified to allow a non-Federal interest to construct a new levee to connect the existing levee with high ground.

(b) **PROJECT DESCRIPTION.**—The levee to be constructed shall tie into the existing levee at a point Northing 2186189.2438, Easting 6703908.8657, thence running east and south along a path to be determined to a point Northing 2187849.4328, Easting 6719262.0164.

(c) **COOPERATION AGREEMENT.**—The Secretary shall execute a conforming amendment to the Memorandum of Understanding Respecting the Sacramento River Flood Control Project with the State of California dated November 30, 1953, that is limited to changing the description of the project to reflect the modification.

(d) **NO FEDERAL COST.**—

(1) **REVIEW COSTS.**—Before construction of the levee described in subsection (b), the Secretary may accept and expend funds received from a non-Federal interest to review the planning, engineering, and design of the levee described in subsection (b) to ensure that such planning, engineering, and design complies with Federal standards.

(2) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of constructing the levee shall be 100 percent.

### **TITLE IV—WATER RESOURCES INFRASTRUCTURE**

#### **SEC. 401. PROJECT AUTHORIZATIONS.**

The following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress on March 17, 2017, and February 5, 2018, respectively, pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) **NAVIGATION.**—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. TX	Galveston Harbor Channel Extension Project, Houston-Galveston Navigation Channels	Aug. 8, 2017	Federal: \$10,046,000 Non-Federal: \$3,349,000 Total: \$13,395,000

(2) **FLOOD RISK MANAGEMENT.**—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. NY	Mamaroneck-Sheldrake Rivers	Dec. 14, 2017	Federal: \$53,500,000 Non-Federal: \$28,750,000 Total: \$82,250,000
2. HI	Ala Wai Canal	Dec. 21, 2017	Federal: \$198,962,000; Non-Federal: \$107,133,000 Total: \$306,095,000

(3) **HURRICANE AND STORM DAMAGE RISK REDUCTION.**—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Initial Costs and Estimated Renourishment Costs</b>
1. FL	St. Johns County	Aug. 8, 2017	Initial Federal: \$5,712,000 Initial Non-Federal: \$19,122,000 Initial Total: \$24,834,000 Renourishment Federal: \$9,484,000 Renourishment Non-Federal: \$44,099,000 Renourishment Total: \$53,583,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Initial Costs and Estimated Renourishment Costs</b>
2. TX	Sabine Pass to Galveston Bay	Dec. 7, 2017	Initial Federal: \$2,157,202,000 Initial Non-Federal: \$1,161,570,000 Initial Total: \$3,318,772,000
3. FL	St. Lucie County	Dec. 15, 2017	Initial Federal: \$7,097,000 Initial Non-Federal: \$13,179,000 Initial Total: \$20,276,000 Renourishment Federal: \$8,915,000 Renourishment Non-Federal: \$24,105,000 Renourishment Total: \$33,020,000

(4) FLOOD RISK MANAGEMENT AND ECOSYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. NM	Española Valley, Rio Grande	May 11, 2018	Federal: \$40,117,000 Non-Federal: \$21,601,000 Total: \$61,718,000

(5) MODIFICATIONS AND OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. GA	Savannah Harbor Expansion Project	Dec. 5, 2016	Federal: \$677,613,600 Non-Federal: \$295,829,400 Total: \$973,443,000
2. KY	Kentucky River Locks and Dams - 1, 2, 3, and 4	April 20, 2018	Federal: \$0 Non-Federal: \$0 Total: \$0

The Acting CHAIR. No further amendment to the bill, as amended, is in order except those printed in part A of House Report 115–711. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SHUSTER

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115–711.

Mr. SHUSTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 12, strike “note(b)(8))” and insert “note)”.

At the end of title I, add the following:

**SEC. 144. OLD RIVER CONTROL STRUCTURE, LOUISIANA.**

(a)IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the structure and operations plan for the Old River control structure authorized by the Flood Control Act of

1954 (68 Stat. 1258) based on the best available science, improved monitoring capabilities, and other factors as determined by the Secretary, including consideration of—

- (1) flood control;
- (2) navigational conditions;
- (3) water supply; and
- (4) ecosystem restoration and ecological productivity.

(b)PUBLIC PARTICIPATION.—In developing the report required by subsection (a), the Secretary shall provide opportunity for public input and stakeholder engagement, including public meetings.

**SEC. 145. DREDGE PILOT PROGRAM.**

(a)IN GENERAL.—The Secretary is authorized to carry out a pilot program to award contracts with a duration of up to five years for the operation and maintenance of harbors and inland harbors referred to in section 210(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(a)(2)).

(b)SCOPE.—In carrying out the pilot program under subsection (a), the Secretary may award a contract described in such subsection, which may address one or more harbors or inland harbors in a geographical region, if the Secretary determines that the contract provides cost savings compared to the awarding of such work on an annual basis.

(c)REPORT TO CONGRESS.—Not later than one year after the date on which the first contract is awarded pursuant to the pilot program carried out under subsection (a), the Secretary shall submit to Congress a report evaluating, with respect to the pilot program and any contracts awarded under the pilot program—

- (1) cost effectiveness;
- (2) reliability and performance;

(3) cost savings attributable to mobilization and demobilization of dredge equipment; and

(4) response times to address navigational impediments.

(d)SUNSET.—The authority of the Secretary to enter into contracts pursuant to the pilot program carried out under subsection (a) shall expire on the date that is 10 years after the date of enactment of this Act.

**SEC. 146. DISPOSITION OF PROJECTS.**

(a)IN GENERAL.—In carrying out a disposition study for a project of the Corps of Engineers, or a separable element of such a project, including a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), the Secretary shall consider modifications that would improve the overall quality of the environment in the public interest, including removal of the project or separable element of a project.

(b)DISPOSITION STUDY TRANSPARENCY.—The Secretary shall carry out disposition studies described in subsection (a) in a transparent manner, including by—

- (1) providing opportunities for public input; and
- (2) publishing the final disposition studies.

(c)REMOVAL OF INFRASTRUCTURE.—For disposition studies described in subsection (a) in which the Secretary determines that a Federal interest no longer exists, and makes a recommendation of removal of the project or separable element of a project, the Secretary is authorized to pursue removal of the project or separable element of a project using—

- (1) existing authorities, as considered appropriate by the Secretary; or



(2) partnerships with other Federal agencies and non-Federal entities with appropriate capabilities to undertake infrastructure removal.

Page 52, after line 24, insert the following:

(21) Project for flood damage reduction, Westminster-East Garden Grove, California.

(22) Project for hurricane and storm damage risk reduction and ecosystem restoration, Southwest Coastal Louisiana, Louisiana, authorized by section 1401(8) of the Water Resources Development Act of 2016 (130 Stat.1715).

(23) Project for navigation and channel deepening, Baptiste Collette Bayou, Louisiana, under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231).

(24) Project for navigation and channel deepening, Houma Navigation Canal, Louisiana, under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231).

(25) Project for navigation and channel deepening, Bayou Lafourche, Louisiana, under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231).

Strike section 308 and insert the following:

**SEC. 308. KISSIMMEE RIVER RESTORATION, CENTRAL AND SOUTHERN FLORIDA.**

Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the total estimated value of in-kind contributions made by the non-Federal interest with respect to the following six actions, as described in the final report of the Director of Civil Works on the Central and Southern Florida Project, Kissimmee River Restoration Project, dated April 27, 2018:

(1) Shady Oaks Fish Camp land preparation.

(2) Rocks Fish Camp land preparation.

(3) Levee breaching of Sparks Candler and Bronson Levees.

(4) Packingham Slough construction related to land acquisition.

(5) Engineering analysis of River Acres engineering solution.

(6) Small local levee modifications.

At the end of title III, add the following:

**SEC. 311. BOSTON HARBOR RESERVED CHANNEL DEAUTHORIZATIONS.**

(a)40-FOOT RESERVED CHANNEL.—

(1)IN GENERAL.—The portions of the project for navigation, Boston Harbor, Massachusetts, authorized by the first section of the Act of October 17, 1940 (54 Stat. 1198, chapter 895) and modified by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), section 101(a)(13) of the Water Resources Development Act of 1990 (104 Stat. 4607), and section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1365) described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2)AREAS DESCRIBED.—

(A)FIRST AREA.—The first areas described in this paragraph are—

(i) beginning at a point N. 2950154.45, E. 785995.64;

(ii) running southwesterly about 1451.63 feet to a point N. 2950113.83, E. 784544.58;

(iii) running southeasterly about 54.00 feet to a point N. 2950059.85, E. 784546.09;

(iv) running southwesterly about 1335.82 feet to a point N. 2950022.48, E. 783210.79;

(v) running northwesterly about 83.00 feet to a point N. 2950105.44, E. 783208.47;

(vi) running northeasterly about 2787.45 feet to a point N. 2950183.44, E. 785994.83; and

(vii) running southeasterly about 29.00 feet to the point described in clause (i).

(B)SECOND AREA.—The second areas described in this paragraph are—

(i) beginning at a point N. 2950502.86, E. 785540.84;

(ii) running northeasterly about 46.11 feet to a point N. 2950504.16, E. 785586.94;

(iii) running southwesterly about 25.67 feet to a point N. 2950480.84, E. 785576.18;

(iv) running southwesterly to a point N. 2950414.32, E. 783199.83;

(v) running northwesterly about 8.00 feet to a point N. 2950422.32, E. 783199.60;

(vi) running northeasterly about 2342.58 feet to a point N. 2950487.87, E. 785541.26; and

(vii) running northwesterly about 15.00 feet to the point described in clause (i).

(b)35-FOOT RESERVED CHANNEL.—

(1)IN GENERAL.—The portions of the project for navigation, Boston Harbor, Massachusetts, authorized by the first section of the Act of October 17, 1940 (54 Stat. 1198, chapter 895) and modified by section 101 of the River and Harbor Act of 1958 (72 Stat. 297) described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2)AREAS DESCRIBED.—

(A)FIRST AREA.—The first areas described in this paragraph are—

(i) beginning at a point N. 2950143.44, E. 787532.14;

(ii) running southeasterly about 22.21 feet to a point N. 2950128.91, E. 787548.93;

(iii) running southwesterly about 4,339.42 feet to a point N. 2950007.48, E. 783211.21;

(iv) running northwesterly about 15.00 feet to a point N. 2950022.48, E. 783210.79; and

(v) running northeasterly about 4,323.05 feet to the point described in clause (i).

(B)SECOND AREA.—The second areas described in this paragraph are—

(i) beginning at a point N. 2950502.86, E. 785540.84;

(ii) running southeasterly about 15.00 feet to a point N. 2950487.87, E. 785541.26;

(iii) running southwesterly about 2342.58 feet to a point N. 2950422.32, E. 783199.60;

(iv) running southeasterly about 8.00 feet to a point N. 2950414.32, E. 783199.83;

(v) running southwesterly about 1339.12 feet to a point N. 2950376.85, E. 781861.23;

(vi) running northwesterly about 23.00 feet to a point N. 2950399.84, E. 781860.59; and

(vii) running northeasterly about 3681.70 feet to the point described in clause (i).

**SEC. 312. CONTINUED AUTHORIZATION OF CERTAIN PROJECTS.**

Notwithstanding the third sentence of section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)), projects and separable elements of projects identified in the fiscal year 2017 report prepared in accordance with such section and submitted to Congress on December 15, 2016, shall not be deauthorized unless such projects and separable elements meet the requirements of section 1301(b)(1)(A) of the Water Resources Development Act of 2016 (130 Stat. 1687).

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chair, I yield myself such time as I may consume.

The manager's amendment we are offering makes technical and conforming changes to the Rules Committee Print and adds important provisions that we worked out with the minority. This amendment includes a provision that establishes a regional long-term contract pilot program in order to drive ef-

ficiency and cost savings for our Nation's dredging responsibilities.

It also contains a provision that the Secretary deliver a report to Congress on the current status of the Old River control structure on the Mississippi River.

This amendment corrects a provision that would have created direct spending authority for certain Everglades projects. It expedites five project studies for critical water resource projects. Lastly, this amendment de-authorizes a project in Boston Harbor.

Mr. Chair, I urge all Members to support this amendment, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, I claim the time in opposition to the amendment, although I support the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

I support the amendment, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chair, I ask all Members to support the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115-711.

**PARLIAMENTARY INQUIRY**

Mr. DEFAZIO. Mr. Chair, parliamentary inquiry.

The Acting CHAIR. The gentleman from Oregon will state his parliamentary inquiry.

Mr. DEFAZIO. Mr. Chair, wouldn't it be in order just to move along? If people aren't responsible enough to be here, they don't get to offer the amendment.

The Acting CHAIR. It is now in order to consider amendment No. 2.

It is now in order to consider amendment No. 3 printed in part A of House Report 115-711.

Mr. DEFAZIO. The gentleman did not respond to my previous inquiry.

There were 53 amendments offered. The Rules Committee didn't give us en bloc authority. We need to expedite this. If people aren't here, we need to move along.

The Acting CHAIR. It is now in order to consider amendment No. 3.

The Chair will query for the next amendment.

It is now in order to consider amendment No. 4 printed in part A of House Report 115-711.

It is now in order to consider amendment No. 5 printed in part A of House Report 115-711.

**AMENDMENT NO. 6 OFFERED BY MR. SHUSTER**

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 115-711.

Mr. SHUSTER. Mr. Chair, as the designee of the gentleman from Florida, I offer amendment No. 6.



The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, line 14, strike "and".

Page 27, after line 14, insert the following (and redesignate the subsequent paragraph accordingly):

(2) by amending subsection (c) to read as follows:

"(c) STUDIES AND ENGINEERING.—

"(1) IN GENERAL.—When requested by an appropriate non-Federal interest, the Secretary shall undertake all necessary studies, engineering, and technical assistance on construction for any project to be undertaken under subsection (b), and provide technical assistance in obtaining all necessary permits for the construction, if the non-Federal interest contracts with the Secretary to furnish the United States funds for the studies, engineering, or technical assistance on construction in the period during which the studies, engineering, or technical assistance on construction are being conducted.

"(2) NO WAIVER.—Nothing in this section may be construed to waive any requirement of section 3142 of title 40, United States Code.

"(3) LIMITATION.—Funds provided by non-Federal interests under this subsection shall not be eligible for credit or reimbursement under subsection (d).

"(4) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary shall ensure that the use of funds accepted from a non-Federal interest will not affect the impartial decisionmaking of the Secretary, either substantively or procedurally."; and

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chair, this amendment should help projects be executed more quickly, and I appreciate my colleagues who worked on this: Mr. POSEY, Mr. MAST, Mr. HASTINGS, and Ms. WILSON.

I ask all my colleagues to support this. I think it is a good amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 115-711.

It is now in order to consider amendment No. 8 printed in part A of House Report 115-711.

Mr. SHUSTER. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRAVES of Louisiana) having assumed the chair, Mr. HARPER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources,

and for other purposes, had come to no resolution thereon.

#### PERMISSION TO CONSIDER AMENDMENTS OUT OF SEQUENCE DURING FURTHER CONSIDERATION OF H.R. 8

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 8 in the Committee of the Whole pursuant to House Resolution 918, the following amendments printed in part A of House Report 115-711 may be considered out of sequence:

Amendments numbered 2, 3, 4, 5, 7, and 8.

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

There was no objection.

#### WATER RESOURCES DEVELOPMENT ACT OF 2018

The SPEAKER pro tempore. Pursuant to House Resolution 918 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 8.

Will the gentleman from Mississippi (Mr. HARPER) kindly resume the chair.

□ 1530

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, with Mr. HARPER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose earlier today, amendment No. 6 printed in House Report 115-711 offered by the gentleman from Pennsylvania (Mr. SHUSTER) had been disposed of.

#### AMENDMENT NO. 3 OFFERED BY MR. GIBBS

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 3 printed in part A of House Report 115-711.

Mr. GIBBS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 17, insert " , if determined necessary after taking into account all relevant factors (including past successful project completion)" before the semicolon.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Ohio (Mr. GIBBS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chairman, I rise to introduce my amendment to H.R. 8, the Water Resources Development Act, to provide the Army Corps of Engineers greater flexibility and the ability to use a variety of factors in determining financial assurances with respect to section 404 permitted projects.

The Army Corps currently has considerable discretion at the district level on whether to require financial assurance or a bond of unauthorized projects. This includes a firm source of funding from a project or its history of successful completion of projects. The exclusion of this relevant data in determining a financial assurance requirement has led to uneven application of the Corps discretion at the district levels.

As a result, regulatory and financial requirements can be uncertain for even one private entity from Corps district to Corps district. My amendment will give a more uniform framework with a wider scope of factors used in determining the financial mitigation requirements for a 404 project.

I urge my colleagues to support this amendment for regulatory certainty, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, I claim time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chair, I yield to my colleague from Louisiana, GARRET GRAVES.

Mr. GRAVES of Louisiana. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this amendment is an important amendment in that it tries to ensure that mitigation banks and other types of mitigation mechanisms are viable options to be able to build projects.

In some cases, you have unavoidable impacts. We need to be able to have options to mitigate for those impacts so we can truly build projects.

I commend the gentleman from Ohio for raising this issue, for bringing this up. I do think that we need to continue working on refining the text a little bit and working together in a bipartisan manner with our friends on the other side of the aisle to get this to a place where everyone can agree.

Again, I think it is an important issue for us to address to ensure that mitigation credits are actually accessible, and I want to see if the gentleman will be willing to withdraw the amendment with the understanding that we are going to work with him to ensure that we can address this issue moving forward through the legislative process.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I think, with the comments from the subcommittee chairman and the chairman's willingness to work through this as we go through the process, I yield back the balance of my time.

Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 2 OFFERED BY MR. SOTO

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 2 printed in part A of House Report 115-711.

Mr. SOTO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 7, insert "water storage," after "aquifer recharge,".

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chair, my amendment directs the Secretary of the Army to consider water storage when carrying out a water resource development feasibility study.

Section 109 requires the Secretary to consult with local governments and integrate their water management plans when developing a water resource development feasibility study. My amendment would include consideration of water storage when developing these studies.

Water storage is an essential tool that many States use to take full advantage of their water resources. In Florida, we receive over 50 inches of rain annually; however, we don't always get the rain where we need it. Water may be moved for flood control or water supply.

For example, from November 1, 2017, through June 4, 2018, the South Florida Water Management District moved approximately 151 billion gallons of water from Lake Okeechobee to preserve optimal levels for the ecosystem.

In my own congressional district, our water management district uses water storage to maintain maximum levels in Lake Toho. Additionally, these storage areas provide wetland habitat to many endangered species. Water storage is important and should be a consideration when studying water resources feasibility.

Mr. Chairman, I urge support for my amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for offering this

amendment. This amendment clarifies the section on integrating the water resources planning to our bill and will help communities and the Corps work in partnership, and I am prepared to accept the amendment.

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

Mr. SOTO. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, again, I am prepared to accept the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. ROYCE OF CALIFORNIA

The Acting CHAIR. Pursuant to the order of the House today, it is now in order to consider amendment No. 4 printed in part A of House Report 115-711.

Mr. ROYCE of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 120 and insert the following:  
**SEC. 120. NON-FEDERAL IMPLEMENTATION PILOT PROGRAM.**

Section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note) is amended—

(1) in paragraph (3)(A)(i)—  
(A) in the matter preceding subclause (I)—  
(i) by striking "15" and inserting "20"; and  
(ii) by striking "prior to the date of enactment of this Act";

(B) in subclause (I)—  
(i) in the matter preceding item (aa), by inserting "that have been authorized for construction prior to the date of enactment of this Act and" after "not more than 12 projects"; and  
(ii) in item (bb), by striking "and" and inserting a semicolon;

(C) in subclause (II)—  
(i) by inserting "that have been authorized for construction prior to the date of enactment of this Act and" after "not more than 3 projects"; and  
(ii) by striking the semicolon and inserting "and"; and

(D) by adding at the end the following:  
"(III) not more than 5 projects that have been authorized for construction, but did not receive the authorization prior to the date of enactment of this Act"; and

(2) in subsection (b)(8) by striking "2015 through 2019" and inserting "2019 through 2023".

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE of California. Mr. Chairman, let me start by just thanking the chairman of this committee, and I thank his committee for working with me on my proposed changes and for including an additional amendment in the manager's package.

The amendment before us expands the number of projects eligible under

the non-Federal implementation pilot program, and, as you know, the pilot program was established by WRDA in 2014. What it does is, it allows projects that can demonstrate greater cost effectiveness, greater efficiency to receive direct funding. Savings from this program then go toward either deficit reduction and other Corps projects.

So the original pilot allowed for 15 projects. This expands the program to allow for a total of 32 projects. These projects will need to be authorized and meet the criteria under the program, and if more projects qualify under this pilot, it has the potential to save taxpayers more money.

Mr. Chairman, I urge support, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, this amendment makes additional changes to the pilot program that we authorized in WRDA 2014 for non-Federal implementation of Corps projects. This amendment will allow future projects to be included in the program. I appreciate my colleague's work on this issue, and I am prepared to accept the amendment at this time.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. ROYCE OF CALIFORNIA

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 5 printed in part A of House Report 115-711.

Mr. ROYCE of California. Mr. Chairman, I rise as the designee of Mr. KEATING to offer amendment No. 5.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Insert after section 122 the following (and renumber subsequent sections and the table of contents accordingly):

**SEC. 123. TECHNICAL ASSISTANCE FOR REGIONAL COALITIONS.**

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended to read as follows:

"(1) COMPREHENSIVE PLANS.—The Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with any State, group of States, non-Federal interest working with a State or group of States, or regional coalition of governmental entities in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins, watersheds, or ecosystems located within the boundaries of such State, interest, or entity, including

plans to comprehensively address water resources challenges, and to submit to Congress reports and recommendations with respect to appropriate Federal participation in carrying out such plans.”.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE of California. Mr. Chairman, this particular amendment would expand the Army Corps of Engineers’ authorization to permit cooperation with regional coalitions who are seeking to create or improve water infrastructure in their areas.

The amendment today would help achieve the goal by encouraging towns and counties to create partnerships with the Army Corps so they can pursue creative solutions to local infrastructure needs and they can do this together.

The reason for it is because watersheds do not follow municipal or even State boundaries, as we know, so it is regional approaches like the project in Mr. KEATING’s district that provide effective and efficient solutions.

So I thank you, Mr. Chairman, and I urge my colleagues to support this commonsense amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I thank the chairman for offering this amendment. This amendment clarifies the Army Corps’ authority to provide assistance to regional coalitions under certain planning provisions. This is a good fix to the assistance program, and I am prepared to accept the amendment at this time.

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

Mr. ROYCE of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. DENHAM

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 115–711.

Mr. DENHAM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 30, strike lines 15 and 16 and insert the following:

(1) by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

Page 30, line 17, strike “paragraph (5)” and insert “paragraph (4), as so redesignated”.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, the Denham-Costa amendment makes permanent authority of the U.S. Army Corps of Engineers to enter cost recovery agreements for evaluation and processing of permits for public utility, natural gas companies, and railroad carriers.

The goal of this policy known as section 214 is to modernize the evaluation of permits to ensure critical infrastructure projects can be delivered to the public.

This policy can benefit the Central Valley, Napa, Sonoma, and other disaster stricken areas by allowing them to rebuild faster so families can turn on their lights and cool their homes.

I urge support of its passage, and I yield 1 minute to the gentleman from California (Mr. COSTA), my cosponsor.

Mr. COSTA. Mr. Chairman, I thank the gentleman for yielding, and I want to also thank the ranking member and the chair of the committee for allowing us to work with the committee for what is an important amendment.

The Denham-Costa amendment would make permanent the existing authority for utility companies to contribute to funds to expedite permit reviews for the Army Corps of Engineers.

□ 1545

Expedited permit review reduces project costs and enhances public safety by ensuring that projects are completed faster. It just makes good sense.

Projects could benefit from this permanent authority include work to stabilize aging transmission line towers in the San Francisco Bay, replacing natural gas transmission lines over and under waterways, and restoring water delivery systems associated with hydroelectric facilities.

A lot of good has come from this amendment. It has broad support from the utility industry and labor unions. I thank the author of this amendment for his good cooperation, and I urge my colleagues to support this amendment.

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

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. ESTY OF CONNECTICUT

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 115–711.

Ms. ESTY of Connecticut. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 16, strike “and”.

Page 32, line 21, strike the period and insert “; and”.

Page 32, after line 21, insert the following: (6) an analysis of whether or not the Army Corps of Engineers—

(A) considers cumulative benefits of locally developed projects, including Master Plans approved by the Corps; and

(B) uses the benefits referred to in subparagraph (A) for purposes of benefit-cost analysis for project justification for potential projects within such Master Plans.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY of Connecticut. Mr. Chairman, I rise in support of my amendment, which calls for a study on how the Army Corps of Engineers evaluates projects to advance flood control, hurricane and storm damage reduction, and promote water quality.

I thank my colleague, Mr. BABIN, for his work on this amendment with me, and I thank the chairman and the ranking member for their hard work and collegiality in bringing this bill forward with us today.

The study in my amendment will look at how the Corps currently calculates the benefits of potential projects and how they can improve the calculation so that more worthwhile projects are approved. Specifically, the amendment tasks the National Academy of Sciences to study whether or not the Corps calculates the total benefits of a Corps project and considers them in evaluating the cost benefit of smaller segments or projects within that larger project. At the moment, it is unclear if the Corps can or cannot do this.

Can the Corps count the benefits of a larger overall project and apply them to the benefit cost of a smaller segment of that, that is smaller in scope?

Can the Corps always measure individual pieces of a project for justification purposes?

These are questions that need real answers.

Mr. Chairman, I raise this amendment today because this is a problem that affects cities and towns in my State and, frankly, across the country. In Connecticut, we have rivers that crisscross the State, leaving many of our communities subject to flooding.

Over the last 150 years, the city of Meriden has experienced 11 100-year floods, and the two most recent in the 1990s caused \$26 million of property damage. The good news is that this flooding is preventable by implementing flood prevention and mitigation efforts, which will protect life and property.

The city of Meriden has been working for 20 years on trying to get help from the Federal Government. It came to the Corps looking for help. At this

point, it has completed many portions of this project. It came to the Corps to ask for help with a feasibility study. They were told they could not. The Corps said, We cannot look at that because we can only look at this segment, we can't look at the benefit of the overall project.

This is not serving our community well, and it is, frankly, not serving other communities well either. So we want to ask the National Academy of Sciences to look at the overall benefit.

Budgets are tight. Everybody is bringing something to the table. Cities and States and the Federal Government need to do its charge. So we are asking this body to approve this measure to have the National Academy of Sciences look at, in fact, what does the Corps do, how can they do it better, and how can they leverage together the resources to help our cities and towns?

I urge my colleagues to support this amendment. I think it will be very useful to know what the Corps, in fact, does in each and every district, and then, together, find a better way to move forward.

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

Mr. GRAVES of Louisiana. Mr. Chairman, I claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment seeks to provide better information to the Congress, to Federal agencies, and to public entities all over the United States to ensure that we understand the value of investments that we are making, to ensure that we understand the return on investment that we are making with public funds at the State and Federal levels.

Mr. Chairman, I commend the gentleman from Connecticut and I commend the gentleman from Texas for bringing this issue up. I think that there is much we can do to perfect the cost of benefit ratio process and information provided to the Congress to where we can make informed decisions to ensure that we are appropriately using the limited taxpayer resources that we have.

Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

Ms. ESTY of Connecticut. Mr. Chairman, I urge my colleagues to support this worthwhile amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Ms. ESTY).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 115-711.

Mr. SOTO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 8, insert "universities," after "research and development centers,".

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment adds universities to the list of entities the Secretary of the Army Corps of Engineers should consider when submitting their report to Congress on the use of innovative materials in water resource development projects.

Section 128 requires the Secretary of the Army to submit to Congress a report that describes the activities of various entities involved in the development of innovative materials for water development projects. Currently, as written, the bill mentions centers of expertise, technological centers, technical centers, research and development centers, and other similar centers. Universities are often at the cutting edge of research and, therefore, should be specified for consideration in preparing the report.

While the current language could already include universities in the category of "other similar centers," such consideration would be discretionary. As such, a relevant area of activity may not be considered for the report because a single word was not added to the text. As Members of Congress, we ask for reports and recommendations from government entities so their expertise can be utilized in assisting the legislative process. Here, the activities conducted at universities should be considered so we can best capture the relevant information on the testing, research, development, and identification to best inform the Army Corps report and their congressional recommendations to resources development projects.

Mr. Chairman, I urge support for my amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, this amendment adds universities to the list of organizations studying innovative materials that is already in our bill, but I am prepared to accept this amendment.

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

Mr. SOTO. Mr. Chairman, I thank Mr. SHUSTER for his support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. KRISHNAMOORTHY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 115-711.

Mr. KRISHNAMOORTHY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 23, strike "and".

Page 36, after line 23, insert the following (and renumber the subsequent paragraph accordingly):

(2) provides recommendations to improve the capacity and preparedness of the Corps of Engineers workforce; and

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Illinois (Mr. KRISHNAMOORTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. KRISHNAMOORTHY. Mr. Chairman, I yield myself such time as I may consume.

In order to successfully implement the many water infrastructure and conservation projects authorized under the Water Resources Development Act, Americans rely on the Army Corps of Engineers.

The Corps has approximately 37,000 dedicated civilians and military personnel delivering engineering services. They operate and maintain 13,000 miles of commercial ship channels, 12,000 miles of inland waterways, 700 dams, and have built 14,500 levees and works on more than 900 harbors.

Thus, our ability to build a robust infrastructure, to develop resources, and to implement environmentally conscious conservation projects, is inextricably linked to the strength of the Corps of Engineers' workforce. We should be doing everything we can to help the Army Corps of Engineers recruit, hire, and retain qualified employees to carry out duties that impact environmental sustainability and national security.

My amendment addresses this issue by requiring the comptroller general to provide recommendations to improve the capacity and preparedness of the Army Corps of Engineers' workforce in its report to Congress. In providing these recommendations, the comptroller general will evaluate many challenges, including, but not limited to, diversity, recruitment, retention, and on-the-job training.

I offer this amendment at a time when the national skills gap is at a record-high level. According to the Bureau of Labor Statistics, there are 6.7 million unfilled jobs across the country, where employers have openings but can't find prospective employees with the adequate skills or training to fill them. Nearly 600,000 of these jobs are in government services alone.

Despite bipartisan efforts to address this issue, the skills gap continues to rise each month, up from 6.1 million this time in 2017. We need to do better.

I am confident that my amendment will help develop a 21st century Corps of Engineers workforce, which will, ultimately, benefit infrastructure, national security, environmental sustainability, and the overall American economy.

Mr. Chairman, for these reasons, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for offering this amendment. This amendment adds additional recommendations to a GAO study on workforce capacity.

Mr. Chairman, I am prepared to accept the amendment, and I yield back the balance of my time.

Mr. KRISHNAMOORTHY. Mr. Chairman, I thank Mr. SHUSTER for his support.

Just this morning, the Bureau of Labor Statistics reported that there are currently more job openings than people looking for work. This amendment is an important step to closing the skills gap, and I urge all of my colleagues to support it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. KRISHNAMOORTHY).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 115-711.

Ms. JAYAPAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 23, strike “; and” and insert a semicolon.

Page 37, line 4, strike the period and insert “; and”.

Page 37, after line 4, insert the following:

(3) describes how changes to the navigation industry workforce with which the Corps of Engineers collaborates may affect safety and operations within the navigation industry.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Chairman, I rise in support of my amendment, which simply adds an important aspect to a GAO study that is already in the underlying bill.

Mr. Chairman, I thank Chairman SHUSTER and Ranking Member DEFAZIO for their leadership in crafting this bill, and also my friend on the other

side of the aisle, Representative WOODALL, for his support as well.

□ 1600

The underlying bill directs GAO to report to Congress on the preparedness of the Army Corps of Engineers to truly make it a 21st century agency. The study will investigate how the Corps of Engineers is supporting efforts to invest in recruitment and retention of a diverse workforce. It will examine how the Corps of Engineers is coping with the steady trickle of the baby boomer generation retiring, and it will also look at the Corps of Engineers and how it can better utilize available and existing technologies in fulfilling its mission.

At the same time, Mr. Chairman, it is important for us to understand how the Corps of Engineers' primary partner in the delivery of its services, the navigation industry workforce, is also managing the impending retirements of the baby boomer generation. We need to get a grasp on what the Corps of Engineers needs to do to prepare for the graying not only of its workforce, but also the workforce of the maritime and shipping sectors. What is more, it is critical to understand how all of this has a bearing on safety and operations within the navigation industry.

Mr. Chairman, in my home State of Washington, the average age of a maritime worker is 54 years old. And while the maritime sector is growing at a rate of 6.4 percent a year, there is a so-called silver tsunami looming in the next 5 to 10 years. The industries that the Corps of Engineers intimately works with are expected to be fighting to fill open positions even more than they are now. That is why, Mr. Chairman, my amendment directs GAO to make these additional considerations as it conducts its study.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to control the time in opposition to the amendment, although I do not oppose it.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chair, I thank the gentlewoman for offering this amendment.

This amendment adds additional considerations to a GAO study that we have included in our bill. I believe looking at navigation safety is an important addition.

Mr. Chair, I am prepared to accept the amendment, and I yield back the balance of my time.

Ms. JAYAPAL. Mr. Chair, I thank Chairman SHUSTER very much for accepting the amendment, and I urge support.

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

The Acting CHAIR (Mr. HOLDING). The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 115-711.

Mr. SOTO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 38, line 3, after “storm damage reduction” insert “(including trough bars, coastal wetlands, and barrier coral reefs)”.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

REQUEST TO MODIFY AMENDMENT NO. 12  
OFFERED BY MR. SOTO

Mr. SOTO. Mr. Chairman, I ask unanimous consent that my amendment be modified by striking “line 3” and inserting “line 2”.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

Mr. SHUSTER. Mr. Chair, I object to the modification.

The Acting CHAIR. Objection is heard.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chair, my amendment would direct the GAO study in section 130 to specifically consider trough bars, coastal wetlands, and barrier reefs in their study on the feasibility of natural features projects for the purposes of flood risk management, hurricane and storm damage reduction, and ecosystem restoration.

Section 130 directs the Comptroller General to submit to the Congress a study of consideration by the Corps of Engineers of natural features and nature-based features in the study of the feasibility of projects for flood risk management, hurricane and storm damage reduction, and ecosystem restoration.

Specifically, one aspect of the GAO study of consideration in H.R. 8 asks for an assessment of the costs, benefits, impacts, and tradeoffs associated with natural features and nature-based features, as well as the effectiveness of such features.

My amendment specifies some of the natural features and nature-based features that could and should be considered by adding the language: “(including trough bars, coastal wetlands, and barrier coral reefs)”.

In my home State of Florida, we are no stranger to the issue associated with national features and the role they play in storm damage reduction, especially after the devastating effects of last year's hurricane season, but this is by no means a Florida-specific issue. Hurricane Katrina and Superstorm

Sandy showed us firsthand what happens when natural flood protection features do not exist.

This amendment would serve to highlight important natural infrastructure options to the GAO study, namely, trough bars, coastal wetlands, and barrier coral reefs were specified with storm damage reduction concerns in mind. These natural structures buffer shorelines against waves, storms, and floods, which help prevent loss of life, property damage, and erosion.

For example, trough bars and sand dunes provide substantial protection from storm-induced erosion. The larger the trough bar, the more time it takes to be eroded by waves and the more protection it provides areas further landward. Coastal wetlands lower flood heights, filter floodwater, and protect from storm surges. Coral reefs reduce wave energy by an average of 97 percent, dissipating disproportionately more wave energy as wave energy increased. Taken together, these natural features would reduce storm damage and are items that would be specifically evaluated in the GAO study.

Mr. Chair, I urge support for my amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman for offering the amendment as he originally intended. I understand he has some conforming and technical corrections he would like to make. We want to work with the gentleman as we move forward. We are willing to accept what he has offered today. Again, as we move through the process, we will work with the gentleman.

Mr. Chair, I am prepared to accept his amendment, and I yield back the balance of my time.

Mr. SOTO. Mr. Chairman, I thank Chairman SHUSTER for his support.

The technical amendment was advised to us by the Parliamentarian.

I thank the chairman again for his support.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. SANFORD

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 115-711.

Mr. SANFORD. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 40, line 21, strike "in lieu of" and insert "or".

Page 41, line 1, strike "in lieu of" and insert "or".

Page 41, line 16, insert "or reimbursement of funds of an equivalent amount, subject to the availability of appropriations" before the period.

Page 41, line 21, strike the closing quotation marks and the second period.

Page 41, after line 21, insert the following:

"(c) APPLICATION OF REIMBURSEMENT.—At the request of the non-Federal interest, the Secretary may apply such funds, subject to the availability of appropriations, equal to the share of the cost of the non-Federal interest of carrying out other flood damage reduction and coastal navigation projects or studies."

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from South Carolina (Mr. SANFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chair, this is a bipartisan amendment that I wrote with Members DELANEY, DUNCAN, and others, and I think it simply makes common sense. What it does is that it ensures the timely payback of advanced funds to a non-Federal sponsor.

What does that mean in English?

What that means is that we have a program called the advanced project agreements wherein you have a Federal actor and a local actor, and it can be that the local actor advances funds to speed the project's completion. What this amendment says is, if you have advanced beyond more than your share, then you, on a timely basis, would be paid back for more than your share.

Now, why is that important?

If we are going to be competitive as a country, what we need to recognize is that, indeed, time is money. One of the things most critical to improving our water resources is timely completion of these projects.

So this is ultimately about recognizing that time is money; recognizing that, to be competitive, we have got to speed the progress that we see on these kinds of projects; and, in fact, it ties to what we all know about competitiveness. I mean, getting things done means a bias for action; it means not waiting on others; it means showing initiative; it means, if you go the extra mile, you get rewarded for it.

Let me give one quick example.

In the port in Charleston, it is a \$558 million project. The Federal share is \$287 million; the non-Federal share is \$271 million.

In the case of South Carolina, they have gone ahead and saved, if you will, in their piggy bank \$300 million. If they advance the entire \$300 million, are they just out of luck or are they held to the original agreement of this is the Federal share and this is the State share, and therefore, even if you advance that money, you are going to get that additional \$29 million back?

That, to me, makes imminent common sense, because most of all what it does is it recognizes that time is money, and allowing local actors to move more quickly and not wait on Federal activity is something in all of our respective best interests.

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

Mr. SHUSTER. Mr. Chair, I ask unanimous consent to claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The gentlemen from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for offering this amendment.

The amendment clarifies repayment requirements for funding advanced by a non-Federal sponsor. This is a good bipartisan amendment. I am prepared to accept the amendment.

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

Mr. SANFORD. Mr. Chair, I thank Chairman SHUSTER for agreeing to the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. NOLAN

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 115-711.

Mr. NOLAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. \_\_\_\_\_. SENSE OF CONGRESS.

It is the sense of Congress that the construction of a new lock at the Soo Locks at Sault Ste. Marie, Michigan, is vital to our national economy, national security, and national need for new critical infrastructure.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Minnesota (Mr. NOLAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. NOLAN. Mr. Chairman, I would be remiss if I didn't thank Chairman SHUSTER for his leadership on this important legislation, subcommittee Chairwoman NAPOLITANO and the other members of the committee and the staff as well.

Mr. Chair, my amendment is pretty straightforward. It simply expresses a sense of the Congress that the construction of a new lock at the Soo Locks at Sault Ste. Marie, Michigan, is vital to our national economy, to our national security, and to our vital infrastructure.

Why? Well, really briefly, that lock is a gateway for the Port of Duluth and all of the commerce out of Lake Superior. That is the iron ore; that is the corn; that is the soybeans; that is the forest products, all of which are essential to our national security, our national economy.



I would just cite one thing. Homeland Security did a study. They found that 13 percent of the Nation's gross national product goes through those locks, which is why we have military protection there; because if those locks fail from a military attack or if they fail from obsolescence, which we are in danger of having occur, it would throw the country into a great depression.

So let me just conclude by saying that these locks and the rebuilding of them are vital to our national security, our national economy, and our vital important infrastructure.

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

Mr. SHUSTER. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank my colleague for offering the amendment.

The amendment expresses a Sense of Congress that construction of a new lock at the Soo Locks at Sault Ste. Marie, Michigan, is vital to our national economy, national security, and national need for new critical infrastructure.

Mr. Chair, I thank my colleague for bringing this to our attention, and I am prepared to accept the amendment.

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

Mr. NOLAN. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. NOLAN).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MS. MOORE

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part A of House Report 115-711.

Ms. MOORE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:  
**SEC. \_\_\_\_ . COMMUNITY ENGAGEMENT.**

(a) IN GENERAL.—The Corps of Engineers shall make efforts—

(1) as part of the mission of the Corps, to identify and address with respect to covered communities any disproportionate and adverse health or environmental effects of the Corps' programs, policies, practices, and activities;

(2) to promote the meaningful involvement of communities of color in the Corps' project development and implementation, enforcement efforts, and other activities;

(3) to provide guidance and technical assistance to covered communities to increase understanding of the Corps' project planning and management activities, regulations, and policies; and

(4) to cooperate with State, Tribal, and local governments with respect to activities carried out pursuant to this subsection.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) COMMUNITY OF COLOR.—The term "community of color" means a community of individuals who are—

(A) American Indian or Alaska Native;  
(B) Asian or Pacific Islander;  
(C) Black, not of Hispanic origin; or  
(D) Hispanic.

(2) COVERED COMMUNITY.—The term "covered community" means each of the following:

(A) A community of color.  
(B) A low-income community.  
(C) A rural community.  
(D) A Tribal and indigenous community.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chair, I thank the chairman and madam ranking member.

Mr. Chair, I rise to offer my amendment to this critical bill, which authorizes billions of dollars in Corps projects.

My amendment is very simple. I can keep it short. It would reaffirm the need for the Army Corps to make every effort to ensure, as part of their project planning and implementation process, the fair treatment of all communities in this vital process.

Mr. Chair, this amendment addresses the continuing concern that certain vulnerable communities affected by Federal actions often have little to no input into the planning and implementation of those activities, and they include low-income communities, both urban and rural, communities of color, and other marginalized groups such as Tribes.

By adopting my amendment, the Army Corps could lead in reforming how Federal agencies engage with vulnerable communities by working collaboratively with community stakeholders, by outreach, proactive outreach, and requiring really meaningful involvement and conversations with these communities of color, including Tribal communities, engaging them in developing Corps development of the projects and implementation.

□ 1615

I would ask that no one would object to requiring that the Corps spend more time listening to and validating community concerns and working to resolve them collaboratively at every step of the process, rather than waiting until a lawsuit occurs.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not intend to oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentlewoman for offering this amendment. This amendment helps ensure that, as part of the Corps' activities and mission, they are actively engaged with communities of color, low-income communities, rural

communities, and Tribes. This is important policy. I am prepared to accept the amendment, and I yield back the balance of my time.

Ms. MOORE. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. MEADOWS

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part A of House Report 115-711.

Mr. MEADOWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . OPERATION AND MAINTENANCE OF EXISTING INFRASTRUCTURE.**

The Secretary of the Army shall prioritize the operation and maintenance of existing infrastructure, improve its reliability, and, as necessary, improve its resilience to cyber-related threats.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from North Carolina (Mr. MEADOWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MEADOWS. Mr. Chairman, the WRDA bill is an important bipartisan piece of legislation that provides for improvements to our Nation's water resources infrastructure, including ports and inland waterways, locks, dams, flood protection, and ecosystem restoration.

Mr. Chairman, I want to applaud my good friend, Chairman SHUSTER, for his leadership on moving forward with yet another WRDA bill through the Transportation and Infrastructure Committee; and I am so proud to serve on that committee under his leadership.

But seldom in Congress do things actually end up being like they were promised; and I can tell you, under the leadership of this chairman, not only are we voting on yet another WRDA bill, but we are doing it in a transparent, policy-focused manner. And it is this return to regular order that the chairman has truly encouraged so many of his members, not only on the committee, but off the committee.

Mr. Chairman, my amendment adds one provision to this important bill: It directs the Secretary of the Army to prioritize the operation and maintenance of existing infrastructure and improve their reliability. The last thing the taxpayers want to do is spend needlessly money on expensive new infrastructure if the existing roadways, highways, bridges, ports, airports, water and sewer systems are aging and in disrepair.

We have heard all of this before from a number of our stakeholders and, according to the American Society of Civil Engineers, if America fails to invest in its existing ailing infrastructure by 2025, the U.S. economy can be

expected to lose almost \$4 trillion in Gross Domestic Product, resulting in a loss of some 2.5 million jobs.

Therefore, as we look at this legislation, it is critically important that we repair, rebuild, and modernize the infrastructure we have.

I urge support of this amendment, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, as the gentleman explained, this is an important amendment. Cyber-related threats are a major concern to the Nation's critical infrastructure, and I believe this will help ensure that it is protected. I am prepared to accept the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. MAST

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part A of House Report 115-711.

Mr. MAST. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . CLARIFICATION FOR INTEGRAL DETERMINATION.**

(a) WRDA 2000.—Section 601(e)(5)(B) of the Water Resources Development Act of 2000 (Public Law 106-541) is amended to read as follows:

“(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan if—

“(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor;

“(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor;

“(III) the credit is provided for work carried out before the date of the partnership agreement between the Secretary and the non-Federal sponsor, as defined in an agreement between the Secretary and the non-Federal sponsor providing for such credit; or

“(IV) the credit is provided for work carried out by the non-Federal sponsor in the implementation of an authorized project implementation report, and such work was defined in an agreement between the Secretary and the non-Federal sponsor prior to the execution of such work;

“(ii) the agreement prescribes the terms and conditions of the credit, including in the case of credit provided under clause (i)(iii) conditions relating to design and construction; and

“(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.”

(b) TIMING.—Section 601(e)(5) of the Act referred to in subsection (a) is further amended by inserting after subparagraph (B) the following (and redesignating any subparagraphs accordingly):

“(C) TIMING.—In any case in which the Secretary approves credit under subparagraph (B), in writing or by electronic agreement with the non-Federal sponsor, the Secretary shall provide such credit for work completed during the period of construction under an agreement that prescribes the terms and conditions for the in-kind contributions not expressly defined.”

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Florida (Mr. MAST) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MAST. Mr. Chairman, I want to begin by thanking the chairman, Chairman SHUSTER, and the committee for all of their work on WRDA. It has been timely, and they have been a joy to work with.

WRDA 2000, however, authorized a plan known as the Comprehensive Everglades Restoration Plan and it granted the authority to the Assistant Secretary of the Army for Civil Works to provide credit to the State of Florida for reasonable cost of any work that was performed toward the completion of the project. However, current law does have some ambiguity that my amendment clarifies with respect to when the work is performed.

Now, the Army Corps ultimately has the discretion to determine what work performed by Florida is integral to the project, and this amendment makes no change to that discretion whatsoever.

Questions have been raised with regard to the scope of the Army Corps' authority to grant credit for work Florida has done that is not explicitly stated in the Project Partnership Agreement. My amendment clarifies that, so long as the Secretary and Florida agree that the work completed during the construction phase is integral to the project, the Secretary does, in fact, have the authority to provide credit for that work that is done.

I appreciate the full committee and the subcommittee's leadership working with me on this language, and I encourage my colleagues to adopt this amendment.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, this amendment does clarify there were crediting responsibilities between the Corps and non-Federal sponsors in the Everglades, so I thank the gentleman for bringing this to our attention. I am prepared to accept the amendment.

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

Mr. MAST. Mr. Chairman, again I applaud the committee on their work, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MAST).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part A of House Report 115-711.

Mr. PEARCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . COST SHARE PAYMENT FOR CERTAIN PROJECTS.**

Not later than September 30 of the first fiscal year following the date of enactment of this Act, the Secretary shall pay the outstanding balance of the Federal cost share for any project carried out under section 593 of the Water Resources Development Act of 1999 (113 Stat. 380).

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, before I start, I would like to join my colleague from North Carolina in recognizing the leadership of Chairman SHUSTER on this important bill and the manner in which it is brought forward with full amendment process allowed.

My amendment is fairly simple. It simply asks that the Corps of Engineers would pay their bills. The Corps of Engineers, according to an authorization under WRDA of 1999, is allowed to enter into projects where a cost share is joined in with communities and organizations throughout the States.

Many locations in New Mexico are still owed money for projects that were commissioned over a decade ago. The town of Bernalillo, the city of Rio Rancho, the Middle Rio Grande Conservancy District, and the county of Bernalillo all have projects that are owed money.

One of those projects, a simple arsenic treatment facility, cost \$12 million. The Corps and the community both agreed that they would move forward with the project and the cost sharing agreement. A decade later, the Corps still owes money on that particular project.

At one point, the Corps expressed they had forgotten that they owed that money; so it is just important for the government to pay its bills on time.

This amendment is fairly simple and straightforward. It just authorizes that and ensures it.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, this amendment requires the Secretary to pay the Federal cost share for projects in Central New Mexico. I appreciate the gentleman bringing it to our attention, and I am prepared to accept the amendment.

I yield back the balance of my time.

Mr. PEARCE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. KELLY OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part A of House Report 115-711.

Mr. KELLY of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, insert the following:  
**SEC. \_\_\_\_ . LOCKS ON ALLEGHENY RIVER.**

The Corps of Engineers may consider, in making funding determinations with respect to the operation and maintenance of locks on the Allegheny River—

- (1) recreational boat traffic levels; and
- (2) related economic benefits.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Pennsylvania (Mr. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Mr. Chairman, first of all, I want to acknowledge Chairman SHUSTER's leadership on this, and thank the entire committee and all the staff. I sure appreciate all the hard work.

This amendment allows the Army Corps of Engineers to strongly consider the large number of recreational boats that use the locks on the Allegheny River in my district when prioritizing operation and maintenance projects.

River communities on the Allegheny, like Kittanning, Ford City, Freeport, East Brady, and others, rely on recreational boating for their economic well-being. In recent years, the Army Corps of Engineers and a local non-profit, the Allegheny River Development Corporation, have developed a successful private-public partnership. Their partnership has resulted in private money being raised to keep the locks operational only on summer weekends and for recreational use. This amendment will allow the Army Corps of Engineers the flexibility it needs to help keep the locks open throughout the summer tourism months once again.

Speaking on this issue, a commissioner in Armstrong County once said to me: "You know, Washington has

taken away our coal jobs, now they're trying to take away our river."

Because of the hard work of people like Linda Hemmes and other community leaders, the river is still open to thousands of boaters who enjoy the Allegheny River on summer weekends. But even the weekend lock operations are still very much at risk, and it is my hope that this amendment will allow the Army Corps of Engineers to prioritize funding so the river remains passable all summer long for decades to come.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, as the gentleman explained, the Allegheny River, the locks, and the dams are, again, used considerably for recreational boat traffic, and the Corps should take this into consideration. This is a good amendment. I am prepared to accept it.

I yield back the balance of my time.  
Mr. KELLY of Pennsylvania. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KELLY).

The amendment was agreed to.

AMENDMENT NO. 20 OFFERED BY MR. SCHRADER

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part A of House Report 115-711.

Mr. SCHRADER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . ASSISTANCE RELATING TO WATER SUPPLY.**

The Secretary may provide assistance to municipalities the water supply of which is adversely affected by construction carried out by the Corps of Engineers.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Oregon (Mr. SCHRADER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. SCHRADER. Mr. Chairman, I first want to thank Chairman SHUSTER, Ranking Member DEFAZIO, Subcommittee Chairman GRAVES, and Ranking Member NAPOLITANO, and their staffs for working with us on this amendment.

The amendment simply provides communities with the certainty that the Army Corps has the authority to help them mitigate any detrimental impacts to municipal water supplies that may happen due to a Corps construction project. It is a commonsense amendment, and I am glad to offer it.

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

Mr. GRAVES of Louisiana. Mr. Chairman, I claim the time in opposition, but I don't plan to oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Louisiana is recognized for 5 minutes.

There was no objection.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment assures the Corps of Engineers can help mitigate any detrimental impacts to the water supply as a result of a Corps of Engineers project. I appreciate my colleague's work on this, and I do accept this amendment and urge support of the amendment.

I yield back the balance of my time.

Mr. SCHRADER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. SCHRADER).

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part A of House Report 115-711.

Ms. JAYAPAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . NOISE POLLUTION ABATEMENT AND MITIGATION.**

Not later than 180 days after the date of enactment of this section, the Secretary shall submit to Congress a report on the potential opportunity for integrating noise abatement and noise mitigation technologies and practices into improvements and operations in harbors and inland harbors.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

□ 1630

Ms. JAYAPAL. Mr. Chairman, I rise in support of my amendment, which simply asks the Corps of Engineers to explore what opportunities exist to incorporate noise abatement and noise mitigation technologies and practices in the Corps of Engineers.

Noise has a bearing both on the land and in water, and as maritime transportation and travel increase and as vessels increase in size, communities along our Nation's waterways stand to be affected the most.

Seattle's residential population and our maritime sector are both growing. And importantly, the liveability of our communities and the strength of our maritime sector will depend on how we address the challenges that come with that growth. At the same time, as sound travels more efficiently in the water, we need to be certain that we understand how we minimize the disruption to maritime environments.

Underwater wildlife—like the endangered southern residents, orcas—are especially vulnerable to noise destruction, because they are so dependent on underwater sounds for basic life functions. The Port of Vancouver, BC, recently investigated whether limiting the speed of ships would reduce noise and help our overall community. Over the period of the study, ambient noise dropped 44 percent. So research into this area is emerging, but it is clear that more needs to be done.

In providing guidance to mitigate noise in 2014, the International Maritime Organization identified more than just speed, but also ship design, on-board machinery, and navigation as factors to take into consideration.

In the Puget Sound region, the Corps of Engineers is uniquely placed to lead this effort and unite stakeholders behind solutions that protect the maritime environment, ensure the liveability of our communities, and support our growing maritime sector.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chair, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman for offering this amendment that requires a study for the use of noise abatement technologies at ports. I think this is a good amendment, and I urge adoption of the amendment.

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

Ms. JAYAPAL. Mr. Chair, I thank the gentleman very much and I urge support. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Ms. JAYAPAL).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. HIGGINS OF LOUISIANA

The Acting CHAIR (Mrs. LOVE). It is now in order to consider amendment No. 22 printed in part A of House Report 115-711.

Mr. HIGGINS of Louisiana. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ . PROPERTY ACQUISITION.**

(a) IN GENERAL.—In requiring or acquiring an interest in land, the Secretary shall, in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, prefer the minimum interest

in real property necessary to support a project or action.

(b) DETERMINATION.—In determining the proper interest in land under subsection (a), the Secretary shall first consider a temporary easement estate or other interest designed to reduce the overall cost, reduce the time, and minimize conflict with property owners related to such action or project.

(c) PROCEDURES USED IN STATE.—The Secretary shall consider and attempt to replicate, to the maximum extent practicable and consistent with Federal laws, the procedures that a State has used to acquire interests in land, provided that such procedures are generally consistent with the goals of a project or action.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Louisiana (Mr. HIGGINS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. HIGGINS of Louisiana. Madam Chair, I rise today to offer my amendment to H.R. 8, the Water Resources Development Act of 2018.

Madam Chair, my amendment is a commonsense and cost savings amendment that would allow the Army Corps of Engineers much-needed flexibility when acquiring certain rights to the procurement of land.

Specifically, it would direct the Secretary to prefer acquiring the minimum interest necessary in real property needed to support a project or an action. This allows flexibilities for the Corps to consider the use of a temporary easement estate or other interest to facilitate a reduction in overall project cost, to reduce project time, and minimize conflict with property owners related to the project or action.

This approach will allow the Corps to take a more sensible approach to projects and not force the Federal Government to purchase more property in order to undertake critically needed projects.

Historically, in my home State of Louisiana, many of the projects are accomplished through partnerships between the Federal Government and State and private landowners who often can offer more favorable and economical terms than the Federal Government's outright purchasing of property.

As we have heard throughout debate on the underlying bill, there are countless and widely known deficiencies in the way business is conducted by the Corps. Many of these issues are caused by bureaucratic regulations that get in the way of real progress being made in a manner that is responsible to the taxpayers we represent.

Madam Chair, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Chair, I ask unanimous consent to claim the time in opposition, although I don't plan to oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Madam Chair, I want to thank my friend from Louisiana, a colleague, for offering this amendment.

As the gentleman stated, what is happening right now, the Corps of Engineers is requiring non-Federal entities, like the State of Louisiana and other States around the country and other private partners and local governments to acquire land in fee title, and then that is then absorbed as part of the overall cost of a project.

In many cases in our home State, 82 percent of coastal Louisiana is owned by private landowners. These landowners are willing to donate the project, servitude or easement to ensure these projects can be built. And these are environmental projects for coastal restoration and other wetland construction-type projects. It reduces overall project cost. It incentivizes cooperation between landowners and government entities trying to restore the coast. This is in the best interest of taxpayers. It is in the best interest of the Corps of Engineers. It is absolutely good policy, and I want to thank the gentleman for the amendment. I urge adoption of the amendment.

Madam Chairwoman, I yield back the balance of my time.

Mr. HIGGINS of Louisiana. Madam Chairwoman, I thank my colleague from Louisiana for supporting the bill, and I urge my colleagues on both sides of the aisle to support this commonsense amendment, as well as final passage of the chairman's bill.

Madam Chairwoman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. HIGGINS).

The amendment was agreed to.

AMENDMENT NO. 23 OFFERED BY MR. BABIN

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part A of House Report 115-711.

Mr. BABIN. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ . SENSE OF CONGRESS ON NAVIGATION SAFETY.**

It is the sense of Congress that—

(1) high use Federal navigation projects, including those with numerous deep draft vessel calls per year, should ensure safe 2-way traffic by design vessels recommended by authorized navigation studies; and

(2) the Secretary should consider the benefits of the safety modification or improvement to commercial navigation in evaluating such modifications or improvements.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Texas (Mr. BABIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Madam Chairwoman, I thank the chairman of the committee. As a member of the Transportation and Infrastructure Committee who has the

great privilege to represent four Texas ports in my district in Texas, it is truly an honor to offer this amendment today on their behalf.

Right now, the Corps of Engineers is in the midst of a study of the Houston Ship Channel to evaluate potential improvements. This study will examine the process for widening the channel and extending the 45-foot depth further inland. This is a necessary and well-intentioned study for an extremely worthy project.

However, everyone involved in producing it is discovering that the Corps processes involved are outdated and inefficient. These processes are unable to adequately evaluate the national benefits of the improvements being studied or the implications of major operational changes in the future.

As a result, unless reforms are made, this Corps study and others like it will not recognize the benefits of widening a waterway like the Houston Ship Channel in certain areas; areas that can lead to a restriction of one-way traffic in the future, as vessels become larger and larger over time.

The Houston Ship Channel is the busiest waterway in the Nation. It supports the top exporting region and the largest petrochemical manufacturing center in the United States. Ensuring an efficient waterway now and into the future is critical for the region, for the State of Texas, and for the Nation.

This amendment takes a first step in righting this process by having this Congress to make clear to the Army Corps of Engineers the importance and the benefits of projects to improve two-way traffic safety in high-volume areas in deep draft navigation channels.

And while I certainly want to go further and eventually get these formulas fixed into the law, I understand that this needs to be an incremental process.

I want to thank Chairmen SHUSTER and GRAVES, and Ranking Members DEFAZIO and NAPOLITANO, and their staffs, for working with us to get this process underway with this very commonsense amendment.

Madam Chairwoman, I urge adoption of my amendment and the underlying bill, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Chair, I ask unanimous consent to claim the time in opposition, although I don't plan to oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Madam Chair, this amendment intends to cut through the bureaucracy to expedite decisions that are being made. In the case of this amendment, it is designed to address an issue in Texas where you have high-volume port projects and there are safety and navigational improvements that are needed.

We support the intent of the gentleman's amendment to cut through the bureaucracy to ensure that decisions are expedited and cost savings result, and urge support of the amendment.

Madam Chair, I yield back the balance of my time.

Mr. BABIN. Madam Chair, I also rise in strong support of amendment No. 8, by the gentlewoman from Connecticut (Ms. ESTY).

I am very proud to be the lead Republican cosponsor. The Texas Gulf Coast is not just the export capital of the United States and energy capital of the world, it is a national treasure lined with vibrant communities, fisheries, key military assets, and outdoor recreation that millions call home.

But as we saw with the 1900 Galveston hurricane; Hurricane Rita in 2005; Hurricane Ike in 2008; and Hurricane Harvey just last year, all of those great assets that I just spoke of are at risk of finding themselves literally in the eye of the very next storm.

That is why leaders in my State have come together to produce this, the Texas Coastal Resiliency Master Plan, a roadmap for the local, State, and Federal officials to study and construct projects to keep our coastal communities safe, restore and preserve our beaches and wetlands, and provide energy security for all Americans.

A summary of the Texas Coastal Resiliency Master Plan by the Texas General Land Office can be found at: <http://www.glo.texas.gov/coastal-grants/projects/texas-coastal-resiliency-master-plan.html>.

Madam Chair, this amendment will require the National Academy of Sciences to study and report on whether the Army Corps should measure the cumulative benefit of a holistic plan like the Texas Coastal Resiliency Master Plan when determining benefit-to-cost ratios. I am confident that the answer will be yes. This study is an important step to get us there.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BABIN).

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. BOST

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in part A of House Report 115-711.

Mr. BOST. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ COST AND BENEFIT FEASIBILITY ASSESSMENT.**

(a) **COST BENEFIT AND SPECIAL CONDITIONS.**—Section 5(a) of the Act of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), as amended by this Act, is further amended by striking paragraph (2) and inserting the following:

“(2) **COST AND BENEFIT FEASIBILITY ASSESSMENT.**—

“(A) **CONSIDERATION OF BENEFITS.**—In preparing a cost and benefit feasibility assess-

ment for any emergency project described in paragraph (1), the Chief of Engineers shall consider the benefits to be gained by such project for the protection of—

“(I) residential establishments;

“(ii) commercial establishments, including the protection of inventory; and

“(iii) agricultural establishments, including the protection of crops.

“(B) **SPECIAL CONDITIONS.**—

“(i) The Chief of Engineers may carry out repair or restoration work described in paragraph (1) that does not produce benefits greater than cost, if the non-Federal sponsor agrees to pay, or contribute to, an amount sufficient to make the remaining costs of the project equal to the estimated value of the benefits of the repair or restoration work and the Secretary determines the damage to the structure was not as a result of negligent operation and maintenance, and that repair of the project could benefit other Corps project missions.

“(ii) Non-Federal payments pursuant to clause (i) shall be in addition to any non-Federal payments required by the Chief of Engineers which are applicable to the remaining costs of the repair or restoration work.”.

(b) **CONTINUED ELIGIBILITY.**—Notwithstanding a non-Federal flood control work's status in the Rehabilitation and Inspection Program, any unconstructed emergency project for the non-Federal flood control work that was formulated during the three fiscal years preceding the fiscal year in which this Act was enacted but that was determined to not produce benefits greater than costs shall remain eligible for assistance under Section 5 of the Act of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C. 701n) until the last day of the third fiscal year following the fiscal year in which this Act was enacted if the non-Federal sponsor agrees, in accordance with section 5 as amended by subsection (a) of this section, to pay, or provide contributions equal to, an amount sufficient to make the remaining costs of the project equal to the estimated value of the benefits of the repair or restoration work and the Secretary determines the damage to the structure was not as a result of negligent operation and maintenance, and that repair of the project could benefit other Corps project missions.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Illinois (Mr. BOST) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. BOST. Madam Chair, I wish to thank Chairman SHUSTER and Ranking Member DEFAZIO for their support of the amendment.

The purpose of this amendment is to help local communities recover from flood disasters. Under current law, the U.S. Army Corps of Engineers can only repair a non-Federal levee if the flood protection benefit outweighs the cost. However, the standard can't always be met, especially in rural communities, with specific economic and demographic changes.

□ 1645

The Len Small Levee in southern Illinois is a perfect example. The levee breached in the winter floods of January 2016. Several thousand acres of infrastructure and agriculture land were destroyed when the levee gave way. The Corps estimated the cost of repairing the levee would be higher than its

flood protection benefits, leaving local residents with no recourse.

My amendment provides new hope in my district and elsewhere. It allows local sponsors to pay the difference between the cost of repairing a levee and its projected flood protection benefits.

My amendment does not increase the Federal Government's share of the costs for repairs. Let me repeat that. My amendment does not increase the Federal Government's share of the costs of the repairs. This is a fiscally responsible way to give a lifeline to rural communities struggling to rebuild after a disaster.

The amendment is supported by the National Waterways Conference and the American Farm Bureau.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Chair, I ask unanimous consent to claim the time in opposition, although I don't plan to oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Madam Chair, this amendment is designed to largely address, I think, a flaw that this underlying bill addresses in the cost-to-benefit ratio calculations used by the Corps of Engineers, by OMB, and others.

This particular amendment is focused on emergency repairs. What this does is it allows the non-Federal entities to pay a higher non-Federal cost share for repairs to levees.

There are many issues with how OMB and the Corps calculate cost-to-benefit ratios. This is a fix for emergency repairs while we work on the underlying bill for the larger fixes.

Madam Chair, I want to thank Mr. BOST for offering this amendment. We are prepared to accept it. I urge adoption, and I yield back the balance of my time.

Mr. BOST. Madam Chair, I thank the gentleman for his support of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. BOST).

The amendment was agreed to.

AMENDMENT NO. 25 OFFERED BY MR. HECK

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part A of House Report 115-711.

Mr. HECK. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ . STUDY ON STORMWATER RUNOFF REQUIREMENTS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States

shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study on the compliance of projects and properties constructed or renovated by the Corps of Engineers with stormwater runoff requirements.

(b) REQUIREMENTS.—The study under subsection (a) shall include an analysis of—

(1) the extent to which the Corps of Engineers has complied with section 439 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17094) for projects and properties constructed or renovated since February 1, 2010;

(2) the feasibility of the Corps of Engineers to meet the requirement to restore the predevelopment hydrology of properties under the “maximum extent technically feasible” standard created under the Energy Independence and Security Act of 2007;

(3) potential changes to the Corps of Engineers’ budgeting, planning, design, construction, and maintenance strategies that could increase the agency’s ability to meet the requirement described in paragraph (2);

(4) potential changes to the guidance described in the Technical Guidance on Implementing the Stormwater Runoff Requirements for Federal Projects under section 438 of the Energy Independence and Security Act, issued by the Environmental Protection Agency and dated December 2009, that could increase the Corps of Engineers’ ability to meet the requirement described in paragraph (2).

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK. Madam Chair, my amendment is simply about making sure the Federal Government is setting the example in leading the way in addressing the single largest source of water pollution in America, which is stormwater runoff.

Most of us probably don't think about it, but, frankly, when rain falls—and it does a lot in my neck of the woods—and flows through our streets, it picks up all sorts of pollutants. We are talking about some really nasty stuff, frankly: toxic chemicals like arsenic and flame retardants, as well as oils and pesticides. This stormwater hurts our lakes, rivers, and waterways. In fact, in many bodies of water, it accounts for 80 percent of the pollution.

It not only hurts our environment. Just as importantly, it hurts our businesses that depend on clean water, as an example, Washington's shellfish industry, which employees literally thousands of people.

There are probably no places in America that are more impacted by stormwater runoff than in my home on the Puget Sound, which is the largest estuary in the United States. Studies by the Washington Stormwater Center in Puyallup, Washington, have shown that stormwater can kill a salmon within hours. They have time-lapsed films. But you don't have to watch them in time lapse because it happens that quickly.

Salmon and other fish are our way of life in Washington, and we are talking

major business impact—a \$30 billion economy.

Salmon also serve as a vital resource of immeasurable value to the 19 federally recognized Tribes in Puget Sound. They are the Salmon People, and salmon—chinook salmon, specifically—are also the prey of choice for our beloved southern resident orcas, which we are precariously close to losing altogether. There are fewer today than when they were listed under the Endangered Species Act many years ago.

So, if we fail to address the problem posed by stormwater, these resources will continue to decline, and our region will lose irreplaceable icons of life in the Pacific Northwest.

Now, granted, we are doing a lot to address this threat already, but it is nowhere near enough. If we are going to truly address the problem, then the Federal Government needs to set the example.

The good news is that Congress already knows this and acknowledges this because, in 2007, this body passed a law which requires Federal agencies to reduce stormwater runoff when they develop or redevelop property. That is just a commonsense requirement.

Since it was enacted over a decade ago, there has been no accountability for Federal agencies to show they are meeting these standards. So this brings us to my amendment. It would simply direct the GAO to study whether the Army Corps of Engineers has been able to meet these stormwater runoff mitigation requirements, and if they aren't, what changes they can make to improve their ability to meet them.

Madam Chair, if we are going to help our businesses and communities impacted by stormwater runoff, it is vitally important that the Federal Government set the example and lead the way.

Madam Chair, I urge adoption of the amendment, and I yield back the balance of my time.

Mr. GRAVES of Louisiana. Madam Chair, I ask unanimous consent to claim the time in opposition, although I don't plan to oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Madam Chair, this amendment directs the Comptroller General to conduct a study and report on the Army Corps of Engineers' ability to comply with Federal stormwater requirements. This is an issue that affects districts across the United States.

I want to thank the gentleman from Washington for bringing this amendment up, for raising this issue, and we are prepared to accept it.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HECK).



The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO RICO

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part A of House Report 115-711.

Miss GONZÁLEZ-COLÓN of Puerto Rico. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ SENSE OF CONGRESS RELATING TO PUERTO RICO.**

(a) WATER RESOURCE PROJECTS IN PUERTO RICO.—It is the sense of Congress that the Corps of Engineers should proceed with a sense of urgency, and viewing requirements in the most favorable light, in evaluating and programming the actions to be taken to complete current phases, initiate pending phases, and prepare the reports necessary to proceed with the water resources projects necessary for flood control, dam repair, beach erosion control, and harbor navigation improvement in Puerto Rico, as well as for repair and mitigation required by hurricane and severe weather event damages that occurred between September 2017 and March 2018.

(b) CAÑO MARTÍN PEÑA ECOSYSTEM RESTORATION PROJECT.—It is the sense of Congress that the Secretary should advance the project for ecosystem restoration, Caño Martín Peña, San Juan, Puerto Rico.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Puerto Rico.

Miss GONZÁLEZ-COLÓN of Puerto Rico. Madam Chair, this amendment calls on the Army Corps of Engineers to consider urgently and favorably those projects and proposals pending before them for flood control, dam repair, beach erosion, and harbor navigation in Puerto Rico, as well as for the repair and mitigation required in the aftermath of Hurricanes Irma and Maria and, more specifically, that the Secretary should advance the project for ecosystem restoration at Cano Martín Peña in San Juan.

Between projects that had been proposed or planned before the disaster and those resulting from the disaster, the Army Corp of Engineers has before its consideration over 45 different projects or proposals for flood and erosion control for protection of life and property on the island. These projects are in all sorts of phases, from initial studies to planning, to pending construction start, to waiting for the next phase to be funded, and to inactive projects that may be reactivated.

While we wait for decisions, we have towns like Toa Baja where, during the last hurricane in September, more than 12,000 families were flooded out of their homes. Every decade, that kind of town suffers losses from different kinds of floods while there is a project already designed and approved that could have greatly mitigated that kind of a hazard

and by now would have cost less than the accumulated losses from the last hurricane.

Those are the kinds of projects that are already approved by the Army Corps in that part of this amendment. In Ciales and Guayanilla, the mayors have gathered the studies and plans, but it has not yet been made part of the Corps schedule.

Among the works that merit special attention is the Cano Martín Peña Project, which has been an example of community partnership and has been an important part of the Corps' program in Puerto Rico, for the ecosystem restoration, protection of lives in the community, and control of flooding in an area that extends from the San Juan business district to the international airport.

The community has been an outstanding local partner, showing great drive to move forward their part of the program, but the project has been very slow because of the limited funding by phases.

It is important at this point in time as we face a new hurricane season that our people get the sense of urgency from the Federal Government. When you know that the next storm is coming and danger is on the horizon, you will also want to know that the necessary work has been done. That is the reason this amendment is so important, and that is the reason I encourage all my colleagues to support this amendment.

Madam Chair, I yield back the balance of my time.

Mr. GRAVES of Louisiana. Madam Chair, I ask unanimous consent to claim the time in opposition, although I don't plan to oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting Chair. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Madam Chair, this amendment expresses the sense of Congress that projects in Puerto Rico in the aftermath of Hurricanes Irma and Maria be expedited, that these be considered a priority, and that the Corps of Engineers advance these projects as quickly as possible.

My friend from Puerto Rico hosted myself, Mr. DeFAZIO, Chairman SHUSTER, and others in Puerto Rico in the aftermath of the storms, and certainly the devastation there was extraordinary.

It is important to advance projects like this because as folks are looking at whether they are going to reinvest back in their communities, whether they are going to stay in their communities, whether they are going to rebuild their homes and businesses, knowing that things aren't going to be back in the same degree of vulnerability is very important.

We have got to send a message to these victims of hurricanes in 2017 and other disasters that these communities

are going to be built back smarter, they are going to be safer, and the investments they are putting back in their homes and businesses are wise investments.

I want to thank the gentlewoman for offering this amendment. I want to thank her for her tireless work in the recovery of Puerto Rico. We are prepared to accept, and I urge adoption of the amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

The amendment was agreed to.

AMENDMENT NO. 27 OFFERED BY MR. GIBBS

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part A of House Report 115-711.

Mr. GIBBS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ DREDGED MATERIAL MANAGEMENT PLANS.**

(a) IN GENERAL.—For purposes of dredged material management plans initiated in or after fiscal year 2018, the Secretary shall expedite the dredged material management plan process in order that studies make maximum use of existing information, studies, and innovative dredged material management practices, and avoid any redundant information collection and studies.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall submit to Congress a report on how the Corps of Engineers intends to meet the requirements of subsection (a).

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Ohio (Mr. GIBBS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Madam Chair, my amendment would expedite the process the Army Corps of Engineers conducts to study and implement the dredged material management plans, or DMMPs.

In my home State of Ohio, the Port of Cleveland has had difficulty in recent years coming to a resolution with the Army Corps of Engineers over the disposal of dredged material from the Cuyahoga River's Federal navigation channel. While the channel depth is maintained each year, the uncertainty from year to year does not provide the confidence necessary to northeast Ohio's communities, and it does not give the Port of Cleveland the ability to conduct long-term planning without considerable and avoidable risks.

To help private and public entities working with the Army Corps on dredged material management plans, my amendment ensures the Army Corps works diligently with local partners to conduct the DMMPs in an efficient manner.

My amendment also directs the Army Corps of Engineers to consider

alternative uses for and creative tools to collect dredged material, lightening the load on contained disposal facilities and increasing their lifespan.

The Port of Cleveland and many entities across the country rely on these dredged material management plans. They should not have to wait as long as 4 years for these studies and plans to be completed.

In the Water Resources Reform and Development Act of 2014, we implemented a 3 by 3 by 3 rule in which studies should cost no more than \$3 million, take no longer than 3 years, and include the district, division, and headquarters staff concurrently. When DMMPs are developed, they should be held to the 3 by 3 by 3 rule.

Madam Chair, I offer this amendment to provide a timely process for DMMP planning and implementation. I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Chair, I ask unanimous consent to claim the time in opposition, although I don't plan to oppose the amendment.

The Acting CHAIR (Mr. BARTON). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

□ 1700

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from Ohio for offering this amendment.

DMMP's dredged material management plans are plans to manage the sediment that results from dredging activities. It can hold up the navigation of channels for ships and vessels. It can obstruct activity at ports.

This is what the rest of the world would call common sense. It ensures that we are not collecting redundant information, we are building upon information that exists, and that we have a limit or goal of 2 years in completing this.

This makes sense. I want to thank the gentleman for bringing this amendment forth, which we are prepared to accept.

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

Mr. GIBBS. Mr. Chairman, I want to thank the chairman for his support. He is absolutely right. When these projects are held up, economic activity can be stifled. We saw this happen in Cleveland. So it is very important this be adopted in the Water Resources Development Act.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. GIBBS).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in part A of House Report 115-711.

AMENDMENT NO. 29 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part A of House Report 115-711.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. —. FEASIBILITY OF CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIERS PROJECT, ILLINOIS.**

Section 3061(d) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1121) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(2) OPERATION AND MAINTENANCE.—Operation and maintenance of any project authorized to be carried out pursuant to the feasibility study identified in paragraph (1) shall be carried out at 80 percent Federal expense and 20 percent non-Federal expense.

“(3) CONSULTATION.—After construction of any project authorized to be carried out pursuant to the feasibility study identified in paragraph (1), the Secretary shall consult with the Governor of the State in which the project is constructed and seek Congressional authority to construct any new technologies not included in the Chief's Report.”.

Page 52, after line 24, insert the following:

(21) Projects under the Great Lakes Mississippi River Interbasin Study Brandon Road Study.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Illinois (Mr. RODNEY DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, addressing the issue of aquatic invasive species has not always been one where all of the Great Lakes States have seen eye-to-eye on. However, this amendment reflects an agreement between myself and my good friend, Mr. MITCHELL, as well as our two States and our two Governors.

First, this amendment clarifies that the operation and maintenance of any project authorized subsequent to the Chief's Report for the Brandon Road Study is done at an 80-20 Federal/non-Federal cost share. For reference, O&M on the existing electrical barriers in place on the Illinois River is at 100 percent Federal expense, as was authorized by Congress. So with this language, we are making it clear that Illinois wants to have some skin in the game on this project.

In addition my amendment requires the Corps, following the construction of any project authorized subsequent to the Chief's Report for the Brandon Road Study, to consult with the Governor of the State where the project is located and seek congressional approval before constructing any additional technologies at the project in the future.

Finally, as part of the compromise worked out with my colleagues from Michigan and other Great Lakes States, my amendment directs the Corps to expedite the completion of the Brandon Road Study, which we expect to be completed by next February.

Now, let me be clear. It is no secret that the State of Illinois has had concerns with this project and its potential impact on our economy. The Illinois waterway is a critical artery for the movement of agricultural goods and other products that support our region's economy, and disruptions to commercial navigation could have negative repercussions to our ability to get those goods to market.

In addition, my home State of Illinois has taken significant steps to reduce the Asian carp population by using existing measures. In fact, the Illinois Department of Natural Resources recently reported in 2012 the State has reduced the Asian carp population by 93 percent. Much of this is due to the critical Great Lakes restoration initiative funding, which I continue to proudly support.

Yet, in an offer of good faith, our Governor has submitted a letter of intent for the State of Illinois to serve as the non-Federal sponsor, and I look forward to working with my colleagues and urging the support of this amendment.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, this amendment is the result of a lot of work between a number of Great Lakes members. I appreciate everyone's work and consensus on this important issue. I am prepared to accept the amendment.

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

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. MITCHELL), my good friend and partner on this amendment.

Mr. MITCHELL. Mr. Chairman, I rise to speak in support of the amendment of the gentleman from Illinois (Mr. RODNEY DAVIS). We worked hard on this amendment. It is the result of hard work and agreements between all interested parties, Governors across the Great Lakes, and Members of Congress throughout the Great Lakes basin.

The Brandon Road Lock and Dam is a lock and dam complex on the Des Plaines River in Joliet, Illinois. It is one of the last stops along the waterway before Lake Michigan and the entire Great Lakes system.

Unfortunately, Asian carp exists in that waterway as well. This invasive species getting into the Great Lakes

would do unfathomable damage to our economy and ecology not just in my State, but to the entire Great Lakes basin. We must stop the spread of Asian carp, and the Brandon Road Lock and Dam offers the best and last chance to do so.

I appreciate the assistance of my good friend from Illinois and the Governor of Illinois for recognizing the problem. Stakeholders and members on this waterway leading to the Great Lakes use it for commerce. Those on the Great Lakes basin prioritize its use to stop Asian carp. It is vital to understand that, and all sides must know and agree we have to achieve both objectives sooner than later.

This is a complex problem. That is why we have asked the Army Corps of Engineers to release their study as soon as possible. This study will advise Congress and the American people about what options we have, what effects they could have, and how effective preventive measures could be.

Like many things in government, this project has seen delays. The report has seen delays. Time is our enemy here and we cannot have the final report delayed any longer.

My section of the Davis-Mitchell amendment adds the Brandon Road Study to the list of expedited studies. By ensuring timely completion, we can move forward on whatever is recommended in order to achieve two things: effective commerce on the river, while ensuring Asian carp do not invade the Great Lakes.

I support the amendment, I ask my colleagues to do so, and I want to express my appreciation to Mr. DAVIS for all the hard work he has put into resolving what has been an issue for a long time here in Congress. Together, we have come up with a good amendment.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, again, I thank my good friend, Mr. MITCHELL. I would be remiss not to recognize my colleague from Illinois (Mr. LIPINSKI), who was very supportive. His efforts were very meaningful to this agreement.

Mr. Chairman, again, I hope that we can get this amendment accepted, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RODNEY DAVIS).

The amendment was agreed to.

AMENDMENT NO. 30 OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO RICO

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in part A of House Report 115-711.

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 52, after line 16, insert the following (and redesignate accordingly):

(17) Project for navigation, San Juan Harbor, Puerto Rico.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Puerto Rico.

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Chairman, this amendment is among the reports that the Corps of Engineers should expedite completion of. It is for the navigation project for San Juan Harbor.

This is another amendment for the release of a study that has been waiting for more than 12 years. These reports follow from a study authorized by a resolution of the House Committee on Transportation and Infrastructure on September 20, 2006. This is a project that has been approved and, according to the Corps, could enter the engineering and design phase within 1 or 2 years, once the reports and reviews are finally in.

It will increase the main channel depth to 44 feet and make it 100 feet wider, along with other modifications, to allow a safer and more efficient movement of traffic in the Harbor of San Juan and increasing economic activity at a time when the Puerto Rico economy needs every boost it can get. As everybody knows, during the last hurricane, the movement of ships was one of the biggest problems.

This would specifically be of importance in the case of a future emergency contingency. As we saw during the last year, one of the problems that arose was the congestion when needing to move those shipments. In the aftermath of hurricanes and flooding events, it becomes even more necessary, due to the incursion of debris and erosion from the surrounding bodies of water, which accelerate the natural deterioration of the harbor.

This is a project that has been approved and programmed. The amendment, again, is so that the reports on the studies performed over the many years will finally be completed so that the next stage of engineer and design can proceed. This is an infrastructure that needs to be up and running for the creation of American jobs and to prevent future damage.

I urge my colleagues to support this amendment. Remember, one of the main problems on the island is the energy situation. We are an island. So we are importing all of the coal and all of the oil. If we want to move to an LNG facility, we need to have a wider and a deeper port. This is one of those biggest efforts. If we got this kind of study, we can have those ports and have those ships coming from the States and have a better opportunity to improve our economy and have more goods and materials arriving to the island.

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

Mr. SHUSTER. Mr. Chairman, I rise in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I appreciate my colleague's work on this important issue, and I believe all of us understand the importance of restoring Puerto Rico. So I am prepared to accept this amendment at this time.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

The amendment was agreed to.

AMENDMENT NO. 31 OFFERED BY MR. LANCE

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in part A of House Report 115-711.

Mr. LANCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 52, after line 24, insert the following:  
(21) Project for ecosystem restoration, Warren Glen Dam Removal, Musconetcong River, New Jersey.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from New Jersey (Mr. LANCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. LANCE. Mr. Chairman, I yield myself such time as I may consume.

I rise today in support of the Lance-Gottheimer amendment to the Water Resources Development Act of 2018. I thank Chairman SHUSTER and his committee for the tremendous work they have done on the underlying bill.

This amendment would direct the Secretary of the Army to expedite the completion of the Warren Glen Dam Removal Feasibility Study in the Musconetcong River, an important waterway in the congressional district I serve.

The 30-foot-high, 150-foot-wide Warren Glen Dam is currently one of the largest and most detrimental dams on the Musconetcong River in the State of New Jersey. The dam poses downstream safety risks, worsening the quality of drinking water in the region. The dam also blocks migratory fish from the Delaware River, including shad, alewife and herring. In 1981, the Army Corps classified this dam as a hazard to public safety. It must be removed.

The Musconetcong River is an important natural resource in our region of the country, and is well recognized for its scenic beauty, environmental significance, and diversity of wildlife. The restoration of the Musconetcong watershed will improve the water quality by creating a stronger freshwater flow to push down the salt line to enhance the protection of drinking water.

Removing the Warren Glen Dam would also open an additional 5 miles

to the Musconetcong as a free-flowing river for migratory fish. The Musconetcong watershed has the potential to become an even greater site for outdoor recreation and wildlife.

Mr. Chair, I thank Mr. GORTHEIMER for joining me yet again on a bipartisan, problem-solving collaboration. I urge a "yes" vote on this amendment, and I reserve the balance of my time.

□ 1715

Mr. SHUSTER. Mr. Chair, I rise to claim time in opposition but do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman for offering this amendment. This amendment directs the Secretary to expedite the completion of a feasibility study, which the gentleman has so eloquently explained to us. I am prepared to accept this amendment, and I yield back the balance of my time.

Mr. LANCE. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. LANCE).

The amendment was agreed to.

AMENDMENT NO. 32 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in part A of House Report 115-711.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 52, after line 24, insert the following:  
(21) Project for flood control and water supply, Abiquiu Dam, New Mexico.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from New Mexico (Mr. BEN RAY LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chair, I would like to recognize the leadership of Chairman SHUSTER, Ranking Member DEFAZIO, and my friend and colleague, Mr. LARSEN.

Mr. Chairman, the amendment I have at the desk today will help start a Federal process in providing additional flexibility for storage of native and San Juan-Chama water to benefit the Middle Rio Grande region.

The Albuquerque Bernalillo County Water Utility Authority has been working for more than 5 years to obtain congressional authorization to increase storage in Abiquiu Reservoir by about 35,000 acre-feet. This will provide greater and much-needed flexibility for water operations to support municipal, agricultural, and environmental purposes.

This amendment starts that process by expediting the feasibility study for

Abiquiu Dam. According to the New Mexico Interstate Stream Commission, the added storage will also provide opportunities to benefit acequias in northern New Mexico, many of which have the oldest water rights in the Rio Grande basin, but do not have any ability to store water for use in drought years; management of operations in the Middle Rio Grande for Endangered Species Act compliance; and for the Rio Grande Compact compliance for the State of New Mexico.

This project is supported by the Bureau of Reclamation, the Corps of Engineers, the Fish and Wildlife Service, the Bureau of Land Management, WildEarth Guardians, the Nature Conservancy, the Audubon New Mexico, the city and county of Santa Fe, the New Mexico Interstate Stream Commission, the Middle Rio Grande Conservancy District, Rio Arriba County, and the Rio Chama Acequia Association.

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

Mr. SHUSTER. Mr. Chair, I rise to claim time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, this amendment directs the Secretary, as he explained, to expedite the reports to the project for the Abiquiu Reservoir.

I know this is an important project to New Mexico. I am prepared to accept the amendment at this time, and I yield back the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chair, I urge adoption of this amendment so that these communities can move forward with this critical project, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN).

The amendment was agreed to.

AMENDMENT NO. 33 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in part A of House Report 115-711.

Mr. LARSEN of Washington. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, line 1, strike "\$3,000,000,000" and insert "\$3,025,000,000".

Page 57, line 24, strike "\$3,000,000,000" and insert "\$3,025,000,000".

At the end of title III, add the following:

SEC. \_\_\_\_ . PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2675) is amended—

(1) by striking "\$40,000,000" and inserting "\$60,000,000"; and

(2) by striking "\$5,000,000" and inserting "\$10,000,000".

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman

from Washington (Mr. LARSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. LARSEN of Washington. Mr. Chair, I rise in support of my amendment, No. 33, to H.R. 8 to improve available resources for the Puget Sound Adjacent Waters Restoration program, also known as PSAW.

The Puget Sound and the waters and wildlife that call it home are cornerstones of Washington State's cultural identity, maritime economy, and environment. As the Nation's largest estuary, a healthy Puget Sound is essential to supporting over 3,000 shellfish jobs and generating an estimated \$184 million in revenue annually.

Every EPA dollar spent on Puget Sound recovery efforts have leveraged more than \$24 in matching funds from State, local, and tribal partners. The PSAW program supports critical ecosystem restoration projects across 15,000 square miles of northwest Washington State, the Puget Sound drainage basin, and the Strait of Juan de Fuca.

The program is part of the larger Puget Sound Nearshore Ecosystem Restoration Project to restore and protect salmon habitat throughout the Sound, especially for endangered chinook and steelhead.

My amendment doubles the per-project funding cap for PSAW projects to \$10 million and raises the overall authorization level for the program by \$20 million. As a result, critical Sound nearshore restoration projects in Washington State would be eligible for PSAW funding. Increasing available funds on a project-by-project basis will ensure that the PSAW program is consistent with the Aquatic Ecosystem Restoration Program cap.

Recently, the CBO did an analysis of the amendment and found it will have little to no direct impact on the budget.

Mr. Chair, a special thanks to Chairman SHUSTER and Ranking Member DEFAZIO for their leadership on this measure as well. I am pleased that we are moving forward on WRDA legislation that invests in the Nation's ports, channels, waterways, and other critical infrastructure to keep the U.S. maritime system competitive.

Maintaining the regular 2-year authorization of this legislation is critical to the Nation's economy and will encourage new, good-paying jobs in the Pacific Northwest. I urge my colleagues to support my amendment to continue the robust Federal investment and stewardship needed to save the Sound.

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

Mr. SHUSTER. Mr. Chair, I claim time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman for offering this amendment.

I was unclear about what this amendment did. Back home, I have a constituent by the name of Carson Frank. I went back and I talked to Carson about this bill, and he explained to me that this is consistent with section 206 of the Aquatic Ecosystem Restoration Project and raises all the authorization levels. So I thank Carson from my home State of Pennsylvania for explaining this to me.

I am happy to support the gentleman's amendment so that this project will be completed in a timely fashion.

Mr. Chair, I am prepared to accept the amendment at this time, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. LARSEN).

The amendment was agreed to.

AMENDMENT NO. 34 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 34 printed in part A of House Report 115-711.

Mr. KEATING. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following:

**SEC. \_\_\_\_ . PLYMOUTH HARBOR, MASSACHUSETTS.**

Not later than December 31, 2019, the Secretary shall expedite and complete the dredging of Plymouth Harbor, Massachusetts, as authorized by the Act of March 4, 1913 (37 Stat. 802, chapter 144) and the Act of September 22, 1922 (42 Stat. 1038, chapter 427).

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chair, this amendment would direct the Army Corps to expedite and complete dredging in Plymouth Harbor in time for the 400th anniversary celebration of the Mayflower landing in Plymouth and Provincetown, Massachusetts.

This is a huge international event that will attract people from all over the world, particularly from Britain—including Plymouth, England—and it is going to be a significant revenue producer for our Commonwealth but also for our country.

The 2020 anniversary is a proud milestone for our country as we commemorate the 400th anniversary of the successful settlement of Plymouth by the Pilgrims; the essential contributions of the Aquinnah and Mashpee Wampanoag tribes; and the number of key events that followed, including the signing of the Mayflower Compact, the 50-year Plymouth Pilgrim-Wampanoag peace treaty, and of course, the first Thanksgiving.

For my entire time in Congress, I have worked closely with my constitu-

ents to prepare for this Plymouth 400 event.

The Plymouth Harbor dredging project has always been a cornerstone to these preparations. A centerpiece of the anniversary will be the return of the fully restored Mayflower Two, a full-scale replica of the original ship that brought the Pilgrims to Cape Cod in 1620. However, the Mayflower Two cannot return to her home in Plymouth Harbor unless much-needed dredging is completed by that time.

Further, we anticipate a maritime salute to mark the return of the Mayflower Two as part of the commemoration. We also expect significant uptick in corresponding maritime traffic.

The amendment is part of a final piece to ensure that 2020 will be a memorable year for our community and our country, and I look forward to the completion of this project and all the good that will follow.

This is something that is critical not only in terms of the event but making sure there is safe navigation, which we will have to be able to, in some way, counter the influx of marine traffic as well.

Mr. Chairman, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chair, I claim time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I appreciate the gentleman offering this amendment that does direct the Army Corps to expedite the complete dredging in Plymouth Harbor, Massachusetts.

I know this project is important to the gentleman and to the State, so I am prepared to accept the amendment at this time, and I yield back the balance of my time.

Mr. KEATING. Mr. Chair, I just want to thank the chairman for his help working with this, and I want to say, you are welcome. In 2020, come be part of the celebration. It is so integral to our country, and it is something that will, I think, be a great revenue producer as well.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT NO. 35 OFFERED BY MR. JOYCE OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in part A of House Report 115-711.

Mr. JOYCE of Ohio. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following:

**SEC. \_\_\_\_ . BRANDON ROAD STUDY.**

The Secretary shall complete a final feasibility report for the Great Lakes Mississippi River Interbasin Study Brandon Road Study, authorized under section 3061(d) of the Water Resources Development Act of 2007 (121 Stat. 1121) and section 1538(b)(1) of MAP-21 (Public Law 112-141; 126 Stat. 586) by the original deadline of February 2019.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Ohio (Mr. JOYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JOYCE of Ohio. Mr. Chair, I thank Chairman SHUSTER for his tireless work on this bill and for the fantastic job he has done throughout his career as the chairman of the Transportation and Infrastructure Committee. Our Nation owes him a lot for his fine work.

My amendment requires the Army Corps to complete its final report for the Brandon Road Study by February 2019, which is the originally established deadline. The purpose of the Brandon Road Study is to evaluate options and technologies near the Brandon Road Lock and Dam site to prevent aquatic invasive species from reaching the Great Lakes; in particular, the Asian carp.

The study began in 2015. We were supposed to see the draft report by January of last year. It was delayed 6 months. We cannot afford any more delays. The sooner the final report is released, the sooner we can begin to implement methods and technologies that will keep the invasive Asian carp out of the lakes, which account for more than 20 percent of the world's fresh surface water supply.

Asian carp would devastate the ecosystem and the economy of the Great Lakes region. Studies show the impacts would include declines in native fish species and a one-third reduction of the total fish weight in Lake Erie.

We need to ensure that the Brandon Road Study is released by the February of 2019 deadline so we can move forward with the recommendations from the study and stop the invasive Asian carp from infiltrating one of the Nation's most critical water resources.

Mr. Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chair, I claim time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman for offering this amendment. The amendment, as he explained, directs the Secretary to complete the final feasibility report for the Great Lakes Mississippi River study on the Brandon Roads by next February.

Keeping this study on track is important. I understand my colleague's concern about not having it drag on without conclusion. I really appreciate the gentleman for offering this.

Mr. Chair, I am prepared to accept the amendment, and I yield back the balance of my time.

Mr. JOYCE of Ohio. Mr. Chairman, I urge the support of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JOYCE).

The amendment was agreed to.

□ 1730

AMENDMENT NO. 36 OFFERED BY MR. BISHOP OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part A of House Report 115-711.

Mr. BISHOP of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ LAND CONVEYANCE.**

(a) IN GENERAL.—On the date of enactment of this Act, the Secretary of the Army shall convey to the City of Bainbridge, Georgia, without monetary consideration and subject to subsection (b), all right, title, and interest in and to real property described in subsection (c).

(b) TERMS AND CONDITIONS.—

(1) IN GENERAL.—The conveyance by the United States under this subsection shall be subject to—

(A) the condition that the City of Bainbridge agree to operate, maintain, and manage the property for fish and wildlife, recreation, and environmental purposes at no cost or expense to the United States; and

(B) such other terms and conditions as the Secretary determines to be in the interest of the United States.

(2) REVERSION.—If the Secretary determines that the real property conveyed under paragraph (1) ceases to be held in public ownership or the city ceases to operate, maintain, and manage the real property in accordance with this subsection, all right, title, and interest in and to the property shall revert to the United States, at the option of the Secretary.

(c) PROPERTY.—The property to be conveyed is composed of the following 3 parcels of land:

(1) PARCEL 1.—All that tract or parcel of land lying and being in Land Lots 226. and 228, Fifteenth Land District, and Land Lots 319, 320, 321, 322, 323 and 358, Twentieth Land District, Decatur County, Georgia, more particularly described as follows:

Beginning at a concrete monument stamped “358” which is 950 feet, more or less, North of the South line and 600 feet, more or less, West of the East line of said Land Lot 358, at a corner of a tract of land owned by the United States of America at Lake Seminole and at plane coordinate position North 318,698.72 feet and East 360,033.38 feet based on Transverse Mercator Projection, Georgia West Zone;

Thence Due West 75 feet, more or less, to the contour at elevation 77.0 feet above Mean Sea Level;

Thence Northeasterly along the meanders of said 77.0 foot contour a distance of 20,600 feet, more or less, to the mouth of the entrance channel to the arena and boat basin;

Thence N 75° E 150 feet, more or less, to another point on said 77.0 foot contour;

Thence Northeasterly along the meanders of said 77.0 foot contour a distance of 3,300

feet, more or less, to a point which is on the boundary of said United States tract and on the boundary of a tract of land now or formerly owned by the City of Bainbridge, Georgia;

Thence along the boundary of said United States tract the following courses:

S 10° 52' E along the boundary of said City of Bainbridge tract 830 feet, more or less, to a corner of said tract;

S 89° 45' E along the boundary of said City of Bainbridge tract 700 feet, more or less, to a concrete monument stamped “J1A”, co-ordinates of said monument being North 328,902.34 feet and East 369,302.33 feet;

S 22° 25' W 62 feet, more or less, to a corner of another tract of land owned by the City of Bainbridge, Georgia;

S 88° 07' W along the boundary of said City of Bainbridge tract 350 feet, more or less to a corner of said tract;

N 84° 00' W along the boundary of said City of Bainbridge tract 100.5 feet to a corner said tract;

S 88° 07' W along the boundary of said City of Bainbridge tract 300.0 feet to a corner of said tract;

S 14° 16' W along boundary of said City of Bainbridge tract 89.3 feet to a corner of said tract;

Southwesterly along the boundary of said City of Bainbridge tract which is along a curve to the right with a radius of 684.69 feet an arc distance of 361.8 feet to a corner of said tract;

S 30° 00' W along the boundary of said City of Bainbridge tract 294.0 feet to a corner of said tract;

S 10° 27' W along the boundary of said City of Bainbridge tract 385.0 feet to a corner of said tract;

N 73° 31' W 38 feet, more or less, to a concrete monument;

S 16° 25' W 563.7 feet to a concrete monument stamped “J7A”;

S 68° 28' W 719.5 feet to a concrete monument stamped “J9A”;

S 68° 28' W 831.3 feet to a concrete monument stamped “J12A”;

S 89° 39' E 746.7 feet to a concrete monument stamped “J11A”;

S 01° 22' W 80.0 feet to a concrete monument stamped “J11B”;

N 89° 39' W 980.9 feet to a concrete monument stamped “J13A”;

S 01° 21' W 560.0 feet to a concrete monument stamped “J15A”;

S 37° 14' W 1,213.0 feet;

N 52° 46' W 600.0 feet;

S 37° 14' W 1,000.0 feet;

S 52° 46' E 600.0 feet;

S 37° 14' W 117.0 feet to a concrete monument stamped “320/319”;

S 37° 13' W 1,403.8 feet to a concrete monument stamped “322/319”;

S 37° 13' W 2,771.4 feet to a concrete monument stamped “322/323”;

S 37° 13' W 1,459.2 feet;

N 89° 04' W 578.9 feet;

S 53° 42' W 367.7 feet;

S 43° 42' W 315.3 feet;

S 26° 13' W 654.9 feet, more or less, to the point of beginning.

Containing 550.00 acres, more or less, and being a part of Tracts L-1105 and L-1106 of Lake Seminole.

(2) PARCEL 2.—All that tract or parcel of land lying and being in Land Lot 226, Fifteenth Land District, Decatur County, Georgia, more particularly described as follows:

Beginning at a point which is on the East right-of-way line of the Seaboard Airline Railroad, 215 feet North of the South end of the trestle over the Flint River, and at a corner of a tract of land owned by the United States of America at Lake Seminole;

Thence Southeasterly along the boundary of said United States tract which is along a curve to the right a distance of 485 feet, more or less, to a point which is 340 feet, more or less, S 67° 00' E from the South end of said trestle, and at a corner of said United States tract;

Thence N 70° 00' E along the boundary of said United States tract 60.0 feet to a corner of said tract;

Thence Northerly along the boundary of said United States tract which is along a curve to the right a distance of 525 feet, more or less, to a corner of said tract;

Thence S 05° 00' W along the boundary of said United States tract 500.0 feet to a corner of said tract;

Thence Due West along the boundary of said United States tract 370 feet, more or less, to a point which is on the East right-of-way line of said railroad and at a corner of said United States tract;

Thence N 13° 30' W along the boundary of said United States tract which is along the East right-of-way line of said railroad a distance of 310 feet, more or less, to the point of beginning.

Containing 3.67 acres, more or less, and being all of Tract L-1124 of Lake Seminole.

Parcels 1 and 2 contain in the aggregate 553.67 acres, more or less.

(3) PARCEL 3.—All that tract or panel of land lying and being in Land Lot 225, Fifteenth Land District, Decatur County, Georgia, more particularly described as follows:

Beginning at an iron marker designated “225/226”, which is on the South line and 500 feet, more or less, West of the Southeast corner of said Land Lot 225 at a corner of a tract of land owned by the United States of America at Lake Seminole and at plane coordinate position North 330,475.82 feet and East 370,429.36 feet, based on Transverse Mercator Projection, Georgia West Zone;

Thence Due West along the boundary of said United States tract a distance of 53.0 feet to a monument stamped “225/226-A”;

Thence continue Due West along the boundary of said United States tract a distance of 56 feet, more or less, to a point on the East bank of the Flint River;

Thence Northerly, upstream, along the meanders of the East bank of said river a distance of 1,200 feet, more or less, to a point which is on the Southern right-of-way line of U.S. Highway No. 84 and at a corner of said United States tract;

Thence Easterly and Southeasterly along the Southern right-of-way line of said highway, which is along the boundary of said United States tract a distance of 285 feet, more or less, to a monument stamped “L-23-1”, the coordinates of said monument being North 331,410.90 and East 370,574.96;

Thence S 02° 25' E along the boundary of said United States tract a distance of 650.2 feet to a monument stamped “225-A”;

Thence S 42° 13' E along the boundary of said United States tract a distance of 99.8 feet to a monument stamped “225”;

Thence S 48° 37' W along the boundary of said United States tract a distance of 319.9 feet, more or less, to the point of beginning.

Containing 4.14 acres, more or less, and being all of Tract L-1123 of the Lake Seminole Project.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Georgia (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BISHOP of Georgia. Mr. Chairman, I thank the chairman for yielding.



I would like to thank Chairman SHUSTER and the committee staff for all of their assistance in helping to get this matter to the floor for consideration.

This amendment would convey three parcels of land known as the Earle May Recreational Area from the Army Corps of Engineers to the city of Bainbridge, Georgia.

Mr. Chairman, the Earle May Recreational Area is vitally important to the city of Bainbridge, Georgia. The city has had a long-term lease from the Army Corps of Engineers, and it has invested nearly \$150 million in improvements to this area for public use. These investments include a \$25 million water control plant, several sporting complexes, and many other facilities that attract visitors.

It is a destination for people from across the Southeast for its unique beauty and the recreational opportunities that are offered by the Flint River.

Continued improvements, however, could be done much more efficiently if the land were conveyed from the Army Corps to the city of Bainbridge. Since the original lease was initiated in 1980, any improvements that the city attempted to make had to undergo the very long and arduous process that the Army Corps of Engineers utilizes, and, therefore, it increased substantially the cost to the city, as well as the bureaucratic delays that occurred.

By transferring this land to the people of the city of Bainbridge, I am confident that a proper balance can be struck between the city and the Army Corps, and it will facilitate the recreational activities on the Flint River as well as navigation and flood control.

I would like to thank the chairman for his assistance and for agreeing to accept this amendment, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for offering this amendment. I appreciate his work on the issue, and I urge all my colleagues to support this amendment.

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

Mr. BISHOP of Georgia. Mr. Chairman, I thank the gentleman, and I ask my colleagues in the House and I urge their support of the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BISHOP).

The amendment was agreed to.

AMENDMENT NO. 37 OFFERED BY MR. BLUM

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in part A of House Report 115-711.

Mr. BLUM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . CEDAR RIVER, CEDAR RAPIDS, IOWA.**

The Secretary shall expedite completion of the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 7002(2) of the Water Resources Development Act of 2014 (128 Stat. 1366).

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Iowa (Mr. BLUM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. BLUM. Mr. Chairman, I rise today in support of my amendment that prioritizes the completion of the flood mitigation project on the Cedar River in the First District of Iowa.

Ten years ago this week, Cedar Rapids, Iowa, experienced a devastating flood that resulted in billions of dollars' worth of damage. In 2014, Congress authorized the Army Corps of Engineers to complete a flood risk mitigation project on the Cedar River to prevent future floods. Two years ago, in the midst of another historic flood in Cedar Rapids, the 2016 WRDA included my amendment that prioritized the completion of the Cedar Rapids project. However, we are having the same discussion 2 years later for the 2018 WRDA.

The Federal Government has let down my constituents in Cedar Rapids and has not fulfilled its duty to provide the necessary resources to complete the flood mitigation project to protect this city. Working with my Iowa colleagues in the House and the Senate, I have attended countless meetings and sent numerous letters to the Army Corps and the Office of Management and Budget urging movement on this most important project, but it has yet to start.

It is past time the government fulfills its promise to my constituents in Iowa. This project is shovel ready, and Cedar Rapadians deserve completion to protect this vibrant city from future natural disasters.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for offering this amendment. This is an important project for Cedar Rapids, Iowa. We have had many discussions about it. I am prepared to accept the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. BLUM).

The amendment was agreed to.

AMENDMENT NO. 38 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in part A of House Report 115-711.

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ . CORPS OF ENGINEERS BRIDGE REPAIR AND DIVESTITURE PROGRAM FOR NEW ENGLAND EVACUATION ROUTES.**

Subject to the availability of appropriations, the Secretary may repair or replace, as necessary, any bridge owned and operated by the Secretary that is—

(1) located in any of the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and

(2) necessary for evacuation during an extreme weather event.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, this amendment would grant the Army Corps of Engineers the authority to repair or replace any Army Corps bridge that is necessary for evacuation during extreme weather or natural disaster in New England.

In my district, Mr. Chairman, the Bourne and Sagamore bridges represent the only roads for crossing the Cape Cod Canal by car. These bridges, owned by the Army Corps, have long reached the end of their working lives. In fact, the Army Corps is already spending a significant amount of funds just to keep the traffic on the bridges moving. Anyone who has gone there in the summer and experienced that can well attest to that.

We cannot risk the safety of those vital roadways at any time, let alone at a time of an emergency. As the Corps already knows, it is important that we recognize that the canal bridges and other critical evacuation infrastructure across the Nation play a fundamental role in providing for the public safety of countless Americans. Much of this State and local work required to ensure the long-term safety of the canal bridges is already under way.

I have also been working closely with the Army Corps leadership in New England and in Washington to ensure that the funding necessary for the safest, most resilient evacuation routes remains a priority.

This amendment would authorize the Army Corps to continue down the path towards long-term safety for the people in my region, the people in New England, and, importantly, the over half a million people that the population swells to just in that small area over the summer months. For that reason, I ask my colleagues to support this bill, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for offering this amendment that clarifies the Army Corps' authority to repair the Sagamore and Bourne bridges. This will help ensure the people can safely evacuate during an emergency situation. It is important to Massachusetts.

I thank the gentleman for offering the amendment. I am prepared to accept the amendment, and I yield back the balance of my time.

Mr. KEATING. Mr. Chairman, I thank the chairman again for his cooperation. This is a vital matter of public safety going forward, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT NO. 39 OFFERED BY MRS. MCMORRIS RODGERS

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in part A of House Report 115-711.

Mrs. MCMORRIS RODGERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_\_. PORT OF WHITMAN COUNTY.**

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term "Federal land" means the approximately 288 acres of land situated in Whitman County, Washington, contained within Tract D of Little Goose Lock and Dam.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means a tract or tracts of land owned by the Port of Whitman County, Washington, that the Secretary determines, with approval of the Washington Department of Fish and Wildlife and the Secretary of the Interior acting through the Director of the United States Fish and Wildlife Service, equals or exceeds the value of the Federal land both as habitat for fish and wildlife and for recreational opportunities related to fish and wildlife.

(b) LAND EXCHANGE.—On conveyance by the Port of Whitman County to the United States of all right, title, and interest in and to the non-Federal land, the Secretary of the Army shall convey to the Port of Whitman County all right, title, and interest of the United States in and to the Federal land.

(c) DEEDS.—

(1) DEED TO NON-FEDERAL LAND.—The Secretary may only accept conveyance of the non-Federal land by warranty deed, as determined acceptable by the Secretary.

(2) DEED TO FEDERAL LAND.—The Secretary shall convey the Federal land to the Port of Whitman County by quitclaim deed and subject to any reservations, terms, and conditions the Secretary determines necessary to allow the United States to operate and maintain the Lower Snake River Project and to protect the interests of the United States.

(d) CASH PAYMENT.—If the appraised fair market value of the Federal land, as determined by the Secretary, exceeds the appraised fair market value of the non-Federal land, as determined by the Secretary, the Port of Whitman County shall make a cash payment to the United States reflecting the difference in the appraised fair market values.

(e) ADMINISTRATIVE EXPENSES.—The Port of Whitman County shall be responsible for the administrative costs of the transaction in accordance with section 2695 of title 10, United States Code.

(f) LIABILITY.—The Port of Whitman County shall hold the United States harmless from any liability with respect to activities carried out on the Federal land on or after the date of the conveyance.

(g) APPLICABILITY OF REAL PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance of the Federal land under this section.

(h) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and legal description of the Federal land and non-Federal land shall be determined by a survey that is satisfactory to the Secretary.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Mrs. MCMORRIS RODGERS. Mr. Chairman, I applaud Chairman SHUSTER for getting WRDA back on a 2-year cycle and for his leadership on this important legislation.

In eastern Washington, we rely on rivers, locks, and dams to move goods through ports and to markets abroad. I represent the Columbia Snake River system, and this system is crucial to moving Washington wheat and potatoes. Today, I offer an amendment that authorizes a land transfer between the Army Corps of Engineers and Port of Whitman.

As introduced, the Port of Whitman Economic Expansion Act seeks to simply allow the port to accomplish their goals of providing additional jobs and opportunities in rural eastern Washington. To do this, they need this land transfer. This amendment simply authorizes this process. We have worked with the State and local community to ensure this process will meet fish and wildlife mitigation requirements as well as keep recreation opportunities available in the community.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO and their staff for their assistance, and I urge the adoption of my amendment.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentlewoman for offering this amendment. I know how impor-

tant it is to the State of Washington and her district and her constituents. I am prepared to accept the amendment at this time, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

The amendment was agreed to.

AMENDMENT NO. 40 OFFERED BY MS. SHEA-PORTER

The Acting CHAIR. It is now in order to consider amendment No. 40 printed in part A of House Report 115-711.

Ms. SHEA-PORTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, insert the following:  
**SEC. \_\_\_\_\_. HAMPTON HARBOR, NEW HAMPSHIRE, NAVIGATION IMPROVEMENT PROJECT.**

In carrying out the project for navigation, Hampton Harbor, New Hampshire, under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), the Secretary shall use all existing authorities of the Secretary to mitigate severe shoaling.

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Chair, my amendment is straightforward. It directs the U.S. Army Corps of Engineers to use its existing authority to dredge Hampton Harbor in southern New Hampshire.

Hampton Harbor is New Hampshire's largest commercial fishing port, and it is a lifeline to the ocean for New Hampshire fishermen. Severe shoaling has made the water so shallow that it will soon become unnavigable. Some vessels must wait for the tides to be at their highest simply to enter the harbor. Over 1,500 recreational vessels, emergency response and patrol boats, and numerous commercial lobster and fishing boats could be cut off from the ocean.

The narrowing and shallowing of the harbor not only places unnecessary costs on local businesses, it is also a safety hazard. As access points to the harbor become tighter and the window for entering the harbor safely narrows, more boats must enter and exit the harbor at the same time. This greatly increases the risk of a collision.

A Hampton fisherman has warned in a letter to his local paper that: "Only a matter of time before there is a boat-to-boat or boat-to-wall collision, which will result in major property damage and possible human injury or death."

This project must move forward as soon as possible. Mr. Chairman, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the

amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentlewoman for offering this amendment. I know the importance of it to Hampton Harbor and New Hampshire. I am prepared to accept the amendment, and I yield back the balance of my time.

Ms. SHEA-PORTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

The amendment was agreed to.

AMENDMENT NO. 41 OFFERED BY MS. SHEA-PORTER

The Acting CHAIR. It is now in order to consider amendment No. 41 printed in part A of House Report 115-711.

Ms. SHEA-PORTER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

SEC. \_\_\_\_ . PORTSMOUTH HARBOR AND PISCATAQUA RIVER.

The Secretary shall expedite the project for navigation for Portsmouth Harbor and the Piscataqua River authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173).

The Acting CHAIR. Pursuant to House Resolution 918, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Chair, my amendment simply directs the Army Corps of Engineers to expedite its existing Portsmouth Harbor Navigation Improvement Project.

Portsmouth Harbor is vital to both New Hampshire's economy and our national security. It is the only deep draft harbor located in the State of New Hampshire and is the port of entry for fuels that generate 20 percent of New Hampshire's energy.

□ 1745

The harbor is also home to the Portsmouth Naval Shipyard, where Granite Staters work on our Nation's advanced nuclear submarines. It is a challenging harbor to navigate—home to some of the fastest tidal currents on Earth. That is why it is so important that the Portsmouth Harbor project moves forward quickly. The harbor must remain safe and navigable.

The skilled sailors of the United States Navy can navigate this difficult waterway. It is vital that commercial traffic can also use the harbor safely and that commercial vessels do not delay the submarines' entry to the shipyard. In addition, a maritime incident triggered by this difficult water-

way could cause a devastating oil spill that would negatively impact the shipyard.

Mr. Chairman, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentlewoman for offering this amendment. This amendment that she explained so well expedites the navigation project for Portsmouth Harbor and the Piscataqua River, which I know many families live along that—the Jones, the Smiths, the Gosselins—and they are all very concerned about this, so I appreciate the gentlewoman bringing this amendment to the floor.

Mr. Chairman, I am prepared to accept the amendment, and I yield back the balance of my time.

Ms. SHEA-PORTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

The amendment was agreed to.

AMENDMENT NO. 42 OFFERED BY MR. LEWIS OF MINNESOTA

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in part A of House Report 115-711.

Mr. LEWIS of Minnesota. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

SEC. \_\_\_\_ . SENSE OF CONGRESS ENCOURAGING NON-FEDERAL DREDGED MATERIAL PLACEMENT SPONSORS.

It is the sense of Congress that—

(1) when a State or subdivision of a State, individually or in partnership with a private partner, develops a reasonable alternative to the Federal standard for dredged material disposal facilities that meets relevant Federal environmental and dredged material placement and disposal requirements in coordination with a Corps of Engineers' District Office, it should receive preferred consideration by the Secretary; and

(2) the Secretary is encouraged to consider entering into agreements with non-Federal sponsors for the acquisition, design, construction, management, or operation and maintenance of dredged material disposal facilities, including port facilities, through section 217 of the Water Resources Development Act of 1996.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Minnesota (Mr. LEWIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. LEWIS of Minnesota. Mr. Chairman, let me start by thanking my colleague from Pennsylvania, the chairman of our committee, for his leadership in getting this bill to the floor.

The U.S. Army Corps plays a pivotal role in the transportation of all of our goods and services in the United States. They are tasked with maintaining navigation channels in our most active and commercial waterways. Unfortunately, carrying out this important work brings about challenges my constituents know all too well.

Last spring, the Corps released a 40-year dredged material management plan in an effort to identify placement sites for almost 11 million cubic yards of dredged material. Regrettably, the proposal was drafted by bureaucrats in Washington with very little community input.

Without knowledge of the local impact, the Federal plan would take 300 acres of pristine land from a third generation family farm, 30 acres in a residential neighborhood in my district, as well as 73 acres from a farm in Congressman KIND's district.

My own family lost their business through condemnation, so I am acutely aware of the damage the eminent domain process can sometimes have on families and communities. After several discussions with the Corps and letters from myself, they agreed that more public comment was needed and that a better solution may possibly exist.

I was pleased that the Corps scheduled several public meetings on the topic, and that the Corps worked with us to extend the open comment period several times. This process proved successful, and a number of innovative and thoughtful alternatives were submitted for consideration.

Yesterday, the St. Paul District Office of the Army Corps and the city of Wabasha, Minnesota, signed a memorandum of understanding for this 40-year plan. The memorandum of understanding describes a process by which the Corps can use existing authorities to collaborate with a non-Federal entity in order to allow for greater flexibility of material placement.

This proposal has the support of the district office, our local community, and the State of Minnesota. It is also environmentally friendly, as it could allow the dredged material to be used in a manner that benefits society, rather than taking up space on a pristine farmland. It also spreads the burden of a public benefit to everyone who benefits.

My amendment encourages the Army Corps' headquarters to fully consider this alternative plan, and alternatives like this, in the future. In its history, the Corps has rarely approved innovative plans such as this. Federal, local, and private partnerships are something that we should encourage, instead of putting roadblocks in the way.

Mr. Chairman, I encourage my colleagues to support this amendment, and I ask that the Army Corps fully consider inventive, but effective projects across the country it would affect.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for offering a commonsense amendment that encourages the Corps to consider reasonable alternative agreements between State and local entities and private partners. This makes a lot of sense to me.

Mr. Chairman, I am prepared to accept the amendment, and I yield back the balance of my time.

Mr. LEWIS of Minnesota. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. LEWIS).

The amendment was agreed to.

AMENDMENT NO. 43 OFFERED BY MR. OLSON

The Acting CHAIR. It is now in order to consider amendment No. 43 printed in part A of House Report 115-711.

Mr. OLSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . PROJECT COMPLETION FOR DISASTER AREAS.**

The Secretary shall carry out expeditiously projects already authorized by the Army Corps of Engineers to reduce the risk of future floods and hurricanes in Texas, Florida, Georgia, Louisiana, South Carolina, Puerto Rico, and the United States Virgin Islands.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Texas (Mr. OLSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. OLSON. Mr. Chairman, as you know, the greater Houston area, my home, was devastated by Hurricane Harvey. That was 10 months ago. We are still working to recover, and Texas is not alone. Florida, Georgia, Louisiana, South Carolina, Puerto Rico, and the U.S. Virgin Islands were impacted by a shattering hurricane season.

And we can't just focus on the last storm season. The 2018 hurricane season started on June 1. Tropical Storm Alberto hit the Florida Panhandle on May 25, 6 days before hurricane season. NOAA says that there is a 75 percent chance this Atlantic hurricane season will be near or above normal.

That is why we must act now to prevent damage from huge floods like Harvey. Congress worked in a bipartisan manner to pass the Bipartisan Budget Act to provide critical Army Corps funds to rebuild our communities and prepare for the next storm. Even though that money has been allocated, the work has not begun. While that is partly due to red tape at the Corps,

once work begins, we need to move that process quickly.

My amendment is simple. It says that the Army Corps needs to expedite previously authorized projects in the declared disaster areas of Texas, Florida, Georgia, Louisiana, South Carolina, Puerto Rico, and the U.S. Virgin Islands. These projects will provide critical help for communities that are still recovering and mitigate future flooding and damage.

Mr. Chairman, I yield 45 seconds to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the amendment by Mr. OLSON. It is a bipartisan effort. But it is also an effort to save lives, because in 2015 with the Memorial Day flood we had 7 people lose their lives; and, in 2016, with the tax day flood, we had 8 people lose their lives; and, of course, Hurricane Harvey claimed 68 lives across the State of Texas.

This is not only about dollars and cents, it is about saving lives, and I encourage my colleagues to support it.

Mr. OLSON. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I appreciate the gentleman bringing this amendment to the floor and given that he said the historic hurricanes of 2017 this amendment is critical to that recovery, so I am prepared to accept the amendment.

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

Mr. OLSON. Mr. Chairman, I thank Chairman SHUSTER and Ranking Member DEFAZIO for clearing the way for this amendment to be voted on on the House floor.

Mr. Chairman, I thank my colleagues who cosponsored this amendment, and I ask all of my colleagues to vote for this flood protection amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. OLSON).

The amendment was agreed to.

AMENDMENT NO. 44 OFFERED BY MR. CULBERSON

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part A of House Report 115-711.

Mr. CULBERSON. Mr. Chairman, as the designee of the gentleman from Texas (Mr. MCCAUL), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following:

**SEC. \_\_\_\_ . HOUSTON AND COASTAL TEXAS.**

The Secretary shall expeditiously carry out flood and storm damage reduction stud-

ies to reduce the risk of damage from future floods and hurricanes in the Houston and Coastal Texas areas. In carrying out the studies, the Secretary shall leverage existing information and resources.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Texas (Mr. CULBERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, when Hurricane Harvey hit Texas last year it put over 50 inches of rain into an area the size of New Jersey. It was the first category 4 hurricane to make landfall in the continental United States since 2004. It was an extraordinary amount of rain and a devastating event, leading to the largest housing disaster in the history of the United States.

This led to 1.4 million Texans evacuating their homes, and 300,000 households were left without power. There was over \$160 billion in damage. This is the second most expensive storm, Mr. Chairman, in American history, and the most expensive storm in Texas history. Hurricane Harvey was the third major flood to impact the people of Houston in my district since 2015.

Mr. Chairman, I want to particularly thank my good friend, Mr. AL GREEN. We have worked together in the Houston area in a bipartisan fashion. All of us in the Houston area—AL GREEN, GENE GREEN, SHEILA JACKSON LEE, TED POE, and MICHAEL MCCAUL, who is also working with us on this amendment and helped put this forward—all of us in the Houston area have worked together in a bipartisan fashion to help the people of Houston recover.

We were proud to work together with the Florida delegation to help the people of Florida recover from Irma and Maria—and Puerto Rico. As the only appropriator from southeast Texas, I was proud to spearhead that effort in putting together three emergency hurricane supplemental bills, for a total of \$141 billion, the largest amount of money the Corps commander tells me that he has ever seen in his 40 years of service at the Corps.

Mr. Chairman, I particularly want to thank the chairman of the Appropriations Committee, Mr. FRELINGHUYSEN for his support. I want to thank the chairman of the Transportation Committee, Mr. SHUSTER—he and I were elected together in 2000—for his support on this important recovery effort. We are approaching the 1-year anniversary of Harvey, and we have not forgotten the devastation that it brought to the people we represent.

After we passed that emergency appropriations bill, after those agencies had received that money, one of our most important and, frankly, frustrating jobs is getting the agencies to release the money, to get it into the hands of the homeowners who had suffered, the business owners who had suffered, and to make sure that the Army

Corps of Engineers is speedily carrying out the studies and recommendations that they have to do to build the flood control structures we need in southeast Texas.

This amendment, Mr. Chairman, that Mr. MCCAUL and I are putting forward today says, very clearly, that the Secretary of the Army shall expeditiously carry out these flood control studies and make sure that they are built as rapidly as possible. I can tell you from my position on the Appropriations Committee, as a subcommittee chairman representing southeast Texas, I will use all of the tools the Appropriations Committee has available to us, working with Chairman SIMPSON and Chairman FRELINGHUYSEN, to ensure the Corps moves rapidly.

Mr. Chairman, I thank Chairman SHUSTER for his support of this amendment. And I also thank my colleague, AL GREEN, for his support on this amendment today. We have worked together arm in arm in helping people recover from these three disastrous floods over the last 3 years. This amendment will make sure the Army Corps of Engineers completes these studies rapidly, that they execute quickly, and build whatever is recommended to help protect the people of Houston and southeast Texas from the next storm. We are going to make sure, as the people's elected representatives, that our constituents' very scarce, hard-earned, and precious tax dollars are wisely and carefully spent in an expeditious way to rebuild and to protect us against the next giant storm.

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

□ 1800

Mr. SHUSTER. Mr. Chair, I claim time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank my colleague for offering this amendment.

As he clearly pointed out, this is important due to the historic hurricane season from last year. So I want to thank my good friends, Chairman CULBERSON and Chairman MCCAUL, for offering this. I am prepared to accept the amendment.

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

Mr. CULBERSON. Mr. Chair, I yield to the gentleman from Texas (Mr. AL GREEN), my colleague.

Mr. AL GREEN of Texas. Mr. Chair, I thank all of my colleagues who have been associated with this amendment.

Mr. Chair, this has been a bipartisan effort. Mr. CULBERSON and I have worked together not only on this effort, but also to serve people.

We do have people who are still living in temporary shelter in Houston and we have people who are still awaiting FEMA's assistance. With some 4.7

million people in the area having been impacted, it is exceedingly important that this amendment be adopted.

Mr. Chair, I am appreciative that the chairman has indicated his support of it, and I thank Mr. CULBERSON, Mr. MCCAUL, and other colleagues for bringing this amendment to the floor.

Mr. CULBERSON. Mr. Chairman, I look forward to working with Chairman SHUSTER and with my colleagues in the House representing the great State of Texas in ensuring that this money gets out the door to our constituents as soon as possible to help them recover, and that the Army Corps of Engineers is moving as rapidly as humanly possible to complete these studies and build the flood control structures we have to have to protect the people of southeast Texas from the next storm.

Mr. Chair, I urge passage of my amendment, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CULBERSON).

The amendment was agreed to.

AMENDMENT NO. 45 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in part A of House Report 115-711.

Mr. WEBER of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 10, insert the following (and renumber the subsequent paragraphs accordingly):

- (1) by striking section 9003;
- (2) by redesignating sections 9004 through 9008 as sections 9003 through 9007, respectively;
- (3) in section 9003(c) (as redesignated by this section), by adding at the end the following:

“(6) **LEEVE SAFETY ACTION CLASSIFICATION.**—In carrying out risk characterizations for levee systems, the Secretary shall include, as a part of any Levee Safety Action Classification, the following information—

“(A) a complete explanation of the way project condition, design, hydrology, flood frequency, probabilities of failure and overtopping and any other relevant factor were integrated in arriving at the rating assigned;

“(B) all incremental corrective actions that can be taken to progressively improve the relative levee safety action classification assigned to a levee system; and

“(C) the incremental costs associated with each corrective action in subsection (b).”;

- (4) in section 9004 (as redesignated by this section), by striking subsection (b) (and redesignating the subsequent subsection accordingly);

Page 4, line 11, strike “9005(g)(2)(E)(i)” and insert “9004(f)(2)(E)(i) (as redesignated by this section)”.

Page 4, line 14, strike “9008” and insert “9007 (as redesignated by this section)”.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Texas (Mr. WEBER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WEBER of Texas. Mr. Chairman, my amendment deals with flood control levees and the way the U.S. Army Corps of Engineers is assessing and rating these vital community-based, flood-defense systems.

The Corps has been developing levee risk ratings around the United States without the close involvement of local project sponsors, and this is unacceptable.

What is more, the agency is trying to characterize “flood risk to our communities” without routinely offering viable solution alternatives or well-informed site-specific cost estimates for these solutions. According to the U.S. Army Corps of Engineers Levee Portfolio Report from March of this year, the agency indicates the following on page 28: “. . . there may be reluctance to share risk information with the public when an immediate and viable risk management solution has not been identified.”

Reluctance? Reluctance indeed.

The Corps has been developing a risk-rating tool called the Levee Safety Action Classification, or L-SAC. Local levee systems and affected communities are labeled as either very high risk, high risk, moderate risk, low risk, or very low risk for flood inundation.

Thus far, 13 percent of the Corps' program levees are in the very high, the high, or the moderate risk categories.

Notably, these systems are estimated to have 8 million people that live or work behind them. My own district includes such an area near Freeport, Texas, where nationally-significant manufacturing and R&D operations have occurred since 1940.

These Corps ratings, which are to be widely broadcast to affected citizens, businesses, and community leaders, will have significant consequences for life safety and important secondary concerns like property values, economic development, zoning, and local governance.

These ratings have been formulated without the sort of close local engagement that is required for successful flood hazard mitigation. Moreover, according to the Corps itself, the ratings are not accompanied by viable solution alternatives and cost estimates for these solutions.

We can and must do better than this.

My amendment enhances the Corps' L-SAC risk tool. It should not only assess levee system locations, conditions, and failure consequences from a Federal perspective, but also include affected levee owners and operators in communities in a completely integrated way to assess, communicate, and mitigate the full range of flood risks.

Only then will we progressively improve the L-SAC scores and, more importantly, improve local safety conditions with viable long-term economic solutions.

This amendment does not remove Corps risk assessment and communication duties that were assigned by the

Congress in the 2007 WRDA. To the contrary, it supplements these duties by assuring, A, that individual levee system L-SAC ratings are transparent; and, B, that they play a meaningful role in expanding options and improving life safety outcomes.

This is a nonpartisan, meritorious proposal with national application. It increases transparency and it improves both risk communication and actual risk mitigation.

Finally, considering the scarcity of available taxpayer resources necessary for actual infrastructure improvements, my amendment also cuts some fat.

For example, number one, it foregoes reestablishment of the Committee on Levee Safety. That committee produced a draft report in January 2009, and later updated, that formed the basis of the 2014 WRDA, which, by and large, has not been executed.

Number two, the amendment eliminates the unfilled position of "Administrator of the Levee Safety Program" and accompanying authorization for "such staff as necessary." The Chief of Engineers, the Assistant Secretary of the Army for Civil Works, eight Corps Division Commanders, 38 Corps District Commanders, multiple agency programmatic chiefs, and existing staff would seem sufficient to me to execute appropriate levee-related policy authorized by Congress.

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

Mrs. NAPOLITANO. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR (Mr. POLIQUIN). The gentleman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Mr. Chair, this amendment, while potentially well intended, could have the unintended consequences of weakening the Nation's safety standards for levees.

I understand the gentleman plans to withdraw the amendment, and I commit to continue working with the gentleman on the issue.

Mr. Chair, I yield to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chair, I want to thank the gentleman from California for yielding.

Mr. Chair, I do want to thank the gentleman from Texas for raising this issue. I actually agree with him that there are fundamental problems in the levee safety program right now: number one, the fact that the Corps produces these worst-case scenario outcomes that they apply to levees without publicly making the data available on how they came to those conclusions; number two, the fact that they fail to provide alternative improvements with associated cost estimates on how these systems could be improved and ensure the resiliency and performance of these systems.

There are many, many other concerns. I think the amendment does attempt to address some of those, but I think the gentleman also understands

that there are some concerns that have been raised that I think are legitimate.

Mr. Chair, I do want to ask the gentleman if he would be willing to withdraw the amendment. I would certainly be willing to work with the gentleman through that process to see if we can find something that everyone can agree to that makes sense without threatening the safety of our communities, which I know no one here wants to do.

Mrs. NAPOLITANO. Mr. Chair, I yield back the balance of my time.

Mr. WEBER of Texas. Mr. Chairman, with that in mind, from the gentleman from Louisiana, if we can work together on this in attempting to address this.

Mr. Chair, I yield back the balance of my time, and I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 46 OFFERED BY MR. MEEKS

The Acting CHAIR. It is now in order to consider amendment No. 46 printed in part A of House Report 115-711.

Mr. MEEKS. Mr. Chair, I rise to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 52, after line 24, insert the following: (21) Project for reformulation, East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Queens, New York.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from New York (Mr. MEEKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MEEKS. Mr. Chairman, I am offering an amendment to expedite the Army Corps of Engineers' study of Superstorm Sandy recovery efforts, allowing a faster response to dangerous and economically damaging beach erosion in my district and the Rockaway Peninsula.

To this day, my constituents suffer from the after-effects of Hurricane Sandy. Though coastal recovery has contributed to positive economic development, the very same jobs created are now threatened by emergency beach closures.

Two weeks ago, only days ahead of beach season, of the beaches opening, 11 of our beaches' central blocks were deemed unsafe due to erosion, by the city of New York and all of the life-guards therein. As a result, it will be crippling to the vendors, whose entire livelihood depends on their seasonal income.

Last year alone, there were four nor'easters that further devastated our beachfront. We have already allocated funding for the Army Corps of Engineers to begin constructing coastal protections and prevent further ero-

sion. However, construction is not due to begin until 2019.

In that time, beaches will be left vulnerable to coastal erosion, threatening more closures, and impacting more jobs and economic activity in my district. This should be of concern to all taxpayers.

After Sandy, the Army Corps of Engineers dumped two Empire State Buildings' worth of sand on our beach for coastal recovery. Stalled efforts to address resiliency issues, such as this study, are allowing millions of Federal dollars to be literally washed away.

Mr. Chair, my constituents cannot wait until 2019 for construction of reinforced dunes, groynes, and jetties. The studies must be allowed to be improved and completed in a timely manner so as to not leave our beachgoers unsafe or our economy vulnerable.

While I will continue to push for a remedy for this summer—I am going to push to try to save some of it—it is my hope that by expediting this process, the beaches will be made safe and operational for my constituents as soon as possible, and certainly no later than spring season of 2019.

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

Mr. SHUSTER. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman for offering this amendment. Of course, with the devastating effects of Sandy on Queens, New York, I understand his concern.

Mr. Chair, given the impact of that storm and the importance of this amendment, I am prepared to accept the amendment.

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

Mr. MEEKS. Mr. Chair, I thank the chairman and the ranking member from California for their understanding.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MEEKS).

The amendment was agreed to.

AMENDMENT NO. 47 OFFERED BY MR. SCHRADER

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part A of House Report 115-711.

Mr. SCHRADER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

SEC. \_\_\_\_\_. INCLUSION OF PROJECT OR FACILITY IN CORPS OF ENGINEERS WORKPLAN.

Any project or facility of the Corps of Engineers studied for disposition for which a final report by the Director of Civil Works has been completed shall, to the maximum



extent practicable, be included in the future workplan of the Corps.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Oregon (Mr. SCHRADER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. SCHRADER. Mr. Chairman, I thank Chairman SHUSTER, Ranking Member DEFazio, Subcommittee Chairman GRAVES, Ranking Member NAPOLITANO, and their staffs for working with us on drafting this amendment.

My amendment requires the Corps to include any project or facility for which there is a final report for disposition from the Director of Civil Works to be in their future work plans, to the maximum extent possible.

Mr. Chair, it is a straightforward amendment. I am proud to offer it.

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

Mr. SHUSTER. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman for offering this amendment, which does require the Corps to include complete deposition studies in future Corps plans where practicable.

Mr. Chair, I am prepared to accept the amendment, and I yield back the balance of my time.

Mr. SCHRADER. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. SCHRADER).

The amendment was agreed to.

□ 1815

AMENDMENT NO. 48 OFFERED BY MR. SMITH OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in part A of House Report 115-711.

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ . MISSISSIPPI RIVER AND TRIBUTARIES PROJECT.**

(a) IN GENERAL.—After any flood event requiring operation or activation of any floodway or backwater feature within the Mississippi River and Tributaries Project through natural overtopping of a Federal levee or artificial crevassing of a Federal levee to relieve pressure on the levees elsewhere in the system, the Secretary shall expeditiously reset and restore the damaged floodway's levees.

(b) MISSISSIPPI RIVER AND TRIBUTARIES PROJECT.—The term "Mississippi River and Tributaries Project" means the Mississippi River and Tributaries project authorized by the Act of May 15, 1928 (Chap. 569; 45 Stat. 534).

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman

from Missouri (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Chairman, I rise today in favor of my amendment which protects the Mississippi River and Tributaries System and its floodways. The MR&T is our Nation's most successful flood control and navigation system expanding from Cape Girardeau, Missouri, down through Louisiana near the Gulf of Mexico.

Since 1928, the MR&T has prevented \$1 trillion in flood damage and protected the lives of millions who live in the Mississippi Valley.

The MR&T's floodways and backwaters throughout the system relieve pressure on the Mississippi levees during flooding and are essential to keeping the system functioning. One of those floodways is in southeast Missouri, the Birds Point-New Madrid Floodway.

In 2011, the Mississippi River experienced historic flooding, leading to the Army Corps' decision to intentionally breach, with explosives, the Birds Point Floodway. As a result, 130,000 acres of land were flooded, destroying people's homes, towns, and crops.

The people of southeast Missouri are resilient and, in the aftermath of this tragic action, tried to pick up the pieces and return to their lives. Unfortunately, it was not until over a year and a half later that the Army Corps returned the destroyed levees back to their original design. There were even some who indicated that perhaps these levees not be built back at all. That is truly unacceptable.

Floodway activation impacts not just residents in the floodways, but all of 4½ million people protected by the MR&T system. Floodways are a critical part of the MR&T, and their restoration after activation should never be in question.

My amendment ensures that, in the event of activation of any floodway or backwater feature within the MR&T, the Army Corps will prioritize expedient restoration of the damaged floodway's levees back to the original protection.

Activation of any floodway on the MR&T has serious consequences and should only be done as a last resort. This amendment simply ensures activated floodway is restored. My amendment is essential to the peace of mind of all people living near floodways and to the proper function of the MR&T.

I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I yield to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from Missouri (Mr. SMITH) for offering this amendment.

There was something that the gentleman noted in the end that I wanted to make sure legislative intent is preserved here, Mr. Chairman. The gentleman from Missouri stated that the amendment is intended to restore floodways after they are opened up, such as Bird Point-New Madrid, as opposed to perhaps in south Louisiana where a crevasse could open up that would provide fresh water and sort of mimic that natural process that created coastal Louisiana and would currently restore coastal Louisiana wetlands.

Mr. Chairman, I want to ensure the intent of the amendment and that we have in legislative history here memorialized that this is intended to address the restoration of floodways as opposed to crevasses that may open in the aftermath of a flood.

Mr. SMITH of Missouri. Mr. Chairman, I would absolutely say that the gentleman from Louisiana is correct. It is for floodways and for restoration that have been activated.

Mr. SHUSTER. Mr. Chairman, I am prepared to accept the gentleman's amendment.

I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 49 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR. It is now in order to consider amendment No. 49 printed in part A of House Report 115-711.

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. 1 \_\_\_\_ . MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.**

(a) ASSESSMENT.—With respect to each project classified as class III under the Dam Safety Action Classification of the Corps of Engineers for which the Secretary has assumed responsibility for maintenance, as of the date of enactment of this Act, the Secretary shall assess—

(1) the anticipated effects of the Secretary continuing to be responsible for the maintenance of the project during the period that ends 15 years after the date of enactment of this Act, including the benefits to the State and local community; and

(2) the anticipated effects of the Secretary not continuing to be responsible for the maintenance of the project during such 15-year period, including the costs to the State and local community.

(b) REPORT.—Not later than 90 days after completion of the assessment under subsection (a), the Secretary shall submit a report summarizing the results of the assessment to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, thank you for recognizing me to discuss this revised Young amendment No. 49.

I appreciate Chairman SHUSTER and Ranking Member DEFAZIO's help and the help the majority and the minority staffs have given us with their assistance to get this amendment to the floor.

This amendment requires the Secretary to conduct an assessment of dams classified as Class III under the Dam Safety Action Classification of the Corps of Engineers. Once the assessment is complete, this amendment requires the Secretary to provide a report to Congress describing two things: what will happen to local communities should the Corps give up the control of dam versus what will happen if the Corps continues to maintain the dam. This amendment will show the importance of accurate design and construction.

Currently, there is a hole the size of a family sedan in a dam mitigation outlet tunnel that serves the city of Seward, Alaska. The Corps assumed responsibility for this dam, and the design and construction flaw will only get worse until the Corps fixes it, which they are committed to do. The current study for an alternative solution will not be completed until 2019.

This amendment is critical to the Alaska community because it prevents Seward from bearing undue hardship from frequent flooding and continuous damage to the outfall due to the unforeseen design faults. This amendment would continue to require the Corps to expedite the study and place a critical importance on fixing the dam system for my constituents in Seward.

I want to thank, again, Chairman SHUSTER, Ranking Member DEFAZIO, and their staffs for working with me and my staff on this amendment and for supporting my efforts here today. We will continue to work further on this issue in conference, and I urge all my colleagues to support my amendment No. 49.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman from Alaska for offering this amendment. As always, the gentleman is looking out for the State of Alaska and also small and rural towns across America. So this is an important issue, and I thank my colleague for working on this amendment. I am prepared to accept the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 50 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in part A of House Report 115-711.

Mr. COSTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ CONTRIBUTED FUNDS FOR NON-FEDERAL RESERVOIR OPERATIONS.**

Section 5 of the Act of June 22, 1936 (49 Stat. 1572, chapter 688; 33 U.S.C. 701h), is amended by inserting after "authorized purposes of the project:" the following: "Provided further, That the Secretary is authorized to receive and expend funds, subject to the availability of appropriations, from an owner of a non-Federal reservoir to formulate, review, or revise operational documents for any non-Federal reservoir for which the Secretary is authorized to prescribe regulations for the use of storage allocated for flood risk management or navigation pursuant to section 7 of the Act of December 22, 1944 (58 Stat. 890, chapter 665; 33 U.S.C. 709):"

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. Mr. Chairman, I want to thank the chair of the committee and the ranking member and all of the staff for their support and work on this important amendment. It is a simple amendment to the Water Resources Development Act.

Today, as a result of action taken by the Congress in the previous WRDA bills, the Army Corps of Engineers has the authority to accept funds from non-Federal interests to update rules that govern the operations of reservoirs owned and operated by the Corps. Unfortunately, there are a number of facilities that are regulated but not owned by the Corps of Engineers, and previous WRDA bills have failed to provide similar authority to accept funds to update the operations manuals. These manuals are very important as it relates to flood control issues.

Although the Corps regulations specify that water operations manuals, including flood-control curves, should be reviewed and updated regularly, the reality is the Corps does not do this because they have got budget constraints.

A Government Accountability Office report released in July 2016 found that the Corps-owned projects for revisions to water control manuals are often a lower priority than other operations and maintenance activities, such as equipment repairs, sediment removal, or levee repairs. As a result, the Corps oftentimes does not get to funding these revised water control manuals.

This is important. We have floods all across the country, and it is important that these get updated.

Non-Corps section 7 projects have an even lower budget priority. The Merced Irrigation District in central California, which I have the honor to represent, is the owner of such a facility called New Exchequer Dam, an important reservoir that has served for decades and decades to provide water supply, flood control benefits for the people of the San Joaquin Valley.

The Merced Irrigation District wants to improve the spillway and water storage of Exchequer Dam and Reservoir, and it is going to fund all of the improvements. But it has been prevented from doing so for years because the Corps doesn't have the funding to review and to revise the project's water control manual. As a matter of fact, the last time it was updated was over 30 years ago, which is of concern.

So Merced offered—guess what—to pay for the process, but the Corps said, well, they can't do that because they are not legally able to accept the funds.

That doesn't make any sense. So this amendment would resolve this by giving the Corps the authority to accept funds to update operation manuals from the owners of all of section 7 private facilities that are, in fact, regulated by the Army Corps of Engineers.

So, for the good folks of eastern Merced County, this amendment will provide an opportunity for the Merced Irrigation District to explore the raising of the spillway gates at New Exchequer Dam, therefore increasing flood control protection and, at the same time, increasing the storage capacity of this reservoir that I said has existed for decades to, in some years, another 57,000 acre-feet of water.

57,000 acre-feet of water is an important addition. It is a lifeline—can be—to our way of life in areas like the valley where drought, as many as you have heard about, is an ever-present threat. Every drop of water counts.

So I want to thank the cosponsors of my amendment—Representative DENHAM, Representative GARAMENDI, and Representative MCCLINTOCK—for their working together on a bipartisan basis to provide not only tools for the Merced Irrigation District, but all other facilities, entities, local water agencies that have a similar type of project.

This is a good, commonsense amendment. I know of no opposition to it. Not seeing anyone else who would like to speak on it, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from Pennsylvania for yielding. I want to thank the gentleman from California for offering this amendment.

Mr. Chairman, I actually want to discuss some of the provisions that were included in the manager's amendment that I think are very, very important.

Number one, there is a provision in the manager's amendment that provides for the Corps of Engineers to take a fresh look at the old river control structure, a structure that diverts 70 percent of the water on the Mississippi River system down the Mississippi, and 30 percent down the Atchafalaya.

That is a rigid structure that dates back decades and decades. It has not been revisited. The science has not been updated. It does not reflect the fact that we have additional monitoring stations; and so the plan, a rigid 70/30 split, doesn't maximize benefits to the lower system.

We could be maximizing crawfish production, coastal restoration, navigation features, flood control, and others, and it is not happening. So, Mr. Chairman, this amendment is designed to address that, to direct the Corps of Engineers to modernize this, to ensure that current best science is being applied; to ensure that the monitoring stations are being used and that we are having the best outcomes for ecological productivity, for coastal restoration, for navigation, and, importantly, for flood control, and then stop this rigid, antiquated system of an artificial 70/30 split.

Secondly, the amendment also provides for a pilot program for 5 years for an operations and maintenance contract, a 5-year operations and maintenance contract; instead of coming in and offering dredging contracts only when there is a shoal that has developed, instead, coming in and offering a longer term contract, over a 5-year period, and ensuring that navigation channels are certain that the navigability of these channels at the port facilities are accessible.

In many cases, vessels may actually start weeks in advance trying to get to the United States, and if these NAV channels aren't maintained, these boats don't have options but to divert to other ports that are lighter. It is expensive. We need to ensure the predictability and the certainty of our navigation channels, and the manager's amendment addresses that as well.

I want to thank the chairman again, Mr. SHUSTER, for including that. I want to thank Mr. DEFazio and Ranking Member NAPOLITANO for their work with us on that manager's amendment and those important provisions.

□ 1830

Mr. SHUSTER. Mr. Chair, I want to thank the chairman of the Subcommittee on Water Resources and Environment for his hard work on this piece of legislation. I appreciate all of his efforts and his knowledge he put

into making sure that bill is a good product.

Concerning Mr. COSTA's amendment, again, I believe it is a good amendment. It builds on WRDA 2016 on Corps-owned-and-operated dams, so I urge all of my colleagues to support it. I accept the amendment at this time, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

AMENDMENT NO. 51 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in part A of House Report 115-711.

Mr. SOTO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 42, line 24, insert "In making such information publicly available, the Secretary shall, to the maximum extent practicable, endeavor to provide such information to all adjoining residential stakeholders of real property to which the Army Corps of Engineers holds an interest therein." after "holds an interest."

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment would direct the Secretary of the Army to endeavor to inform all residential property stakeholders of adjoining Army Corps of Engineers' interest in their adjacent property.

Section 137 of this bill would expand public access to residential real estate data by placing information related to all real property data that the Army Corps holds an interest in online. Not all constituents have easy access to the internet.

Elderly constituents may not be able to easily search information about Army Corps projects online. Thus, my amendment would expand access to the real estate information by directing the Secretary of the Army, to the maximum extent practicable, to endeavor to provide such information to all adjoining residential stakeholders of real estate with which the Corps holds an interest.

By informing residential stakeholders, we will ensure they are aware of how Army Corps property interests might influence their property values, the enjoyment of their property, or their way of life.

Mr. Chairman, I urge support for my amendment and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman for offering this amend-

ment. This amendment does clarify the responsibilities of the Corps with respect to their rural neighbors, which for me, coming from rural Pennsylvania, it is extremely important, and I appreciate the gentleman offering this amendment. I am prepared to accept it at this time, and I yield back the balance of my time.

Mr. SOTO. Mr. Chair, I thank the gentleman from Pennsylvania for his support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The amendment was agreed to.

AMENDMENT NO. 52 OFFERED BY MR. PAULSEN

The Acting CHAIR. It is now in order to consider amendment No. 52 printed in part A of House Report 115-711.

Mr. PAULSEN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, beginning on line 5, strike "the Secretary may not complete" and all that follows through "of the Senate on—" on line 9 and insert "the Secretary shall expedite completion of such study and shall produce a report on the Upper St. Anthony Falls Lock and Dam that is separate from any report on any other lock or dam included in such study that includes plans for—".

Page 54, line 10, strike "the feasibility of".

Page 54, line 15, strike "and".

Page 54, line 16, strike "the preservation of" and insert "a partial disposition of the Upper St. Anthony Falls Lock and Dam facility and surrounding real property that preserves".

Page 54, line 18, strike the first period and insert "; and" and strike the closing quotation marks and second period and insert the following:

"(3) expediting the disposition described in this subsection (d)."

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. Mr. Chair, in offering this amendment, let me just start by letting folks know that I am offering this with my colleague, Representative ELLISON, who could not be with us today.

Back in 2015 there was a bipartisan coalition of Minnesota lawmakers working with the folks on the committee, acting to protect Minnesota's northern lakes and rivers from the spread of invasive species: specifically, Asian carp.

Asian carp have spread up the Mississippi River System compromising water quality and crowding out native fish and sensitive species. So Congress stepped in and decided to instruct the Army Corps of Engineers to close the Upper St. Anthony Falls Lock to commercial navigation to help mitigate the threat of the northern migration of this invasive species.

With the upper lock closed, the Corps of Engineers undertook a disposition

study of the lock and dam facility, and a vision for a visitor and interpretive center at that site became a consensus goal of the committee. The city of Minneapolis and the Minneapolis Park and Recreation Board passed resolutions supporting repurposing the lock.

My amendment would expedite this study and expand upon this work by authorizing a study looking into modifications to the Upper St. Anthony Falls Lock and Dam to preserve and enhance recreation opportunities for the space, as well as preserve the health of the ecosystem and maintain portions of the lock and dam necessary to help maintain flood control.

Now, the upper lock, which is located in the heart of the Twin Cities, is at the only major waterfall on the entire length of the Mississippi River. It presents a very unique opportunity to transform the waterfront of the Twin Cities. It is within the St. Anthony Falls Historic District. It is culturally, historically, and recreationally significant to the city and to our State.

The Central Riverfront is a jewel of the State, and the Stone Arch Bridge and St. Anthony Falls are two iconic Minnesota features. The public interest here cannot be overstated, Mr. Chairman. There are several adopted plans for the area as a result, by the city, by the park board, by the downtown council, local neighborhoods, and the St. Anthony Falls Heritage Board. So, now, local governments have all come together, reflecting a readiness and a commitment to engage in this project. The upper lock disposition study should, therefore, move forward expeditiously.

Mr. Chair, I want to thank Chairman SHUSTER, Ranking Member DEFAZIO, Subcommittee Chairman GRAVES, for working with me on this amendment. I also want to thank my colleague, Representative ELLISON, who couldn't be with us.

Mr. Chair, I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chair, I claim time in opposition to the amendment, although I do not oppose it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I want to thank my colleague from Minnesota for his hard work and good work on this solid amendment. These changes are bipartisan, and as I said, I really appreciate his efforts on this. I am prepared to accept the amendment, and I yield back the balance of my time.

Mr. PAULSEN. Mr. Chair, I want to thank the chairman and my colleagues again for supporting the amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. RUTHERFORD). The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 53 OFFERED BY MR. MOULTON

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in part A of House Report 115-711.

Mr. MOULTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title I the following:

**SEC. \_\_\_\_ CORPS OF ENGINEERS CONTINUING AUTHORITIES PROGRAM.**

Section 3(c) of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g(c)) is amended—

(1) in paragraph (1), by striking “\$30,000,000” and inserting “\$45,000,000”; and  
(2) in paragraph (2)(B), by striking “\$10,000,000” and inserting “\$15,000,000”.

Page 55, line 1, strike “\$3,000,000,000” and insert “\$3,150,000,000”.

Page 57, line 24, strike “\$3,000,000,000” and insert “\$3,150,000,000”.

The Acting CHAIR. Pursuant to House Resolution 918, the gentleman from Massachusetts (Mr. MOULTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MOULTON. Mr. Chairman, I rise today in support of my amendment to the Water Resources Development Act, which will increase funding for the Army Corps of Engineers' storm and hurricane restoration and impact minimization program.

As communities across the country come together to rebuild in the wake of unprecedented storms, this program funds vital coastal resiliency projects across the Nation. I emphasize “resiliency” because part of what this program does is save money by making cost-effective investments now that will prevent that money from having to be spent on costly recovery efforts in the future.

Over the past year, severe storms and hurricanes have devastated communities throughout our country, costing us billions of dollars in recovery efforts. We know that severe weather patterns are occurring at a more frequent rate, and with the 2018 hurricane season fast approaching, the cities and towns along our coasts need more resources to minimize the impacts of flooding, storm surges, and coastal erosion.

What we don't need are more outdated government projects that are wasting taxpayer dollars. And by cutting these, we fund the increases to this program. That makes this amendment fully offset and budget neutral.

Cities and towns in my district and throughout the country are undergoing studies to assess the feasibility of implementing beach erosion and control projects under the storm and hurricane restoration and impact minimization program today. By raising the cap on this program's authorization, we can ensure that the vital resources provided by the Army Corps are available to more districts throughout the country.

There are States across the Nation that have already benefited from this program, from Alabama to Louisiana, from Alaska to Florida, Ohio, Virginia, New Jersey, and Indiana. All of these States, in addition to my home State of Massachusetts, have benefited from this innovative program.

I am proud to have bipartisan support, and I think we need to come together to support this commonsense solution that will empower us to protect our coastal communities by leveraging private sector innovation to enhance coastal ecosystems, promote recreation, and save taxpayer dollars.

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

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chair, I thank the gentleman from Massachusetts for offering this amendment, the program that assists communities in their efforts to recover and adapt to severe weather and natural disasters. It is a solid amendment. I support the amendment and accept it at this time, and I yield back the balance of my time.

Mr. MOULTON. Mr. Chair, I would just like to thank the chairman for his help in supporting this amendment, and ushering it through the process. I think it is a good amendment, and I am proud to have bipartisan support for it.

Mr. Chair, I yield the remainder of my time to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, I just want to take this time, since this is the last amendment, to thank Chairman SHUSTER and Ranking Member GRAVES for their support, but most of all, I want to thank our staff: Ryan Seiger, Mike Brain, Joe Sheehy, my own personal staff; but mostly, the legislative counsel, Kakuti Lin—it is a hard name—they worked tirelessly; and, of course, your staff, the Republican staff that worked with our staffs so well.

And I thank Mr. SHUSTER. This is an example of bipartisan work on this WRDA bill.

Mr. SHUSTER. Mr. Chair, I yield back the balance of my time.

Mr. MOULTON. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MOULTON).

The amendment was agreed to.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PAULSEN) having assumed the chair, Mr. RUTHERFORD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8) to provide for improvements to the rivers and harbors of

the United States, to provide for the conservation and development of water and related resources, and for other purposes, and, pursuant to House Resolution 918, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1845

#### MOTION TO RECOMMIT

Ms. VELÁZQUEZ. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. VELÁZQUEZ. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Velázquez moves to recommit the bill H.R. 8 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith, with the following amendment:

At the end of title I, add the following:

#### SEC. 1. POST-HURRICANE RECOVERY AND RESILIENCY.

(a) FINDINGS.—Congress finds the following:

(1) On August 26, 2017, Hurricane Harvey, a Category 4 storm, made landfall in Texas, resulting in 103 deaths in Texas alone.

(2) Approximately 336,000 Texas residents were left without electricity, and more than 17,000 homes sustained major damage.

(3) All in all, Hurricane Harvey tied with Hurricane Katrina as the costliest tropical cyclone on record in the United States, causing \$125 billion in damage.

(4) On September 6, 2017, Hurricane Irma, a devastating Category 5 storm, raked across the United States Virgin Islands with reported wind gusts of 225 miles per hour, killing four people.

(5) Soon after, on September 10, Hurricane Irma ripped across Florida with sustained wind speeds of 112 miles per hour.

(6) Hurricane Irma resulted in 84 deaths and caused \$50 billion in damage in Florida, making it the costliest hurricane in Florida history.

(7) Two weeks after Hurricane Irma struck the United States Virgin Islands, Hurricane Maria, also a devastating Category 5 storm, struck the United States Virgin Islands, killing three people and leaving more than 13,000 structures roofless and 100,000 people without power or other essential public facilities such as running water.

(8) On September 20, 2017, Hurricane Maria, by then a Category 4 storm, reached the shores of Puerto Rico with sustained winds of 155 miles per hour.

(9) The impacts of Hurricane Maria and Hurricane Irma were catastrophic, with

widespread devastation, uprooted trees, downing of weather stations and cell towers, and destruction and damage to homes throughout the islands.

(10) Hurricane Maria caused all 3.3 million people in Puerto Rico to lose electricity, and access to clean water and food became limited to most.

(11) According to recent press reports, full electrical power to Puerto Rico may not be restored until July or August of 2018, almost one full year after Hurricane Maria made landfall; this blackout is estimated to be the longest blackout in the history of the United States.

(12) Thousands of people, many more than the Commonwealth's estimate of 64, died in Puerto Rico as a result of the 2017 hurricanes, according to at least one recent study; health publications, such as the *New England Journal of Medicine*, have attributed this increase to the health care disruption for the elderly and the loss of basic utility services for the chronically ill.

(13) Despite the devastating impacts of the 2017 hurricane season, and the fact that, close to one year after landfall of Hurricane Maria, a significant percentage of Puerto Rico's population remains without basic public utility services, President Trump believes his administration's response to the natural disaster deserves a grade of 10 out of 10.

(14) Despite the dedicated humanitarian efforts of thousands of Corps of Engineers personnel in Puerto Rico since the 2017 hurricanes, the Secretary has not yet fully restored and increased the resiliency of the island's public infrastructure.

(b) RESTORATION AND RESILIENCY OF PUBLIC INFRASTRUCTURE.—The Secretary shall take all necessary and proper actions to restore, and increase the resiliency of, public infrastructure in the continental United States, the Commonwealth of Puerto Rico, and the United States Virgin Islands for which the Secretary is responsible and that was damaged as a result of Hurricane Harvey, Hurricane Irma, or Hurricane Maria.

Ms. VELÁZQUEZ (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion to recommit.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 5 minutes in support of her motion.

Ms. VELÁZQUEZ. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, as we debate today, Puerto Rico continues to reel from the aftermath of Hurricane Maria, a once-in-a-generation disaster that fueled a humanitarian crisis. Nearly all 3.3 million residents of Puerto Rico lost power following the hurricane. Drinkable water and adequate food supplies became scarce throughout the island. Many have since endured the longest blackout in U.S. history.

We all remember when President Trump went to Puerto Rico last September. While he was there, he said that—based on the then-reported 16 deaths—Maria was not “a real catastrophe. . . .”

Every day it becomes increasingly clear how out of touch that statement

was, and every day the magnitude of this disaster becomes clearer, as does the incompetence of this administration's response.

Just last week, the Harvard School of Public Health released a new estimate suggesting the death toll is staggeringly higher than previously thought. The Harvard study is just an estimate. However, if the number most often cited from that report—4,645—proves accurate, then Maria would rank as the second worst natural disaster in U.S. history. No matter what the President said, that is a real catastrophe.

Now, as Puerto Rico continues struggling as thousands still do not have electricity and as we still do not know the total number of lives lost, we are entering another hurricane season. Yet Puerto Rico and the Virgin Islands remain vulnerable should another storm come barreling out of the Atlantic into the Caribbean and make landfall.

We should remember the 2017 hurricane season was not just devastating for the Caribbean. We cannot forget how the Houston area suffered under Hurricane Harvey. Houston's layout and the city's infrastructure also proved vulnerable to the flooding, causing \$125 billion in damage. Yet despite 2017 being one of the worst in history for natural disasters and even though we are entering another hurricane season, our public infrastructure systems remain vulnerable.

The motion to recommit is very straightforward. It would ask the Secretary of the Army Corps to work to restore and strengthen the resiliency of public infrastructure in Puerto Rico, the Virgin Islands, and in the mainland for areas damaged by Maria, Irma, and Harvey. This is common sense. It will mean we are better prepared for the next major hurricane. It could potentially save lives.

In Puerto Rico, for instance, this would allow needed upgrades to the Guajataca Dam. The 90-year-old dam, located on the northeastern shore of the island and owned by Puerto Rico Electric Power Authority, was severely damaged after Maria. While the Corps did good work preventing the collapse of the dam, this was a temporary band-aid. American families living in Puerto Rico still face imminent danger. The Corps should invest in this critical infrastructure project seeking to prevent future damage from another storm.

In other areas throughout Puerto Rico, rivers, lakes, and wetlands serve literally as sinks for water to drain into. To control massive flooding in the next hurricane season, the Corps needs to make the necessary investments for flood control, something else this motion will help advance.

Mr. Speaker, sadly, the administration largely abandoned Puerto Rico after Maria. Now we are learning the death toll from this tragedy will be heartbreakingly high. This Congress has a moral obligation to do everything possible to prevent future deaths and to protect our fellow citizens. That

is what this motion to recommit will do.

Mr. Speaker, I strongly urge my colleagues to support this motion to recommit, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Speaker, I oppose the motion to recommit. This bill, H.R. 8, has many benefits to all 50 States and the territories, including Puerto Rico. It was put together in a bipartisan manner. We just here today adopted over 50 amendments in a bipartisan manner.

This bill asserts congressional authority and continues regular order of the Corps of Engineers in authorizing these programs. It is fiscally responsible. We fully offset new projects. Finally, it keeps American jobs by strengthening our competitiveness ensuring that our transportation system remains attractive to private-sector jobs, so I oppose the motion to recommit.

This being my last WRDA bill that I will ever be able to shepherd through the House, I am proud to be here. Hopefully we are going to have a conference report in the near future to be able to pass that on the House floor, but I can tell you, Mr. Speaker, I am very, very proud of my term as chairman. One of the accomplishments I am most proud of is getting WRDA back on regular order, every Congress authorizing these important programs so that the Corps can move forward and the American people can benefit by these programs.

Again, I want to, first off, thank my Democratic colleagues and the Democratic staff on the other side of the aisle for their work, working together closely on this bill. Of course, I couldn't get this done without my dedicated staff who have worked so tirelessly, not only on this bill but over the past 5 years, and I thank them from the bottom of my heart.

Mr. Speaker, a personal point of order that I would like to take is that in 2016 when we passed the WRDA bill, September 28, 2016, I woke up that morning and found out that my mother had passed away. But I could hear her voice in my head saying: Go to work. Do your job.

We came to work that day, and we were able to pass the WRDA bill in 2016. I was so proud that, as always, she was on my shoulder. This morning I woke up and didn't think about the date until I realized today, June 6, is my mother's birthday. It would have been her birthday. So, again, my mother who was always my greatest supporter and my greatest cheerleader was here again with me today. I can hear her voice telling me: Make sure you do your work.

Our family chain is broken, and nothing seems to be the same. But as God

calls one by one, that chain will link again. And today, as strong as ever, that link with my mother is with me. I want to thank my mother. I know she is watching down. Patricia Shuster, as always, is sitting on my shoulder, rooting me on to victory. So, again, today I am very, very proud of the WRDA bill. I am proud we are doing it on June 6, my mother's birthday.

Again, I thank everybody on both sides of the aisle for their efforts. Again, I oppose the motion to recommit and urge all my colleagues to support H.R. 8, the Water Resources Development Act of 2018.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Ms. VELÁZQUEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 54 minutes p.m.), the House stood in recess.

□ 1908

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 7 o'clock and 8 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5895, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2019, AND PROVIDING FOR CONSIDERATION OF H.R. 3, SPENDING CUTS TO EXPIRED AND UNNECESSARY PROGRAMS ACT

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-712) on the resolution (H. Res. 923) providing for further consideration of the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes, and providing for consideration of the bill (H.R. 3) to rescind certain budget authority proposed to be rescinded in special messages transmitted to the Congress by the President on May 8, 2018, in accord-

ance with title X of the Congressional Budget and Impoundment Control Act 1974, which was referred to the House Calendar and ordered to be printed.

#### RECESS

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

Accordingly (at 7 o'clock and 9 minutes p.m.), the House stood in recess.

□ 2100

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 9 p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to recommit on H.R.;

Passage of H.R. 8, if ordered; and

Adoption of the motion to concur in the Senate amendment to H.R. 3249.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### WATER RESOURCES DEVELOPMENT ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 8) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, offered by the gentlewoman from New York (Ms. VELÁZQUEZ), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 180, nays 227, not voting 20, as follows:

[Roll No. 237]

YEAS—180

Adams	Brownley (CA)	Clay
Aguilar	Bustos	Cleaver
Barragán	Butterfield	Clyburn
Bass	Capuano	Cohen
Bera	Carbajal	Connolly
Beyer	Cárdenas	Cooper
Bishop (GA)	Carson (IN)	Correa
Blumenauer	Cartwright	Costa
Blunt Rochester	Castor (FL)	Courtney
Bonamici	Castro (TX)	Crist
Boyle, Brendan	Chu, Judy	Crowley
F.	Cicilline	Cuellar
Brady (PA)	Clark (MA)	Cummings
Brown (MD)	Clarke (NY)	Davis (CA)



DeGette

Delaney

DeLauro

DeBene

Demings

DeSaulnier

Deutch

Dingell

Doggett

Doyle, Michael F.

Engel

Eshoo

Españillat

Esty (CT)

Evans

Foster

Frankel (FL)

Fudge

Gabbard

Garamendi

Gomez

Gonzalez (TX)

Gottheimer

Green, Al

Green, Gene

Grijalva

Gutiérrez

Hanabusa

Hastings

Heck

Higgins (NY)

Himes

Hoyer

Huffman

Jackson Lee

Jayapal

Jeffries

Johnson (GA)

Johnson, E. B.

Kaptur

Keating

Kelly (IL)

Kennedy

Khanna

Kihuen

Kildee

Kilmer

Kind

Krishnamoorthi

Kuster (NH)

Lamb

Langevin

Larsen (WA)

Larson (CT)

Lawrence

Lawson (FL)

Levin

Lewis (GA)

Lieu, Ted

Lipinski

Loeb sack

Lofgren

Lowenthal

Lowey

Lujan Grisham, M.

Luján, Ben Ray

Maloney,

Carolyn B.

Maloney, Sean

Matsui

McCollum

McEachin

McGovern

Meeks

Meng

Moore

Moulton

Murphy (FL)

Nadler

Napolitano

Neal

Nolan

Norcross

O'Rourke

Pallone

Panetta

Pascrell

Payne

Pelosi

Peters

Peterson

Pingree

Pocan

Posey

Price (NC)

Quigley

Raskin

Rice (NY)

Richmond

Rosen

Roybal-Allard

Ruiz

Ruppersberger

Rush

Ryan (OH)

Sánchez

Sarbanes

Schakowsky

Schiff

Schneider

Schrader

Scott (VA)

Scott, David

Serrano

Sewell (AL)

Shea-Porter

Sinema

Sires

Smith (WA)

Soto

Speier

Suoizzi

Swallow (CA)

Takano

Thompson (CA)

Thompson (MS)

Titus

Tonko

Torres

Tsongas

Vargas

Veasey

Vela

Velázquez

Visclosky

Wasserman

Schultz

Watson Coleman

Welch

Yarmuth

Moolenaar

Mooney (WV)

Mullin

Newhouse

Norman

Nunes

Olson

Palmer

Paulsen

Pearce

Perry

Pittenger

Poe (TX)

Poliquin

Ratcliffe

Reed

Reichert

Renacci

Rice (SC)

Roby

Roe (TN)

Rogers (AL)

Rogers (KY)

Rohrabacher

Rokita

Rooney, Francis

Rooney, Thomas J.

Ros-Lehtinen

Roskam

Ross

Rothfus

Rouzer

Royce (CA)

Russell

Rutherford

Sanford

Scalise

Schweikert

Scott, Austin

Sensenbrenner

Sessions

Shimkus

Shuster

Simpson

Smith (MO)

Smith (NE)

Smith (NJ)

Smith (TX)

Smucker

Stefanik

Stewart

Stivers

Taylor

Tenney

Thompson (PA)

Thornberry

Tipton

Trott

Turner

Upton

Valadao

Wagner

Walberg

Walden

Walker

Walorski

Walters, Mimi

Weber (TX)

Webster (FL)

Wenstrup

Westerman

Williams

Wilson (SC)

Wittman

Womack

Woodall

Yoder

Yoho

Young (AK)

Young (IA)

Zeldin

Comer

Comstock

Conaway

Connolly

Cook

Cooper

Correa

Costa

Costello (PA)

Courtney

Cramer

Crawford

Crist

Crowley

Cuellar

Culberson

Cummings

Curbelo (FL)

Curtis

Davidson

Davis (CA)

Davis, Danny

Davis, Rodney

DeGette

Delaney

DeLauro

DeBene

Demings

Denham

DeSantis

DeSaulnier

DesJarlais

Deutch

Diaz-Balart

Dingell

Doggett

Donovan

Doyle, Michael F.

Duffy

Duncan (SC)

Duncan (TN)

Dunn

Emmer

Engel

Eshoo

Españillat

Estes (KS)

Esty (CT)

Evans

Faso

Ferguson

Fitzpatrick

Fleischmann

Flores

Foster

Fox

Frankel (FL)

Frelinghuysen

Fudge

Gabbard

Gaetz

Gallagher

Gallego

Garamendi

Garrett

Gianforte

Gibbs

Gohmert

Gomez

Gonzalez (TX)

Goodlatte

Gosar

Gottheimer

Govdy

Granger

Graves (GA)

Graves (LA)

Graves (MO)

Green, Al

Green, Gene

Griffith

Grijalva

Grothman

Guthrie

McCauley

Gutiérrez

Hanabusa

Handel

Harper

Harris

Hartzel

Hastings

Heck

Hensarling

Herrera Beutler

Hice, Jody B.

Higgins (LA)

Hill

Holding

Hollingsworth

Hudson

Huizenga

Hultgren

Hunter

Himes

Holding

Hollingsworth

Hoyer

Hudson

Huffman

Huizenga

Hultgren

Hunter

Issa

Jackson Lee

Jayapal

Jeffries

Jenkins (KS)

Jenkins (WV)

Johnson (GA)

Johnson (LA)

Johnson (OH)

Johnson, E. B.

Jordan

Joyce (OH)

Kaptur

Keating

Kelly (IL)

Kelly (MS)

Kelly (PA)

Kinzing

Kennedy

Khanna

Kihuen

Kildee

Kilmer

Kind

King (IA)

King (NY)

Kinzinger

Krishnamoorthi

Kuster (NH)

Kustoff (TN)

Labrador

LaHood

LaMalfa

Lamb

Lamborn

Lance

Langevin

Larsen (WA)

Larson (CT)

Latta

Lawrence

Lawson (FL)

Lesko

Levin

Lewis (GA)

Lewis (MN)

Lieu, Ted

Lipinski

LoBiondo

Loeb sack

Lofgren

Long

Loudermilk

Love

Lowenthal

Lowe

Lucas

Luetkemeyer

Lujan Grisham, M.

Luján, Ben Ray

MacArthur

Maloney,

Carolyn B.

Maloney, Sean

Marchant

Marino

Marshall

Massie

Mast

Matsui

McCarthy

McCauley

McClintock

McClintock

McKinley

McMorris

Rodgers

McSally

Meadows

Meeks

Meng

Messer

Mitchell

Moolenaar

Mooney (WV)

Moore

Moulton

Mullin

Murphy (FL)

Nadler

Napolitano

Neal

Newhouse

Nolan

Norcross

Norman

Nunes

O'Halleran

O'Rourke

Pallone

Palmer

Panetta

Pascarell

Paulsen

Payne

Pearce

Pelosi

Perry

Peters

Peterson

Pingree

Pittenger

Pocan

Poe (TX)

Poliquin

Posey

Price (NC)

Quigley

Raskin

Ratcliffe

Reed

Reichert

Renacci

Rice (NY)

Rice (SC)

Richmond

Roby

Roe (TN)

Rogers (AL)

Rogers (KY)

Rohrabacher

Rokita

Rooney, Francis J.

Rooney, Thomas J.

Ros-Lehtinen

Rosen

Roskam

Ross

Rothfus

Rouzer

Roybal-Allard

Royce (CA)

Ruiz

Ruppersberger

Rush

Russell

Rutherford

Ryan (OH)

Sánchez

Sanford

Sarbanes

Scalise

Schakowsky

Schiff

Schneider

Schrader

Schweikert

Scott (VA)

Scott, Austin

Scott, David

Sensenbrenner

Serrano

Sessions

Sewell (AL)

Shea-Porter

Shimkus

Shuster

Simpson

Sinema

Sires

Smith (MO)

Smith (NE)

Smith (NJ)

Smith (TX)

Smith (WA)

Smucker

Soto

Speier

Stefanik

Stewart

NOT VOTING—20

□ 2125

Messrs. RUTHERFORD, McCLINTOCK, JENKINS of West Virginia, Mrs. BLACK, Mr. GARRETT, Mmes. LOVE and HARTZLER changed their vote from “yea” to “nay.”

Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, and Mr. CLYBURN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. SHUSTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 408, noes 2, not voting 17, as follows:

[Roll No. 238]

AYES—408

Abraham

Budd

Burgess

Byrne

Calvert

Carter (GA)

Carter (TX)

Chabot

Cheney

Coffman

Cole

Collins (GA)

Collins (NY)

Comer

Comstock

Conaway

Cook

Costello (PA)

Cramer

Crawford

Culberson

Curbelo (FL)

Curtis

Davidson

Davis, Rodney

Denham

DesSantis

DesJarlais

Diaz-Balart

Donovan

Duffy

Duncan (SC)

Duncan (TN)

Dunn

Emmer

Estes (KS)

Faso

Ferguson

Fitzpatrick

Fleischmann

Flores

Blum

Bost

Frelinghuysen

Gaetz

Gallagher

Garrett

Gianforte

Gibbs

Gohmert

Goodlatte

Gosar

Govdy

Graves (GA)

Graves (LA)

Graves (MO)

Green, Al

Green, Gene

Griffith

Grothman

Guthrie

Handel

Harper

Harris

Hartzel

Hensarling

Herrera Beutler

Hice, Jody B.

Higgins (LA)

Hill

Holding

Hollingsworth

Hudson

Huizenga

Hultgren

Hunter

Hurd

Issa

Jenkins (KS)

Jenkins (WV)

Johnson (LA)

Johnson (OH)

Johnson, Sam

Jones

Jordan

Joyce (OH)

Katko

Kelly (MS)

Kelly (PA)

King (IA)

King (NY)

Kinzing

Knight

Kustoff (TN)

Labrador

LaHood

LaMalfa

Lamborn

Lance

Latta

Lesko

Lewis (MN)

LoBiondo

Long

Loudermilk

Love

Lucas

Luetkemeyer

MacArthur

Marchant

Marino

Marshall

Massie

Mast

McCarthy

McCauley

McClintock

McHenry

McKinley

McMorris

Rodgers

McSally

Bishop (GA)

Bishop (UT)

Black

Blackburn

Beatty

Billrakis

Bishop (MI)

Davis, Danny

DeFazio

Ellison

Fortenberry

Blum

Blumenauer

Blunt Rochester

Bonamici

Bost

Boyle, Brendan F.

Brady (PA)

Brady (TX)

Brat

Brooks (AL)

Brooks (IN)

Brown (MD)

Brownley (CA)

Bass

Bera

Bergman

Beyer

Biggs

Bishop (GA)

Bishop (UT)

Black

Blackburn

Capuano

Carbajal

Cárdenas

Carson (IN)

Carter (GA)

Carter (TX)

Cartwright

Castor (FL)

Castro (TX)

Chabot

Cheney

Chu, Judy

Cicilline

Clark (MA)

Clarke (NY)

Clay

Cleaver

Clyburn

Coffman

Cohen

Cole

Collins (GA)

Collins (NY)

Comer

Comstock

Conaway

Connolly

Cook

Cooper

Correa

Costa

Costello (PA)

Courtney

Cramer

Crawford

Crist

Crowley

Cuellar

Culberson

Cummings

Curbelo (FL)

Curtis

Davidson

Davis (CA)

Davis, Danny

Davis, Rodney

DeGette

Delaney

DeLauro

DeBene

Demings

Denham

DeSantis

DeSaulnier

DesJarlais

Deutch

Diaz-Balart

Dingell

Doggett

Donovan

Doyle, Michael F.

Duffy

Duncan (SC)

Duncan (TN)

Dunn

Emmer

Engel

Eshoo

Españillat

Estes (KS)

Esty (CT)

Evans

Faso

Ferguson

Fitzpatrick

Fleischmann

Flores

Foster

Fox

Frankel (FL)

Frelinghuysen

Fudge

Gabbard

Gaetz

Gallagher

Gallego

Garamendi

Garrett

Gianforte

Gibbs

Gohmert

Gomez

Gonzalez (TX)

Goodlatte

Gosar

Gottheimer

Govdy

Granger

Graves (GA)

Graves (LA)

Graves (MO)

Green, Al

Green, Gene

Griffith

Grijalva

Grothman

Guthrie

McCauley

Gutiérrez

Hanabusa

Handel

Harper

Harris

Hartzel

Hastings

Heck

Hensarling

Herrera Beutler

Hice, Jody B.

Higgins (LA)

Higgins (NY)

Hill

Himes

Holding

Hollingsworth

Hoyer

Hudson

Huffman

Huizenga

Hultgren

Hunter

Issa

Jackson Lee

Jayapal

Jeffries

Jenkins (KS)

Jenkins (WV)

Johnson (GA)

Johnson (LA)

Johnson (OH)

Johnson, E. B.

Jordan

Joyce (OH)

Kaptur

Katko

Keating

Kelly (IL)

Kelly (MS)

Kelly (PA)

Kinzing

Kennedy

Khanna

Kihuen

Kildee

Kilmer

Kind

King (IA)

King (NY)

Kinzinger

Krishnamoorthi

Kuster (NH)

Kustoff (TN)

Labrador

LaHood

LaMalfa

Lamb

Lamborn

Lance

Langevin

Larsen (WA)

Larson (CT)

Latta

Lawrence

Lawson (FL)

Lesko

Levin

Lewis (GA)

Lewis (MN)

Lieu, Ted

Lipinski

LoBiondo

Loeb sack

Lofgren

Long

Loudermilk

Love

Lowenthal

Lowe

Lucas

Luetkemeyer

Lujan Grisham, M.

Luján, Ben Ray

MacArthur

Maloney,

Carolyn B.

Maloney, Sean

Marchant

Marino

Marshall

Massie

Mast

Matsui

McCarthy

McCauley

McClintock

McCollum

McEachin

McGovern

McHenry

McKinley

McMorris

Rodgers

McSally

Meadows

Meeks

Meng

Messer

Mitchell

Moolenaar

Mooney (WV)

Moore

Moulton

Mullin

Murphy (FL)

Nadler

Napolitano

Neal

Newhouse

Nolan

Norcross

Norman

Nunes

O'Halleran

O'Rourke

Pallone

Palmer

Panetta

Pascarell

Paulsen

Payne

Pearce

Pelosi

Perry

Peters

Peterson

Pingree

Pittenger

Pocan

Poe (TX)

Poliquin

Posey

Price (NC)

Quigley

Raskin

Ratcliffe

Reed

Reichert

Renacci

Rice (NY)

Rice (SC)

Richmond

Roby

Roe (TN)

Rogers (AL)

Rogers (KY)

Rohrabacher

Rokita

Rooney, Francis J.

Rooney, Thomas J.

Ros-Lehtinen

Rosen

Roskam

Ross

Rothfus

Rouzer

Roybal-Allard

Royce (CA)

Ruiz

Ruppersberger

Rush

Russell

Rutherford

Ryan (OH)

Sánchez

Sanford

Sarbanes

Scalise

Schakowsky

Schiff

Schneider

Schrader

Schweikert

Scott (VA)

Scott, Austin

Scott, David

Sensenbrenner

Serrano

Sessions

Sewell (AL)

Shea-Porter

Shimkus

Shuster

Simpson

Sinema

Sires

Smith (MO)

Smith (NE)

Smith (NJ)

Smith (TX)

Smith (WA)

Smucker

Soto

Speier

Stefanik

Stewart

Stivers	Upton	Webster (FL)
Suozy	Valadao	Welch
Swalwell (CA)	Vargas	Wenstrup
Takano	Veasey	Westerman
Taylor	Vela	Williams
Tenney	Velázquez	Wilson (SC)
Thompson (CA)	Visclosky	Wittman
Thompson (MS)	Wagner	Womack
Thompson (PA)	Walberg	Woodall
Thornberry	Walden	Yarmuth
Tipton	Walker	Yoder
Titus	Walorski	Yoho
Tonko	Walters, Mimi	Young (AK)
Torres	Wasserman	Young (IA)
Trott	Schultz	Zeldin
Tsongas	Watson Coleman	
Turner	Weber (TX)	

## NOES—2

Amash

Jones

## NOT VOTING—17

Beatty	Lee	Polis
Bilirakis	Lynch	Sherman
Bishop (MI)	McNerney	Walz
DeFazio	Noem	Waters, Maxine
Ellison	Palazzo	Wilson (FL)
Fortenberry	Perlmutter	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2132

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PROJECT SAFE NEIGHBORHOODS GRANT PROGRAM AUTHORIZATION ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to concur in the Senate amendment to the bill (H.R. 3249) to authorize the Project Safe Neighborhoods Grant Program, and for other purposes, offered by the gentleman from Virginia (Mr. GOODLATTE), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to concur.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 13, answered “present” 2, not voting 18, as follows:

[Roll No. 239]

## YEAS—394

Abraham	Blumenauer	Carbajal
Adams	Blunt Rochester	Cárdenas
Aderholt	Bonamici	Carson (IN)
Allen	Bost	Carter (GA)
Amodei	Boyle, Brendan	Carter (TX)
Arrington	F.	Cartwright
Babin	Brady (PA)	Castor (FL)
Bacon	Brady (TX)	Castro (TX)
Banks (IN)	Brat	Chabot
Barletta	Brooks (AL)	Cheney
Barr	Brooks (IN)	Chu, Judy
Barragán	Brown (MD)	Cicilline
Barton	Brownley (CA)	Clark (MA)
Bass	Buchanan	Clarke (NY)
Bera	Bucshon	Clay
Bergman	Budd	Cleaver
Beyer	Burgess	Clyburn
Bishop (GA)	Bustos	Coffman
Bishop (UT)	Butterfield	Cohen
Black	Byrne	Cole
Blackburn	Calvert	Collins (GA)
Blum	Capuano	Collins (NY)

Comer	Hoyer	Neal	Titus	Wagner	Westerman
Comstock	Hudson	Newhouse	Tonko	Walberg	Williams
Conaway	Huffman	Nolan	Torres	Walden	Wilson (SC)
Connolly	Huizenga	Norcross	Trott	Walker	Wittman
Cook	Hultgren	Norman	Tsongas	Walorski	Womack
Cooper	Hunter	Nunes	Turner	Walters, Mimi	Woodall
Correa	Hurd	O'Halleran	Upton	Wasserman	Woodall
Costa	Issa	O'Rourke	Valadao	Schultz	Yarmuth
Costello (PA)	Jackson Lee	Olson	Vargas	Watson Coleman	Yoder
Courtney	Jayapal	Pallone	Veasey	Weber (TX)	Yoho
Cramer	Jeffries	Palmer	Vela	Webster (FL)	Young (AK)
Crawford	Jenkins (KS)	Panetta	Velázquez	Welch	Young (IA)
Crist	Jenkins (WV)	Pascrell	Visclosky	Wenstrup	Zeldin
Crowley	Johnson (GA)	Paulsen			
Cuellar	Johnson (LA)	Payne			
Culberson	Johnson (OH)	Pearce			
Cummings	Johnson, E. B.	Pelosi			
Curbelo (FL)	Johnson, Sam	Peters			
Curtis	Joyce (OH)	Peterson			
Davidson	Kaptur	Pingree			
Davis (CA)	Katko	Pittenger			
Davis, Danny	Keating	Pocan			
Davis, Rodney	Kelly (IL)	Poe (TX)			
DeGette	Kelly (MS)	Poliquin			
Delaney	Kelly (PA)	Posey			
DeLauro	Kennedy	Price (NC)			
DeBene	Khanna	Quigley			
Demings	Kihuen	Raskin			
Denham	Kildee	Ratcliffe			
DeSantis	Kilmer	Reed			
DeSaulnier	Kind	Reichert			
DesJarlais	King (IA)	Renacci			
Deutch	King (NY)	Rice (NY)			
Diaz-Balart	Kinzinger	Rice (SC)			
Dingell	Knight	Roby			
Doggett	Krishnamoorthi	Roe (TN)			
Donovan	Kuster (NH)	Rogers (AL)			
Doyle, Michael	Kustoff (TN)	Rogers (KY)			
F.	LaHood	Rohrabacher			
Duffy	LaMalfa	Rokita			
Duncan (SC)	Lamb	Rooney, Francis			
Duncan (TN)	Lamborn	Rooney, Thomas			
Dunn	Lance	J.			
Emmer	Langevin	Ros-Lehtinen			
Engel	Larsen (WA)	Rosen			
Eshoo	Larson (CT)	Roskam			
Espallat	Latta	Ross			
Estes (KS)	Lawrence	Rothfus			
Esty (CT)	Lawson (FL)	Rouzer			
Evans	Lesko	Roybal-Allard			
Faso	Levin	Royce (CA)			
Ferguson	Lewis (GA)	Ruiz			
Fitzpatrick	Lewis (MN)	Ruppersberger			
Fleischmann	Lieu, Ted	Rush			
Flores	Lipinski	Russell			
Foster	LoBiondo	Rutherford			
Foxx	Loeb sack	Ryan (OH)			
Frankel (FL)	Lofgren	Sánchez			
Frelinghuysen	Long	Sarbanes			
Fudge	Loudermillk	Scalise			
Gabbard	Love	Schakowsky			
Gallagher	Lowenthal	Schiff			
Gallego	Lucas	Schneider			
Garamendi	Luetkemeyer	Schrader			
Garrett	Lujan Grisham,	Schweikert			
Gianforte	M.	Scott (VA)			
Gibbs	Luján, Ben Ray	Scott, Austin			
Gomez	MacArthur	Scott, David			
Gonzalez (TX)	Maloney,	Sensenbrenner			
Goodlatte	Carolyn B.	Serrano			
Gottheimer	Maloney, Sean	Sessions			
Gowdy	Marchant	Sewell (AL)			
Granger	Marino	Shea-Porter			
Graves (GA)	Marshall	Shimkus			
Graves (LA)	Mast	Shuster			
Graves (MO)	Matsui	Simpson			
Green, Al	McCarthy	Sinema			
Green, Gene	McCaul	Sires			
Griffith	McCollum	Smith (MO)			
Grijalva	McEachin	Smith (NE)			
Grothman	McGovern	Smith (NJ)			
Guthrie	McHenry	Smith (TX)			
Gutiérrez	McKinley	Smith (WA)			
Hanabusa	McMorris	Smucker			
Handel	Rodgers	Soto			
Harper	McSally	Speier			
Harris	Meadows	Stefanik			
Hartzel	Meeks	Stewart			
Hastings	Meng	Stivers			
Heck	Messer	Suozy			
Hensarling	Mitchell	Swalwell (CA)			
Herrera Beutler	Moolenaar	Takano			
Hice, Jody B.	Mooney (WV)	Taylor			
Higgins (LA)	Moore	Tenney			
Higgins (NY)	Moulton	Thompson (CA)			
Hill	Mullin	Thompson (MS)			
Himes	Murphy (FL)	Thompson (PA)			
Holding	Nadler	Thornberry			
Hollingsworth	Napolitano	Tipton			

## NAYS—13

Amash	Gosar	McClintock
Biggs	Jones	Perry
Buck	Jordan	Sanford
Gaetz	Labrador	
Gohmert	Massie	

## ANSWERED “PRESENT”—2

Lowey	Richmond
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## NOT VOTING—18

Aguilar	Fortenberry	Perlmutter
Beatty	Lee	Polis
Bilirakis	Lynch	Sherman
Bishop (MI)	McNerney	Walz
DeFazio	Noem	Waters, Maxine
Ellison	Palazzo	Wilson (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2138

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, I rise today regarding missed votes due to a medical issue. Had I been present for rollcall vote No. 237, the Motion to Recommit H.R. 8, I would have voted “yea.” Had I been present for rollcall vote No. 238, H.R. 8, the Water Resources Development Act of 2018, I would have voted “yea.” Had I been present for rollcall vote No. 239, the Senate Amendment to H.R. 3249, I would have voted “yea.”

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 8, WATER RESOURCES DEVELOPMENT ACT OF 2018

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 8, the Clerk be authorized to correct section numbers, punctuation, amendatory instructions, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

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

There was no objection.

## THE MEN WHO STORMED NORMANDY

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

Mr. LAMALFA. Mr. Speaker, I rise tonight to remember and honor the

men who stormed the beaches of Normandy 74 years ago today, June 6, 1944, known as D-Day. The largest amphibious assault in the history of the world was also one of the bloodiest. By the end of the day, 10,000 Allied soldiers were killed or wounded.

But with that, the irreversible liberation of Nazi-occupied Europe had begun, and just a couple of years later, it would be complete. It is now 74 years again from that day, and most of those who were there to witness it are no longer with us.

It sometimes seems we may forget that sacrifice that they and many others made so that we could all be free—liberate Europe and keep America safe. We must not lose sight of what is important.

The obstacles we face today do not compare with the nightmare our fathers and grandfathers faced on those beaches. On D-Day, Allied soldiers indeed carried the weight of the free world on their shoulders. The Nazi threat was obviously very real, and that threat was soon defeated.

I pray that this generation and the next recognizes the gravity of this heroism, never forgets, and takes into account what it takes to remain free as a nation and as a people that love freedom and export that freedom.

#### BARRY FAILE NAMED THE 2018 SHERIFF OF THE YEAR

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

Mr. NORMAN. Mr. Speaker, it is my honor and privilege to announce to the 115th session of Congress that Lancaster County Sheriff Barry Faile was named the 2018 Sheriff of the Year by the South Carolina Sheriffs Association. This honor was bestowed on Sheriff Faile by his peers representing 46 counties.

He began his career in law enforcement 29 years ago where he began as a patrol deputy in 1989 and moved through the ranks of every department until 2009 when he was elected sheriff.

Under the leadership of Sheriff Faile, the accomplishments include: national accreditation of his office; implementation of body cameras; Neighborhood Crime Watch programs grown from 12 neighborhoods to 37 in 2 years; and creation of the first Crowd Control Unit in 2017.

In 2011, Sheriff Faile led the agency through a gang investigation resulting in one of the first grand jury indictments by the State Attorney's office of 15 local gang members, along with the arrest of local members of the Hells Angels as part of a statewide crack-down.

His commitment to the local Lancaster community includes serving as a board member of Springs Memorial Hospital, the Rotary Breakfast Club, and the USC Lancaster Educational Foundation.

He is currently the president of the South Carolina Sheriffs Association. Sheriff Faile is only the third person in our area to win this prestigious award.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FORTENBERRY (at the request of Mr. MCCARTHY) for today and June 7 until 5 p.m. on account of a family medical matter.

#### ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 7, 2018, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5029. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting the Department's Biennial Core Report to Congress, pursuant to 10 U.S.C. 2464(d); Public Law 112-239, Sec. 322(d); (126 Stat. 1695); to the Committee on Armed Services.

5030. A letter from the Secretary of the Army, Department of Defense, transmitting the Annual Report to Congress on the Activities of the Western Hemisphere Institute for Security Cooperation for 2017, pursuant to 10 U.S.C. 343(i); Public Law 106-398, Sec. 1 (as amended by Public Law 107-314, Sec. 932(a)(1)); (116 Stat. 2625); to the Committee on Armed Services.

5031. A letter from the Secretary, Department of Commerce, transmitting the Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for August 26, 2017, to February 25, 2018, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5032. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5033. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5034. A letter from the Acting Director, International Cooperation, Acquisition and Sustainment, Department of Defense, transmitting Transmittal No. 08-18, informing of the Department's intent to sign Amendment One to the Memorandum of Understanding

Among the Minister of National Defence of Canada, the Federal Ministry of Defence of the Federal Republic of Germany, the Minister of Defence of the Kingdom of the Netherlands, and the Department of Defense of the United States of America, pursuant to Sec. 27(f) of the Arms Export Control Act, and Executive Order 13637; to the Committee on Foreign Affairs.

5035. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report of the Inspector General for the period October 1, 2017, through March 31, 2018, pursuant to Sec. 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

5036. A letter from the Chairman and General Counsel, National Labor Relations Board, Office of the Inspector General, transmitting the Board's Semiannual Report of the Office of Inspector General for the period October 1, 2017, through March 31, 2018, pursuant to Sec. 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

5037. A letter from the Assistant Attorney General, Office of Legislative Affairs, U.S. Department of Justice, transmitting an FY 2019 Estimate for the Volunteers at Federally Supported Health Centers Assistance Act community health centers funded by 42 U.S.C. Sec. 233(k), pursuant to 42 U.S.C. 233(q)(4)(B)(i); July 1, 1944, ch. 373, title II, Sec. 224(q)(4)(B)(i) (as amended by Public Law 114-255, Sec. 9025); (130 Stat. 1254); to the Committee on the Judiciary.

5038. A letter from the Staff Director, United States Sentencing Commission, transmitting a report on the compliance of the federal district courts with documentation submission requirements of 28 U.S.C. 994(w)(1), pursuant to 28 U.S.C. 994(w)(3); to the Committee on the Judiciary.

5039. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Monongahela, Allegheny, and Ohio Rivers, Pittsburgh, Pennsylvania [Docket Number: USCG-2018-0224] (RIN: 1625-AA08) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5040. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Monongahela, Allegheny, and Ohio Rivers, Pittsburgh, Pennsylvania [Docket Number: USCG-2018-0320] (RIN: 1625-AA08) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5041. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; SF State University Graduation Fireworks Display, San Francisco Bay, San Francisco, CA [Docket No.: USCG-2018-0420] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5042. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Laguna Madre, South Padre Island, TX [Docket Number: USCG-2018-0444] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5043. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's temporary final rule — Safety Zone; Ohio River mile marker 27.8 to mile marker 28.2, Vanport, PA [Docket Number: USCG-2018-0441] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5044. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Bay-Rama Fish Fly Festival, Lake St. Clair, New Baltimore, MI [Docket No.: USCG-2018-0425] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5045. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Grosse Pointe War Memorial Red, White, and Blue Gala Fireworks, Lake St. Clair, Grosse Pointe, MI [Docket No.: USCG-2018-0266] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5046. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; St. Clair Shores Fireworks, Lake St. Clair, St. Clair Shores, MI [Docket No.: USCG-2018-0384] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5047. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's rule — Safety Zone; Navy Underwater Detonation (UNDET) Exercises, GU [Docket Number: USCG-2017-0651] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5048. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Corpus Christi Ship Channel, Corpus Christi, TX [Docket Number: USCG-2018-0339] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5049. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio Street Beach Swim Course, Lake Michigan, Chicago Harbor, Chicago, IL [Docket Number: USCG-2017-1066] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5050. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Tuskegee Airman River Days Air Show, Detroit River, Detroit, MI [Docket No.: USCG-2018-0368] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5051. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Algonac Fireworks, St. Clair River, Algonac, MI

[Docket No.: USCG-2018-0248] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5052. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Neches River, Beaumont, TX [Docket No.: USCG-2018-0376] (RIN: 1625-AA00) received May 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 923. Resolution providing for further consideration of the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes, and providing for consideration of the bill (H.R. 3) to rescind certain budget authority proposed to be rescinded in special messages transmitted to the Congress by the President on May 8, 2018, in accordance with title X of the Congressional Budget and Impoundment Control Act 1974 (Rept. 115-712). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ENGEL (for himself, Mr. McCAUL, Mr. SHERMAN, Mr. YOHIO, Mr. TED LIEU of California, and Mr. RUSSELL):

H.R. 6012. A bill to require reports on North Korea's nuclear capabilities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah (for himself and Mr. BERGMAN):

H.R. 6013. A bill to amend the Migratory Bird Treaty Act to establish January 31 of each year as the Federal closing date for duck hunting season and to establish special duck hunting days for youths, veterans, and active military personnel, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of Pennsylvania (for himself, Ms. MOORE, Ms. STEFANIK, and Ms. BLUNT ROCH-ESTER):

H.R. 6014. A bill to reauthorize the Family Violence Prevention and Services Act; to the Committee on Education and the Workforce.

By Mr. DEFAZIO (for himself, Mr. DOGETT, Ms. DELAUNO, Ms. NORTON, and Ms. SCHAKOWSKY):

H.R. 6015. A bill to amend the Internal Revenue Code of 1986 to increase the tax on certain global intangible income; to the Committee on Ways and Means.

By Mrs. NAPOLITANO (for herself, Mr. KATKO, Mr. CARSON of Indiana, Ms. NORTON, Mr. PAYNE, and Mr. KHANNA):

H.R. 6016. A bill to amend title 49, United States Code, to require the development of a bus operations safety risk reduction program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 6017. A bill to amend the National Telecommunications and Information Administration Organization Act to provide for necessary payments from the Spectrum Relocation Fund for costs of spectrum research and development and planning activities; to the Committee on Energy and Commerce.

By Mr. McCAUL (for himself and Mr. KEATING):

H.R. 6018. A bill to establish an inter-agency program to assist countries in the Sahel, Maghreb, and adjacent regions of Africa to improve immediate and long-term capabilities to counter terrorist threats, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BIGGS:

H.R. 6019. A bill to establish a penalty for the Department of Housing and Urban Development for failure to enforce compliance with the public housing community service and self-sufficiency requirement under law, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Michigan (for himself, Mr. MOOLENAAR, Mr. HUIZENGA, Mr. TROTT, Mrs. DINGELL, Mr. MITCHELL, Mr. WALBERG, Mrs. LAWRENCE, Mr. BERGMAN, Mr. KILDEE, Mr. UPTON, Mr. LEVIN, and Mr. AMASH):

H.R. 6020. A bill to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the "Sergeant Donald Burgett Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. HILL (for himself and Mr. GONZALEZ of Texas):

H.R. 6021. A bill to amend the Sarbanes-Oxley Act of 2002 to exclude privately held, non-custody brokers and dealers that are in good standing from certain requirements under title I of that Act, and for other purposes; to the Committee on Financial Services.

By Mr. KINZINGER (for himself, Mr. SCHRADER, Mr. GUTHRIE, Mr. PETERSON, Mr. CARTER of Georgia, Mr. VELA, Mr. HUDSON, and Mr. COSTA):

H.R. 6022. A bill to amend the Fair Packaging and Labeling Act to require that Federal and State mandated information declarations and labeling requirements applicable to the chemical composition of, and radiation emitted by, consumer products meet minimum scientific standards to deliver accurate and clear information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NORMAN:

H.R. 6023. A bill to terminate the Economic Development Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 6024. A bill to provide for the implementation of a system of licensing for purchasers of certain firearms and for a record of sale system for those firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. TIPTON:

H.R. 6025. A bill to enhance the Bulletproof Vest Partnership Program to assist law enforcement agencies in protecting law enforcement officers; to the Committee on the Judiciary.

By Mr. JONES (for himself and Ms. GABBARD):

H. Res. 922. A resolution defining presidential wars not declared by Congress under Article I, section 8, clause 11 (Declare War Clause) as impeachable "high crimes and misdemeanors" within the meaning of Article II, section 4 of the Constitution and defining the meanings of war and cobelligerency for purposes of the Declare War Clause and Impeachment provisions; to the Committee on the Judiciary.

By Mr. BROWN of Maryland:

H. Res. 924. A resolution commending Turkish Americans nationwide for their rich contributions to American cultural, social, economic, and civic life, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HASTINGS (for himself, Ms. MOORE, and Mr. MEEKS):

H. Res. 925. A resolution Recognizing people of African descent and Black Europeans; to the Committee on Foreign Affairs.

By Ms. KAPTUR (for herself, Ms. ROSELEHTINEN, Mr. POE of Texas, Mr. PERRY, Mr. SRES, Mrs. DINGELL, Mr. CONNOLLY, Mr. BURGESS, Mr. ENGEL, Mr. COOK, Mr. CICILLINE, Mr. GUTIERREZ, Mr. FITZPATRICK, Mr. HARRIS, and Mr. MCCAUL):

H. Res. 926. A resolution condemning Russian transgressions against international law and FIFA values during the 2018 World Cup in Russia; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

206. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 119, urging the United States Congress to support and fund the scientific study of firearms violence and prevention; which was referred to the Committee on Financial Services.

207. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 1153, urging the U.S. Congress to support funding for the research of Lyme disease and to further promote awareness of the effects of Lyme disease in the United States; which was referred to the Committee on Energy and Commerce.

208. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 29, requesting the Congressional delegation of Hawaii and the United States Congress to oppose "Concealed Carry Reciprocity" legislation; which was referred to the Committee on the Judiciary.

209. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1016, urging the President and Congress of the United States to swiftly renegotiate and ratify the North American Free Trade Agreement to maintain the global competitiveness of Arizona's businesses and citizens; which was referred to the Committee on Ways and Means.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers

granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ENGEL:

H.R. 6012.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Mr. BISHOP of Utah:

H.R. 6013.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 18 "To make all Laws, which shall be necessary and proper for carrying into the Execution the foregoing Powers, and for all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof."

By Mr. THOMPSON of Pennsylvania:

H.R. 6014.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution which gives Congress the power "to regulate Commerce with foreign Nations, and among the several states, and within the Indian Tribes."

By Mr. DEFAZIO:

H.R. 6015.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mrs. NAPOLITANO:

H.R. 6016.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, Clause 3, and Clause 18 of the Constitution.

By Mr. GUTHRIE:

H.R. 6017.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3,

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MCCAUL:

H.R. 6018.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. BIGGS:

H.R. 6019.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—"No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. BISHOP of Michigan:

H.R. 6020.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, which provides that Congress shall have the authority to "establish post offices and post roads."

By Mr. HILL:

H.R. 6021.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. KINZINGER:

H.R. 6022.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 (Commerce) and 18 (Necessary and Proper)

By Mr. NORMAN:

H.R. 6023.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7

By Mr. RUSH:

H.R. 6024.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

"The Congress shall have power to . . . provide for the . . . general welfare of the United States."

Article 1, Section 8, Clause 3:

"To regulate commerce . . . among the several states . . ."

Article 1, Section 8, Clause 18:

"To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States . . ."

By Mr. TIPTON:

H.R. 6025.

Congress has the power to enact this legislation pursuant to the following:

section 8 of Article I of the Constitution.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 3: Mr. MCCLINTOCK, Mr. MARCHANT, and Ms. FOX.

H.R. 178: Mrs. HARTZLER.

H.R. 350: Mr. LATTA.

H.R. 365: Mr. STEWART.

H.R. 485: Ms. JAYAPAL.

H.R. 592: Mr. JOHNSON of Louisiana.

H.R. 712: Mr. HUFFMAN and Mr. SMITH of Washington.

H.R. 721: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 737: Mr. HIGGINS of New York.

H.R. 754: Mr. HIGGINS of New York and Mr. KIND.

H.R. 778: Mr. REED.

H.R. 856: Mr. LARSEN of Washington.

H.R. 1038: Mr. JOHNSON of Louisiana and Mr. PERLMUTTER.

H.R. 1171: Mr. PASCRELL, Mr. CARSON of Indiana, and Mr. AGUILAR.

H.R. 1212: Ms. KELLY of Illinois.

H.R. 1225: Ms. ESHOO and Mr. RASKIN.

H.R. 1272: Mr. LANCE.

H.R. 1279: Mr. VELA.

H.R. 1300: Mr. SERRANO.

H.R. 1444: Mr. QUIGLEY and Mr. CARTWRIGHT.

H.R. 1511: Mr. YOUNG of Iowa and Ms. HANABUSA.

H.R. 1515: Mr. KILMER.

H.R. 1606: Mr. HIGGINS of Louisiana and Mrs. WAGNER.

H.R. 1639: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1651: Mr. CARSON of Indiana, Ms. BROWNLEY of California, Mr. JEFFRIES, Mr. DOGGETT, and Mr. SABLAN.

H.R. 1661: Mr. HURD.

H.R. 1676: Mr. OLSON.

H.R. 1683: Mr. TIPTON, Mr. BERGMAN, Ms. MCCOLLUM, and Mr. PETERSON.

H.R. 1734: Mr. LIPINSKI and Mr. GAETZ.

H.R. 1739: Mr. ENGEL.

H.R. 1838: Mr. COHEN.

H.R. 1881: Mrs. LESKO, Mr. MARCHANT, and Mr. ESTES of Kansas.

H.R. 1904: Mr. HECK.

H.R. 1928: Mr. COOK and Mr. ABRAHAM.

H.R. 2043: Mr. PERLMUTTER and Mr. CUMMINGS.

H.R. 2212: Mr. O'ROURKE and Mr. RENACCI.

H.R. 2215: Mrs. LAWRENCE.  
 H.R. 2267: Mr. BERA and Mr. DOGGETT.  
 H.R. 2315: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 2327: Mr. BIGGS.  
 H.R. 2358: Ms. SANCHEZ, Mr. CULBERSON, Ms. ROYBAL-ALLARD, Mr. EVANS, Mr. PERLMUTTER, Mrs. BUSTOS, Mr. SEAN PATRICK MALONEY of New York, Ms. DELBENE, Ms. LOFGREN, and Mr. LARSEN of Washington.  
 H.R. 2401: Mr. HURD.  
 H.R. 2452: Mr. RASKIN.  
 H.R. 2472: Ms. MCCOLLUM.  
 H.R. 2495: Mr. DANNY K. DAVIS of Illinois.  
 H.R. 2572: Mr. KHANNA and Mr. CUMMINGS.  
 H.R. 2625: Mr. COURTNEY.  
 H.R. 2651: Mr. GOMEZ, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. JOHNSON of Georgia, and Mrs. RADEWAGEN.  
 H.R. 2851: Mr. JOYCE of Ohio, Mrs. NAPOLITANO, Mr. LOBIONDO, Mr. VELA, and Mr. BUCHANAN.  
 H.R. 2856: Mr. WALKER.  
 H.R. 2871: Mr. JOHNSON of Louisiana.  
 H.R. 2885: Mr. TIPTON.  
 H.R. 2976: Ms. MOORE and Mr. WESTERMAN.  
 H.R. 3124: Mr. KING of New York.  
 H.R. 3207: Ms. CLARKE of New York, Mr. LIPINSKI, Mr. MACARTHUR, Ms. MATSUI, and Mr. O'HALLERAN.  
 H.R. 3272: Ms. KELLY of Illinois, Ms. MENG, Ms. SPEIER, Mr. MEEKS, Mr. KEATING, Mr. PRICE of North Carolina, Mr. SERRANO, Ms. KAPTUR, Mr. GALLEGGO, Mrs. LOWEY, Mr. RYAN of Ohio, and Mr. PANETTA.  
 H.R. 3395: Mr. GARAMENDI.  
 H.R. 3560: Mr. VARGAS and Mr. CÁRDENAS.  
 H.R. 3600: Mr. MOONEY of West Virginia, Mr. JOHNSON of Louisiana, and Mr. MITCHELL.  
 H.R. 3635: Mr. CRAMER and Mr. KENNEDY.  
 H.R. 3641: Mr. ESPAILLAT.  
 H.R. 3711: Mr. MCCLINTOCK.  
 H.R. 3740: Mr. LANGEVIN.  
 H.R. 3861: Mr. YOUNG of Iowa and Mr. BARLETTA.  
 H.R. 3867: Mr. DESAULNIER.  
 H.R. 3988: Mr. HULTGREN.  
 H.R. 4253: Mr. VELA.  
 H.R. 4274: Mr. KUSTOFF of Tennessee.  
 H.R. 4276: Mr. SMITH of Washington and Mr. DEFazio.  
 H.R. 4392: Mr. KING of Iowa.  
 H.R. 4410: Mr. PALLONE.  
 H.R. 4473: Ms. LOFGREN.  
 H.R. 4525: Mr. SMITH of New Jersey.  
 H.R. 4537: Mr. YOUNG of Iowa.  
 H.R. 4575: Mr. COLLINS of New York.  
 H.R. 4647: Ms. ROSEN, Mr. BACON, Mr. REICHERT, and Mr. RYAN of Ohio.  
 H.R. 4704: Mr. SOTO.  
 H.R. 4732: Mr. KIND.  
 H.R. 4760: Mrs. LESKO.  
 H.R. 4824: Mr. WESTERMAN.  
 H.R. 4841: Mr. WALDEN, Mr. BACON, Mr. WEBSTER of Florida, and Mr. CRAMER.  
 H.R. 4843: Mr. PERLMUTTER and Mr. YOUNG of Alaska.  
 H.R. 4859: Ms. JAYAPAL.  
 H.R. 4914: Mr. SIRES.  
 H.R. 4932: Ms. CASTOR of Florida.  
 H.R. 4941: Mr. ROYCE of California.  
 H.R. 4944: Mr. WELCH.  
 H.R. 4977: Mr. SHUSTER.  
 H.R. 4985: Mr. WILLIAMS and Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 4991: Mr. MEADOWS.

H.R. 5031: Mr. SMITH of New Jersey and Mr. LARSEN of Washington.  
 H.R. 5085: Mrs. LOWEY.  
 H.R. 5121: Mr. RUTHERFORD, Ms. PINGREE, and Mr. GIANFORTE.  
 H.R. 5129: Mr. BUCSHON, Mr. WALZ, and Ms. LOFGREN.  
 H.R. 5138: Mr. HOLDING and Mrs. WALORSKI.  
 H.R. 5153: Mr. KING of New York, Mr. DESANTIS, Mr. HARPER, and Mr. SMITH of New Jersey.  
 H.R. 5187: Mr. GOODLATTE.  
 H.R. 5191: Mr. YOUNG of Alaska.  
 H.R. 5220: Mr. LANCE.  
 H.R. 5241: Mr. RYAN of Ohio, Mr. VELA, and Ms. MOORE.  
 H.R. 5282: Mr. BARLETTA, Ms. SEWELL of Alabama, Mr. MACARTHUR, Mr. LATTA, and Mr. SMITH of Texas.  
 H.R. 5306: Mr. OLSON.  
 H.R. 5343: Mr. CRAMER.  
 H.R. 5358: Mr. POE of Texas, Mr. LATTA, Mr. MOOLENAAR, Mr. LAHOOD, and Mr. KING of Iowa.  
 H.R. 5363: Mr. FITZPATRICK.  
 H.R. 5385: Mr. MCCAUL, Mr. LOUDERMILK, and Ms. LOFGREN.  
 H.R. 5410: Mr. PERLMUTTER.  
 H.R. 5414: Mr. CUMMINGS.  
 H.R. 5417: Mr. NORMAN.  
 H.R. 5427: Mr. LATTA.  
 H.R. 5452: Mr. KIND.  
 H.R. 5457: Mr. ROE of Tennessee.  
 H.R. 5460: Mr. HURD, Mr. RYAN of Ohio, and Ms. LOFGREN.  
 H.R. 5474: Mr. NEAL.  
 H.R. 5476: Mr. KRISHNAMOORTHY.  
 H.R. 5500: Mr. HUDSON, Mr. WALKER, and Mr. MEADOWS.  
 H.R. 5524: Mr. POE of Texas and Mr. LANCE.  
 H.R. 5551: Miss RICE of New York.  
 H.R. 5588: Mr. GOTTHEIMER.  
 H.R. 5609: Ms. ROYBAL-ALLARD.  
 H.R. 5621: Mr. POE of Texas.  
 H.R. 5640: Mr. COLLINS of New York and Mr. DUFFY.  
 H.R. 5641: Mr. CRAMER.  
 H.R. 5671: Mr. MOULTON, Mrs. RADEWAGEN, and Mr. RODNEY DAVIS of Illinois.  
 H.R. 5694: Mr. MAST and Mr. WELCH.  
 H.R. 5735: Mr. SENSENBRENNER and Mr. GUTHRIE.  
 H.R. 5760: Mr. O'HALLERAN and Mr. BEYER.  
 H.R. 5780: Mr. SEAN PATRICK MALONEY of New York, Mr. RUPPERSBERGER, Ms. SHEA-PORTER, Mr. TED LIEU of California, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LOWENTHAL, Mr. ALLEN, and Mr. BLUMENAUER.  
 H.R. 5795: Mr. BISHOP of Georgia, Mr. BERA, and Ms. DELBENE.  
 H.R. 5849: Mr. MCGOVERN.  
 H.R. 5854: Mr. GOSAR.  
 H.R. 5861: Mr. WENSTRUP.  
 H.R. 5876: Mr. ALLEN.  
 H.R. 5880: Ms. SEWELL of Alabama.  
 H.R. 5884: Mr. LAMALFA, Mr. DESJARLAIS, Mr. GIBBS, Mr. BABIN, and Mr. MCCLINTOCK.  
 H.R. 5908: Mr. MCGOVERN and Mr. DESAULNIER.  
 H.R. 5928: Mr. LOWENTHAL.  
 H.R. 5934: Mr. HILL, Mr. WESTERMAN, and Mr. WOMACK.  
 H.R. 5941: Mr. BLUMENAUER and Ms. SCHAKOWSKY.  
 H.R. 5946: Ms. ROSEN.  
 H.R. 5950: Mr. KHANNA, Ms. PINGREE, and Mr. CUMMINGS.

H.R. 5954: Mr. RUTHERFORD.  
 H.R. 5955: Mr. JEFFRIES.  
 H.R. 5977: Ms. SEWELL of Alabama, Ms. CLARKE of New York, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Ms. ROYBAL-ALLARD, Mr. KHANNA, Ms. DEGETTE, Mr. RICHMOND, Mr. JEFFRIES, Ms. SCHAKOWSKY, Ms. FRANKEL of Florida, Mr. CARSON of Indiana, Mrs. BEATTY, Ms. LEE, Mr. QUIGLEY, Mrs. DINGELL, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Mrs. NAPOLITANO, and Mr. BRENDAN F. BOYLE of Pennsylvania.  
 H.R. 5985: Mr. HIGGINS of New York.  
 H.R. 5991: Miss RICE of New York.  
 H.R. 6005: Mr. GARAMENDI and Mr. VELA.  
 H.J. Res. 134: Mr. HOLDING.  
 H.J. Res. 135: Mr. FLEISCHMANN, Mr. FITZPATRICK, Ms. TENNEY, Mr. DUNCAN of South Carolina, Mr. WEBER of Texas, and Mr. GOHMERT.  
 H. Con. Res. 72: Mrs. COMSTOCK.  
 H. Res. 650: Mr. KIND and Mr. SENSENBRENNER.  
 H. Res. 673: Mr. CASTRO of Texas.  
 H. Res. 766: Mr. CÁRDENAS.  
 H. Res. 781: Mr. GALLAGHER.  
 H. Res. 785: Mr. BUCK.  
 H. Res. 826: Mr. CHABOT.  
 H. Res. 864: Mr. SIRES, Ms. TSONGAS, Ms. BLUNT ROCHESTER, and Ms. BROWNLEY of California.  
 H. Res. 870: Mr. MOONEY of West Virginia.  
 H. Res. 907: Mr. FRANCIS ROONEY of Florida.  
 H. Res. 920: Ms. CLARKE of New York.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

##### OFFERED BY MR. SHUSTER

The provisions of H.R. 8, the Water Resources Development Act of 2018, that fall within the jurisdiction of the Committee on Transportation and Infrastructure do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House Rule XXI.

The amendment to be offered by Representative BILL SHUSTER, or a designee, to H.R. 8, the Water Resources Development Act of 2018, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House Rule XXI.

#### PETITIONS, ETC.

Under clause 3 of rule XII,

107. The SPEAKER presented a petition of the County Council of Prince George's County, MD, relative to Resolution No. CR-24-2018, declaring the Prince George's County Council's opposition to the proposal to transfer the Baltimore-Washington Parkway from the National Park Service; which was referred to the Committee on Natural Resources.





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, WEDNESDAY, JUNE 6, 2018

No. 93

## Senate

The Senate met at 10:02 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, Sovereign over us all, thank You for healing our hearts, minds, and bodies when we turn to You. Lord, we are grateful that You desire for us to prosper and be in physical health even as our souls prosper.

Guard and guide our lawmakers so that their work will enable us to live in peace and justice with one another. Lord, use them to bring order and calm to our vulnerable Nation and world. As they seek to do Your will, may our Senators bring beauty from ashes, clarity from confusion, and harmony from discord. Fill them with the power of Your Holy Spirit, that they may righteously represent You.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 6, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Annemarie Carney Axon, of Alabama, to be United States District Judge for the Northern District of Alabama.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

#### HEALTHCARE

Mr. SCHUMER. Mr. President, yesterday the majority leader announced that the Senate would remain in session during much of the planned August recess. President Trump tweeted: "Great. Maybe the Democrats will finally get something done other than their acceptance of high crime and high taxes." As usual, the President's tweet makes little sense given that Republicans control both Houses of Con-

gress. But I agree with the President on one thing: Canceling the recess is a great opportunity to get something done. In fact, I have a suggestion for what Congress should do. How about this, Mr. President? Why don't we get something done on the issue that numerous polls say is the No. 1 priority of Americans—healthcare.

We Democrats—our entire caucus—believe this previously unscheduled session time could be put to good use to finally help Americans secure affordable healthcare that the President and congressional Republicans have thus far failed to deliver. Before being sworn in, President Trump promised to deliver healthcare that was "far less expensive and far better." Those are his words. But since he has taken office, President Trump has completely dropped the ball on healthcare. Instead of shoring up our healthcare system and driving down costs, President Trump and Republicans have sabotaged our healthcare system and driven up costs.

Yesterday, Maine and Pennsylvania joined a growing list of States that will see higher healthcare rates thanks to the policies of the Trump administration and congressional Republicans. In States such as Virginia, Maryland, New York, and Washington, rate increases are in double digits. One PPO plan in Maryland requested a rate increase of 91 percent. And when you ask these CEOs of companies why their rates are going up, many of them cite Trump administration policies and congressional Republican policies.

Again, the No. 1 issue affecting Americans is the high cost of healthcare. My Republican colleagues are busy touting tax breaks. If you are very wealthy, you got a big break. If you are a middle-class person, far too often, your increase in your premiums exceeds your tax break.

Let's do something to put more money—net more money—in the pockets of working class people. Let's spend

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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August working on healthcare. Folks were already paying too much for healthcare in the form of premiums, out-of-pocket expenses, and the eye-popping costs of so many prescription drugs. Now all of those costs are going up because “the unified Republican government” has done little to bring down the high cost of healthcare, and what it has done has made the situation worse.

Again, President Trump has dropped the ball on healthcare, and the August recess is a time to recover and do something good. President Trump deliberately sowed uncertainty in the healthcare marketplace as a way to make a political point against ObamaCare, and then congressional Republicans repealed the coverage requirement in their tax bill. Health insurers from coast to coast cite the repeal of the coverage requirement as one of the major reasons they are increasing rates next year.

Just last night, a report issued by the Trump administration itself showed that Medicare is going insolvent faster than expected. What caused it? In part it is the Republican tax bill and “the repeal of the individual mandate, which increased the estimate of the number of uninsured, in turn leading to a large increase in uncompensated care payments.” Again, the tax bill led to Medicare being less solvent and running out of money sooner.

In short order, the Trump administration will make things worse. They will be offering junk insurance plans that will bring back the dark days when Americans with preexisting conditions faced higher premiums, denied care, and medical bankruptcy.

We now have a few extra weeks in August. What will be No. 1 on the American people’s list? It is not the things Leader MCCONNELL mentioned, falsely blaming Democrats when appropriations aren’t moving along well, and he brags about how many appointments he has made to the bench. No, the No. 1 thing Americans want is healthcare, and we Democrats will spend the August recess focusing on that issue and forcing our Republicans to either cast votes or deny votes on those important issues. It is a great opportunity not just for Democrats, but for America. We are going to do it. We already have an agenda ready to go, and we are going to push for votes on these measures in August.

One, we want to expand access to Medicare. Many of us Democrats in this caucus believe 55 should be the age when you can buy in. Loads of Americans support that.

Two, we want to increase tax breaks to help families afford the cost of healthcare.

Three, we want to create a national reinsurance program to lower premiums.

Four, we want to ensure that people with preexisting conditions don’t get denied and priced out of insurance due to an expansion of junk insurance.

Five, we want to lower the skyrocketing costs of drugs.

President Trump should stay in Washington.

No Mar-a-Lago, Mr. President, no golf all the time. You have taken so many vacations, while you criticize others.

It is typical—the double standard that he seems to exhibit every 10 minutes. President Trump should stay in Washington with us, roll up his sleeves, and get to work on making healthcare great again.

#### TRADE WITH CHINA

Now, Mr. President, on another matter, one that I talked to the Acting President pro tempore about this morning—our trade negotiations with China—as I said many times before, I am closer to President Trump on trade with China than I was to either President Obama or President Bush. I want our President to succeed in winning real concessions from the Chinese on longstanding issues, like intellectual property theft and market access. I believe that unlike previous Presidents, President Trump was serious about being tough on China to achieve our goals. But week after week, I keep reading reports that President Trump and his team are not being tough with China. They are conciliatory or accommodating, whether it is our national security or our economic security, where China is now eating our lunch.

Yesterday it was reported that the Trump administration would agree to relax penalties on the Chinese telecom giant ZTE. If the reports are true about a sweetheart deal for ZTE, President Trump has put China first, not America first. If these reports are true, once again, President Xi has outfoxed President Trump, the so-called deal maker.

ZTE has repeatedly violated U.S. sanctions and lied to U.S. officials about their efforts to rectify those violations. Their technology has been deemed a national security threat by the FCC, the FBI, and the Pentagon. Again, let me repeat that. Their technology is a national security threat, according to our defense and law enforcement authorities. Why on Earth is the Trump administration considering relaxing penalties on such a bad actor?

Some reports suggest that the Trump administration is forgiving ZTE to set up an exchange for a short-term, limited purchase of U.S. goods from China. If that is the case, what a terrible deal that is for America. Our No. 1 priority should be reducing the threat of intellectual property theft. Intellectual property theft not only threatens our short-term economic outlook, but it threatens our long-term leadership in high-tech industries, middle-class jobs of the future, and the security of our country.

To relax penalties on ZTE, a proven threat to American intellectual property, in a possible exchange for something as small as a one-time purchase of goods is like trading away your star

player for a last-round draft pick. By backing off and letting ZTE off the hook, China wins. If the reports are true, Congress should move in a bipartisan fashion to block this deal right away.

On top of the ZTE matter, there is no apparent path forward with the ongoing trade negotiations—nothing concerning intellectual property theft, nothing concerning market access, not even a framework. The two recent negotiations with China, led by Secretary Mnuchin and then by Secretary Ross, have failed to produce anything that is concrete, real, lasting, and important to America.

The administration keeps sending different officials with different priorities to lead discussions with China. Some are tough on China, and others are soft. Some have the President’s instincts in mind, and others do not. Secretary Mnuchin and Ambassador Lighthizer are in totally different camps. I am in the Lighthizer camp, but dissension is causing tremendous confusion and making our bargaining position so much weaker.

President Trump ought to direct our negotiators—all of our negotiators—to be tough with China and to stick with it.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### VA MISSION ACT

Mr. DAINES. Mr. President, I am proud that today President Trump will sign into law a piece of legislation that I fought for called the VA MISSION Act.

This important legislation will help fix many of the problems plaguing the VA Choice Program and will work to ensure that our Nation keeps the promises it has made to our veterans.

This bill is badly needed.

Take Hank, for example, a Montana veteran. Last year it took him more than 3 months to get an appointment and then another month to get the glasses he needed. It was clear to him that the Choice Program representatives were completely unaware of the distance issues that Montana veterans have to deal with.

And it is not just Hank. All across Montana, we have heard about how the VA Choice Program has consistently fallen short. It has missed the mark. Payment delays take up to 8 months. In fact, sometimes we have bill collectors coming after our veterans for something they should not be responsible for.

Veterans suffer hours-long waits to talk with representatives about claims, and veterans get the runaround on receiving the most basic services. This is unacceptable.

Our veterans deserve better. That is why the bipartisan MISSION Act is so vitally important. It helps fix many of the problems our veterans still face as they try to access the healthcare services they need.

Rural veterans will get greater, easier, and quicker access to healthcare. Telemedicine services will be strengthened. The oversight of opioid prescriptions will be increased. There will be greater accountability in how companies like Health Net manage this new program. Finally, it will help the VA's medical professional shortage through scholarship and loan repayment programs for medical and dental students who commit to serving in the VA.

The problems plaguing the VA aren't just occasional news stories; they are the daily reality for Montana veterans. Enough is enough.

Our Nation has a lot of work to do to fulfill the promises we have made to our veterans. The MISSION Act is an important step forward. I am proud I have helped get this bill across the finish line and on to President Trump's desk.

I look forward to honoring our veterans' service by standing with President Trump today as he signs this important bill into law.

Thank you.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SENATE SCHEDULE

Mr. MCCONNELL. Mr. President, yesterday I announced that the Senate's regularly scheduled August recess will not occur this year. Members will be able to meet with our constituents during a standard 1-week State work period at the beginning of the month, and then we will come right back here and get back to work.

The reason is simple: We have too much left to do for the American people.

Sixteen months into the Trump administration, Senate Democrats persist in their unprecedented campaign to obstruct the President's nominees for a wide array of executive and judicial positions.

It is time for a little historic perspective.

During President Obama's first 2 years, the Senate needed only 12 cloture votes on nominations. In President George W. Bush's first 2 years, there were four cloture votes on nominations and for President Clinton, just eight. But less than a year and a half into this administration, the Democratic minority has stalled progress through—listen to this—101 cloture votes, and counting, on nominations—101 cloture votes.

This used to be a rare tool of last resort, used only in a tiny handful of cases. Well, not these days. In many cases, the nominees in question are completely without controversy. Not a single Senator in either party voted

against confirming Robert Wier or Fernando Rodriguez to serve as district court judges just yesterday. They were both confirmed unanimously. So were Walter Counts and Karen Scholer, two more district judges we considered back in January. But Senate Democrats forced us to invoke cloture on each of these nominees and then made sure they soaked up Senate floor time, even though literally no Senator opposed them.

This isn't due diligence. It certainly isn't good government. It is what happens when our friends across the aisle put political slogans about "the resistance" ahead of the country's needs.

We have gotten a great deal done this Congress. We have bolstered our economy with historic tax reform and regulatory reform. We have delivered critical resources to communities afflicted by the opioid crisis, with more on the way. We have undone harmful spending caps to fully equip our military. We have taken action to combat human trafficking and school violence. We have repealed ObamaCare's individual mandate tax and its Independent Payment Advisory Board and delayed several other healthcare taxes.

Republicans are still working to do more. We need to confirm more of the President's team and judicial nominees. We need to take up regular appropriations bills. We need to tackle legislative priorities like the water infrastructure bill, the farm bill, the Defense bill, and many others.

So the Senate will remain in session in August. We will work on legislation. We will confirm more nominees.

We will keep delivering on the agenda that has already done so much to make America stronger, safer, and more prosperous.

HONORING OUR VETERANS

On another matter, Mr. President, I was honored to meet a number of Kentucky veterans at the World War II Memorial and welcome them to Washington.

My father fought in World War II, so I was particularly grateful to hear these veterans' stories and share their special moments of remembrance. One man I talked to is 100 years old. He was in the initial invasion when we finally got on offense in North Africa. He fought in every theater in Europe and was there when the Germans surrendered on May 8, 1945. He landed at Omaha Beach, but he said it was 2 days after the invasion, so there was a second wave of soldiers coming in after the invasion, and there are stories and stories of people like that.

I had a chance to thank each of them, as well as the Honor Flight Bluegrass organization, which takes on the logistical and financial burdens so that veterans can travel to their monuments at no personal cost.

I was especially glad this opportunity came today, on the 74th anniversary of the D-day invasion. On June 6, 1944, the free world embarked on a daring mission of historic proportions. With con-

viction, bravery, and patriotism, the "greatest generation" ran into the breach.

Many paid the ultimate price on D-day, but their bravery paved the road to victory in Europe. Allied troops stared down the most pernicious evil the modern world had ever seen—and prevailed.

The world has changed in the years since D-day, but some things haven't changed at all. We still honor the sacrifices of those who ran into the breach.

Today, the President will sign into law the VA MISSION Act that Congress passed last month. It is a set of major improvements in the way we care for American veterans—increasing their choices and expanding access to care for those who sacrificed to serve.

Here is something else that hasn't changed: We still call on brave men and women to take on a wide array of difficult missions.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. President, soon the Senate will take up the John S. McCain 2019 National Defense Authorization Act. It is the result of months of serious bipartisan work by the Armed Services Committee, and it is a major step toward delivering the resources our men and women in uniform need to tackle the challenges of today—challenges like an emboldened Iran, the destabilizing force it abets in the Middle East; challenges like the expanding capabilities of Russia and China in this era of renewed great power competition.

This moment requires that we support our All-Volunteer Armed Forces with the tools, training, equipment, and resources they need to support our allies, to defend the homeland, and secure the peace. Secretary Mattis's new national defense strategy spells out what our Nation must do.

Our landmark budget agreement this year set aside the funds to put that plan into action, and now, with this NDAA, Congress will take the next step toward getting those resources where they need to be. Its authorizations include quality-of-life improvements for servicemembers and their families, land, sea, and air weapons systems, and reforms to the acquisitions process to keep America's military on the cutting edge.

With bipartisan action on the NDAA, the Senate will ensure that the next generation of American warfighters is every bit as ready as the "greatest generation" to write a new chapter of courageous service.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## REMEMBERING BOBBY KENNEDY

Ms. WARREN. Mr. President, I rise to honor the life and legacy of an American treasure, Bobby Kennedy.

Robert Kennedy lived his life with courage and conviction, never afraid to challenge a divided nation to face its moral failings. Bobby challenged us all to take a step back from the stale, cheap politics of the moment and to do better by each other. His service to this Nation will never be forgotten.

Today, 50 years after he was brutally assassinated, we pause to acknowledge the brilliance and beauty that rested in his vision of America—a vision that led him to seek the highest office in this land, a vision of love, wisdom, compassion, and justice. Bobby believed we all have a shared responsibility to leave this world just a little bit better off than when we came.

“Few will have the greatness to bend history itself,” he once said, “but each of us can work to change a small portion of events, and in the total; of all those acts will be written the history of this generation.”

History may not repeat, but it often rhymes. Conditions are different now, but a lot of the anxiety and tension that swept through this country in 1968, at the height of Bobby’s political career, echoes the anxiety of today, especially the economic anxiety felt by millions of Americans who are working harder than ever but feel opportunity slipping away from themselves and their children.

Too often our political and business leaders refuse to see this. Instead, they hide behind macroeconomic statistics, using them as a shield to dismiss the concerns of the American people as faulty, wrongheaded, or even nonexistent. Robert Kennedy understood that America’s national economy is not the same as the economic well-being of its people. In a 1968 speech at the University of Kansas, he spoke eloquently about the differences between them, and here is what he said:

[Our] Gross National Product counts air pollution and cigarette advertising, and ambulances to clear our highways of carnage. It counts special locks for our doors and the jails for the people who break them. It counts the destruction of the redwood and the loss of our natural wonder in chaotic sprawl. It counts napalm and counts nuclear warheads and armored cars for the police to fight the riots in our cities. It counts Whitman’s rifle and Speck’s knife, and the television programs which glorify violence in order to sell toys to our children.

Yet the gross national product does not allow for the health of our children, the quality of their education or the joy of their play. It does not include the beauty of our poetry or the strength of our marriages, the intelligence of our public debate or the integrity of our public officials. It measures neither our wit nor our courage, neither our wisdom nor our learning, neither our compassion nor our devotion to our country.

It measures everything, in short, except that which makes life worthwhile. And it can tell us everything about America except why we are proud that we are Americans.

Consider three statistics: corporate profits, the stock market, and unem-

ployment. Today, corporate profits are up—corporate profits that count gun sales from manufacturers whose weapons are used to massacre children in our schools and our streets, corporate profits that count revenues from drug companies when they quadruple prices for the sick and the desperate, corporate profits that count revenues of banks like Wells Fargo as they rip off millions of American consumers.

The stock market is up as giant companies pocket trillions in taxpayer money stolen from middle-class families. The market is up as CEOs shut down plants and factories in the United States and move them overseas. The market is up as business leaders, flush with cash, turn their backs on workers while they plow millions and even billions into stock buybacks to goose investors’ returns and CEOs’ bonuses.

Unemployment is down, but wages have barely budged in a generation. Unemployment is down, but for millions of people, the exploding costs for housing, for healthcare, for childcare mean that it now takes two jobs to do what one job covered a generation ago. Unemployment is down, but the numbers fail to count the millions living in rural and urban American communities alike that have given up the search for a job.

Corporate profits, the stock market, unemployment—these statistics tell us everything about the American economy, but they tell us very little about the lived experiences of today’s Americans. They do not speak to the citizen who fears police violence or the police officer who fears gang violence or the immigrant who cannot speak out about sexual assault at the hands of her boss or the toxic rhetoric flowing through our politics and seeking to turn neighbor against neighbor. They do not account for our devotion to our communities, to our churches, to our children. They tell us virtually nothing about our trials, our challenges, our hopes, or our principles.

Robert Kennedy understood this. He knew we cannot simply run our economy for those at the top and assume it will solve America’s problems. In the intervening years since his speech, America ran that experiment anyway and watched it fail miserably.

It is time to try something different. It is time to challenge each of us to do better by each other, to see the dignity in one another, to put our values first. I believe together we can make that Robert Kennedy’s legacy, and I am proud to fight for it.

I yield the floor.

Mr. SHELBY. Mr. President, I rise today in support of Annemarie Carney Axon to be U.S. district judge for the Northern District of Alabama.

Annemarie Axon is exceptionally qualified to be a U.S. district judge. Her strong, respectful temperament and commitment to impartiality prove that she is well-suited for this esteemed position.

Ms. Axon has spent her entire career devoted to the law. She is presently a

member of Wallace, Jordan, Ratcliff, & Brandt, LLC, in Birmingham, AL, where she focuses on fiduciary and probate litigation. Prior to her current role, she served as assistant vice president at AmSouth Bank. She began her legal career in 2000 as an associate at the firm Edwards & Angell, LLP, in Rhode Island.

Axon is a member of both the Alabama and Rhode Island State Bar Associations and represents a broad range of clients including individual and corporate fiduciaries and financial institutions in both State and Federal court.

In addition to her experience in the courtroom, Axon serves as the president of the YWCA Junior Board, as well as the Girls on the Run board of directors. She is also a member of the Mountain Brook City Schools Foundation Board and a member of the American Cancer Society.

Following her initial nomination in July 2017, Ms. Axon appeared before the Judiciary Committee for consideration. During the hearing, Axon stressed the importance of certain characteristics required to serve as a judge, including the ability to be fair, open-minded, courteous, and respectful to the attorneys and parties in each case. The committee favorably reported her nomination in October 2017.

I believe Annemarie Axon exemplifies all of the characteristics of a proper judge. I am confident that she will base her decisions on the law above all else, despite the outcome of each case.

Confirmation of her nomination is beyond imperative, as the swift confirmation of district judges plays a vital role in the functioning ability of the U.S. judicial system.

By confirming Annemarie Axon to be a U.S. district judge, Congress is allowing the work of the U.S. judicial branch to continue in a manner that will best serve our Nation.

The PRESIDING OFFICER (Mr. SULLIVAN). Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Axon nomination?

Mr. COTTON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. LEAHY), and the Senator from Massachusetts (Mr. MARKEY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 11, as follows:

[Rollcall Vote No. 117 Ex.]

## YEAS—83

Alexander	Fischer	Nelson
Baldwin	Flake	Paul
Barrasso	Gardner	Perdue
Bennet	Graham	Portman
Blumenthal	Grassley	Reed
Blunt	Hassan	Risch
Boozman	Hatch	Roberts
Brown	Heitkamp	Rounds
Burr	Heller	Rubio
Cantwell	Hoeven	Sasse
Capito	Hyde-Smith	Schatz
Cardin	Inhofe	Schumer
Carper	Isakson	Scott
Casey	Johnson	Shaheen
Cassidy	Jones	Shelby
Collins	Kaine	Smith
Corker	Kennedy	Sullivan
Cornyn	King	Tester
Cortez Masto	Klobuchar	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Cruz	Manchin	Udall
Daines	McCaskill	Van Hollen
Donnelly	McConnell	Warner
Durbin	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Murphy	Young
Feinstein	Murray	

## NAYS—11

Booker	Menendez	Stabenow
Gillibrand	Merkley	Warren
Harris	Peters	Wyden
Hirono	Sanders	

## NOT VOTING—6

Coons	Heinrich	Markey
Duckworth	Leahy	McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The majority leader.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 442, H.R. 5515.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 442, H.R. 5515, a bill to authorize appropriations for fiscal year 2019 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.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to proceed be agreed to.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, I hope this is just going to be a speed bump on the way to getting on to the NDAA, because that is very important legisla-

tion that I want to get to, but I have an amendment. It happens to be a germane amendment to a very, very important part of this bill—the CFIUS reform legislation recently reported out of the Banking Committee.

I want to continue to work with the chairman and the ranking member and the leader to ensure that I will have an opportunity to offer this amendment. That is all I am looking for—to have a vote on my germane amendment. When we can work that out, I will be happy to grant my consent, but in the meantime, I object.

The PRESIDING OFFICER. Objection is heard.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the motion to proceed.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 442, H.R. 5515, an act to authorize appropriations for fiscal year 2019 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.

Mitch McConnell, Todd Young, Mike Rounds, John Cornyn, Johnny Isakson, Joni Ernst, John Hoeven, Thom Tillis, James E. Risch, Tom Cotton, Dan Sullivan, Mike Crapo, Roger F. Wicker, John Thune, James M. Inhofe, John Barrasso, Deb Fischer.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me just share what just happened here. I have been involved with this for a long time, including over in the House when we had our NDAA. Now, I am fully aware and everybody here knows that we have passed this NDAA for 57 consecutive years, and we are going to pass it. But one of the things I really don't like about the procedure is that one person—any one person, Democrat or Republican—can object, as this was just objected to, and cause us to have to file cloture. This is going to put this off for a period of time, and two undesirable results can result. One result can be that it can ultimately deny Members from offering their amendments, whether they are germane or not.

I will state how much I appreciate the fact that Senator REED and I in our committee have worked very closely together, and we made a decision that we want to have an open amendment process. We had discussion of this in our committee and everyone agrees with this.

This could have the effect of ultimately closing the door to everyone who has an amendment. We don't want that, but we did everything we could to stop an objection from taking place so that we could at least move on to the bill.

We need to get on the bill, and then we can try to do all kinds of arrangements. At one time, Senator REED and I talked about maybe coming up with 10 amendments or 15 amendments or 3 amendments each, Democrats and Republicans, so that we could at least say to the individuals on our side—and I would say to my Republican friends—that I will do everything within my power to see that you get a vote. Unfortunately you can't do that because you can't guarantee there will be a vote. So that is the thing I regret, and the other bad part of this is that it is going to put it off for about a week.

I just got back from all of our war zones, talking to our troops on the ground, telling them that this is going to happen, that we are going to be taking up the NDAA, and telling them what is in it in terms of pay raises, what is in it in terms of priorities, and how we are going to try to get modernized. Right now we have several pieces of equipment that over the last 10 years have been ignored, and we have peer competitors in Russia and in China that have better equipment than we do. An artillery piece is evaluated by rapid fire and range, and right now our rapid fire is not as fast as either Russia's or China's. We see what is happening in the China Sea. We are over there. We see that our allies are looking and thinking: You know, the Chinese are preparing for World War III. What are we doing?

By postponing this, all of our troops and all of our very valued people who are risking their lives on a daily basis are going to wonder: Why didn't we go ahead and go with this thing? It is wrong.

I do want to say this. Senator REED and I and our committees did everything we could to try to accommodate everyone as best as our rules would allow us to do. In living with the limitations that we have, we have done everything we can do.

I do want to compliment the entire Senate Armed Services Committee. We have also worked on the House side. Between Senator REED and me—Democrats and Republicans—we have done everything we could to keep this from happening. Again, as long as I can remember, at the last minute, one Senator can put this off and create the damage and potential damage that has been created now. I do regret that.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, this is an opportunity for me to commend and thank the Senator from Oklahoma for extraordinary leadership on the committee. Obviously, we were all inspired by Chairman MCCAIN and his incredible leadership over the last many,

many years, but the Senator from Oklahoma has stood up there and really set a tone—and I think the Presiding Officer understands because he was there—of very purposeful, very deliberate, very collegial activity to bring everyone involved into the process. We were operating basically under the rules of appropriateness for the committee and a close connection to the Department of Defense because, as Chairman INHOFE said, this is ultimately about the men and women wearing the uniform of the United States.

Always, every year—we will pass this bill; I am confident of that because of the chairman's leadership and because of colleagues like the Presiding Officer. But each and every year, people see this as the only train leaving town, and we have to be able to keep in balance that this is about the Department of Defense and related agencies, like the National Nuclear Security Administration, for example, and the DOE and other agencies. We would like to be able to open up the floor to amendments that are closely connected and have a clear nexus to the Department of Defense, and the men and women in the Department of Defense, and then have votes. That is the ideal, and we hope we can do that.

We might have to spend some time procedurally getting to the bill. We will get to the bill, and under the leadership of Chairman INHOFE, we will get the bill done. We hope to be able to accommodate our colleagues as much as possible with amendments, and I hope these amendments will be directed once again to the activities, priorities, and critical needs of the men and women of the Armed Forces and related agencies. If we do that, I think we will have a very successful and very productive floor debate, as we did in the committee.

Again, let me thank the Senator from Oklahoma. We both stand ready to work and get this bill done for the men and women wearing the uniform of the United States.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I think it is kind of unprecedented to have, in this case, the acting chairman and the ranking member be so close together on what we have attempted to do.

I think it is worthwhile to note, as Senator REED brought up, that we had the committee hearing on this, and it is very rare we come out as we did on that. We actually did that in 1 day. It was 1 day, and it was 9 hours total. I am not sure if that is some kind of a record or not, but it shows that we are working very well together, and I was hoping that would take care of this today.

Anyway, we are now going to start discussing this bill. Since we have lost the opportunity to move to the bill and actually start on amendments, I think

it is more important now to at least talk about what we are anticipating. Today we will begin consideration—even though we are not on the bill, we can still talk about it. This is the John S. McCain National Defense Authorization Act for fiscal year 2019. It is the most important piece of legislation we consider every year.

As I have said, this is now the 57th consecutive year that we have done this. I remember that just a few years ago we got very close to the middle of December or the end of December, which is an absolute deadline to get it done for the fiscal year. We had to go to the big four, and we got it done and got it passed. Well, we don't want to do that now. We want to do it the right way, and we want to consider all of the amendments because in that year, we got the bill, but we didn't consider any amendments.

You can talk to any of the Members. A lot of times they were in closed meetings, and we talked about the necessity of getting the amendments opened up so that anyone could offer an amendment, and, of course, they were denied doing that at that time. Now we are still in a position that we can do this, but it has put it off about a week.

Anyway, this is the most important legislation we pass every year. One more time, I want to thank Senator JACK REED, the ranking member of the Armed Services Committee, for his work on this and for the fact that we were able to do it as rapidly as we did. I also want to thank the majority leader, Senator MCCONNELL, not only for bringing the NDAA to the floor this week, but also for his willingness to do so under regular order. That is what we wanted, and we were able to do it.

Finally, and most importantly, I want to thank the committee chairman, Senator JOHN MCCAIN, for his strong leadership in the preparation of the NDAA this year, which he has done each year for a long period of time. Make no mistake, he may not be here today, but this is his bill. His priorities and his policy objectives are in this bill. This year's NDAA is a true embodiment of what Chairman MCCAIN has worked to advance during his decades of service and his tenure as chairman of this committee. It deserves to bear his name, and it does bear his name.

We are all keeping Chairman MCCAIN in our hearts and our prayers as he continues to prove that he is the fighter we all know him to be. I am sure he is watching right now. Senator MCCAIN, we all know the fighter you are. There is no one else like you, and we want you to continue that fight, and we are anticipating that is going to be taking place.

The NDAA represents some of the finest traditions of this body. For 57 years, Congress has passed this vital legislation to authorize funding and provide the necessary authority for our military to protect this great Nation.

I am proud that the Senate Armed Services Committee overwhelmingly

passed this bill. I think, at one point, we had 300 amendments. We were able to sit down, reason together, incorporate several of them into a managers' package, come to the committee, and actually pass it overwhelmingly.

This is more than just a piece of legislation, but it is a message to each and every one of our servicemembers that they are our No. 1 priority. That is why I didn't like the idea that there is an objection to moving to this bill today. I was with our servicemembers who are overseas all last week, telling them what we were going to do, why we were going to do it, and why it is a top priority. Unfortunately, this sends the wrong message to them.

This is more than just a piece of legislation; it is what we have to do to defend our Nation. After all, you have to keep in mind that the No. 1 thing we need to be doing here in the U.S. Senate, as well as in the House, is defending America. Our Founding Fathers said that; it is in the Constitution; and that is what we are about to do now.

The fiscal year 2019 NDAA keeps faith with our troops. It has a 2.6-percent pay raise—the largest in 10 years—which, in some small way, honors their enormous sacrifice.

In total, the NDAA supports \$716 billion in fiscal year 2019 for national defense. It authorizes a base defense budget of \$639 billion for the Department of Defense and the national security programs of the Department of Energy, as well as \$69 billion in the overseas contingency fund. When it all adds up, you have \$716 billion. That is what we should be doing around here. We are glad we are at the point where we can give priority to defending our Nation, as it should always have been.

This is funding an important step toward recovering from years of cuts in our defense budget under the Budget Control Act and sequestration, which harmed our military readiness and slowed down our modernization efforts. As I mentioned before, sequestration has held us back, but it has not held our adversaries back. All the time we were held back over the last 10 years, our peer competition out there—Russia and China—haven't been holding back. That is why I said that in areas such as artillery, they are ahead of us.

Every time I go—and I am sure the Chair finds the same thing to be true—back home where the real people are, they assume we have the best of everything. That was the kind of standard we had set in World War II, and, of course, we backed away from that. We have areas—not just artillery, but triad and hypersonic—in which we were not able to keep that up, and all the time that we were doing nothing for the last 10 years in the triad system, the Chinese and the Russians were advancing, and they are ahead of us now.

Hypersonic is something not many people know about. It is a weapons system that moves at five times the speed of sound, and this is something that is



going to be where future wars are going to be fought. Yet China and Russia are both ahead of us right now.

So with this bill, we are going back and are advancing in some areas where we have been very, very slow. The goal, as always, is to provide our warfighters with the resources and capabilities they need and to do so on time, on schedule, and at a reasonable cost.

Now I am going to run over this because I think it is important that people out there know—and even some Members in this body, if they are not on the committee, might not be aware—that the legislation authorizes starting \$23 billion for shipbuilding to fund 10 new construction battle force ships. It also provides for the procurement of 117 naval aviation aircraft. It has \$7.6 billion to procure 75 F-35 Joint Strike Fighters.

I think we all recognize the mistake we made back when we had the F-22. We should have, at that time, stayed with the original amount, and now we regret we didn't do it. We don't want to make that mistake with the F-35s, so we have that provision in there.

We have \$2.3 billion to procure 14 KC-46s. This is kind of interesting because that is ultimately going to replace the KC-135s, which have been around for 58 years now. I can remember, in the last administration, the Secretary of the Air Force was having an event, and I remember commenting at Altus Air Force Base that in 1959 two wonderful things had happened. No. 1, I got married and, No. 2, we delivered our first KC-135. She said: Well, I guess that offers security for you here at Altus for the next 59 years, and I think it does. That is how important that is. Our KC-46s are necessary, and this has the procurement of 14 of these.

We have \$350 million to procure Air Force light attack aircraft; procurement of 117 Army helicopters; \$70 million to prototype the next-generation combat vehicle; and \$100 million each for the U.S. Marine Corps light attack aircraft and Group 5 Unmanned Aerial System; and lastly, \$10 billion for the Missile Defense Agency.

That is finally getting us up to where we had fallen behind during the last administration. We might as well say it as it is. We now have everyone agreeing. This is good. This bill has been unnecessarily postponed for another week. Someone is making a point there.

Along the way, the NDAA makes adjustments to the administration's budget request to ensure programs are sustainable and accountable and protecting American taxpayer dollars. It also takes steps to ensure we are prepared for a world defined by strategic competition with China and Russia, addressing China's militarization of the South China Sea, and deterring Russia's military aggression and cyber attacks.

We know that is happening right now. Several of us, including the Presiding Officer, just about a month ago,

were in the South China Sea. You see what the Chinese are doing, which is totally illegal. It is not land they own. They talk about reclaiming land. They are not reclaiming land. It wasn't previously claimed by anybody. They have seven islands now out there. We are talking about over 33,000 acres out there where they created huge military formations. All of our allies in that part of the world are assuming they now have to take sides in what might be World War III. You see that what they are putting on these islands is all military, 100 percent, just as if they are preparing for World War III. It is a huge thing happening right now. We saw it there.

By the way, it is not just the South China Sea. We just got back from Djibouti. The first time in the history of China, they have military bases that are not within the confines of China. This supports the implementation of the Nuclear Posture Review by authorizing \$65 million to develop a low-yield, submarine-launched ballistic missile. I know that is controversial, and there will be amendments on there. We look forward to that.

The ranking member and I don't agree on everything. This is one area that probably we don't agree on. We want to have amendments. We want to have an open debate. That is what we are going to have. Unfortunately, that is going to be delayed for a period of time that I believe is unnecessary.

Finally, the NDAA supports our allies and partners around the world. It authorizes \$5.2 billion for the Afghanistan Security Forces Fund.

We just got back from Afghanistan. Things are going well there. We had a chance to talk to General Nicholson and the rest over there. Some good things are happening, despite what an unfriendly press sometimes wants to lead you to believe.

For the fight against terrorism, it authorizes \$1.2 billion for the counter-ISIS efforts via the Train and Equip Programs in Iraq and Syria. The Train and Equip Program is one we all agree—at least in the committee—that it is very important to continue. It authorizes \$6.3 billion for the European Deterrence Initiative and \$200 million for security assistance to Ukraine, including defensive lethal assistance.

This is something we should have done a long time ago. I happened to be in Ukraine when they had their last election—well, actually about 3 years ago. That was a time when, for the first time in 96 years, Ukraine didn't have one Communist in its Parliament. They did that because they love us. Of course, people came in and started killing them. We know what happened there. It was well publicized.

We had the opportunity to send some lethal defensive equipment over there to help them since they have this love for the West. At that time, the administration wouldn't allow that to take place.

Anyway, we offer \$500 million for Israeli cooperative missile defense pro-

grams. By the way, I always like to say, when talking about Israel, there is kind of an assumption out there that they are dormant, and we are providing this. They actually have developed some systems over there that are superior to ours. There is no better relationship anywhere in the world than between the United States and Israel. Good things are happening there. The President is strongly in support of that. Of course, we have a great guy over there who looks to us as their closest friend.

It also includes the Foreign Investment Risk Review Modernization Act that was adopted by the Senate Banking Committee, which will give the Committee on Foreign Investment in the United States the authority it needs to address some of the national security concerns.

As we move forward to considering the fiscal year 2019 NDAA, we have to remember our primary constitutional responsibility is to provide for the common defense of our great Nation. We forget that. People go back home and never talk about defending America. They kind of play on this assumption that we already have all we need and that it is no longer a mission that is worth fighting for. We have to face the facts that this is the most dangerous world we have ever faced. The military advantage we once enjoyed has eroded, and we cannot delay modernizing our capabilities and restoring readiness.

You don't have to go any further than looking at some of these countries like North Korea. Right now, some good things are happening. I believe, 6 days from now, a meeting will take place between Kim Jong-un and our President. It is unprecedented, and I am very excited about it. Nonetheless, in this world today, you can have one small country that has the capability of wiping out an American State, and it is something we haven't been dealing with in the past. That is all part of this bill we are talking about now that we are going to be passing and going to conference with the House.

Today, our Nation commemorates the 74th anniversary of D-day. The brave Americans who stormed the beaches of Normandy embodied the spirit that continues to inspire the service and sacrifice of so many—fighting, sometimes against unsurmountable odds, in the name of freedom, and we won.

I urge my colleagues to keep in mind the meaning of this day throughout consideration of this legislation, the John S. McCain National Authorization Act for Fiscal Year 2019. It will help assert the quantitative and qualitative military advantage we will have. I would almost say reassert that because we have lost it. General Dunford made the statement that we are falling behind in our ways. It has always been our qualitative and quantitative advantage over the enemy.

I hope the ranking member agrees we can move forward with an open amendment process. This is very important. This is one we all agreed on, and we were hoping we would be in that process right now, but it didn't happen. Unfortunately, sometimes it is going to be lost.

We are committed to working with everyone here as soon as possible and get the amendments rolling.

I want to yield to Senator REED, but before I do, I want to make sure we get on the record that I have never seen, in the years I have been here, more cooperation than we have between the Democrats and Republicans on the Senate Armed Services Committee.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Rhode Island.

Mr. REED. Mr. President, let me again thank Chairman INHOFE. I, too, will comment that the collaboration and cooperation was superb in the committee. A great deal of that was the result of his work, and, as I mentioned before, the inspiration of Chairman MCCAIN.

Mr. President, I join the Senator from Oklahoma to rise and discuss the fiscal year 2019 national defense authorization bill, which passed out of the Armed Services Committee on May 23 with a very strong bipartisan vote.

First, I would like to recognize Chairman MCCAIN, after whom this bill was named. Senator MCCAIN has guided this committee through several NDAA's with a steady hand and unyielding leadership. His commitment to a bipartisan process has been an example of the way Congress should function, and I am pleased to say this bill, again, follows in that tradition.

I also want to thank Senator INHOFE, who has ably and graciously led the committee this year through many hearings and an extremely efficient markup, which produced the bipartisan bill we are beginning to consider. We would like to have begun considering it and taking amendments today, but we will consider it, we will pass it, and we will continue the outstanding record of annually passing a national defense act for the men and women in the Armed Forces.

The committee has thoughtfully considered the President's budget request, held hearings on national security challenges, and received briefings on emerging threats. The result of this hard work is a bill, I believe, that will improve the readiness and capability of our Armed Forces, push back on our adversaries that threaten the democratic system and the global order, and improve the quality of life for our servicemembers and their families.

This bill reflects the strategic shift toward prioritizing the strategic competition with Russia and China. It supports the President's budget request for resources to deter, and, if necessary, defend against aggression from near-peer competitors. This includes

\$6.3 billion for the European Deterrence Initiative as a continuing demonstration of our commitment to the security of our European allies and the deterrence of Russian expansionism. It also requires a 5-year plan from the Department for the Asia-Pacific Stability Initiative on the necessary resources and activities to counter China's destabilizing behavior in the region.

The bill also includes a provision calling on the administration to urgently complete a comprehensive strategy to counter Russian malign influence below the level of direct military conflict. Russia attacked the heart of our democracy in 2016, and our intelligence experts warn of even more sophisticated Russian attacks targeting this year's midterm elections. Yet the administration has failed to bring together our military and non-military tools of national power to counter this Russian aggression, despite a requirement in last year's NDAA to submit to Congress a whole-of-government strategy to counter Russian malign influence.

This bill expresses the sense of the Senate that the administration should complete a counter-Russian influence strategy without delay.

Over the course of the past year, the committee has held numerous hearings in which witnesses have told us, in no uncertain terms, that the President has not tasked the Department of Defense to prepare to respond to a repeat of Russia's influence campaign. Their ongoing campaign of misinformation has largely been conducted through cyber space—a domain that the Department of Defense has specially trained cyber forces designed to disrupt significant cyber attacks.

It is my belief that the ongoing attacks on our democratic process constitute such a significant attack. Therefore, it is noteworthy that the bill includes a provision that would directly and clearly authorize the Secretary of Defense to employ our cyber mission forces to defend against Russian attacks on our democracy.

With respect to countering the continued threat by ISIS, the bill extends the Iraq and Syria Train and Equip Programs at the requested funding level, while requiring appropriate information with respect to the partner forces to be trained and the expected level of engagement with U.S. forces. This is a prudent approach that recognizes the continued threat from ISIS while ensuring appropriate oversight of these authorities in a dynamic environment.

I am pleased the bill also includes provisions designed to incorporate lessons learned from the campaign against ISIS that can be used to more effectively account for and respond to allegations of civilian casualties going forward.

As the tip of the spear of our efforts to counter violent extremist groups like ISIS across the globe, our Special Operations forces require the best

equipment and training possible. The bill authorizes full funding for the Special Operations Command and includes important provisions to enhance the ability of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict to act as the service Secretary-like civilian responsible for the oversight and advocacy for all our Special Operations forces.

For the Navy and Marine Corps, I believe the bill represents a continuation of the efforts that are so important for improving our Armed Forces. The proposals would begin significant efforts to improve the readiness of Navy and Marine Corps aircraft, ships, tanks, and other weapons systems.

I am pleased the bill, for the second year, authorizes funds to help reduce the risk for ramping up submarine construction as we start the Columbia-class program to replace the Ohio-class strategic missile submarines.

While I support many of the provisions of the bill regarding the Navy and Marine Corps, I do have some concerns that the bill makes sizable reductions in the Marine Corps request for the upgraded amphibious assault vehicle that will remain the backbone of the Marine Corps' amphibious assault capability for years to come. I believe this is shortsighted, and I plan to continue to work with my colleagues on this issue throughout the process.

For the Air Force, this bill authorizes the A-10 wing replacement program to ensure the readiness of our A-10 fleet. Additionally, the bill authorizes \$350 million for the Air Force to procure light attack aircraft and \$2.3 billion for 14 KC-46 tankers. It also provides multiyear procurement authority for the C-130J program.

The bill also has provisions to begin to address the growing challenge of operating and supporting the F-35 fleet for all services. I believe this challenge will be with us for a long time, and we have to take additional actions in the future. We have begun this process.

Finally, JSTARS is the command-and-control aircraft for ground forces. Presently, the Air Force plans to retire JSTARS with the hope—not the plan, but the hope—of replacing it in the future with a new concept. I believe the bill takes a very responsible position by preventing the Air Force from retiring the current fleet of JSTARS aircraft, and it provides additional resources to help the Air Force accelerate developing and fielding new capabilities to replace the current ground moving target indicator capability provided by JSTARS. In short, we shouldn't take JSTARS away until we have something very credible and capable to replace it.

As the Department of Defense prioritizes long-term strategic competition with China and Russia, the Army will be required to balance the high-end, near-peer fight while seeking more efficient approaches to counterterrorism activities. This will be a significant shift for the Army, given that

for nearly the past 17 years, they have focused on combat operations in Iraq, Afghanistan, and, most recently, in Syria.

In addition, the Army has had a spot-track record in recent decades with major acquisition programs. Coupled with the effects of the Budget Control Act and sequestration, the Army has had to defer modernizing platforms aimed at conflict with a peer adversary.

Recognizing the need to overhaul Army acquisition processes, the Army has created a number of cross-functional teams tasked with breaking down acquisition stovepipes so that new technologies and modernized platforms could be delivered to the force in a more effective manner. I commend the senior leadership of the Army for making acquisition reform a priority, and I believe the bill that we are considering today supports investments for critical weapons systems and research and development activities.

For example, the bill authorizes full funding for the Army's request for Abrams battle tanks, as well as Army helicopters to include AH-64 Apache helicopters and UH-60M Black Hawks. The bill also makes targeted investments to improve the range and lethality of Army artillery systems, and it supports the fielding of active protection systems on our combat vehicles in order to better protect our soldiers.

Again, there is much in this area that I support, but I am concerned that some programs were not fully funded, most notably the Joint Light Tactical Vehicle program. While the Senate must always closely review the President's annual budget request, we must also be mindful of the impact to the force. Ensuring that our soldiers have the equipment and resources they need on the battlefield is our highest priority.

In the area of space, this committee has taken in-depth briefings on the threats we face to the use of our space systems. While many of the details are classified, I am satisfied with the investments we are now making in this area, given that space is increasingly becoming a contested domain upon which our ground, sea, and air forces rely upon worldwide. I would only comment to my colleagues that in the last year's National Defense Authorization Act, we made substantial changes to the Department's space governance—the way they operate and the policy development within the Department of Defense—and we should give the Department the time it needs to implement these new proposals before we consider additional tasks for the Department.

In the area of acquisition and technology, I am pleased to see that the bill continues efforts at acquisition streamlining and reform and tries to strengthen DOD's STEM and acquisition workforces. We continue to take steps to improve the Pentagon's ability

to deploy information technology systems and embrace modern commercial software production practices. We also included a number of provisions that will strengthen the U.S. defense manufacturing industrial base, which is so critical to our ability to deal with threats around the world.

The committee's bill authorizes significant increases in funding for science and technology programs, above the President's requested levels, including supporting critical research areas, like quantum computing, artificial intelligence, hypersonics, and directed energy. We are in a full-scale technological race with China, with implications to both our national security and economic success, and many provisions in this bill are aimed to help us win that race.

This bill includes efforts to drive the Pentagon to engage more with our world-leading universities and small businesses to leverage their innovation and create the technologies that will shape the future battlefield and drive the economy. Among other things, the bill establishes a DOD venture capital program to invest in high-tech startups, as well as permanently reauthorizing the successful Small Business Innovation Research Program.

In the area of personnel, the bill includes a number of provisions designed to modernize the military officer personnel management system by giving the services greater flexibility to commission and promote individuals with the training and experience in specialized areas needed by the services.

The bill also addresses domestic violence and child abuse by establishing a new punitive article in the Uniform Code of Military Justice, prohibiting domestic violence and requiring programs to address child abuse and domestic violence on military installations.

The bill addresses the issue of opioid abuse by military personnel and their families by requiring a pilot program to minimize early opioid exposure and creating a new program for sharing information about opioid prescriptions with state prescription-drug monitoring programs.

The bill also supports a high quality of life for servicemembers and their families. It authorizes the full 2.6 percent basic pay increase for all servicemembers, as well as \$40 million in Department of Defense supplemental impact aid and an additional \$10 million in impact aid for military children with severe disabilities.

Additionally, the bill would apply the protections of title IX of the Education Amendments of 1972 to all DODEA schools, closing a loophole in coverage of these protections, and it would require a new comprehensive sexual harassment policy for students in DODEA schools that provides protections at least equal to those afforded by title IX.

I remain concerned, however, that the military services do not receive the full end-strength increases in this bill

that they have requested. I understand the desire for quality over quantity and agree that quality is paramount, but I believe the services can achieve the increases they requested without sacrificing service standards.

I look forward to hearing from the services as we move forward in the legislative cycle about these provisions and whether they continue to believe that they can achieve the requested increases without sacrificing quality.

In the area of strategic systems, this bill continues to support the modernization of all three legs of the triad: the B-21 bomber, the ground-based strategic deterrent, and the Columbia-class submarine. These are all major acquisition programs that will take decades to field. Bipartisan support is essential for their success as we move forward, and this bill continues that bipartisan support.

The B-21 will replace the B-52 bomber, which was fielded in 1962 and will be required to operate well into the 2040s. The ground-based strategic deterrent will replace the current Minuteman III, which was fielded in the 1970s and uses electronics that, in many cases, predate the earliest personal computers. Finally, the Columbia-class submarine fleet will replace the current fleet of 14 Ohio-class submarines, starting in 2027, due to the potential for full fatigue. By then, the first Ohio-class submarine will be 46 years old—the oldest submarine to have ever sailed in our Navy in its history.

Perhaps the biggest policy issue to be debated in the coming days is the development and deployment of low-yield nuclear weapons. This bill authorizes the Defense Department's request for funding for a new low-yield submarine-launched ballistic missile. The request for this weapon is in response to a revanchist Russia with a military doctrine of "escalate to de-escalate," which means that if Russia were losing a conventional war or had attained their objectives and wanted to prevent counterattacks that would displace them, they would launch a low-yield weapon and force us to choose between suspension of our military efforts or deployment of high-yield nuclear weapons, heightening the possibility of escalation and all-out nuclear war.

This low-yield system raises questions of policy that I believe require more time to fully analyze and understand. I have spent countless hours on this issue, and I am not alone. My colleagues in the committee and many Members of the Senate have spent hours thinking about the potential issues that could be caused by these proposals. I am concerned that we have not fully grasped all of the complex implications inherent to the deployment of such a system. Indeed, there is an honest disagreement among experts in the field on this issue.

While General Hyten, the commander of Strategic Command and one of our most prominent, effective, and distinguished officers, makes the case for

this system, others, like former Secretary Ernie Moniz, who is also an expert in the field, says the system is not necessary.

No matter where you fall on the issue, to develop this weapon is a major change in U.S. policy, and I believe Congress needs to have a say each step of the way.

Under a law passed on a bipartisan basis in 2003, which I crafted with Senator John Warner, the administration could do research on a low-yield weapon but could not develop, produce, or deploy it without congressional authorization. This bill removes that restriction going forward and virtually all congressional input on these weapons and other potential weapons.

Given the policy ramifications of development and submarine deployment of low-yield nuclear weapons—and, indeed, of any type of nuclear weapon—I believe that Congress should be involved every step of the way. So we will be offering an amendment to ensure congressional oversight of this issue and to continue the process which we are using today, where Congress will actually debate and vote and consider the development and deployment of a new nuclear weapon.

Finally, this bill authorizes \$639.2 billion in base funding for the Department of Defense and the Department of Energy, and \$68.5 billion in funding for overseas contingencies operations. I am glad that the bill remains within the caps set by the Bipartisan Budget Act, which we passed in February. This will enable the Department to continue to restore readiness and modernize our forces. However, I will remind my colleagues that the budget deal only covers fiscal year 2018 and fiscal year 2019. Sequestration and the original caps will be back next year unless we again reach an agreement for both defense and nondefense accounts.

I think all of us have acknowledged that our national security is broader than simply the accounts in the Department of Defense. Customs and Border Patrol, the Transportation Security Administration, the Coast Guard, the State Department, and many other agencies also contribute to our national security. The investments we propose in this bill before us will be short-lived if we cannot provide sufficient resources and stability in years to come for all of these critical funds in our government.

Let me conclude by, once again, thanking Senator INHOFE and my colleagues on the committee for working thoughtfully and on a bipartisan basis to develop this important piece of legislation. I also thank the staff who worked tirelessly on this bill throughout this year and will continue to work tirelessly throughout many days ahead.

I look forward to a thoughtful debate on the issues that face our Department of Defense and our national security.

Finally, I can think of no more appropriate title for this bill than the

JOHN MCCAIN National Defense Authorization Act, to symbolize the leadership, the inspiration, and the direction that he is still providing us and will provide us as we move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING BOBBY KENNEDY

Mr. DURBIN. Mr. President, I was a senior in college at Georgetown University when I received a chance opportunity that literally changed my life. Paul Douglas, a great Senator from my home State of Illinois, hired me on as an intern in his office here in the U.S. Senate. I was just a kid from East Saint Louis, IL, the son of an immigrant mother, who was suddenly surrounded by Senators debating some of the most profound questions in our Nation's history.

I used to come to the Gallery of the Senate as a student and observe the proceedings of the Senate, never dreaming that there would be a day when I would actually stand on the floor of the U.S. Senate. I couldn't believe my good fortune as a visitor to watch people like Mike Mansfield, Everett Dirksen from my State, Paul Douglas from Illinois, William Fulbright, Margaret Chase Smith, and so many others come to the floor and speak in debate.

I remember sitting right there as a college student and watching. Through the door came Bobby Kennedy, and not far behind was his brother Ted Kennedy, both of them serving in the U.S. Senate in those days. It was an important occasion, I remember, on this one day because Bobby Kennedy was about to give a speech on Vietnam. His wife and Ted Kennedy's wife were seated in the Gallery just above them. I was just over here, I am sure with my mouth wide open, saying: I can't believe this moment that I am here to witness.

I remember the moment today because today is the 50th anniversary of the day an assassin's bullet ended Bobby Kennedy's too-short life.

For millions who remember him and many millions more who weren't even born in 1968, the death of Robert Kennedy remains a painful and haunting loss. What we miss is not simply the man; we miss his intelligence and wit, his compassion, his fierce commitment to justice and democracy, and his deep faith that Americans could come together to overcome difficult times and make our Nation stronger and better.

Just 2 months—2 months—before Bobby Kennedy was murdered, America lost another apostle of peace and jus-

tice. The evening that Dr. Martin Luther King was murdered, Bobby Kennedy was in Indianapolis, IN, to give a speech. Breaking the news of Dr. King's death to a stunned crowd, Bobby Kennedy begged his listeners to not resort to violence. He said:

We have to make an effort in the United States, we have to make an effort to understand, to go beyond these rather difficult times. What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness; but love and wisdom and compassion toward one another, and a feeling of justice toward those who still suffer within our country, whether they be white or they be black.

Listening to his words, one can hear echoes of President Lincoln's first inaugural address when he told a young nation on the knife's edge of civil war that "we are not enemies, but friends" and looked forward to a time when we would be guided by, in Lincoln's words, "the better angels of our nature."

Bobby Kennedy understood that America is great when we are guided by those better angels, not by fear.

As America's Attorney General in the early 1960s, Bobby Kennedy wrote a short book—only about 100 pages—entitled "The Pursuit of Justice." It includes a short chapter entitled "Extremism, Left and Right." I would like to read a short passage from it, the words of Robert Francis Kennedy—not as history but as hope and a reminder that we have the ability, each of us, to choose to overcome what divides us.

Here is what he wrote:

There have always and everywhere been those, throughout our history, and particularly in times of crisis, who have preached intolerance, who have sought to escape reality and responsibility with a slogan or a scapegoat.

Bobby Kennedy wrote:

What is objectionable, what is dangerous about extremists is not that they are extreme, but that they are intolerant. The evil is not what they say about their cause, but what they say about their opponents. The intolerant man . . . cannot trust democracy. . . . [H]e condemns the motives, the morals or the patriotism of all who disagree. . . . [H]e spreads selfish slogans and false fears.

The answers to these voices, Bobby Kennedy tells us, "cannot come merely from government, no matter how conscientious or judicious. The answer must come from within American democracy. It must come from an informed national consensus which can recognize futile fervor and simple solutions for what they are, and reject them quickly. Ultimately, America's answer to the intolerant man is diversity."

On this sad anniversary, the 50th anniversary of the death of Robert Kennedy, we would do well to listen to his words and heed the better angels of our nature here in the United States. It is our true source of American greatness.

NATO

Mr. President, I rise today to bring attention to the troubling erosion of our strongest and most cherished

transatlantic alliance, the North Atlantic Treaty Organization.

Over the years, I have visited some of our key NATO and European allies, including Lithuania and Poland, as well as those in the frontlines of Russian military invasions. What is the constant theme that is shared in these visits? It is the importance of our alliance, our friendship, our common purpose, the importance of the North Atlantic Treaty Organization. The importance of democratic Western values and international norms and institutions are embodied in this alliance.

In 1948, a war-weary United States, Canada, and Europe decided to face the new threat from an expansionist Soviet Union. A year later, we banded together to create a collective shield against aggression so that governments could concentrate on achieving fuller, better existence for everyone. Ever since the creation of NATO, it has been essential to the national security of the United States and a vital component of the U.S.-led international order. NATO has made the world safer and more prosperous.

Underpinning the NATO treaty is a collective defense guarantee that essentially says the following: An armed attack against one of us is an attack against all of us.

There has only been one time in the history of NATO that this has been invoked. Do you know what it was? It was less than 24 hours after the terrorist attacks against the United States of America on September 11, 2001. When that happened, our allies and NATO immediately came to our defense. They fought beside us, stood beside us. They pledged to be there when we needed them. They have been there with our U.S. military forces in Afghanistan since 2001 to stop the spread of terrorism. Many of these NATO allies have paid the ultimate price, and many more have come home injured. They did it without question because it is in service to the collective defense guarantee of the NATO alliance.

The picture today is dramatically different. In the face of Russian aggression today, instead of fortifying our alliance and coming together in common cause, I am sorry to report that this Trump administration belittles the promise and commitment of NATO.

The President's lack of an appreciation for history, for this critical and stabilizing alliance, is alarming. In the process, this President has caused the world to lose faith in institutions and policies that have kept us safe for 70 years. In the process, the President has also shaken the confidence of our allies in our country, in our ability to lead, and in our ability to solve international problems in a meaningful and cooperative way with our friends and allies.

How has this administration achieved this? By repeatedly calling NATO obsolete during his political campaign; by failing to publicly com-

mit to honor the collective defense guarantee at the first NATO summit; by threatening not to defend the Baltic NATO members—countries directly in Russia's crosshairs; and by thumbing his nose at our closest allies when he recklessly withdrew from the Paris climate agreement and the Iran nuclear deal.

The United States of America is the only Nation in the world that is not a signatory to the Paris climate agreement. Every other nation on Earth acknowledges that we are facing environmental challenges that could destroy and damage the world that we leave to our children, but this President—this President—withdrew the United States from that agreement. And just days ago, he stepped away from the Iran nuclear deal, an agreement reached under the previous administration—which I know makes it unacceptable to this President—an agreement reached by China, Russia, the United States, Germany, France, the United Kingdom, and the European Union. To do what? To stop the Iranians from developing nuclear weapons. President Trump stepped away from that agreement. The world is not safer because of that decision.

To throw salt on the wound, the President is now in a trade war with some of these very same NATO allies, and he has threatened to levy sanctions against these same NATO allies if they do any business with Iran.

Defying all logic and American security interests, despite all of the things I have just said, the President looks the other way when it comes to Russia. Despite Russia's interference in our election—a conclusion reached by every intelligence agency in the United States—despite repeated violations of international treaties and agreements; despite cyber attacks against the United States and Europe, especially the Baltics; despite the occupation of sovereign territory in Ukraine, Georgia, and Moldova, President Trump has been virtually silent on Russia's aggression.

Tragically, this silence has not gone unnoticed by our closest international partners. The Pew Research Center did a poll that shows that our allies' trust in American leadership is plummeting. In 2017, only 11 percent of those who live in Germany had confidence in President Trump, and in Great Britain, only 22 percent. This is compared to 86 and 79 percent in those countries under President Obama.

Gallup also did a poll. After 2 years of this Presidency, approval of American leadership is at a new low of 30 percent, with the biggest drops in approval coming from those nations that have stood by us in alliance for seven decades.

The devastating message is clear: At a time when Russia is challenging NATO in new and more aggressive ways, our NATO allies are losing faith in America. Donald Tusk, the European Council President, went so far as

to publicly say that the European Union is no longer under any illusions that the United States is a trustworthy friend.

I never expected the greatest military alliance in the world to be plagued by such uncertainty. I certainly didn't expect that uncertainty to arise as a result of our President.

Because I and many of my colleagues are so alarmed by this state of affairs, Senators KAINE, CARDIN, VAN HOLLEN, FEINSTEIN, BROWN, and MERKLEY have joined me to introduce a resolution to reaffirm our commitment to NATO, just in time for the NATO summit in July. I plead with my Republican colleagues to join us in making this a bipartisan commitment to the future of NATO. This resolution reaffirms what should be obvious and urges President Trump to do the same in committing to this transatlantic alliance and to stand resolute against Russian aggression.

We know hostile nations will seek to exploit the strained relationship between NATO and the United States, and we can't allow this to happen. If our President won't do it, then Congress must. We need to act to reassure that America can still be trusted to stand for the values that inspired the creation of NATO and to stand by our allies and friends who share our goal for a peaceful world.

**THE PRESIDING OFFICER.** The majority whip.

**PROJECT SAFE NEIGHBORHOODS AUTHORIZATION BILL**

**Mr. CORNYN.** Mr. President, I want to begin my remarks by commending our colleagues in the House for taking up a bill later today that I introduced with the junior Senator from Michigan, Mr. PETERS, and Congresswoman COMSTOCK over in the House of Representatives.

We passed this bill unanimously in the Senate in May. I know people believe that nothing happens in a bipartisan way around here and that certainly if it does happen, we are sharply divided somehow, but this bill passed unanimously, defying that suspicion or that intuition. Once the House passes it, it will be headed to the President's desk for his signature and will become the law of the land.

This bill authorizes a program called Project Safe Neighborhoods, which is a nationwide partnership between Federal, State, and local law enforcement authorities and prosecutors focused on reducing crime and improving public safety through stronger community partnerships and targeting the most serious criminal organizations and repeat offenders.

Since its inception in 2001, Project Safe Neighborhoods has proved to reduce violent crime in cities with high participation rates, including double-digit reductions in firearms crimes and homicides. Let me say that again. Since 2001, where it has been used, those jurisdictions and those communities have seen double-digit reductions in firearms crimes and homicides.

One of the most important elements of the program is a focus on criminal organizations. When Federal, State, and local law enforcement work together to focus on those who control criminal networks, we can defeat them outright. This will also bolster other efforts we are undertaking as the Federal Government to address gun violence and school safety.

By the way, I commend Attorney General Sessions for ramping up prosecutions of gun-related crimes, especially the so-called lie-and-buy incidents, where people lie about or otherwise hide their criminal background in order to obtain firearms illegally.

Now we have taken a big step to improve the criminal background check system used when somebody enters a sporting goods store or gun shop to buy a firearm. If you are a convicted felon, if you have been convicted of domestic violence, if you have been dishonorably discharged from the military, you cannot, under current law, purchase a firearm or possess a firearm legally. But what has happened—and we saw this in Sutherland Springs because of the broken background check system—often the derogatory or disqualifying information is not uploaded into the background check system, so people enter these sporting goods stores and purchase a firearm by lying, even though they are already disqualified under Federal law. We have taken a big step here in Congress on a bipartisan basis to shut that down. It is going to take some time to fix that system, so it is important in the interim, certainly, at least, to have the Department of Justice focus on those who lie and buy firearms illegally.

Under Attorney General Sessions, enforcement of our existing gun laws has been dramatically improved. There was a 15-percent increase in all Federal gun prosecutions last year. People like me believe we ought to focus on the person, on the individual, and not on the instrumentality or the tool, because obviously law-abiding citizens are not a threat to public safety and certainly don't go out and commit crimes. But by focusing on criminals and people who are not legally qualified to purchase a firearm in the first place or possess one under current law, we can help improve public safety and lower the crime rate.

What is happening under Attorney General Sessions and this administration is in great contrast to what we saw under Eric Holder, who often failed to enforce existing gun laws adequately against violent criminals. Those who illegally possess or purchase firearms must be held accountable, and I am glad to see the Congress and administration working together to ensure that happens.

The Project Safe Neighborhoods Authorization Act is another important piece of our bipartisan commitment to reduce violent crime by focusing on the most serious offenders and improving law enforcement relations with the

communities they serve. It is important that Federal, State, and local law enforcement agencies work together in close coordination because then we can solve the most complex challenges that drive violent crime and make our communities safer. The Project Safe Neighborhoods Authorization Act is a significant step in that direction.

#### STUDENT VISA PROGRAM

On another topic, Mr. President, this afternoon, I will be chairing a Judiciary subcommittee hearing titled “Student Visa Integrity: Protecting Educational Opportunity and National Security.”

We are blessed in America with a world-class higher education and university system. Everybody wants to come to America to go to college or graduate school, and that is a good thing, by and large. The point of today's hearing, though, is to raise awareness about a very real issue that we must be diligently aware of and to hear from Federal agencies responsible for our national security, visa policy, and the vetting of foreign nationals because we know our open society here in America is also exploited by our adversaries for their own benefit and to undermine our national security at home.

We hope to shed light on policies and procedures that are in place or should be in place to address what has become a growing source of concern. That issue primarily but not solely relates to China's aggressive activity to surpass the United States on all fronts—militarily, economically, and technologically—and use whatever means necessary—legal or not, open or secret—to achieve their goals.

The interesting thing about China is they have advertised their plans. They are there for the world to see, and all we need to do is read what they have said they intend to do. Through its “Made in China 2025” strategy, China is accelerating its efforts to acquire U.S. intellectual property and sensitive research, and that is where our universities come in. That is where most of the important research takes place.

This past February, FBI Director Wray testified before the Senate Intelligence Committee about the security risks posed by certain foreign students, visiting scientists, and scholars at America's colleges and universities. Director Wray's remarks were brief, and because of the sensitive and classified nature of the issue, he could not provide the full context and breadth of the concerns in an open setting, but what he has said publicly is alarming.

He said that the FBI is “watching warily.” He said that “naivete” was exacerbating the problem. I think that by “naivete,” he meant a lack of public awareness about the problem and thus a lack of vigilance on the part of our university systems and the public generally—that is what he was referring to as “naivete”—and it is hurting our national security.

He also said that the Chinese Government has been very aggressive about

planting spies—foreign intelligence officers—on our university campuses and our research facilities in order to accomplish its goals. That is not the only way they are doing it, but that is a significant way they are trying to achieve the goals they set in “Made in China 2025,” enhancing their national security and robbing us of our technological advantage. Particularly when it comes to military-use technology, they are all in. It is an all-of-government approach.

As I said, we are fortunate to have the top universities in the world, and they are known for their open research and development environment, which fosters collaboration and innovation across a broad array of industry sectors and academic disciplines. That is a good thing, but what is happening now, as Director Wray said, is that foreign actors are taking advantage of that environment—again, of our vulnerability as an open environment—and they are using it to study, learn, and acquire sensitive information, to the detriment of U.S. national security.

This is not an isolated problem. Director Wray said the Bureau is monitoring universities from virtually all of its 56 field offices across the Nation, not just in major cities. So it is not just New York, San Francisco, Chicago, Los Angeles, Dallas, or Houston; it is all across the country.

Approximately 350,000 Chinese students are enrolled at U.S. universities—350,000. That is 35 percent of all foreign students in the United States. As those numbers suggest, there is ample opportunity for mischief.

Most—and I want to emphasize the word “most”—most students and visiting scholars come for legitimate reasons, and we welcome them. We should welcome them. They come here to learn, share our culture, and contribute their talents to the United States. I think our educational system here in America is one of the greatest elements of our soft power, where we invite foreign students to come to study in our colleges and universities and learn more about who we are and about our values and to take those back home and become natural allies with us in making the world a better and safer place. But it is important to note that the Chinese Communist Party, which dominates the Government in China, has the capacity to influence all students from that country who come here and the academics.

I want to emphasize that this is not about restricting student visas. Students from across the world are welcome to come and study at our colleges and universities, and I encourage all of them to explore opportunities for them to do so. It is good for them, and it is good for us. What the hearing is about and what we should all be concerned about are security risks and the theft of intellectual property at our universities.

Again, as the FBI Director said, we shouldn't be naive. This theft is occurring, it is well documented, and we



have to take the necessary preventive measures to ensure that it doesn't continue to occur.

While I have highlighted China's activities, these concerns are certainly not limited to one country. There are other countries, including state sponsors of terrorism, like Iran, that are actively working to steal U.S. technology, bypass expensive U.S. research and development, and exploit the student visa program to gain information that will benefit their countries. It seems like such a logical target for them. If they have no regard for the rule of law, if they can steal technology that we have spent years and billions of dollars to develop and acquire and implement, it is a huge economic advantage for them, and it helps catapult their national security apparatus in ways that eventually will overcome our national security structure itself.

As one example, just this last March, the Department of Justice indicted 9 Iranian hackers who had stolen more than 31 terabytes of information, totaling \$3 billion in intellectual property, from more than 300 American and foreign universities. While I have said that China is the biggest, most obvious culprit, there are others, as well, and we hope to discuss all of them in our hearing.

Finally, let me say that our colleges and universities, again, have become a mecca for foreign nationals because of the high-quality education and the academic and cultural freedoms that exist in America. In order to preserve those crown jewels, we have to make sure that American research is protected and that the intellectual property developed in our colleges and universities is protected.

Today's hearing in the Judiciary Committee about the student visa program is about protecting the educational atmosphere we have worked generations to build in this country. Again, our higher education system is the envy of the world. That is why students come here. They flock here, as many as can, in order to study at our colleges and universities. Again, this is a good thing. We need to hear how U.S. institutions and higher education can actively protect their most sensitive areas from potential intrusion from foreign states with less than honorable purposes and intent.

In addition to the testimony we are going to hear from Federal agencies this afternoon at the hearing, we are going to hear from Texas A&M University, which has been recognized for its excellence in providing security for that research and intellectual property, which are targets for foreign actors. We are going to hear from NAFSA, the Association of International Educators, about the value and talent foreign nationals bring to the U.S. national education system. As these panelists will suggest, this is a complex problem. No one is suggesting that it is not. There are a lot of dif-

ferent angles to it, and we need to do our best to learn and listen from all sides and make good policy decisions about what we should do in response to this threat.

I look forward to learning about how we can continue to open our doors to foreign students and, at the same time, protect ourselves from espionage and outright theft, which ultimately makes our country less safe.

I yield the floor.

The PRESIDING OFFICER. (Mrs. HYDE-SMITH). The Senator from Florida.

FACEBOOK

Mr. NELSON. Madam President, it is interesting that the majority whip just spoke about China, and this Senator wants to talk about Facebook and some of the things that are threatening national security and our personal privacy.

I rise to speak about the recent press reports on Facebook and how the social media giant partnered with at least 60 mobile device manufacturers and shared user information with the likes of Apple, Amazon, BlackBerry, Microsoft, and Samsung. Just today, on the subject of China, the New York Times is reporting that Facebook also partnered with four Chinese electronic manufacturers, including Huawei, which is known to have close ties with the Chinese Government and may pose a national security threat to the United States. According to the Times, these companies had access to vast amounts of Facebook's user data, including the information of friends who may not have provided proper consent to access and share their personal and their personally identifiable information.

We don't know all of the facts yet, but it is clear that what Facebook claims and what the New York Times is reporting doesn't end up squaring up. As a result, the chairman of the Commerce Committee, Senator THUNE, and I as ranking member wrote a letter to Mark Zuckerberg, asking that he answer a number of questions about the New York Times' reporting. Specifically, Senator THUNE and I want to know exactly who these business partners are and what the nature of these agreements is. We want to know what safeguards are in place and whether Facebook conducted adequate oversight to protect user or customer information from unauthorized use and storage. We also asked whether Facebook users and the Federal Trade Commission were aware of these business agreements.

Currently, Facebook is operating under a 2011 consent order as part of a settlement with the FTC, and it is not clear whether these data-sharing agreements are in violation of that order. The bottom line is that these revelations are yet another example of questionable business practices by Facebook that could undermine basic consumer privacy.

Remember, less than 2 months ago, Mr. Zuckerberg appeared in front of

our committee in a joint committee hearing with the Judiciary Committee to answer questions in the face of the Cambridge Analytica fiasco. At that hearing, Mr. Zuckerberg apologized for his company's negligence and pledged to do better. He also asserted that consumers own their personal information and control how it can be seen and used.

I want to repeat what I just said. Zuckerberg also asserted that consumers—their users—own their personal information and control how it can be seen and used. That is what Zuckerberg said in our committee hearing.

The reporting in the New York Times suggests that is not accurate. While Mr. Zuckerberg asserted that app developers were prohibited from collecting friends' information in 2014, he failed to mention that device manufacturers were still able to access the information. He never revealed these data-sharing agreements in our committee meeting, the hearing in April of this year.

As a result, it is hard to know what is true anymore. Now we learn that Facebook gave Chinese companies believed to be national security risks access to user data. What in the world is next, and what in the world is going to protect Americans' personally identifiable, private information?

Facebook is the most popular social media platform in the world with over 2 billion users, and in the United States, there are over 200 million users. Those users interact with each other and post sensitive, personal information. The company has a unique responsibility to its users to be vigilant caretakers of personally identifiable information. They also have a responsibility to be transparent.

I look forward to Mr. Zuckerberg's response to the letter that Senator THUNE and I sent to him just recently. It is high time that Congress act to provide all American consumers with the basic privacy protections they expect and deserve in order to be protected, and they are counting on us to do that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Missouri.

ECONOMIC GROWTH AND NOMINATIONS

Mr. BLUNT. Mr. President, I wish to talk about the economy today, something that most of us are talking about when we are home, and for good reason. Yesterday the Labor Department announced that our economy hit a milestone that we never hit before in the time that we have been measuring

these two things at the same time. There are now more jobs available in the United States than there are job seekers.

When I was in Missouri last week, we did a number of events all over the State. At that time, I was confident that in the 12 States in the middle of the country, there were more jobs than people looking for jobs. That was news.

But even bigger news is the news that was announced yesterday, that there are 6.7 million job openings and there aren't 6.7 million people on unemployment. In fact, the unemployment rate is 3.8 percent. It matches the lowest number we have seen in 50 years. The last time numbers were this low, in fact, was during the Vietnam war, when many young men were being drafted into the military. That was the last time we had an unemployment rate this low.

Everybody understands—and they should understand—that the 6.7 million jobs don't necessarily have 6.7 million people ready for exactly the jobs that are out there. That should encourage us, among other things, to be thinking about what we need to be doing to make sure that people are either prepared for jobs or they have the skills to allow them quickly to become prepared for the jobs that are available. Two-thirds of Americans say it is a good time to find a job. That is 25 percent more than in the last administration who think it is a good time to find work.

Working with the President, the Senate and the House have done what we could to fuel the economy. The House and Senate both have rolled back regulations that didn't meet the common-sense test and passed the Tax Cuts and Jobs Act. The President of the United States kept telling us: Don't call this tax reform. Who knows what that means or where it might wind up. What we want to do here is to cut people's taxes, increase their take-home pay, and do things that increase jobs.

In the 10 cities I was in last week, I think I saw virtually every reporter in the State. At least every reporting agency had somebody at those events. We had roundtables with employers. We had meetings with people who were able to buy a house that they couldn't buy otherwise. We had people who really appreciated the extra \$500 a year or the extra \$152 a month or the extra \$200 a month that they were seeing in their family budget, which last year would have been sent to Washington, DC.

I said many times during that tax cut debate that there are two ways to increase people's pay. One is to take less money out of it. We said that if we passed that bill, 9 out of 10 people who paid taxes last year would pay fewer taxes this year. And the second way we increase people's take-home pay is to give them a better job, to start with. That is what happens in a growing economy.

One of the things I thought was most surprising was how many employers

stepped up, and in how many different ways, to say: We appreciate this economy and will reward our workforce like we, frankly, didn't know we could afford to do and knew we didn't have to do in a more stagnant economy in the past. Some companies gave bonuses. Some companies gave other benefits. There were several companies that increased their minimum level of pay, whatever that was.

One major national retailer said they were going to increase their minimum wage to \$11. Over the next specific number of months, they were going to increase that \$11 minimum to a \$14 minimum—not because the government told them they had to do that, but they wanted to be sure that in a growing economy they kept their employees.

According to a recent National Federation of Independent Business survey, 76 percent of small business owners believe the current business climate is headed in the right direction.

According to the National Association of Manufacturers, 86 percent of those manufacturers plan to increase investments thanks to tax reform, 77 percent say they are planning to increase hiring, and 72 percent said they plan to increase wages for their employees. That is the kind of thing that happens in a growing economy.

I was at Gray Manufacturing in St. Joseph, MI, last week. The president of that company, Stet Schanze, said his company is among those feeling optimistic about the future. They are trying right now to find the 20 workers they need to fill the 20 jobs they have.

In my hometown of Springfield, Mary Beth Hartman, the president of a local construction company, said she had been able not only to hand out employee bonuses but to buy new equipment. They could buy the new trucks they had been waiting for some time to buy until they were sure they moved from a time when you have to take what money you have and repair something to where you really can make the kind of long-term investment that, frankly, the tax bill encourages you to do.

Also, if your business is doing as well as you did last year, you have more money than you had last year. You can take some of that money off the table and buy the equipment and replace the equipment that you had been hoping to do for a long time.

Jamie Burger, the Scott County Presiding Commissioner, told me: Everywhere we go, hiring signs are up. That is new in our State. I think it is true all over the country. At least a million new jobs have been created since the Tax Code changes passed. I will be reminded by the President if I don't say it: It wasn't the Tax Code changes. It was the Tax Cuts and Jobs Act that the Congress and the President worked together to create.

I met local officials and business owners who were located in opportunity zones. This is an idea that is in

the tax bill. Senator SCOTT and others were really thinking about what we can do to encourage people to put money in those communities that aren't doing as well as others around them. So you take economically distressed areas and allow a new kind of investment to occur in those census areas. You take your capital gains profits, which you very likely made somewhere else, and you put them in real estate or in a business or you invest them in some other way in one of the opportunity zones. We have 161 in our State.

When I was with Mayor Hark of Hannibal and local officials in Hannibal, they were certainly talking about what to do there in Kansas City. I was with the electric company, Kansas City Power and Light. They actually have based a new local access point in one of those opportunity zones near the historic 18th and Vine area, the jazz area in Kansas City. They were talking about that particular opportunity to talk about what the Tax Code changes have done and what the tax cuts bill has done. They are in the process of reducing electric bills for their customers by \$100 billion because that is how many fewer tax dollars they are going to send to Washington than they did last year. By the way, every one of those tax dollars gets passed along to a rate payer, just like every one of those tax savings also gets passed along to a rate payer.

The economy is moving again. The tsunami of redtape that we saw in the last few years, piling well over \$100 billion of extra costs going to the government, is gone. By their own estimates, that number was up to \$700 billion, when you project that number into the 10-year future. That is \$700 billion of redtape.

When the President took office, he was able to eliminate some things that hadn't gotten done yet. Congress was able to overturn 16 rules that had significant compliance cost savings under the Congressional Review Act. It had been used exactly one time in the history of the law until this Congress and this President were able to reverse rules that were slowing the economy down, like the clean power rule, which would have doubled utility bills in Missouri in a decade or so. The waters of the United States rule would have put the EPA in charge of things they shouldn't be in charge of. By the way, neither of those rules have been allowed to go into effect—not because of the calendar but because of the courts. In both cases, the courts said to the past administration: You can't do that.

Instead of continuing to appeal the "you can't do that" decision by courts, the Trump administration reversed those policies. We still have lots of protections, but we don't have protections beyond what the government is legally allowed to do.

By the way, those protections were just so-called protections. They definitely would have slowed the economy

down. Whether they would have definitely added much to either our water or our power policies is a big debate.

Keeping regulations where they need to be and working to confirm well-qualified nominees to both the courts and the administration are really important.

We are going to be here in August this year. I wouldn't want to fall into the trap of suggesting that Congress isn't taking a vacation in August. What Congress isn't doing in August—at least the Senate is not able to do—is to be home doing the work we need to do at home. Part of the job as a Member of the House and Member of the Senate is to be talking to people where they work, talking to people they work for, seeing those problems firsthand, and being part of that discussion going on where they live.

We are not doing that this August. Our leader said we are going to be here. Part of it is because the other side has just taken so much time to make it difficult for the President to get his team in place. We never had anything like this happen before in the history of the country for judges and U.S. attorneys to be confirmed. Senate Democrats have forced 100 cloture votes.

What is a cloture vote? A cloture vote, really, is a demand that you have up to 30 hours of debate before someone is confirmed. Yesterday we had this long time set aside for debate. They insisted on it. There was, not so shockingly, no debate. The vote was almost unanimous, after hours of not being able to do anything but have the floor open for debate for someone who there was no debate about.

That has happened 100 times in this Congress and Presidency. In the last 15 months, that has happened 100 times. In the previous six administrations, in the first full 2 years of all six of them combined, that happened 24 times. So we have gone from an average of 4 times per Presidency for the last six Presidencies to 100 times for this Presidency. That is not acceptable.

The long-term solution to that, by the way, is not to be here in August. The long-term solution is to change that rule. That rule is being abused. It needs to be changed. The committee chair has voted that rules change out of the committee. When my colleagues get tired of the rules being abused, that is when we will be able to change the rules.

At the same time, we confirmed a lot of judges. As a matter of fact, 18 percent—one out of eight—of all Federal court of appeals judges have been nominated by President Trump and confirmed by the Senate.

Our friends on the other side say: Well, jeez, how can you be bragging about the President being able to get all of those judges confirmed and complaining about how much time it took? They know and I know and people watching the Senate know that we managed to get those judges confirmed, but the loss—and it was a devastating

loss—was the ability to get on with other legislative work. We should be debating the appropriations bills one bill at a time. We ought to have an infrastructure bill on the floor. Today we should be debating the Defense Authorization Act.

We have a lot of work to do, and our friends on the other side of the aisle know that every hour they force to be taken for something else—and certainly a lifetime judicial appointment is important, but every hour they force to be needlessly taken for that is an hour that the Senate can't get to anything else. We are going to put a lot of those hours back on the table in August, and we are going to continue to do that work and hopefully do the work publicly and visibly and in a way where every Member is allowed to offer every amendment they want to, to debate how we spend people's money, to debate how we defend the country, and to debate how we try to do things that encourage us to be more competitive. We have a full agenda ahead of us. We are going to be here for the rest of the year working on that agenda. I look forward to that.

Hopefully the economic news will continue. Even the New York Times—a group that has run out of words to use to praise the administration or the Congress—said last week that they had run out of words to talk about how good the job numbers were. When the New York Times runs out of words to talk about how good the economy is, the economy must be really good. It can be better. It needs to be better. We need to continue to see people not just with more take-home pay, but now our goal should be more take-home pay because they have better jobs, and people have better jobs in a stronger economy. We are headed in that direction. Let's be sure that we continue to head there. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, last week I traveled all around my home State of Wyoming, and many Senators have done the same in their home States over the last week. I will tell my colleagues that the people I talked with had a great sense of optimism, confidence, and positiveness in terms of how things were going with their lives. People were feeling very positive about the American economy, about their own lives, and of course about their future.

We just saw new numbers on Friday showing that the American economy has created more than 1 million new jobs since we passed the Tax Relief and Jobs Act in December. Since President Trump was elected, we have actually

gotten more than 3 million more Americans working.

Unemployment is now at 3.8 percent, and that matches the lowest rate in 50 years. Even the New York Times ran a headline saying: "We Ran Out of Words to Describe How Good the Jobs Numbers Are."

Think about that, the New York Times: "We Ran Out of Words to Describe How Good the Jobs Numbers Are."

Every month we have been adding thousands of new jobs in construction, in manufacturing, in healthcare, and mining. We have had strong and steady growth, and the American people and American families are benefiting in every part of the country. It is not just that people are getting jobs; it is that the jobs are paying better as well.

According to the most recent survey by the National Federation of Independent Business, there were a record number of small companies raising their wages last month—a record number raising wages. Average wages are up by 2.7 percent over the last year. Employers can pay more because business is booming. They need more workers.

On Tuesday, the Bureau of Labor Statistics said there are now 6.7 million job openings across the country. That is an alltime high. The Labor Department says that for the first time ever, there are actually more job openings than there are unemployed people who are looking for work.

It is an incredible situation. People look around them and see all of the hiring that is going on and all of the pay raises; it just makes people confident because they see it at home in their communities. It is not just something they read in the newspaper. It is not just something they see on TV. It is what they see at home in their communities in their own lives and in their own paychecks.

Consumer confidence is at an 18-year high. People know things are going well. They know they have more money in their pockets, and they know the American economy is thriving.

The Federal Reserve Bank of Atlanta says they are at a pace for the economy to grow over 4 percent during the second quarter of this year.

Remember that Democrats have been saying there was no way we could even get to 3 percent. Now the Federal Reserve of Atlanta is saying over 4 percent, and they say we are actually heading to close to 5. It is excellent news, and it is not an accident. That is the thing, it is not an accident. It is happening because of the policies Republicans are implementing in Congress and in the White House. It is a partnership.

President Trump has been in office for 500 days, and it has been an incredibly productive time. He has been wiping burdensome and unnecessary regulations off the books. He has been making it easier for people to do their jobs, easier to live their lives.

President Trump issued an order cutting government redtape. He said for every significant new rule an agency wanted to write, it had to get rid of two rules. For every one new rule, get rid of two.

The result has been even better than expected. So far, in this fiscal year, agencies have cut 38 major regulations of the kind the President has been talking about. At the same time, they have only written five new regulations that are major regulations.

President Trump said he would cut two for every one new regulation, but what we really see is that the number is much closer to eight regulations cut for every new one.

Republicans in Congress have done the same. We have been cutting redtape. We have been loosening Washington's stranglehold on the economy, and we can see it in the economy every day. We have been cutting the mandates and the restrictions that hold back growth. We have cut the taxes people pay.

The tax relief law we passed in December was the biggest tax cut in 36 years. It gave people an immediate boost in their take-home pay. Millions of Americans also got bonuses and raises because of the law. It has been an enormous boost for the overall economy. We have a strong, healthy, and growing economy.

It is interesting because every Democrat in the Senate voted against the tax cut—every one of them. In fact, NANCY PELOSI, the former Speaker of the House, said that if she had it her way, Democrats would get rid of the tax relief law and actually raise taxes again.

The American people know that would be a disaster. Democrats' ideas for higher taxes and lower take-home pay for families and more government regulation—which is what the Democrats are proposing—would do incredible damage to our economy and to our country.

Democrats tried their ideas when they were in charge, and they have failed. We had slow economic growth. We had stagnant wages. Democrats tried to say this was the new normal for America. The American people knew that could not be the new normal; it wasn't good enough. The American people will not tolerate it, and they voted to change it.

People said they wanted Republican ideas and Republican policies. Now they are seeing the results, and they are living with the benefits. People are seeing jobs numbers that are so good they have run out of words. As the headline says: We have run out of words to describe how good the jobs numbers are.

It has been 500 days, and we are just getting started. What we need to do now is keep looking for ways to create a growing economy, a strong economy, a healthy economy, with larger paychecks and more prosperity right here at home for American families.

One place we can do this is in the area of infrastructure. We can start with water infrastructure. These are the systems that deliver drinking water and treat wastewater. They provide water for our crops and cattle and small businesses. They are used to ship American-made goods from the heartland to the coasts and around the world. They keep our homes safe from dangerous floodwaters. They store water for times of drought.

These systems are vital to our country. They support America's economic growth and American competitiveness. We need to build, maintain, and upgrade them.

Over the past 50 years, we have gone from being a society that spends much more on construction to one spending much more on consumption. As a result, our bridges and our roads, dams, and waterways have suffered. That is why I introduced the America's Water Infrastructure Act. It is a bipartisan bill—something Republicans and Democrats agree we should do. It is a way to grow the economy, to cut Washington's redtape, and keep communities safe.

We are going to have a chance in the coming weeks to pass America's Water Infrastructure Act. Then we are going to look for more ways and things we can do to keep America growing and strong. That is what Republicans in Congress are committed to doing.

What this President and this Congress have accomplished together has truly been historic. We need to keep going. It is what the American people expect from us, and it is actually what they deserve.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that I be allowed to bring two baskets of hemp products to the floor of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### HEMP FARMING ACT

Mr. WYDEN. Mr. President, it was not very long ago when I was on the floor of the Senate with the distinguished majority leader, Senator MCCONNELL, and the two of us were making the case for our bipartisan bill to legalize hemp, which we are very much interested in having included in the farm bill. I will talk a little bit more about our work on that.

Our original sponsors were Senator MERKLEY and Senator PAUL, and since then we have added 28 additional Members of the U.S. Senate as cosponsors.

What I am going to do this afternoon for just a few minutes is talk about why it is so important that our bipartisan legislation, now cosponsored by almost one-third of this body, get enacted and be included as part of the farm bill.

It is Hemp History Week again, and that is why I am back on the Senate floor to talk about the only schedule I controlled substance you can sew into a T-shirt and wear through TSA.

Here, as we start, is the real head-scratcher: Products made with hemp are perfectly legal, but growing industrial hemp is a crime. There can't be many policies on the book that are more anti-farmer than that one. So I have a bottom line, which I discussed with Majority Leader MCCONNELL recently on the floor of the Senate; that is, if you can buy it at a supermarket in America, our farmers ought to be allowed to grow it in America.

For me, this issue goes back to a trip my wife and I took to a grocery store near our home in Southeast Portland. Nancy was pregnant with our youngest daughter at the time, and we were always on the hunt for healthy foods that would fill our cart. So we grabbed the fruits and vegetables, and there, perched on one of the shelves, was a large bag of hemp hearts. The packaging had really big, colorful text, and it said that it was heart-healthy and protein-rich. But I knew the product couldn't have been grown in the United States because there was a Federal ban. So I looked at this product, and I turned to my wife and I said: You know, hemp growers in places like Canada and China must be laughing all the way to the bank. They are cashing in while our farmers have their hands tied by the current hemp restrictions.

So here with me on the floor is one of our very capable young staffers, Malcolm, from Southern Oregon. Malcolm is holding a variety of products that are made with hemp, this schedule I substance that our laws make out to be a perilous danger to the public.

For a few minutes, let's take a look at what Malcolm has. He has a few schedule I snack bars. He has some schedule I hand soap. He is even wearing a schedule I necktie. The point is, they are all perfectly legal products that you will find on shelves in stores throughout the Nation. But because the hemp had to be imported, none of it could be considered fully American-made.

So, as I have with the majority leader on past occasions, I want to make sure everyone understands a simple fact about hemp. Hemp is not a drug, and treating it like one was wrong from the get-go. Smoking hemp would be nothing but a waste of time, breath, and lighter fluid. It defies common sense that our laws consider hemp to be dangerous and addictive like crystal meth. Having one too many hemp granola bars might give you a stomach ache, but you aren't going to land in the hospital.

So hemp is not a drug. What it is, is a huge opportunity for American farmers. That is why the original sponsors of this legislation—Senator MCCONNELL, Senator MERKLEY, Senator PAUL, and I—introduced the Hemp Farming Act of 2018. It is the latest version of a bill that I began putting in front of this body in 2012.

Our bill would end hemp's days as a controlled substance, and it would legalize its growth in America. What the bill does is clear the way for farmers in Oregon, Kentucky, and literally from sea to shining sea, it gives the green light to farmers across the land who are clamoring for the growth that legalized industrial hemp would bring for their farms and their communities.

Nearly 2 months after my colleagues and I introduced the Hemp Farming Act, as I said, a very large delegation of Senators of both political parties have signed on as cosponsors. Democratic Senators, Republican Senators—we can have some pretty spirited disagreements around here, but these are Senators who know a brainless, anti-farmer policy when you see one.

There is a companion bill in the other body that has strong bipartisan support as well. So we are going to keep at it, our bipartisan coalition, in order to build support for this throughout the days ahead.

Here in the Senate, Members are hard at work putting together a bipartisan farm bill, and we are very pleased to see the leadership on both the majority side and the minority side—Chairman ROBERTS and Senator STABENOW—working very closely to put together a bipartisan farm bill, which would be a perfect opportunity to move this forward.

I am constantly saying at home in Oregon—very supportive of agriculture: Let's grow it in America. Let's add value to it in many America, and let's ship it wherever we can in order to create jobs—jobs that start on the farm.

We have momentum growing, and that is why Hemp History Week—this time when I come to the floor and talk about this broad array of products—is designed to get the facts out about growing hemp.

Before growing hemp was made illegal, hemp was among the predominant American crops for generations. It was grown in the fields of Mount Vernon. It was threaded into the ropes and sails of the first ships made for the U.S. Navy. If hemp were easier to rhyme, it might even have its own lyric in "America the Beautiful," right alongside "amber waves of grain."

I believe it is long past time for Congress to throw out an anti-farmer policy and legalize—by the way, both leaders of this body, Senator MCCONNELL and Senator SCHUMER, are cosponsors of this bill because they understand that it defies common sense to be anti-farmer in this way. Both leaders of this body share the view that it is time to legalize the industrial growth of hemp.

This is just a modest number of products made of hemp. Products made

with hemp constitute a \$1 billion market in this country.

If there is only one thing I have said today that people will remember in all this, it ought to be that if you can buy it in a grocery store in America, farmers ought to be able to grow it in America. It is just that simple.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### WORK OF THE SENATE

Mr. LANKFORD. Mr. President, in the last 24 hours, Senator MCCONNELL announced that the Senate will still be in session in August. I don't know of any Senator who loves being in Washington, DC, in August. Quite frankly, it is a hot, humid, miserable place. I would much rather be in Oklahoma with other folks whom I serve, getting to spend some time there.

The Senate is in session 11 months of the year. The only month we are not in session traditionally is August. But we have a problem. The work is not getting done in the Senate. If the options are to be in Washington, DC, and get the work done or to be back in my State and see the folks in my State but knowing that the legislative work is undone, then the decision should be to get the work done.

Senator MCCONNELL announced yesterday that in August we will be here. We have two big issues as the reason we should be here in August to get some things done. One is the nominations issue. This is an issue that has, quite frankly, picked up a lot of speed this year. Last year in our nominations process, we had a record slow process to try to get nominations through. This year, more nominations have gotten through.

Let me give an example of what we are up against. In the past 6 Presidents, there have been a total of 25 cloture votes for nominations in the first 2 years of the Presidency—25 total, all 6 combined. Right now, President Trump is at 100 cloture votes so far for his nominations.

You may say, what is the big deal about that? Each one of those basically consumes a full day on the Senate floor—each one. In the past, if it was a controversial nominee, there would be additional time that would be requested, and that time would be done. It has been done 25 times over 6 Presidents. To do it 100 times for President Trump—it is obvious it is intentionally slowing down the Senate because when we are dealing with what is called postcloture debate time on a nominee, we can't deal with anything else. We can't deal with legislation. We can't deal with any other topic, so the Sen-

ate comes to a stop. One hundred days have been lost just doing that, lost time.

We have a lot of nominees who still need to go through, which traditionally went through by voice vote or in rapid succession. The White House still has a lot of nominees. They are due to be sent to us as well. They can continue to send those nominees, but the nominees who are here, who have gone through the committee process and have been fully vetted—it is time to bring those to a vote so the President can have his staff.

In 2013, Republicans and Democrats agreed together that things started to slow down a little bit in 2012 on some nominees. Republicans and Democrats came together to change the rule for how much time would be set aside for nominees. Harry Reid did a presentation during that time period and supported a proposal: 2 hours of time for district court judges, 8 hours of time for just about everybody else, except for Supreme Court, circuit court, and the Cabinet—they would still be 30 hours. Republicans joined Democrats in 2013 and agreed on that.

For a 2-year time period, Republicans and Democrats agreed alike that was a reasonable amount of time for postcloture debate—2 hours, 8 hours, or 30 hours, depending on who that was. That expired at the end of 2014. I brought that back up. I brought it to the Rules Committee. The Rules Committee has debated it. The Rules Committee has now voted it out of the committee.

My simple recommendation is, this was a Democratic proposal in 2013 for that time period. I think if it was good for the Democrats in 2013 and 2014, it should be good for Republicans or Democrats from here on out—to not just have it for the next 2 years but to say that is a simple rule to get the Senate back to functioning again.

My concern is, now with 100 cloture votes that have been done in the past year and a half on nominations, the next time there is a Democratic President—and there will be at some future time—you can be assured that the Republicans are going to do at least 100 cloture votes to them, and we will slow down government just as much. That doesn't help us long term. We have to get out of this cycle, and we are in a downward cycle of trying to deal with nominees. We need to be here in August to work through nominees because we have not had enough time because 100 days have been lost just sitting on cloture votes, waiting on that to happen.

The second aspect of this I want to remind people of is this: We need to be here in August, to work through this time period, because appropriations need to be done. In 18 of the last 20 years, this Congress has done an omnibus bill; that is, taking the 12 different appropriations bills, throwing them all together with no amendments, getting

the text of it the night before, and saying: Everyone, just vote on it tomorrow. That has happened in 18 of the last 20 years.

We have bad muscle memory. Twenty-five years ago, this Congress would debate those bills one at a time, bring them up onto the floor, and amend them. Democrats and Republicans would have input into those bills, and then they would pass. They would then be conferenced with the House and go to the White House for signatures. That really wasn't that long ago. Quite frankly, college students who are graduating right now have no memory of this Congress ever doing the appropriations process the right way. It has never happened in their lifetime. We have to fix this.

The argument has been that we only have 50 workdays left before the end of the fiscal year. The only way to get some of those workdays back is to add in August. We have to get the appropriations process back on track.

I hope most of this body can remember the early morning hours in March of this year when this Senate passed a 2,232-page omnibus bill that zero Members in this body had read because there was physically not enough time to even read it. We got it late one night and had to pass it the very next night. In fact, the House passed it at noon the next day—merely hours after they received the bill. We can't do this. We can do better. The only way to do it is to get time back in our schedule.

I commend the leader for putting time back in the schedule. Senator PERDUE, I, and 14 other Senators wrote him a letter and said that we need to consider this to get nominations done, to get appropriations done. If we cannot get the work done in the time we have, we have to make more time, and we have to get this done.

I commend the leader for this, but I also challenge this body to say that we should not squander the days we have. None of us are going to enjoy being here in August when there are lots of other things we would like to do in our home States, but let's get the work done because it is important for the future of the country, and the country expects us to finish well what we are doing.

Mr. President, I yield back.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Maryland.

NORTH KOREA

Mr. CARDIN. Mr. President, next month will be the 65th anniversary of the armistice that ended the battles and bloodshed of the Korean war. As I am sure my colleagues know, the Korean war was never officially ended. Over the last 65 years, we have seen hostility on the Korean Peninsula. We have seen North Korea develop nuclear weapons, raising security concerns, and active in cyber attacks and human rights violations. The list goes on and on in the context of a formal state of war between the north and the south.

The United States has made major investments in this region as a result

of our security concerns and our national interests. We helped rebuild Japan and South Korea, we developed allies that share our values, which is certainly in our interests, and we created a military deterrent against a belligerent North Korea. Yet, during this period of time, the Kim Jong Un regime in North Korea developed a nuclear weapons program, including delivery systems. It violated international commitments. The international community, led by the United States—I must say, empowered by this Congress, which gave the administration the ability to impose sanctions—with the leadership of the United States, sanctions had been imposed against North Korea, and those sanctions had impact.

This year, we saw a breakthrough with there being some hope of security in the future. With the election of President Moon of South Korea, the South Koreans have a leader who wants to have a better relationship with North Korea, and the use of the Winter Olympics helped to develop confidence between North Korea and South Korea. Now President Trump is scheduled to meet with Kim Jong Un at the Singapore summit on June 12, where there will be great opportunities. We hope this will be an opportunity to end the war between North and South Korea, create a framework to denuclearize the Korean Peninsula, and forge a path toward stability and security for all.

It starts with an acknowledgment by North Korea that it has violated international norms. That is the reason sanctions have been imposed. It has an illegal nuclear program; its missile program violates international norms; and it has created an oppressive regime against the basic human rights of the North Korean people. Clearly, diplomacy is our best option. That was the purpose of imposing sanctions—so that we could get to this moment at which diplomacy actually may lead to results. We couldn't have gotten here if we had not had a strong sanctions regime imposed against North Korea.

As I have said all year, Congress gave the administration the tools with which to do that. In working with our partners around the world, the United States led in the effort in isolating North Korea in its continuing down this path. We now have an opportunity for diplomacy. Diplomacy is our best option. If we have to use the military, the risk factors are so great as to what could happen that it begs the point that, really, the only successful option is for diplomacy to work.

This is where we have hope, because there is a common objective between the principal parties in trying to use diplomacy to end this crisis. North Korea and China very much want to preserve the Kim Jong Un regime. China does not want to see a democratic country on its border. It wants to preserve North Korea's Communist regime. Obviously, Kim Jong Un is in-

terested in preserving his regime. The United States and China have a common agenda in that both countries want to see the Korean Peninsula absent of nuclear weapons.

Secretary of State Pompeo testified before the Senate Foreign Relations Committee and indicated that the U.S. position is not for regime change. I think that gave Kim Jong Un the ability to go forward and say: Look, if the regime can be preserved and we get security assurances, then we can do that without nuclear weapons. That gave us the opportunity for diplomacy to succeed.

So where are we in regard to the summit that is scheduled in less than 1 week?

I was pleased that the Subcommittee on East Asia, The Pacific, and International Cybersecurity Policy, which is within the Senate Foreign Relations Committee, held a hearing this week with regard to the status of the summit—with regard to what we can expect and how we should be prepared. I appreciate Senator GARDNER and Senator MARKEY, the chair and ranking member of the subcommittee, for holding that hearing.

Joe Yun, who is the former top American diplomat and one of the United States' leading experts on North Korea, was one of our witnesses. Victor Cha, who is the former National Security Adviser for North Korea, was the other witness. We had two of the top experts in this country who understand North Korea, who understand Kim Jong Un, who understand where we are in regard to what we can expect at the summit that will take place on June 12. Both agreed that we will need to have a realistic strategy in going into these negotiations.

I asked a specific question of the witnesses: Would Kim Jong Un be willing to give up his nuclear weapons in going into these negotiations?

Both agreed that was unlikely—unlikely, in the initial meetings, that he would agree to give up his nuclear program.

What should we expect? What should the conditions be? We had a robust discussion about that in the Senate Foreign Relations Committee.

It was pretty well agreed that it will start with a declaration by North Korea of its current program. We will need to understand what it is doing. We will need to know the venues of its nuclear program. We will need to know exactly from where we will be starting. We will need to make sure that the commitment to freeze that program will, in fact, be carried out. We will need international inspectors to make sure that, in fact, North Korea will not be advancing the program or its missile program. Then we will need a plan to dismantle its nuclear weapons program—all aspects of it. We will need to have a roadmap for getting there. That is the realistic expectation of what we will be able to achieve on June 12.

It is key for the United States to make it clear that we will not make



concessions until we have at least reached that understanding—a commitment to North Korea's dismantling the program, a freeze in place, and inspectors in place. We will have to be patient, but we will also have to be resolved that we will not make unilateral concessions.

This past week, several of my colleagues sent a letter to the administration that outlined this. It was led by Senators SCHUMER and MENENDEZ, along with Senators DURBIN, FEINSTEIN, BROWN, LEAHY, and WARNER. I agree with the letter. Let me just quote some of the conditions that are spelled out that we should be expecting in these negotiations.

Ultimately, it should include the dismantling and removal of all nuclear, chemical, and biological weapons from North Korea. The goal must be the full, complete, and verifiable denuclearization of North Korea. North Korea must continue its current ballistic missile test suspension. North Korea must commit to having robust compliance inspections, including a verification regime. The agreement with North Korea must be permanent in nature. These are conditions I would hope we could all agree on.

The letter goes on to read something that is critically important. In its addressing other critical matters, it includes North Korea's human rights practices and the need for them to be included in these discussions. Dr. Cha said it best when he said that a comprehensive political settlement with North Korea must include its agreement to end the regime's systematic violation of human rights.

I understand our objective is to make sure we have a denuclearized Korean Peninsula, and I agree with that. Yet, for long-term stability in that region, we need a North Korean Government that respects the rights of its citizens, and those discussions must start taking place on June 12.

Here is my concern and the reason I am taking this time today.

We have to be prepared for this summit. President Trump needs to be prepared, but President Trump needs to be prepared by working with Congress. That is where we know we are the strongest. I have seen no signs whatsoever of any congressional briefings or consultations from the Trump administration in leading up to the June 12 summit. We need to be on the same page in going into these discussions. Yet we have had absolutely no consultation. Dr. Cha said to consult with Congress given its role in funding and ratifying an agreement. We need to be involved.

Let me just underscore as to what Secretary Pompeo testified before the Senate Foreign Relations Committee. I asked him a question as to what role Congress should play in this. Secretary Pompeo volunteered to say that he anticipates that this will be a treaty that will be submitted to the U.S. Senate for ratification if they are successful. If

we are going to be called upon to ratify a treaty or if we are going to be called upon to change the sanctions regime against North Korea, we will need to be part of the process. We will not have to reinvent the wheel.

We ran into a similar issue in 2015 with regard to President Obama's negotiations for an Iran nuclear agreement. At that time, I was the ranking member of the Senate Foreign Relations Committee. I worked with our distinguished chairman, Senator CORKER, and other members of our committee, including Senator Kaine and Senator MENENDEZ and others, and we came up with the Iran Nuclear Agreement Review Act. We know how difficult it is to get consensus in the U.S. Congress on any particular issue. Yet we passed that Review Act by a 19-to-0 vote in the Senate Foreign Relations Committee. It passed overwhelmingly in the Congress itself, and it establishes a proper role for Congress in its review of such an agreement.

It doesn't restrict the President in his negotiations; it strengthens the President in his negotiations by giving him the power of the American Government, including the congressional part of our government. It strengthens the oversight of compliance. It did that with Iran, and it would do the same thing with regard to North Korea.

Just as with Iran, there is no trust when it comes to North Korea. So the final agreement must be verifiable, transparent, and make clear that any violation will result in the strongest possible sanctions. Our congressional role can complement both the ongoing and forthcoming negotiations with North Korea. Such legislation will help Congress's oversight and representative responsibilities to the American people.

As we go to this historic meeting that will take place next week, I know that every Senator—indeed, every American—will want the President to be successful in this endeavor to denuclearize the Korean Peninsula and to bring security and stability to the region. The best chance for that to happen is with Congress exercising its responsibility and being in a position to support the efforts and understand the efforts so that we can act with a united voice in America. Let us act accordingly.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WORK OF THE SENATE

Mr. HATCH. Mr. President, I rise to voice my enthusiastic support for the majority leader's announcement yesterday that we would be staying in Washington through August. Already we have seen media reports that our

colleagues on the other side of the aisle are upset about having to work through August recess. As Leader McCONNELL said, this action would not have been necessary but for the historic obstruction by our Democratic colleagues who have used every available tool to delay confirmations of executive and judicial nominations.

To put the scale of their obstruction into perspective, Senate Democrats have forced 101 procedural cloture votes on President Trump's nominees in his first 18 months. By comparison, the previous 6 Presidents combined saw a total of only 24 cloture votes in their first 2 years. In other words, Democrats have somehow managed to fit 40 years' worth of obstruction into just 18 months.

Even more infuriating, after Democrats pretend to object to nominees by calling for cloture, many of them later vote in favor of confirmation, acknowledging that the nominees are qualified and worthy of the Senate's support.

Take, for example, the case of Fernando Rodriguez Jr., a highly qualified nominee to the U.S. District Court for the Southern District of Texas. Fernando has spent the last few years serving in the International Justice Mission combating sex trafficking and human rights abuses. He also has 10 years of experience practicing law, not to mention invaluable experience as an educator with Teach for America.

Yesterday, Democrats forced a cloture vote on Fernando Rodriguez to slow down his confirmation but still voted to confirm him unanimously. This is absurd. It seems my friends on the other side of the aisle want to have their obstruction cake and eat it, too, but you can't have it both ways.

These procedural slowdowns are a transparent charade, a cynical side show meant to shore up support among the Democratic base. I would remind my friends on the other side of the aisle that this Chamber is meant for policy, not politics. We can campaign on the weekends, but right now we have serious work to do.

I have to state that there are some reasons to be political sometimes on the floor but not to the extent that we have been subjected to by our friends on the other side. Democrats have wasted precious hours of debate with their partisan grandstanding, and the country is worse off because of it. While my colleagues posture and preen for audiences on national TV, dozens of executive and judicial nominations remain unfilled, bringing the important work of government to a halt.

Enough already. Enough of the games. Enough of the disingenuous handwringing. Enough of the Twitter-tailored cable TV meltdowns. Let's set our egos aside for one moment to get done what the American people have sent us here to do.

I look forward to working through August to make up for lost time. That is not to say that recess or instate work periods are unimportant. Indeed,

connecting with constituents back home is the most important part of our jobs.

Despite what some would have you believe, we work just as much during recess as we do here in session, if not more. I travel around the State meeting with as many Utahns as possible, normally breaking just long enough for a quick meal at my favorite all-you-can-eat buffet. In 1 day of recess, I can talk trade and tariffs with a group of Utah cattlemen before meeting with health experts to learn more about medical marijuana research, visiting the family of a Utahn held captive overseas, and convening a panel of education leaders to discuss school safety—all in just 1 day. That is just part of what that 1 day was. As anyone who has served in Congress knows, recess is no respite.

The time we spend at home meeting with constituents is absolutely vital to our jobs, but of equal importance is confirming capable, qualified judges to our courts. Our responsibility in the Senate is to keep the judicial branch up and running. I have participated in more than 1,800 judicial confirmations throughout my term of service, and I look forward to working through August to confirm a few more. There is no time to waste. I call on my colleagues on both sides of the aisle to come together to get this done.

I believe there are really good people on both sides of the floor. I believe most people would like to see us function better than we do right now. I am certainly one of them, and I think there are a lot of others in this body who feel exactly the same way. I just hope that for the remainder of this year we can get together and do what we should do in the best interest of the American people, and if we do that, everybody will be better off. This country will be better off, our functions in government will be better off, almost everything will be better off. I think it is time for us to quit playing games around here and do the work of the U.S. Senate, the greatest deliberative body in the world, some say. I am one of them who does say that because I believe we handle more absolutely crucial matters than any other legislative body in the world, and I intend to see that we continue to do it.

There are some things that folks on the other side or folks on our side might want to fully test and fully work against. That is not bad; that is part of this job, too, but to do it on everything, to make it just miserable around here to get anything done, that discloses the bad faith on whichever side is doing it, and it is just plain wrong. We have to wake up and start acting like adults and do the things that really should be done in this greatest of all legislative bodies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, I am looking forward to proceeding to the National Defense Authorization Act soon. Earlier today, I objected to a unanimous consent request to get on the bill because I am very concerned that I get an opportunity to offer an amendment that I have. Based on the efforts of our chairman and his confidence that I will be able to offer this amendment, I am prepared to agree to allow us to get on the bill, and I look forward to doing that.

I want to address two amendments that I am hopeful will be included, mine and one other. One of them has to do with the tariffs, especially on steel and aluminum, that come under section 232 of our trade laws, and the other is an amendment that I intend to offer with respect to the CFIUS reform. Let me start with the section 232 tariffs.

This is a section of trade law that allows the President to restrict imported goods that threaten our national security. It has been the law of the land for some time. The statute gives very wide latitude to the President and the Commerce Department—but really to the President—to determine, first of all, what imports constitute a threat to our national security and, then, secondly, the existing law does not prescribe what the remedy will be. That is also left up to the President. So there is a great deal of discretion that is in the hands of the President.

In March of this year, after a nearly year-long investigation, the President imposed tariffs on imported steel and aluminum—25 percent on steel, 10 percent on aluminum. Then there was a temporary exclusion. Then there were negotiations to make the temporary exclusions permanent. In some cases that has occurred, as with South Korea and other places, but they were negotiated. The exclusion—the ability of the countries to sell steel to the United States without the American consumers being subject to this tax—had a condition, and the condition was that they would agree to other restrictions on their exports, such as quotas, for instance, on the volume of their exports that would be permitted. Shockingly to some, the President decided to even impose these taxes—taxes on American consumers—when they buy steel that originates in the EU, Canada, and Mexico, which originally had a temporary exclusion but apparently no longer do.

These three allies—allies, mind you—make up about 40 percent of U.S. steel imports by tonnage, and all three seem intent on imposing retaliatory tariffs, which is what typically happens when tariffs are launched.

More recently, the President has announced that the Commerce Department will investigate whether foreign

vehicles or automobiles sold to U.S. consumers, like my constituents—cars and trucks—represent a national security threat, with the possibility that they will impose a 25-percent tax on Americans who buy those imported cars and trucks.

I think this is a very bad idea. This is a bad path to be going on. It is a bad policy. First of all, most directly, it is a direct tax on American consumers. That is just irrefutable. Consumers—our constituents—will have to pay higher prices for the products that are subject to these taxes. The price of a Honda Civic made in Japan or a Volkswagen Jetta made in Germany will increase by about \$5,000 for a U.S. consumer—a Pennsylvanian or Coloradoan—who wants to buy one of these vehicles. Of course, it is pretty clear to me that these taxes on American consumers will do nothing to safeguard our national security. I fail to see the national security threat when a Pennsylvanian decides to buy a Toyota Corolla. It is not clear to me how that is a threat to our national security.

In fact, there is no real national security threat that these tariffs are a response to. They are an effort to impose a protectionist policy for economic purposes.

In picking steel, it is particularly disturbing that section 232 would be invoked as the justification for taxes on steel imports. Section 232 is explicitly reserved for national security threats, as I mentioned. Let's think about this. Just last year, net steel imports accounted for about 25 percent of America's total steel consumption. In other words, domestically, we produce the large majority, about 75 percent, of all the steel we need to consume. For national security purposes, our military needs about 3 percent of our domestic consumption. We produce 75 percent. How is it even plausible that there is a national security reason why we shouldn't be importing this steel? Well, what about where it is coming from? That is interesting.

The biggest sources of imported steel are Canada and Mexico, where, by the way, we have trade surpluses in steel. Again, using the justification of national security, we have put tariffs—taxes that Americans have to pay—when we buy steel from Canada and Mexico, our close allies and contiguous countries. To suggest that we have a national security need to tax Americans when they buy this small percentage of our total consumption from these close allies and neighbors is not credible. It is not credible.

In fact, for national security purposes, arguably, it undermines our national security because it raises the cost of the steel that we need to build things. We pay more for that steel. How is that good for America?

It is clear to me that the President is using section 232 in a way that was not intended by Congress. It is clear to me, anyway. Prior to this year, section 232 was only invoked five times in all of its

history, but now we have this being invoked on steel and aluminum and maybe automobiles as well.

Here is the thing. It is Congress that has the responsibility for establishing tariffs—taxes—to regulate trade. It is explicit in the Constitution. Article I, section 8, clause 1 reads: “The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises. . . .”

Article I, section 8, clause 3, includes Congress having the responsibility to regulate commerce with foreign nations.

Well, obviously this is an explicit instruction that it is Congress’s responsibility to determine the level of tariffs and whether there will be tariffs. What Congress has done over the years is passed laws that delegate this authority to the President. First of all, I think it is a bad idea for Congress to take constitutional authority that is enshrined in our founding document and just punt it over to another branch of our government. We should not be doing that. We ought to be abiding by the Constitution, following the Constitution, and accepting the responsibility that the Constitution gives to us.

I have long felt that this is a responsibility that Congress should take back, that the prior legislation giving this to the President was a mistake and it is time to take it back.

It is my understanding that Senator CORKER is likely to offer an amendment that would do something that is very simple, and it is an elegant solution to this dilemma with respect to section 232 tariffs; that is, to simply make them subject to congressional assent. It would no longer be allowable, permissible under our law, if this amendment were to be passed and signed into law, for any President to unilaterally invoke section 232 and impose taxes on the American people in response. There would be a period of time during which Congress would review and would have to have an expedited up-or-down vote—not subject to filibuster, not drawn out, but a quick up-or-down vote—to determine whether that would be allowed. I would suggest that this would be completely in keeping with our explicit constitutional responsibility in this very important area.

I am very hopeful and optimistic that Senator CORKER will, in fact, offer his amendment and that it will be allowed and that we will debate it, have a vote, and see how that goes.

I intend to offer a separate amendment. My amendment has to do with CFIUS. CFIUS is an acronym that stands for the Committee on Foreign Investments in the United States. CFIUS is an interagency committee—multiple agencies within the executive branch—that reviews the national security implications of foreign direct investments. So when a company that is headquartered in another country wishes to make a purchase of an Amer-

ican company, if there is a national security implication or threat to that investment, which there could be, then, under the existing CFIUS framework, this committee makes a recommendation to the President, and the President has the authority to block the transaction—to forbid the purchase of an American company, say, by a foreign company—if there is a perception that this is a threat to national security.

Senator CORNYN has introduced legislation that would update and modernize the authorities. It would dramatically broaden the power and the authority of CFIUS. I am supportive of what Senator CORNYN wants to do. I voted for his legislation in the Banking Committee. This reform of CFIUS has been put into the national defense authorization bill so that if and when we get on that bill, we will also be contemplating this broadening of the powers of CFIUS.

How does the Cornyn legislation broaden CFIUS? Well, first of all, it dramatically expands the transactions that can be reviewed by CFIUS. For instance, under current law, CFIUS has no legal authority to review if a foreign company chooses to buy real estate that is undeveloped—a raw piece of land somewhere. That is not subject to CFIUS review. But what if an unfriendly government has an investment in a company in their country that wants to buy a big tract of land right next to a sensitive military installation of the United States? That might be a convenient place for them to set up listening devices and other ways for them to spy on our military capabilities, for instance. So I think it is a good idea to give CFIUS the authority to look at real estate transactions.

It would also expand CFIUS’s authority to look at nonpassive investment in critical technology or infrastructure by any foreign person. It would review any change in foreign investors’ rights regarding a U.S. business, and there are many other new categories of transactions.

CFIUS historically, roughly speaking—I think they review something on the order of 200 or 250 transactions per year under existing law. If this new reform is adopted, then the experts believe that CFIUS will likely review something on the order of 2,000 or 2,500 transactions per year. So it is a very, very broad expansion in the power of the government to block foreign direct investment in the United States.

We should be clear about one aspect of this. The reforms to CFIUS are largely a response to very aggressive and in many cases inappropriate behavior by Chinese companies. Companies that are headquartered in China—very often there is some Chinese Government ownership, and there is a long history of the Chinese, through these vehicles, engaging in wholly inappropriate activity, including coerced technology transfer on the part of U.S. companies through a variety of means.

This is a real problem, and expanding the authority of CFIUS is an important element, in my view, in dealing with this problem.

So this is the main reason I am in favor of expanding the powers of CFIUS, but it is also very important that we not, in the process, unduly undermine foreign direct investment in the United States that is not a threat to our national security at all—in fact, that is the vast majority of foreign direct investment in the United States. When Toyota decides to build a new manufacturing facility to make cars in Tennessee, that is not a threat to America’s national security. If they were to make an investment with a car company in the United States and establish a joint venture and start making cars in Michigan, that would not be a threat to national security. The vast majority of transactions are not at all a threat. In fact, they are a source of important jobs. In my State of Pennsylvania, there are 334,000 Pennsylvanians who work for foreign-based companies that have invested in and operate in and create jobs in Pennsylvania, and 186,000 of those jobs are in manufacturing.

Consider this: In 2015, the total amount of foreign direct investment in the United States—so the total amount of money invested by people and companies that are somewhere other than America but choose to invest in America—the total was almost half a trillion dollars, \$465 billion. Do you know how much of that came from China? Less than \$6 billion out of almost \$500 billion. So it is a very small percentage. In 2016, the numbers were comparable—about \$460 billion in total foreign direct investment and about 10 of that from China.

China is not even close to being in the top 10 countries that are the source of foreign direct investment in the United States. That doesn’t mean it is unimportant to consider when Chinese companies are making investments. It is very important. But my point is that the vast majority of the foreign direct investment in our country is good for our economy. It creates jobs and opportunities, and we don’t want to disrupt that. If the implementation of this reform to CFIUS goes badly, it could have a chilling effect on foreign direct investment, and that would diminish our economic growth, our economic strength, and cost us who knows how many jobs. That is what I want to make sure we avoid.

In the course of the implementation, the way this is going to happen under the law is that the reformed CFIUS—the legislation that we are going to consider as part of NDAA requires this CFIUS committee to develop the rules that will basically define the terms of their own operations. So, for instance, they will have very broad discretion. If their discretion is too broad—I should say, if they exercise it too broadly, if they end up applying CFIUS restrictions too broadly, we will lose the foreign direct investment that is good for

us. If they define it too narrowly, then there is a chance we won't catch bad actors whom we should catch.

Let me give a few examples of how the rulemaking is going to determine how CFIUS applies. One of the key terms throughout the legislation is "critical infrastructure and technology companies." Those are the companies with technologies that we don't necessarily want to end up in the hands of an adversarial country like China. Well, guess who defines what is a critical infrastructure and technology company? CFIUS does. We don't here in the Senate. Congress doesn't. We empower the committee, CFIUS, to decide what constitutes a critical infrastructure technology company.

We also empower CFIUS to decide when a company is attempting to circumvent the rules. That is an important issue because following the rules strictly so as not to be caught up in this could be deemed to be a circumvention, so that is an important factor.

There are lots of other rulemakings that we require of this committee, and it is the way they make those rules that will determine exactly the extent to which we continue to foster constructive foreign direct investment or we choke it off.

My concern is that Congress should not simply blindly hand this off to the executive branch and hope for the best. That would not be fulfilling our obligation to enact the legislation as it should be enacted. So I intend to file an amendment, and my amendment is very simple. It is just going to provide Congress with the opportunity and the requirement to review the major rulemakings—the big parts, the important parts—defining the terms and circumstances under which CFIUS will operate before they can go into effect. So CFIUS will go ahead, promulgate these rules, and before they become operative, there has to be an up-or-down vote by Congress.

We have written this so that there will be an expedited procedure. It will pass with a simple majority. There has to be a vote. The vote actually has to happen in almost the exact same timeframe as the rule's implementation. In other words, after a rulemaking is finished, there is a 60-day delay before it becomes operative. It is during that window that Congress would have its vote. It cannot be filibustered. It cannot be delayed. But what it would do is it would ensure that we are involved in this process, that we have the oversight we are supposed to exercise to make sure it is done properly, and it ensures that we would work with the administration.

If Congress were to reject one or more of these rules, that wouldn't stop the administration. They would then work with us to address whatever concerns led to the objection and then submit a new rule.

It is modeled somewhat after the REINS Act that is very broadly sup-

ported on this side of the aisle. I should point out that it is much more limited because this congressional review of the rulemaking under my amendment applies only to the rules made by CFIUS under this legislation. So it is a very narrow application. There were 39 Republican cosponsors of the REINS Act. If that were the law of the land, if that had been adopted, we wouldn't be having this discussion because it would automatically apply to the rulemaking of CFIUS. So it is hard to see why anyone who supports the REINS Act would oppose this.

I am certainly hoping that my Democratic colleagues will support this as well. Let's be honest—they have not been big fans of the Trump administration. Many of them have voted against the Cabinet and agency leaders whom President Trump has nominated who will be responsible for carrying out these rules. For them to vote no on this amendment would be for them to insist that they not have the opportunity to review the work of the Trump administration. Given their obvious and vocal skepticism about the Trump administration, why in the world would they refuse the opportunity to have veto power over very important rulemaking? I can't imagine why they would. So I hope they will support this, and I hope my Republican colleagues will as well.

Another important point, just to reiterate, the congressional approval applies only to the rulemaking of CFIUS when it is done. It certainly does not apply to the individual transactions that would subsequently be reviewed by CFIUS under these rules; it applies just to the rules themselves. And it certainly would not result in killing CFIUS reform. Congress has demonstrated a very broad, bipartisan consensus that we need to broaden the authority of CFIUS, so I am quite confident that when these rules are done, if they are done in a sensible fashion, Congress is going to agree to them because Congress wants CFIUS to have this new authority. I will point out, it would almost certainly have the effect of encouraging the administration to work closely with Congress to make sure they are in fact developing rules that are consistent with congressional intent. That is exactly the way it should work.

If this amendment passes, I foresee greater collaboration between the administration and Congress on the implementation of this CFIUS reform. I think that will likely lead to a better product, one that ensures we will catch the bad actors who are trying to make investments in the United States for the purpose of acquiring technology we don't want them to have and allow for the good, constructive, helpful foreign direct investment we all benefit from.

My hope is, we will get on this Defense authorization bill soon, that these and many other amendments will be debated and voted on, and we will be able to pass this with a very strong affirmative vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent that I be allowed to use a prop in my presentation.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ROBERT F. KENNEDY

Mr. MERKLEY. Mr. President, today we remember Robert F. Kennedy, whose life was brutally, savagely cut short 50 years ago.

Robert Kennedy was a Presidential candidate, a U.S. Senator, a Member of this Chamber, an Attorney General, a naval officer, a father, a son, a husband, and a brother, but more than all of that, he was a beacon of hope amidst turbulent and difficult times in our Nation, and he was an inspiration to generations of Americans.

Speaking at his brother's funeral, our former colleague Senator Ted Kennedy said that Robert Kennedy "need not be idealized, or enlarged in death beyond what he was in life; to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it."

I was inspired by his efforts to right wrong, heal suffering, and stop war—inspired enough that when I became a U.S. Senator and was assigned an office that happened to be the former office of Robert F. Kennedy in the Russell Building, I proudly pointed out to visitors that here, in my office, once sat the great Robert Kennedy, who did in fact see wrong and tried to right it, suffering and tried to heal it, and war and tried to stop it.

In May 1968, I was in sixth grade. I was an 11-year-old out in Oregon, and Bobby Kennedy, as we affectionately refer to him, was campaigning in my State. He was going very quickly from community to community, delivering speeches in one high school after another. My sixth grade teacher announced that he was going to give a speech at David Douglas High School—my future high school, except I was only in sixth grade, and I had never set foot in the halls of that high school. He was going to give a speech the next night.

My father was a mechanic. He worked very hard. He was off in the evening, quite happy to settle in, watch the national news, read the newspaper, and reflect on the news of the day.

I came to him, and I said: I understand Robert Kennedy is giving a speech, and we can go see him.

My father said: It is the end of the day, Son. I just don't feel like going out again.

At that moment, I wish so much that I had said: I think I will go down to that high school, find my way down to that high school I had never been to, and see him speak, but I didn't, and it is one of the things I have regretted all my life.

When he was campaigning in Oregon and going from high school to high

school, he went also to some iconic places.

Here he is in the surf near Fort Stevens. Fort Stevens is a place I used to camp as a kid. It has a historic shipwreck, the wreck of the Peter Iredale. Now it is pretty much rusted into the sand and disappeared, but I can imagine Robert Kennedy walking and seeing that wreck as he was on this beach.

He went out to Baker County, OR. This is an iconic photo of him on the runway, with the mountains in the background, with his dog. There is a version of this picture that Ted Kennedy gave to me the month before he passed away, and you can see here the snow-covered mountains in the background and walking down the runway in one of those few moments of peace and reflection in between his speeches all across the State.

When Senator Ted Kennedy gave me this picture, he also wrote me a letter. This was in July, a month before Ted Kennedy passed away. He said:

I've always loved this photo of Bobby and his dog Freckles taken in Baker City, Oregon, on May 22, 1968.

He said he has a copy of it hanging in his office. He knew a little bit from our conversations that Bobby had been an inspiration to me, and he wrote:

I know that Bobby played an important role in shaping your political views, and I thought you'd like to have a copy of the photograph for your Senate office as well. I only wish I could give it to you in person.

I do have that photo proudly displayed on my Senate office wall, and it is a reminder of the very special feelings we had about the campaign. We had war abroad in Vietnam in 1968. We had riots at home over the war. We had deep, deep civic tensions between the generations. There was a sense that his leadership and his ability to bridge the divides among races and genders and classes could, in his words, "bind up the wounds among us and to become in our hearts brothers and countrymen once again." Those words have resonance for today, where our divisions are so deep.

Anyone who spent much time paying attention to Robert Kennedy's life knows that his life was full of contradictions. He was a man of wealth, well educated, and could quote poets like Tennyson and philosophers but who also had an unmatched ability to touch the hearts of, and fight for, the poorest among us. He was a ruthless enforcer of the law who never thought twice about taking on organized crime or foreign dictators but had a heart of tenderness and could spend hours playing with young children. He was a younger brother who stood in the shadow of his older sibling, but he stepped out of that shadow to inspire us and to run for the Presidency of the United States.

Bobby was raised in a family that recognized the privileges it had, the advantages it had from its history, its affluence, its connections, but also recognized that with all that they had, they

had an extra responsibility—a sizable responsibility—to use those advantages to help others. That, too, is something that is worth all of us thinking about.

Whether it was the fight for civil rights, championing the poor and destitute living in Third World conditions in Appalachia and the Mississippi Delta, challenging South Africa's students to stand up against apartheid, or organizing the end of war in Vietnam, his life was dedicated to helping others.

When our Nation seemed poised on the brink of tearing itself apart, there was Bobby Kennedy, preaching a message of love, wisdom, and compassion toward one another—a message of reunification, a message of reconciliation. But with all of this, his efforts to take that vision to the Presidency—that vision of wisdom, compassion, and reconciliation—never happened because that opportunity was cut short by an assassin's bullet. That happened just after Bobby Kennedy left Oregon and flew to California, just 2 weeks after I had the opportunity to see him speak in a high school gymnasium and didn't seize the moment to do it.

As Bobby Kennedy said in his speech to the City Club of Cleveland, "Our lives on this planet are too short and the work to be done too great," but we cannot let that stop us from working together to seek and build a new world.

We will never know whether Robert Kennedy would have succeeded in his election to be President or exactly what would have flowed from a second Kennedy administration. We can only speculate on how our Nation's history might have been changed and how different our country might have been with his vision, his inspiration, his effort to tackle the issues of poverty, the issues and challenges of war, the issues and challenges of division in our Nation.

One thing we know for sure, the world has been a lesser place these last 50 years because Robert F. Kennedy is not in it, but his thoughts live on. In this institution, Members of the Senate should carry those thoughts forward on these important issues he addressed—of war, poverty, bigotry, discrimination, and ensuring opportunity for all.

In his speech to students in Cape Town, South Africa, Robert Kennedy said: "Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance."

That is advice we need now more than ever—that we need to work to create those ripples that together can create a mighty current to set our Nation back on track. When it comes to war, we now have not one but many—a war in Afghanistan based on false assumptions, a war in Iraq based on false information, wars in Africa, Syria, and Yemen for which the issue of author-

ization has never been debated on the floor of this Senate, despite the constitutional call to do so.

When it comes to prosperity, despite our Nation's enormous growth and wealth over the last four decades, we still have people suffering in Appalachia, in Mississippi, in our inner cities, and in our rural towns. Because income equality has surged over four decades, we have seen that workers' wages are flat or declining while the cost of everything goes up from healthcare to housing to the cost of a child attempting to attend college.

While we may have come a long way from the firehoses and dogs turned against peaceful protesters demanding voting rights and civil rights, a long way since Attorney General Kennedy crusaded for civil rights, calling in the National Guard to register the University of Alabama's first African-American students—while we may have come a long way on that trail, we still have a long way to go, as we saw in Charlottesville last year, as we have seen through the last several years of campaigning, an administration in which the temptation too often has come from the Oval Office to denigrate different groups of Americans, whether they be African Americans or Haitian Americans or Latin Americans or women Americans or Americans with disabilities or Muslim Americans. When we hear that, let us remember the vision of America, of equal opportunity, and stand with our brothers and sisters in any given group, arm to arm, hip to hip, and say: Here in America, we believe in the vision that is indivisible, that we cite in our Pledge of Allegiance, that recognizes we come from a tremendous number of backgrounds, but together, with those talents, those differences, we have a nation of greater strength, greater beauty, and greater opportunity for the future.

Fifty years after his passing, I think it is of value to all of us to reflect on the lessons of the life of Robert F. Kennedy—his hope, his optimism, his fierce determination to fight the battles to make the world a better place.

RFK was famous for regularly quoting the Irish playwright George Bernard Shaw, saying:

Some men see things as they are, and ask why. I dream of things that never were, and ask why not.

I think it is up to all of us, each and every day, to dream of the things that have never been here in America but could be a greater, more beautiful, stronger, more prosperous, more hopeful America and say "Why not?"

The PRESIDING OFFICER (Mr. LEE). The majority leader.

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for June 2018. The report compares current-law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for fiscal year 2018, H. Con. Res. 71, and the Bipartisan Budget Act of 2018 (BBA18). This information is necessary for the Senate Budget Committee to determine whether budgetary points of order lie against pending legislation. The Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act, CBA.

This is my fourth scorekeeping report this year and the first since I filed new enforceable levels on May 7, pursuant to BBA18 requirements. My last filing can be found in the CONGRESSIONAL RECORD for April 12, 2018. The information included in this report is current through June 4, 2018.

Republican Budget Committee staff prepared Tables 1-6.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation for budget authority and outlays under the most recently adopted budget resolution and the Fiscal Year 2019 enforceable levels filing. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. For this reporting period, 10 of the 16 authorizing committees are in compliance with their allocations. Two committee allocation violations were recorded since my last report. The first violation stems from passage of the Economic Growth, Regulatory Relief, and Consumer Protection Act, S. 2155, P.L. 115-174, which increased direct spending within the Banking, Housing, and Urban Affairs Committee over the Fiscal Year 2019, Fiscal Year 2019-2023, and Fiscal Year 2019-2028 period. The second violation resulted from passage of the VA MISSION Act of 2018, S. 2372, which increased direct spending within the Veterans' Affairs Committee over all enforceable periods.

Tables 2-3 give the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in sections 312 and 314 of the CBA. Appropriations for Fiscal Year 2018, shown in table 2, are consistent with the statutory limits. Table 3 shows that the Appropriations Committee is currently compliant with spending limits for Fiscal Year 2019. As of this filing, subcommittees have only been charged with permanent and advanced appropriations that first become available in Fiscal Year 2019.

The Fiscal Year 2018 budget resolution contained points of order limiting

the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4, 5, and 6 track compliance with these points of order. Tables 4 and 6 show compliance with Fiscal Year 2018 limits for overall CHIMPS, \$17 billion, and the Crime Victims Fund CHIMP, \$11.2 billion, respectively. Table 5, which tracks the CHIMP limit of \$15 billion for Fiscal Year 2019, shows the Appropriations Committee has not passed a bill with a CHIMP for Fiscal Year 2019. This information is used for determining points of order under sections 4102, overall limit, and 4103, Crime Victims Fund CHIMP, of H. Con. Res. 71.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables, which I will use to enforce budget totals approved by Congress.

Because legislation can still be enacted that would have an effect on Fiscal Year 2018, CBO provided a report for both Fiscal Year 2018 and Fiscal Year 2019. This information is used to enforce aggregate spending and revenue levels in the budget resolution under section 311 of the CBA. CBO's estimates show that current-law levels of spending for Fiscal Year 2018 exceed the amounts in last year's budget resolution by \$157.4 billion in budget authority and \$106.3 billion in outlays. Revenues are \$3.2 billion above the revenue floor for Fiscal Year 2018 set by the budget resolution. Social Security outlays are at the levels assumed by the resolution, while Social Security revenues are \$446 million below the levels in the budget.

For Fiscal Year 2019, CBO estimates that current-law levels are below the Fiscal Year 2019 enforceable aggregates by \$1,142.2 billion in budget authority and \$646.1 billion in outlays. The allowable spending room will be reduced as appropriations bills are enacted. Revenues are \$5 million below the level assumed for Fiscal Year 2019, a result of enacting S. 2155. Finally, Social Security outlays and revenues are at the levels assumed in the Fiscal Year 2019 enforcement filing.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. In my enforcement filing on May 7, I reset the Senate's PAYGO scorecard to zero for all enforceable periods. While two bills that increase the deficit have passed since the reset, only S. 2155's budgetary effects will be recorded, as the VA MISSION Act included a provision excluding its deficit increases, \$4.5 billion, from the scorecard. As such, the PAYGO scorecard shows deficit increases in Fiscal Year 2019 of \$22 million, \$5 million revenue loss, \$17 million outlay increase, over the Fiscal Year 2019-2023 period of \$329 million, \$47 million revenue loss, \$282 million outlay increase, and over the Fiscal Year 2019-2028 period of \$490 million, \$108 million revenue loss, \$382 million outlay increase. The Senate's PAYGO rule is enforced by section 4106 of H. Con. Res. 71.

Also included in this submission is a table tracking the Senate's budget enforcement activity on the floor since the May 7 enforcement filing. No points of order have been raised.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

[In millions of dollars]				
	2018	2019	2019–2023	2019–2028
Agriculture, Nutrition, and Forestry				
Budget Authority .....	47	0	0	0
Outlays .....	47	0	0	0
Armed Services				
Budget Authority .....	–33	0	0	0
Outlays .....	–24	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority .....	0	18	282	382
Outlays .....	0	17	282	382
Commerce, Science, and Transportation				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Energy and Natural Resources				
Budget Authority .....	220	0	0	0
Outlays .....	198	0	0	0
Environment and Public Works				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Finance				
Budget Authority .....	21,971	0	0	0
Outlays .....	5,211	0	0	0
Foreign Relations				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Homeland Security and Governmental Affairs				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Judiciary				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Health, Education, Labor, and Pensions				
Budget Authority .....	705	0	0	0
Outlays .....	205	0	0	0
Rules and Administration				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Intelligence				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Veterans' Affairs				
Budget Authority .....	7,300	0	0	–729
Outlays .....	1,850	4,400	4,400	3,671
Indian Affairs				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Small Business				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Total				
Budget Authority ..	30,210	18	282	–347
Outlays .....	7,487	4,417	4,682	4,053

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS<sup>1</sup>  
[Budget authority, in millions of dollars]

	2018	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory discretionary Limits .....	629,000	579,000
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	23,259
Commerce, Justice, Science, and Related Agencies .....	5,400	54,200
Defense .....	589,320	132
Energy and Water Development .....	21,800	21,400
Financial Services and General Government .....	31	23,392
Homeland Security .....	2,058	45,665
Interior, Environment, and Related Agencies .....	0	35,252
Labor, Health and Human Services, Education and Related Agencies .....	0	177,100
Legislative Branch .....	0	4,700



TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS<sup>1</sup>—Continued

[Budget authority, in millions of dollars]		
	2018	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Military Construction and Veterans Affairs, and Related Agencies	10,091	81,900
State Foreign Operations, and Related Programs	0	42,000
Transportation and Housing and Urban Development, and Related Agencies	300	70,000
Current Level Total	629,000	579,000
Total Enacted Above (+) or Below (–) Statutory Limits	0	0

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS<sup>1</sup>

[Budget authority, in millions of dollars]		
	2019	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory Discretionary Limits	647,000	597,000
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Related Agencies	0	0
Defense	44	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	24,684
Legislative Branch	0	1
Military Construction and Veterans Affairs, and Related Agencies	0	67,109
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	44	96,212
Total Enacted Above (+) or Below (–) Statutory Limits	–646,956	–500,788

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

[Budget authority, millions of dollars]	
	2018
CHIMPS Limit for Fiscal Year 2018	17,000
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	10,228
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2018, AS OF JUNE 4, 2018

[In millions of dollars]			
	Budget Authority	Outlays	Revenues
Previously Enacted: <sup>a,b</sup>			
Revenues	n.a.	n.a.	2,658,139
Permanents and other spending legislation	2,105,225	2,003,386	n.a.
Appropriation legislation	0	513,307	n.a.
Offsetting receipts	–866,685	–866,685	n.a.
Total, Previously Enacted	1,238,540	1,650,008	2,658,139
Enacted Legislation:			
Authorizing Legislation:			
National Defense Authorization Act for Fiscal Year 2018 (P.L. 115–91)	–33	–24	0
CHIP and Public Health Funding Extension Act (P.L. 115–96, Division C)	705	205	0
An act to amend the Homeland Security Act of 2002 . . . and for other purposes (P.L. 115–96, Division D)	2,100	1,050	0
An act to provide for reconciliation pursuant to title II and V of the concurrent resolution on the budget for fiscal year 2018 (P.L. 115–97)	–8,600	–8,600	–143,800
An act making further continuing appropriations for the fiscal year ending September 30, 2018, and for other purposes (P.L. 115–120, Divisions C and D)	14,509	1,203	–1,263
Bipartisan Budget Act of 2018 (P.L. 115–123, Divisions A and C–G) <sup>b,c,d</sup>	7,504	4,050	–12,424
Consolidated Appropriations Act, 2018, Divisions M–V (P.L. 115–141) <sup>e</sup>	225	203	–348
Total, Authorizing Legislation	16,410	–1,913	–157,835
Appropriation Legislation:			
Department of Defense Missile Defeat and Defense Enhancements Appropriations Act, 2018 (P.L. 115–96, Division B)	4,686	803	0
Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (P.L. 115–123, Division B, Subdivision 1)	84,436	11,185	0
Further Extension of Continuing Appropriations Act, 2018, (P.L. 115–123, Division B, Subdivision 3)	–315	–315	0

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

[Budget authority, millions of dollars]	
	2018
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	6,772
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	17,000
Total CHIMPS Above (+) or Below (–) Budget Resolution	0

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

[Budget authority, millions of dollars]	
	2019
CHIMPS Limit for Fiscal Year 2019	15,000
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CHIMPS Above (+) or Below (–) Budget Resolution	–15,000

TABLE 6.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

[Budget authority, millions of dollars]	
	2018
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2018	11,224
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	10,228
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0

TABLE 6.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND—Continued

[Budget authority, millions of dollars]	
	2018
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	10,228
Total CVF CHIMP Above (+) or Below (–) Budget Resolution	–996

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, June 6, 2018.

Hon. MIKE ENZI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2018 budget and is current through June 4, 2018. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018.

Since our last letter dated April 11, 2018, the Congress has cleared the VA MISSION Act of 2018 (S. 2372), which awaits the President's signature. That act has significant effects on budget authority and outlays in fiscal year 2018.

Sincerely,

KEITH HALL,  
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2018, AS OF JUNE 4, 2018

[In billions of dollars]			
	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,399.8	3,557.2	157.4
Outlays	3,221.3	3,327.6	106.3
Revenues	2,497.1	2,500.3	3.2
Off-Budget			
Social Security Outlays <sup>a</sup>	849.6	849.6	0.0
Social Security Revenues	873.3	872.9	–0.4

Source: Congressional Budget Office.

<sup>a</sup> Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2018, AS OF JUNE 4, 2018—Continued  
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Consolidated Appropriations Act, 2018, Divisions A–L (P.L. 115–141) <sup>c,f,g</sup>	2,259,985	1,663,110	0
Total, Appropriation Legislation	2,348,792	1,674,783	0
Total, Enacted Legislation	2,365,202	1,672,870	– 157,835
Legislation Cleared Congress and Pending Signature:			
VA MISSION Act of 2018 (S. 2372)	5,200	800	0
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	– 51,440	4,205	0
Total Current Level <sup>a,b</sup>	3,557,239	3,327,620	2,500,304
Total Senate Resolution <sup>1</sup>	3,399,841	3,221,349	2,497,139
Current Level Over Senate Resolution	157,398	106,271	3,165
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

<sup>a</sup>Includes the budgetary effects of the following acts that affect budget authority, outlays, or revenues and were cleared by the Congress during the 1st session of the 115th Congress, but before the adoption of H. Con. Res. 71, the concurrent resolution on the budget for fiscal year 2018: the VA Choice and Quality Employment Act of 2017 (P.L. 115–46); the Harry W. Colmery Veterans Educational Assistance Act of 2017 (P.L. 115–48); a joint resolution compact relating to the establishment of the Washington Metrorail Safety Commission (P.L. 115–54); the Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115–56); the Emergency Aid to American Survivors of Hurricanes Irma and Jose Overseas Act (P.L. 115–57); the Department of Veterans Affairs Expiring Authorities Act of 2017 (P.L. 115–62); the Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115–63); the Hurricanes Harvey, Irma, and Maria Education Relief Act of 2017 (P.L. 115–64); and the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115–72).

<sup>b</sup>Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Deficit Control Act does not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115–63)	263	263	0
Bipartisan Budget Act of 2018 (P.L. 115–123)	2,217	1,469	– 509
Total	2,480	1,732	– 509

<sup>c</sup>The Bipartisan Budget Act of 2018 (P.L. 115–123) contains seven divisions: Division A, Subdivision 2 of Division B, and Divisions C–F contain authorizing legislation, of which the budgetary effects of Subdivision 2 of Division B were designated as being for emergency requirements. Subdivisions 1 and 3 of Division B contain appropriation legislation: Subdivision 1 provided supplemental appropriations for fiscal year 2018 for disaster relief and designated those amounts as being for emergency requirements, and section 158 of Subdivision 3 provided authority for the duration of fiscal year 2018, for the Secretary of Energy to draw down and sell crude oil from the Strategic Petroleum Reserve. Division G of P.L. 115–123 provided for the budgetary treatment of Divisions A–F.

<sup>d</sup>Pursuant to section 232(b) of H.C.Res. 290 (106th Congress), the Concurrent Budget Resolution for Fiscal Year 2001, the budgetary effects related to the Federal Reserve's surplus funds are excluded. As a result, the amounts shown do not include estimated increases in revenues of \$2,450 million in fiscal year 2018, \$2,180 million over the 2018–2022 period, and \$1,750 million over the 2018–2027 period.

<sup>e</sup>Sections 540–543 of the Department of Homeland Security Appropriations Act, 2017 (Division F of P.L. 115–31), extended several immigration programs through the end of fiscal year 2017. Several continuing resolutions continued those authorities through March 23, 2018, and sections 202–205 of title II of Division M of P.L. 115–141 further extended those programs through 2018. CBO estimates that extending those authorities for the entirety of fiscal year 2018 will increase on-budget direct spending by \$5 million in fiscal year 2018, \$27 million over the 2018–2022 period, and \$53 million over the 2018–2027 period. In addition, CBO estimates that extending those authorities will decrease off-budget direct spending by \$1 million over the 2018–2122 period and by \$7 million over the 2022–2027 period. Further, CBO estimates that continuing those authorities will increase revenues by \$2 million over the 2018–2022 period and by \$7 million over the 2018–2022 period. Consistent with the budgetary treatment of Divisions K–V of P.L. 115–141, the budgetary effects of extending the immigration programs through March 23, 2018, are charged to the Appropriations Committee; the effects of extending the programs for the remainder of fiscal year 2018 are charged to the relevant authorizing committees.

<sup>f</sup>Pursuant to sections 1001–1004 of the 21st Century Cures Act (P.L. 114–255), certain funding provided to the Department of Health and Human Services (HHS)—in particular the Food and Drug Administration (FDA) and the National Institutes of Health (NIH)—in 2017 through 2026 shall not count for the purposes of complying with provisions of the Deficit Control Act or the Congressional Budget and Impoundment Control Act of 1974. As a result, the amounts shown do not include \$1,056 million in budget authority or \$770 million in associated outlays in fiscal year 2018, specifically, \$60 million in budget authority and \$22 million in outlays for the FDA; and \$996 million in budget authority and \$748 million in outlays for HHS, which includes \$500 million in budget authority for state responses to the opioid abuse crisis and \$496 million for NIH.

<sup>g</sup>Section 255 of the Departments of Labor, Health, and Human Services, and Education, and Related Agencies Appropriations Act, 2018 (Division H of P.L. 115–141), delayed implementation of the recommendations of the United States Preventive Services Task Force with respect to breast cancer screening, mammography, and prevention. CBO estimates that the delay will increase direct spending (budget authority and outlays) by \$14 million in fiscal year 2019 and by \$6 million in fiscal year 2020. In addition, CBO estimates that section 225 will decrease revenues by \$23 million in fiscal year 2019 (of which \$6 million will be off-budget) and will decrease revenues by \$9 million in fiscal year 2020 (of which \$2 million will be off-budget).

<sup>h</sup>For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

<sup>i</sup>Periodically, the Senate Committee on the Budget revises the budgetary levels in H. Con. Res. 71, pursuant to various provisions of the resolution. The total for the Initial Senate Resolution shown below excludes \$47,660 million in budget authority, \$22,467 million in outlays, and \$150,003 million in revenues assumed in H. Con. Res. 71 for discretionary spending not constrained by the budgetary caps established by the Budget Control Act of 2011 (P.L. 112–25) and subsequently amended, including spending that qualifies for adjustments pursuant to section 4205 of H. Con. Res. 71.

	Budget Authority	Outlays	Revenues
Initial Senate Resolution	3,089,061	3,109,221	2,640,939
Revisions:			
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 3003 of H. Con. Res. 71	– 8,600	– 8,600	– 143,800
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974	4,686	803	0
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974	84,436	11,185	0
Pursuant to section 311 and 314(a) of the Congressional Budget Act of 1974 and section 4108 of H. Con. Res. 71	230,553	108,997	0
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974	– 295	– 257	0
Revised Senate Resolution	3,399,841	3,221,349	2,497,139

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, June 6, 2018.

Hon. MIKE ENZI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2019 budget and is current

through June 4, 2018. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on May 7, 2018, pursuant to section 30103 of the

Bipartisan Budget Act of 2018 (Public Law 115–123).

This is CBO's first current level report for fiscal year 2019.

Sincerely,

KEITH HALL,  
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF JUNE 4, 2018  
(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,547.1	2,404.9	– 1,142.2
Outlays	3,508.1	2,861.9	– 646.1
Revenues	2,590.5	2,590.5	0.0
Off-Budget			
Social Security Outlays <sup>a</sup>	908.8	908.8	0.0
Social Security Revenues	899.2	899.2	0.0

Source: Congressional Budget Office.

<sup>a</sup>Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF JUNE 4, 2018

[In millions of dollars]			
	Budget Authority	Outlays	Revenues
Previously Enacted			
Revenues .....	n.a.	n.a.	2,590,496
Permanent and other spending legislation ...	2,337,789	2,232,677	n.a.
Appropriation legislation	0	573,950	n.a.
Offsetting receipts .....	−890,012	−890,015	n.a.
Total, Previously Enacted .....	1,447,777	1,916,612	2,590,496
Enacted Legislation			
Economic Growth, Regulatory Relief, and Consumer Protections Act (P.L. 115–174) <sup>a</sup> .....	18	17	−5
Legislation Cleared Congress and Pending Signature			
VA MISSION Act of 2018 (S. 2372) .....	0	4,400	0

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF JUNE 4, 2018—Continued

[In millions of dollars]			
	Budget Authority	Outlays	Revenues
Entitlements and Mandatories			
Budget resolution estimates of appropriated entitlements and other mandatory programs ..	957,064	940,899	0
Total Current Level <sup>b</sup> .....	2,404,859	2,861,928	2,590,491
Total Senate Resolution ..	3,547,094	3,508,052	2,590,496
Current Level Over Senate Resolution .....	n.a.	n.a.	n.a.
Current Level Under Senate Resolution .....	1,142,235	646,124	5
Memorandum Revenues, 2019–2028			
Senate Current Level .....	n.a.	n.a.	33,273,105
Senate Resolution ..	n.a.	n.a.	33,273,213

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF JUNE 4, 2018—Continued

[In millions of dollars]			
	Budget Authority	Outlays	Revenues
Current Level Over Senate Resolution .....	n.a.	n.a.	n.a.
Current Level Under Senate Resolution .....	n.a.	n.a.	108

Source: Congressional Budget Office.  
Notes: n.a. = not applicable; P.L. = Public Law.  
<sup>a</sup> Pursuant to section 232(b) of H.C. Res. 290 (106th Congress), the Concurrent Budget Resolution for Fiscal Year 2001, the budgetary effects related to the Federal Reserve's surplus funds are excluded. As a result, the amounts shown do not include estimated increases in revenues of \$655 million in fiscal year 2019, \$570 million over the 2019–2023 period, and \$454 million over the 2019–2028 period.  
<sup>b</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF JUNE 4, 2018

	2018	2019	2018–2023	2018–2028
Beginning Balance <sup>a</sup> .....	0	0	0	0
Enacted Legislation: <sup>b,c</sup>				
A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to “Incident Auto Lending and Compliance with the Equal Credit Opportunity Act” (S.J. Res. 57, P.L. 115–172) .....	*	*	*	*
Economic Growth, Regulatory Relief, and Consumer Protections Act (S. 2155, P.L. 115–174) <sup>d</sup> .....	*	22	329	490
An Act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes (H.R. 3562) .....	*	*	*	*
Trickett Wendler, Frank Mongiello, Jordan McInn, and Matthew Bellina Right to Try Act of 2017 (S. 204, P.L. 115–176) .....	*	*	*	*
Legislation Cleared Congress and Pending Signature:				
VA MISSION Act of 2018 (S. 2372) <sup>e</sup> .....	*	*	*	*
Current Balance	*	22	329	490
	2018	2019	2018–2023	2018–2028
Changes to Revenues .....	*	−5	−47	−108
Changes to Outlays .....	*	17	282	382

Source: Congressional Budget Office.  
Notes: P.L. = Public Law; \* = between −\$500,000 and \$500,000.  
<sup>a</sup> On May 7, 2018, the Chairman of the Senate Committee on the Budget reset the Senate's Pay-As-You-Go Scorecard to zero for all fiscal years.  
<sup>b</sup> The amounts shown represent the estimated effect of the public laws on the deficit.  
<sup>c</sup> Excludes off-budget amounts.  
<sup>d</sup> Pursuant to section 232(b) of H.C. Res. 290 (106th Congress), the Concurrent Budget Resolution for Fiscal Year 2001, the budgetary effects related to the Federal Reserve's surplus funds are excluded. As a result, the amounts shown do not include estimated increases in revenues of \$655 million in fiscal year 2019, \$570 million over the 2019–2023 period, and \$454 million over the 2019–2028 period.  
<sup>e</sup> The budgetary effects of this Act are excluded from the Senate's PAYGO scorecard, pursuant to section 512 of the Act.

D-DAY 2018

Mr. CARDIN. Mr. President, today we are proceeding to consideration of the Fiscal Year 2019 National Defense Authorization Act, NDAA, which is fitting: On this day 74 years ago, thousands of American troops, alongside our allies, executed a bold assault on the beaches of Normandy. The bravery of those troops on D-Day in their stand against Nazi tyranny and oppression has been admired by a grateful world ever since. The Nazi regime upended democratic freedoms and espoused a system of persistent human rights violations bent on trampling the existence of minority groups which culminated in the concentration camps and genocide. The accomplishments of allied forces on D-Day and thereafter during Operation Overlord led to the defeat of the Adolph Hitler's Nazi government and its heinous authoritarian, nationalist ideology.

D-Day remains a sterling example of how international partnerships and a spirit of collaborative defiance can overcome seemingly insurmountable odds. It is also a stark reminder of what is required in the presence of iniquitous leaders. The leaders of the D-Day alliance and the troops who fought mightily that day on the beaches and in the French countryside and towns

deserve our most sincere thanks and admiration. It is because of their bravery and hardship that the western world remains free.

As we remember the courageous actions of those present that “longest day,” I ask that we express our gratitude by carrying on their example. We must resist the present-day reemergence of nationalist and racist influences in the Western world and beyond. Concurrently, we must hold authoritarian regimes accountable for their acts against humanity. We must expand our diplomatic reach by strengthening our alliances against authoritarianism. By working together like the daring souls who fought on D-Day, we can secure a future free from cruelty, oppression, and persecution.

SMALL BUSINESS INVESTMENT OPPORTUNITY ACT AND SMALL BUSINESS 7(a) LENDING OVERSIGHT REFORM ACT OF 2018

Mr. CARDIN. Mr. President, last night, the Senate passed two pieces of bipartisan legislation that will increase access to capital for small businesses and strengthen the Small Business Administration's oversight of its largest lending program.

First, I want to talk about the Small Business Investment Opportunity Act. This bill modifies SBA's Small Business Investment Company, SBIC, program by increasing the amount of capital SBICs with a single fund can invest in qualifying small businesses.

This legislation will unlock millions in additional capital for small businesses with high-growth potential, create jobs, ensure the program keeps pace with inflation, and align the program with changes Congress made in 2015.

Earlier this year, I introduced the Senate version of this legislation with Senators RISCH and KENNEDY as original cosponsors. It was reported out of the Small Business and Entrepreneurship Committee in March by a vote of 19–0.

SBICs are privately owned and managed investment funds that use their own capital—plus funds borrowed with an SBA guaranty—to capitalize small businesses. The purpose of the SBIC program is to stimulate investment in America's high-growth small businesses. The investments are made at no expense to taxpayers.

This bill is straightforward. Under current law, SBA can guarantee up to \$150 million for a single SBIC investment fund. This legislation increases

that cap to \$175 million. The cap has not been raised since 2009. Today, adjusted for inflation, the amount should be nearly \$170 million. Raising this cap ensures the program keeps up with inflation.

This change also builds upon a bill Senators RISCH and SHAHEEN and I passed in 2015 that increased the maximum leverage from \$225 million to \$350 million for SBICs with more than one fund, commonly referred to as a "Family of Funds."

Aligning the maximum leverage cap for a single SBIC fund with that of a Family of Funds expands the capacity of SBA and its private-sector partners to deploy more capital to innovative, fast-growing small businesses. These are firms that boost local hiring, support our communities, drive innovation, and help our country maintain its competitive edge. Last year, SBICs helped more than 1,200 firms, creating or saving nearly 113,000 jobs.

Some of America's most iconic brands have received investment capital from SBICs, including Apple, Tesla, Whole Foods, Staples, Intel, FedEx, and Costco, among others.

Maryland is home to five SBICs, some with multiple funds. I would like to highlight a few successful small firms that got financing through a Baltimore-based SBIC called Patriot Capital.

CSS Antenna is based in Edgewood, MD. This firm designs and manufactures products that support the wireless communications industry. Patriot Capital invested in CSS Antenna to support new product development and provide a stable layer of working capital to nurture company growth. During the life of Patriot's SBIC investment, CSS Antenna quadrupled its revenue and employee count, from 25 to 100.

Patriot also invested in Advantage Engineers, based in Columbia, MD. This firm provides engineering services focused on the telecom, geotechnical, and environmental services markets. Since Patriot's SBIC investment in 2016, Advantage Engineers' has doubled its revenue and tripled its employees from 200 to 600. This firm could benefit from additional SBIC investment once the Small Business Investment Opportunity Act is implemented.

Finally, for those of you who like to check the weather on your smartphone, you might be interested to know that WeatherBug is an SBIC investment. WeatherBug provides desktop and mobile users with real-time, local weather information.

WeatherBug is the product of Earth Networks, based in Germantown, MD. Patriot Capital has provided various levels of SBIC capital to Earth Networks to support a series of initiatives, including expansion into Smart Home technology that allows you to remotely control your home's lights, locks, and heating and cooling systems.

With passage of this legislation, I am hopeful that more investments will

flow to innovative small businesses in Maryland and throughout the country.

I also thank my colleagues for supporting the Small Business 7(a) Lending Oversight Reform Act of 2018. The goal of this legislation is to strengthen SBA's ability to conduct effective oversight of its largest lending program, the 7(a) Loan Guaranty Program, and 7(a) lenders.

The 7(a) program, through government guaranteed loans made by private sector lenders, provide small businesses with the capital they need for a broad range of purposes, from working capital for payroll and inventory to financing for buildings and equipment. The maximum loan size is \$5 million, the maximum term is 25 years, and the program operates at zero subsidy, with costs covered by borrower and lender fees.

Protecting the integrity and stability of the 7(a) program is important because it is one of the largest sources of long-term capital available to small businesses in our country. The program's longer terms reduce the monthly payments for small firms and provide essential working capital to manage startup and growth.

Last year, the SBA 7(a) loan program helped more than 62,000 small businesses. Combined, they were approved for more than \$25 billion in loans, which supported more than 571,000 U.S. jobs.

In Maryland, the 7(a) loan program helped 833 firms, which pumped nearly \$300 million into local communities, supporting more than 6,700 jobs.

The Small Business 71(a) Lending Oversight Reform Act of 2018 strengthens SBA's oversight of 7(a) lenders in the following ways: modernizes the definition of and compliance with the Credit Elsewhere test; creates a streamlined process to prevent a shutdown of the program with a process by which SBA can request an increase of the 7(a) lending cap, up to 15 percent, after an appropriate waiting period; ensures the Director of the Office of Credit Risk Management, OCRM, is qualified and nonpartisan; improves the quality of lender reviews and examinations; and strengthens the rights of lenders to get timely reports of oversight reviews and appeal penalties.

Of the reforms we are enacting, two of the most significant are modernizing the credit elsewhere test and streamlining the process to increase the 7(a) program cap.

The credit elsewhere test is the bedrock of the 7(a) program. It was created to ensure SBA is only backing loans to qualified borrowers who, but for the guaranty, would not get a loan based on conventional market standards. This lender oversight bill updates the credit elsewhere definition to reflect current market gaps, reinforces OCRM's duty to ensure lenders use the credit elsewhere test for the benefit of the borrower and not the lender, and strengthens OCRM's authority to substantiate how lenders determine and document the credit elsewhere test.

Creating a streamlined process to increase the lending capacity of SBA's largest loan program will provide needed stability to this essential source of long-term capital for small businesses. Currently, if the 7(a) program hits its lending cap, Congress must act legislatively to raise the program level. Finding a timely legislative vehicle is difficult and this legislative uncertainty can trigger market uncertainty and shutdown the program.

To address this problem, this bill establishes a notification-and-wait process by which SBA can notify Congress of its intent to increase the 7(a) lending cap, up to 15 percent, after a 30-day waiting period. To prevent abuse of this authority, SBA may only increase the cap once a year.

I support the 7(a) loan program and these lender oversight reforms. I look forward to building on this legislation by identifying ways to increase 7(a) loans to borrowers in unserved markets.

#### TRIBUTE TO ANNIE CAPUTO

Mr. INHOFE. Mr. President, today I wish to recognize my former staffer, Ms. Annie Caputo, as she is finally confirmed by the Senate as a Member of the Nuclear Regulatory Commission. Annie has over 20 years of experience handling nuclear energy issues, which will serve her well in her new role at the NRC.

Annie worked as senior policy adviser on my EPW committee staff from 2007 through 2012 and again in 2015 through 2016. Her experience and expertise is so well known and well regarded that staff and Senators on both sides of the aisle seek her input when it comes to nuclear issues. During her career, Annie also worked for the House Energy and Commerce Committee and Exelon Corporation, which operates more nuclear plants than any other company.

Her expertise was invaluable to me during the aftermath of the Fukushima nuclear accident, in my work to ensure the NRC issued timely decisions on new nuclear plant licenses, and most recently, she has been central in developing the bipartisan Nuclear Energy Innovation Act.

I want to congratulate Annie Caputo on this well-deserved confirmation and wish her well in her new role at the NRC.

#### TRIBUTE TO FRANK FANNON

Mr. INHOFE. Mr. President, today I wish to recognize my good friend and former staffer, Mr. Frank Fannon, who has been confirmed to lead the State Department's Bureau of Energy Resources.

We have seen how expanding U.S. energy exports to Eastern Europe has supported our allies and curbed Russia's influence in the region. As Assistant Secretary of State for Energy Resources, Frank can use his leadership

and expertise effectively to advance American energy dominance and enforce energy sanctions, like those against Russia and Iran.

Frank served as energy counsel to the Senate Committee on Environment and Public Works from 2003 to 2007. While at EPW, his knowledge on energy issues was vital. He drafted key provisions of the bipartisan Energy Policy Act of 2005, legislation that helped to unleash American innovation and set the conditions for today's energy abundance.

I want to congratulate Frank Fannon on this well-deserved confirmation and wish him well in his new role at the State Department.

#### TRIBUTE TO GREGORY SLAVONIC

Mr. INHOFE. Mr. President, today I wish to recognize my good friend and fellow Oklahoman, Mr. Gregory Slavonic, for his Senate confirmation as the Assistant Secretary of the Navy, Manpower and Reserve Affairs at the Department of Defense.

Greg was raised in Oklahoma City, OK. He graduated with a bachelor of science from Oklahoma State University and then enlisted in the Navy. After completing boot camp and signalman "A" school he received orders to the aircraft carrier USS *Constellation* (CVA 64) and completed two western Pacific deployments in support of combat operations in Vietnam. In 1976, he earned a master's degree from the University of Central Oklahoma.

His military awards include the Legion of Merit Medal; Bronze Star Medal, two awards; Meritorious Service Medal, three awards; Navy and Marine Corps Commendation Medal, two awards; Combat Action Ribbon; Presidential Unit Citation; and numerous other campaign and service medals.

Throughout his 34-year career in the Navy and as chief of staff to Senator JAMES LANKFORD, Greg has served his country and his home State of Oklahoma with great honor and distinction. He will bring those experiences of success to this position and continue the excellence that has been the trademark of the U.S. military.

I want to congratulate Greg Slavonic on this well-deserved confirmation and wish him well in his new role at the DOD.

#### TRIBUTE TO LIEUTENANT COLONEL MARIAH SMITH

Mrs. HYDE-SMITH. Mr. President, I am pleased to commend LTC Mariah Smith, U.S. Army, for her more than 18 years of service to the Nation.

Lieutenant Colonel Smith has distinguished herself for the past 2 years as a senior congressional liaison for the Assistant Secretary of the Army, Financial Management and Comptroller. In this capacity, she has worked successfully to build and uphold the critical relationship between Congress and the U.S. Army.

Lieutenant Colonel Smith managed the military personnel portfolio, which involves over 1 million soldiers, almost \$60 billion in assets, and more than 40 percent of the Army's total appropriation. She approached this task with the dedication expected of an exceptional Army leader: She acted on opportunities to take care of soldiers. She has been notably proficient in resolving innumerable inquiries into individual soldier issues. In the same manner, she enabled Members of Congress to remain devoted to the care of their constituents, while also supporting congressional efforts to shape personnel policy.

Lieutenant Colonel Smith is recognized as a mentor and leader among her peers, with an outstanding depth of service in the legislative affairs area, having previously served as a congressional fellow, military legislative assistant for a Member of the House of Representatives, and a legislative liaison for the NATO training mission in Kabul, Afghanistan. Her tenure in the Army includes almost 5 years of leading soldiers in Iraq, Afghanistan, Kuwait, and the Horn of Africa. Her significant contributions to the Army's budget liaison office are a credit to herself, the Army, and the Nation she serves.

I am pleased to commend Lieutenant Colonel Smith for her many years of distinguished service as a congressional liaison and to wish her well in her continued service.

#### ADDITIONAL STATEMENTS

##### REMEMBERING WILLIAM T. KERR

• Mr. CASEY. Mr. President, today I wish to recognize Mr. William T. Kerr and his contributions to the creation of Flag Day. His passion for the flag spurred a lifetime pursuit to establish a national holiday to honor it.

Mr. Kerr grew up in Pittsburgh and established himself in Yeadon, PA. After hearing the stories of sacrifice and patriotism during the Civil War, Mr. Kerr garnered a unique appreciation for the flag of the United States.

In 1888, Mr. Kerr established the American Flag Day Association, an organization committed to promoting patriotism and respect for the flag on a national scale and establishing Flag Day on June 14. In Mr. Kerr's capacity as the president of the American Flag Day Association, a position he held for five decades, he met with nine Presidents and wrote countless letters to Senators, Members of Congress, Governors, and local officials to petition for Flag Day to be celebrated on June 14.

Mr. Kerr's activism inspired several leaders, including President Woodrow Wilson, who went on to proclaim June 14 as National Flag Day on May 30, 1916, and General Douglas MacArthur, who wrote a letter to Mr. Kerr in 1947, citing reverence and honor in the flag

itself. Though Congress initially failed to submit legislation to President Wilson supporting the proclamation to recognize the holiday, three decades later, Congress passed a bill formally declaring June 14 as National Flag Day. On August 3, 1949, President Harry S. Truman, with Mr. Kerr standing next to him, signed the Flag Day bill into law, formally declaring June 14 as National Flag Day.

I commend Mr. Kerr on his commitment to creating a day to honor the flag. Pennsylvanians are renowned for their hard work, dedication, perseverance, and patriotism, and Mr. Kerr is an excellent example of that assessment. Mr. Kerr's legacy has lived on, especially in the small farm town of Yeadon, where the town celebrates Flag Day as an all-day affair. •

#### TRIBUTE TO SCOTT GINGER

• Ms. CORTEZ MASTO. Mr. President, today I am honored to recognize one of Nevada's most dedicated and exceptional educators, Mr. Scott Ginger of Green Valley High School, who has served thousands of students with the utmost dedication. Mr. Ginger, as his current and former students continue to call him, has remained committed to his students' success for 29 years. He began his career at William E. Orr Middle School in 1989 and moved to Green Valley High School 2 years later, where administrators, faculty, students, and families have revered him. He has won the Green Valley High School Golden Gator Award 17 times and has been inducted into the Clark County Teachers' Hall of Fame.

Nevadans who know Mr. Ginger are eager to highlight his impressive skills as a speech and debate coach, a role that has given him and his forensics team at Green Valley High School the county championship 24 consecutive times since 1995 and the State championship a record 16 times. In 2018, the National Speech and Debate Association named him Nevada Educator of the Year. Although a very skilled competitor, Mr. Ginger has always emphasized that speech and debate are primarily "a vehicle to build character, to be ethical, to be kind, to think big picture and think about others." Students who were fortunate to learn from Mr. Ginger agree. Those in the professional world claim Mr. Ginger's classroom lessons still help them keep calm and collected when speaking in public. Most importantly, those students also give Mr. Ginger credit for their ability to make lasting connections and friendships.

The sense of community belonging that Mr. Ginger has given his students is perhaps his most important legacy. He has allowed some of his most talented students to teach within the classroom and has provided an opportunity for former students to come back and speak about the multiple benefits they have reaped from forensics. Thus, a community of skilled debaters

has grown in southern Nevada, including those who have become leaders in a variety of fields all across the country. No matter where their career paths lead them, Mr. Ginger's former students will always remember and cherish the life lessons they learned in his classroom.

I ask my colleagues to join me in recognizing Mr. Scott Ginger for his 29 years of service as an educator in the Clark County School District. I admire Mr. Ginger for his incredible ability to inspire and shape the lives of his students and for encouraging cooperation and a sense of community that should be held as a model for all classrooms in our Nation. I celebrate Mr. Ginger's impact in Nevada, and I am proud of his work to enhance young Nevadans' ability to succeed and thrive.●

#### TRIBUTE TO GENERAL LORI J. ROBINSON

● Ms. MURKOWSKI. Mr. President, Gen. Lori J. Robinson, USAF, will officially retire from Active Duty later this summer. This week, General Robinson's friends and family are gathering in Crystal City to celebrate her career. In advance of that event, I wanted to say a few words about this exemplary military officer and honorary Alaskan who has devoted her entire 36-year career to the security of our Nation.

General Robinson was born in Big Springs, TX. She is the oldest of five children. Her father served over 30 years in the Air Force, so she was not a stranger to the military lifestyle. General Robinson completed her undergraduate work at New Hampshire University in English and was commissioned as an Air Force officer through the ROTC Program in 1981. Entering the Air Force, she was trained as an air battle manager. General Robinson spent several years mastering her craft before completing the weapons instructor course as a distinguished graduate from the Air Force Weapons School. She served in several locations to include Florida, Philippines, Nevada, Hawaii, Oklahoma, Colorado, Southwest Asia, and multiple stints in the Nation's Capital.

While General Robinson served both across the Air Force and the country, it was in 1989 when then-Captain Robinson arrived at Pacific Air Forces, PACAF, for her first assignment at the headquarters. As the chief of current operations and command briefer, General Robinson gained breadth beyond her operational duties as an air battle manager. She would return 26 years later in 2014 to assume command of PACAF, becoming the first female Air Force officer to lead an Air Force major component command. General Robinson met the challenges of a command spanning 13 time zones and 100 million square miles of air space head on, providing effective leadership to the command during a challenging time for the Air Force.

As PACAF commander, General Robinson oversaw U.S. Air Force operations at Joint Base Elmendorf Richardson and Eielson Air Force Base in Alaska. She was generous in her support for Alaska's airmen and graciously keynoted the 47th Greater Fairbanks Chamber of Commerce Military Appreciation Banquet in 2015.

Following General Robinson's time as the PACAF commander, she took command of North American Aerospace Defense Command, NORAD, and U.S. Northern Command, USNORTHCOM, in May 2016. In this final assignment, General Robinson made history again as the first female to command a combatant command. Tasked with the defense of the North American continent, General Robinson has faced down challenges ranging from nuclear threats from North Korea to a series of severe natural disasters. Managing disaster relief for 10 hurricanes while simultaneously providing aid for the wildfires that affected over 10 million acres in 2017 strained the commands and their resources, but General Robinson used the challenges to help expand the commands' readiness and capabilities.

General Robinson's strong relationship with Alaska continued in that role, as Alaskan Command is a subunified combatant command of USNORTHCOM. During her tenure as the NORAD and USNORTHCOM commander, General Robinson made several visits to Alaska and worked to bolster the military's presence in the State. She advocated for the sustainment of and funding for the Alaska Radar System, and she appreciated the significance of joint training and exercises that take place in the State. General Robinson's focus on these aspects of military readiness has helped grow the capabilities of the military in Alaska and, as a result, has increased the defense of the United States. Recognizing the importance of excellent military-community relations, General Robinson graciously keynoted the 2018 Salute to the Military in Anchorage, sponsored by the Armed Services YMCA.

General Robinson has led a career in the Air Force that reflects its core values: integrity first, service before self, and excellence in all we do. She is an example to all who serve, especially the young women looking for a path to success in the military. At every step along the way, she has supported and been supported by her husband, Maj. Gen. (retired) David Robinson. They are a truly unique pair of military talents and a model for dual-career military families. The impact the two of them have had on the Air Force and our country cannot be understated.

Although retirement will pull General Robinson from the Air Force, I understand she is looking forward to spending time with her children and grandchildren. We Alaskans are proud of the impact General Robinson has had on our State during her time in the

service, and we are proud of the impact we have had on her. She is an exemplary officer and a true example for all women looking to succeed in the military. I hope that, as General Robinson enjoys her time in retirement, she brings her family to visit Alaska sometime soon.

On behalf of my Senate colleagues, I take this opportunity to thank General Robinson for her service and wish her well in her retirement.●

#### TRIBUTE TO MOLLY WINTERS DIALLO

● Mr. RUBIO. Mr. President, today I am pleased to honor Molly Winters Diallo, the Miami-Dade County Teacher of the Year from Alonzo and Tracy Mourning Senior High Biscayne Bay Campus in North Miami, FL.

Molly's inspiration to become a teacher began when she was young. Her parents were teachers, and they instilled in her the importance of education. When students walk into her classroom, Molly tells them they are going to college, and she will help them get there. Her school has students from 66 different countries and speak several languages. To many, her words of encouragement made the difference.

In Molly's classroom, students are taught the importance of investing in education. Her students are asked for their thoughts on topics, what they want to learn, and what changes she can make to better suit their needs.

Molly's bond with her students extends beyond high school. She has helped them throughout their college application process, providing advice and has served as a shoulder to lean on when they encounter setbacks.

Molly grew up in Connecticut and began teaching at a private school in the British Virgin Islands. After receiving her master's degree from Tufts University, she moved to Miami in the early 2000s. She previously taught at Miami Edison Senior High for 5 years before transferring to Alonzo and Tracy Mourning Senior High Biscayne Bay Campus, where she teaches advanced placement human geography and psychology and honors U.S. history.

I extend my sincere recognition and appreciation to Molly for her hard work and wish her continued success in the years to come.●

#### TRIBUTE TO MICHELLE DINWIDDLE

● Mr. RUBIO. Mr. President, today I recognize Michelle Dinwiddie, the Polk County Teacher of the Year from Lake Gibson High School in Lakeland, FL.

Michelle follows what she calls the Pro Principle, that she and her students should be professional, productive, and proficient in all aspects of their lives. She challenges her students to demonstrate professionalism in speech and attire, productivity in achievement, and proficiency in learning so they can succeed.



Michelle fosters growth in student learning and behavior. She uses whiteboard tables within her classroom to enhance student engagement and learning gains. While her academic responsibility is to increase the reading and writing scores on the Florida State Assessment, her professional responsibilities far exceed the walls of her classroom. She serves as department chair, leading educators in professional development. Michelle seeks to mentor new teachers and nurture future teacher leaders. She serves as an ambassador for teacher collaboration and observation, both factors she believes will create positive change within her school.

Michelle holds a bachelor's degree in secondary English education from Southeastern University in Lakeland, FL, and is currently pursuing a master's degree in collaborative teaching. She received the Southeastern University Award and Most Outstanding Secondary English Major Award in 2009, publishing two original poems locally and nationally.

I extend my sincere thanks to Michelle for her dedication to helping her students achieve success. I look forward to hearing of her continued success throughout her teaching career in the years ahead.●

#### TRIBUTE TO NICOLE A. GREBOSZ

● Mr. RUBIO. Mr. President, today I honor Nicole Grebosz, the Volusia County Teacher of the Year from Citrus Grove Elementary School in DeLand, FL.

In the same county where she completed her high school degree about 17 years ago, Nicole was named her county's Teacher of the Year. She is a technology special area teacher, focusing on new technology instruction.

Thanks to Nicole's hard work, more than 940 students at her school have access to the tools that will help steer their education. Nicole says her students think they cannot code because it involves a language they do not speak, but she knows this is not the case. She strives to make them believe in themselves.

Nicole transitioned to elementary school in 2015, after having started her career in education at her alma mater, Pine Ridge High School. During her 9 years at the high school, she taught English and language arts. She also headed a web design class at Florida Virtual School.

I thank Nicole for the commitment she has made to teaching her students to understand our rapidly evolving technological world. I extend my best wishes to Nicole on her continued success in future endeavors.●

#### TRIBUTE TO SAMANTHA NEFF

● Mr. RUBIO. Mr. President, today I am pleased to recognize Samantha Neff, the Seminole County Teacher of the Year from Idyllwilde Elementary School in Sanford, FL.

Samantha's administrators say she brings enthusiasm and creative energy to her school. She is determined to help her colleagues become better math teachers in order to help their students feel confident tackling the sometimes difficult subject.

Samantha joined the school this year and has already helped Idyllwilde teachers, particularly its 24 new ones, improve their lessons. She spends hours in classrooms, modeling lessons and observing their styles. According to her principal, Samantha is exemplary and is dedicated to contributing her time, energy, and resources into the school's students. Seventeen years into her career, Samantha still loves teaching and is eager to encourage her love of math.

Samantha grew up in Seminole County and graduated from Lake Mary High School. She has spent her entire teaching career in the district, working as an elementary school teacher, then as a math coach whose job is to help other teachers become better math instructors. She is also an adjunct professor at the University of Central Florida, her alma mater.

I am grateful for the dedication Samantha has shown to her students throughout her teaching career. I express my best wishes to her and look forward to hearing of Samantha's continued success in the years ahead.●

#### TRIBUTE TO KYLIE ONDRIEZEK

● Mr. RUBIO. Mr. President, today I recognize Kylie Ondriezek, the Sumter County Teacher of the Year from Wildwood Middle High School in Wildwood, FL.

Kylie was recognized with the Teacher of the Year award because of her dedication to providing her students with countless opportunities for success in her classroom. She strives to provide her students with a quality education and creating a friendly atmosphere to learn.

Kylie's colleagues and students note she makes herself available to their needs throughout the school day. She is devoted to being a positive role model and wants to make sure she is able to help all of her students as they continue their educational careers long after leaving her classroom.

Kylie graduated from Wildwood Middle High School and returned to the school in 2015 to teach English II and English II honors.

I am pleased to congratulate Kylie for receiving this important recognition. I express my best wishes to her and look forward to hearing of her continued success in the years to come.●

#### TRIBUTE TO MADGALY SANTANA

● Mr. RUBIO. Mr. President, today I recognize Madgaly Santana, the Hardee County Teacher of the Year from North Wauchula Elementary School in Lakeland, FL.

Madgaly's colleagues attest that she is dedicated to making sure her young

students learn all that they can while she is their teacher. She states that she is not just there for her students, but also for their parents as well. She feels that having a relationship with both students and parents helps make the school year a success.

Madgaly graduated from Ashford University in 2012 with a bachelor of science degree in elementary education K-6. In 2013, she began working at North Wauchula Elementary School as a first grade teacher and has been in the school system for 8 years.

I thank Madgaly for her devotion to helping her students learn and excel in school. I extend my best wishes and look forward to hearing of her continued success in the years ahead.●

#### MESSAGE FROM THE HOUSE

At 11:04 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 801. An act to amend the National Trails System Act to designate the Route 66 National Historic Trail, and for other purposes.

H.R. 1026. An act to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, and for other purposes.

H.R. 2991. An act to establish the Susquehanna National Heritage Area in the State of Pennsylvania, and for other purposes.

H.R. 3997. An act to waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on Federal land, and for other purposes.

H.R. 5005. An act to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of establishing the birthplace of James Weldon Johnson in Jacksonville, Florida, as a unit of the National Park System.

H.R. 5655. An act to establish the Camp Nelson Heritage National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes.

H.R. 5956. An act to incentivize the hiring of United States workers in the Commonwealth of the Northern Mariana Islands, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 801. An act to amend the National Trails System Act to designate the Route 66 National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2991. An act to establish the Susquehanna National Heritage Area in the State of Pennsylvania, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3997. An act to waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5005. An act to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of establishing the birthplace of James Weldon Johnson in Jacksonville, Florida, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 5655. An act to establish the Camp Nelson Heritage National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1026. An act to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, and for other purposes

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5393. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alpha-cypermethrin; Pesticide Tolerances" (FRL No. 9976-73) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5394. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ethoxylated Fatty Acid Methyl Esters; Exemption from the Requirement of a Tolerance" (FRL No. 9976-39) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5395. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Tree Tomatoes from Ecuador into the Continental United States" (RIN0579-AE23) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5396. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Thresholds for De Minimis Activity and Exemptions from Licensing Under the Animal Welfare Act" (RIN0579-AD99) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5397. A communication from the Director of the Issuances Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Elimination of Trichinae Control Regulations and Consolidation of Thermally Processed, Commercially Sterile Regulations" (RIN0583-AD59)

received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5398. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, mile markers 179 to 180, St. Louis, MO" (RIN1625-AA00) (Docket No. USCG-2018-0379) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5399. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Kevin M. Donegan, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-5400. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report relative to a certification of the Integrated Defensive Electronic Countermeasures (IDECM) program; to the Committee on Armed Services.

EC-5401. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal relative to the President of the United States' Fiscal Year 2019 budget request for the Department of Homeland Security; to the Committee on Banking, Housing, and Urban Affairs.

EC-5402. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rules: Removal of Certain Capital Rules That Are No Longer Effective Following the Implementation of the Revised Capital Rules" (RIN3064-AE51) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-5403. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified Financial Contracts Recordkeeping Related to Orderly Liquidation Authority" (RIN1505-AC57) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-5404. A communication from the Assistant Secretary, Office of Electricity Delivery and Energy Reliability, Department of Energy, transmitting, pursuant to law, a report entitled "2017 Economic Dispatch and Technological Change"; to the Committee on Energy and Natural Resources.

EC-5405. A communication from the Senior Advisor to the Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Technical and Clarifying Edits; Criminal Violations NPS Units Nationwide" (RIN1024-AE43) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Energy and Natural Resources.

EC-5406. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Additional Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards" (FRL No. 9977-72-OAR) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Environment and Public Works.

EC-5407. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval and Air Quality Designation; SC; Redesignation of the Greenville-Spartanburg Unclassifiable Area" (FRL No. 9978-93-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Environment and Public Works.

EC-5408. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; PA; Emissions Statement Requirement for the 2008 Ozone Standard" (FRL No. 9978-98-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Environment and Public Works.

EC-5409. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Infrastructure and Interstate Transport for the 2012 Fine Particulate Matter Ambient Air Quality Standard" (FRL No. 9978-48-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Environment and Public Works.

EC-5410. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to New Mexico" (FRL No. 9978-89-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Environment and Public Works.

EC-5411. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of Iowa; Approval and Promulgation of the State Implementation Plan, the 111(d) Plan and the Operating Permits Program; Final Rule" (FRL No. 9979-10-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Environment and Public Works.

EC-5412. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope Including Electron Capture Devices and X-Ray Fluorescence Analyzers" (NUREG-1556, Volume 7, Revision 1) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2018; to the Committee on Environment and Public Works.

EC-5413. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Service of Process; Production or Disclosure of Official Information in response to Court Orders, Subpoenas, Notices of Depositions, Requests for Admissions, Interrogatories, or Similar Requests or Demands in Connection With Federal or State Litigation; Expert Testimony" (RIN1400-AE49) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Foreign Relations.

EC-5414. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2018-0048 - 2018-0069); to the Committee on Foreign Relations.

EC-5415. A communication from the Director of the Office of Presidential Appointments, Department of State, transmitting, pursuant to law, thirty (30) reports relative to vacancies in the Department of State, received in the Office of the President of the Senate on May 30, 2018; to the Committee on Foreign Relations.

EC-5416. A joint communication from the Secretary of Labor and the Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2017 actuarial evaluation of the expected operations and status of the Pension Benefit Guaranty Corporation funds; to the Committee on Health, Education, Labor, and Pensions.

EC-5417. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-5418. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties; Further Delay of Effective Date" (RIN0906-AB18) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-5419. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Statistical Programs of the United States Government: Fiscal Year 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5420. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5421. A communication from the Acting Secretary of Veterans Affairs, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5422. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5423. A communication from the Acting Commissioner of the Social Security Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018 and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-5424. A communication from the Secretary of Education, transmitting, pursuant

to law, the Department's Semiannual Report of the Office of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5425. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018 and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-5426. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5427. A communication from the Acting Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5428. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Administration's Semiannual Report from the Office of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5429. A communication from the Board Members of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5430. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5431. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-355, "Southwest Waterfront Exemption Temporary Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5432. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-346, "Walter Alley Designation Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5433. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-347, "Medical Marijuana Certified Business Enterprise Preference Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5434. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-348, "Ernest Everett Just Court Designation Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5435. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-349, "Lois Mailou Jones Alley Designation Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5436. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-350, "Watkins Alley Designation Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5437. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-351, "Israel Baptist Church Way Designation Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5438. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-352, "Business Improvement Districts Tax Exemption Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5439. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-353, "Parcel F1 Easement Disposition Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5440. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-354, "Swampoodle Park Designation Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5441. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-377 "Lawrence E. Boone Elementary School Designation Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5442. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-364, "Personal Delivery Device Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5443. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-365, "Grocery Store Restrictive Covenant Prohibition Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5444. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-366, "Maternal Mental Health Task Force Establishment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5445. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-367, "Consumer Protection Clarification and Enhancement Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5446. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-368, "Study of Mental Health and Substance Abuse in Immigrant Communities Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5447. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-369, "Solar Expansion for Cooperative Associations Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-5448. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 22-370, “405 53rd Street, N.E., Disposition Act of 2018”; to the Committee on Homeland Security and Governmental Affairs.

EC-5449. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-371, “Closing of a Public Alley in Square 748, S.O. 16-21105, Act of 2018”; to the Committee on Homeland Security and Governmental Affairs.

EC-5450. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-372, “Closing of a Public Alley in Square 5196, S.O. 17-26544, Act of 2018”; to the Committee on Homeland Security and Governmental Affairs.

EC-5451. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-373, “Home Composting Incentives Amendment Act of 2018”; to the Committee on Homeland Security and Governmental Affairs.

EC-5452. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-374, “Pools Without Penalties Act of 2018”; to the Committee on Homeland Security and Governmental Affairs.

EC-5453. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-375, “Closing of a Public Alley in Square 221, S.O. 17-26363, Act of 2018”; to the Committee on Homeland Security and Governmental Affairs.

EC-5454. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-376, “Anna Cooper House TOPA Exemption Act of 2018”; to the Committee on Homeland Security and Governmental Affairs.

EC-5455. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC-5456. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Fishery Conservation and Management Act; Lifting the Stay on Inclusion of Shrimp and Abalone in the Seafood Traceability Program” (RIN0648-BH89) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5457. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Thunder over Toledo Fireworks, Maumee River, Toledo, OH” ((RIN1625-AA00) (Docket No. USCG-2018-0469)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5458. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Freedom Festival Fireworks, Lake Erie, Luna Pier, MI” ((RIN1625-AA00) (Docket No. USCG-2018-0449)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5459. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Chicago Harbor, Adler Planetarium, Chicago, IL” ((RIN1625-AA00) (Docket No. USCG-2018-0391)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5460. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone for Fireworks Display; Severn River, Sherwood Forest, MD” ((RIN1625-AA00) (Docket No. USCG-2018-0157)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5461. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Annual Events in the Captain of the Port Buffalo Zone” ((RIN1625-AA00) (Docket No. USCG-2017-1112)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5462. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Flagship Niagara’s Mariners Ball; Presque Isle Bay, Erie, PA” ((RIN1625-AA00) (Docket No. USCG-2018-0469)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5463. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Great Western Tube Float; Parker, AZ” ((RIN1625-AA00) (Docket No. USCG-2018-0251)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5464. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; US 68/KY 80 Lake Barkley Bridge, Cumberland River, Canton, KY” ((RIN1625-AA00) (Docket No. USCG-2018-0503)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5465. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Lake of the Ozarks, Bagnell, MO” ((RIN1625-AA00) (Docket No. USCG-2018-0307)) received in the Office of the President of the Senate on June 4, 2018; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1872. A bill to authorize the programs of the Transportation Security Administration relating to transportation security, and for other purposes (Rept. No. 115-266).

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled “Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2019” (Rept. No. 115-267).

## EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. HOEVEN for the Committee on Indian Affairs.

Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROUNDS:

S. 2999. A bill to require Commander of the United States Cyber Command and others to conduct a tier 1 exercise of support to civil authorities for a cyber incident, and for other purposes; to the Committee on Armed Services.

By Mrs. MCCASKILL:

S. 3000. A bill to amend title XI of the Social Security Act to make improvements to the transparency report requirements under section 1128G of such Act; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 3001. A bill to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for Ms. DUCKWORTH):

S. 3002. A bill to provide for the implementation of a system of licensing for purchasers of certain firearms and for a record of sale system for those firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. GRASSLEY, and Ms. MURKOWSKI):

S. 3003. A bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General; to the Committee on the Judiciary.

By Mr. COTTON (for himself and Mr. JONES):

S. 3004. A bill to amend the Sarbanes-Oxley Act of 2002 to exclude privately held, non-custody brokers and dealers that are in good standing from certain requirements under title I of that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. STABENOW (for herself, Mr. VAN HOLLEN, Mr. CASEY, Ms. BALDWIN, Mr. BOOKER, Mr. DURBIN, Mr. MENENDEZ, and Mr. WYDEN):

S. 3005. A bill to encourage and promote urban, indoor, and other emerging agricultural production practices, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. STABENOW (for herself, Ms. BALDWIN, Mr. MURPHY, Ms. SMITH, and Mr. MERKLEY):

S. 3006. A bill to require publication of the annual reports required under the Presidential Order on Buy American and Hire American; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself and Mr. HATCH):

S. 3007. A bill to include Portugal in the list of foreign states whose nationals are eligible for admission into the United States as E-1 and E-2 nonimmigrants if United States nationals are treated similarly by the Government of Portugal; to the Committee on the Judiciary.



By Mr. YOUNG (for himself and Mr. DONNELLY):

S. 3008. A bill to direct the Secretary of Health and Human Services to conduct a study and submit to Congress a report containing recommendation on how to improve the use of non-opioid treatments for acute and chronic pain management for individuals entitled to benefits under part A or enrolled under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Mrs. CAPITO (for herself, Mr. BAR-RASSO, Mr. BOOZMAN, and Mr. INHOFE):

S. 3009. A bill to amend the Federal Water Pollution Control Act to clarify when the Administrator of the Environmental Protection Agency has the authority to prohibit the specification of a defined area, or deny or restrict the use of a defined area for specification, as a disposal site under section 404 of that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WICKER (for himself, Mr. SCHATZ, and Mr. UDALL):

S. 3010. A bill to amend the National Telecommunications and Information Administration Organization Act to provide for necessary payments from the Spectrum Relocation Fund for costs of spectrum research and development and planning activities; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ:

S. 3011. A bill to ban the exportation of crude oil or refined petroleum products derived from Federal land, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN:

S. 3012. A bill to establish an innovative water technology grant program and to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to encourage the use of innovative water technology, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORKER (for himself, Ms. HEITKAMP, Mr. TOOMEY, Mr. WARNER, Mr. ALEXANDER, Mr. SCHATZ, Mr. JOHNSON, Mr. VAN HOLLEN, Mr. FLAKE, Mr. LEE, Mr. SASSE, Mrs. SHAHEEN, and Mr. ISAKSON):

S. 3013. A bill to amend the Trade Expansion Act of 1962 to require Congressional approval before the President adjusts imports that are determined to threaten to impair national security; to the Committee on Finance.

By Mr. GARDNER:

S. 3014. A bill to amend title XVIII of the Social Security Act to support rural residency training funding that is equitable for all States, and for other purposes; to the Committee on Finance.

By Ms. HARRIS:

S. 3015. A bill to amend the Federal Water Pollution Control Act to establish a low-income sewer and drinking water assistance pilot program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BOOKER (for himself, Mr. CASSIDY, Ms. HIRONO, and Mr. SCOTT):

S. 3016. A bill to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself and Mrs. MCCASKILL):

S. 3017. A bill to amend the FAST Act to improve the Federal permitting process, and for other purposes; to the Committee on

Homeland Security and Governmental Affairs.

By Mr. HEINRICH:

S. 3018. A bill to give middle-class families access to the maximum Federal Pell Grant, to increase college transparency, and State maintenance of efforts, and for other purposes; to the Committee on Finance.

By Mr. MORAN:

S. 3019. A bill to amend the Fair Packaging and Labeling Act to require that Federal and State mandated information declarations and labeling requirements applicable to the chemical composition of, and radiation emitted by, consumer products meet minimum scientific standards to deliver accurate and clear information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself, Mr. KAINE, Mr. CARDIN, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. BROWN, Mr. MERKLEY, and Mr. MARKEY):

S. Res. 535. A resolution reaffirming the United States commitment to the North Atlantic Treaty Organization; to the Committee on Foreign Relations.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 536. A resolution to authorize document production by the Select Committee on Intelligence; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 112

At the request of Mr. HELLER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 112, a bill to amend title 38, United States Code, to authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes.

S. 206

At the request of Mr. KAINE, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 206, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 339

At the request of Mr. NELSON, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on

shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 601

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 601, a bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education.

S. 802

At the request of Mr. BROWN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Maine (Mr. KING), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Delaware (Mr. CARPER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Virginia (Mr. KAINE), the Senator from Rhode Island (Mr. REED), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Mr. PETERS), the Senator from Hawaii (Ms. HIRONO) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 802, a bill to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

S. 808

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 808, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 842

At the request of Mr. BOOKER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 842, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 1022

At the request of Mr. ISAKSON, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1022, a bill to amend the Public Health Service Act to facilitate assignment of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers, and for other purposes.

S. 1172

At the request of Mrs. SHAHEEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1172, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human

rights against lesbian, gay, bisexual, and transgender (LGBT) individuals, and for other purposes.

S. 1352

At the request of Ms. CANTWELL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1352, a bill to establish a tax credit for on-site apprenticeship programs, and for other purposes.

S. 1764

At the request of Mr. BOOKER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1764, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 1854

At the request of Mr. GRAHAM, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1854, a bill to amend chapter 44 of title 18, United States Code, to enhance penalties for theft of a firearm from a Federal firearms licensee.

S. 1942

At the request of Ms. HEITKAMP, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1942, a bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2488

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 2488, a bill to amend title 37, United States Code, to exclude the receipt of basic allowance for housing for members of the Armed Forces in determining eligibility for certain Federal benefits, and for other purposes.

S. 2497

At the request of Mr. RUBIO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2497, a bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 2652

At the request of Mr. CASSIDY, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2652, a bill to award a Congressional Gold Medal to Stephen Michael Gleason.

S. 2654

At the request of Ms. SMITH, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2654, a bill to amend the Rural Electrification Act of 1936 to establish the Community Connect Grant Program, and for other purposes.

S. 2662

At the request of Mr. VAN HOLLEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2662, a bill to provide for a grant program for handgun licensing programs, and for other purposes.

S. 2756

At the request of Mr. TILLIS, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 2756, a bill to amend the Securities Act of 1933 to direct the Securities and Exchange Commission to revise the regulations of the Commission regarding the qualifications of natural persons as accredited investors.

S. 2823

At the request of Mr. HATCH, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2823, a bill to modernize copyright law, and for other purposes.

S. 2827

At the request of Mr. HEINRICH, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2827, a bill to amend the Morris K. Udall and Stewart L. Udall Foundation Act.

S. 2835

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2835, a bill to require a study of the well-being of the newsprint and publishing industry in the United States, and for other purposes.

S. 2838

At the request of Mrs. FEINSTEIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2838, a bill to amend the Controlled Substances Act to require the Drug Enforcement Administration to report certain information on distribution of opioids, and for other purposes.

S. 2902

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2902, a bill to amend title XIX of the Social Security Act to facilitate Medicaid access to State prescription drug monitoring programs, and for other purposes.

S. 2930

At the request of Mrs. ERNST, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2930, a bill to provide that Congress may not recess, adjourn, or consider other matters after August 1 of any year if Congress has not approved a concurrent resolution on the budget

and passed the regular appropriations bills with respect to the next fiscal year.

S. 2957

At the request of Mr. CRAPO, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2957, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 2961

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2961, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 2969

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2969, a bill to amend the Consolidated Farm and Rural Development Act to improve water or waste disposal grants or direct or guaranteed loans, and for other purposes.

AMENDMENT NO. 2270

At the request of Mr. MORAN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 2270 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 3001. A bill to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, today I am pleased to introduce the Contra Costa Transfer Act, a bill that will assure the health and safety of the residents of Contra Costa County while also providing for the efficient delivery of water from the Bay Delta to the customers of the Contra Costa Water District (CCWD). Senator HARRIS is joining me in cosponsoring the bill, and I understand that Representatives MARK DESAULNIER, JERRY MCNERNEY and MIKE THOMPSON will be introducing a House companion measure this week as well.

The CCWD is an urban water agency serving approximately 500,000 people in the eastern part of the San Francisco Bay Area region in Northern California. CCWD operates and maintains the Contra Costa Canal System, a unit of the Central Valley Project (CVP),



which is owned by the United States and managed by the Bureau of Reclamation in the Department of the Interior.

The Contra Costa Canal System involves 48 miles of earthen canals with about 30 miles of laterals which deliver water to cities from the canal. Although the canal has been maintained, it poses a safety and flood risk. Notwithstanding significant security fencing, 81 people have tragically been drowned since the canal was placed into service and hundreds of others have been rescued.

The bill I am introducing today would transfer title to the canal system to CCWD so it can begin the process of replacing this old, earthen canal with a secure buried pipeline. The conversion of the canal to a pipeline will cost CCWD approximately \$650 million.

CCWD has already repaid Reclamation for costs of constructing the project. After title transfer of the canal is completed, CCWD would remain a CVP M&I customer as set forth in the Long-term Renewal Contract between the United States and CCWD providing for Project Water Service and for Facilities Repayment (Contract No. I75r-3401 A-LTR1 May 10, 2005) (CVP Contract). This title transfer bill was anticipated in Article 28.3 of the CVP Contract which allows for transfer of title to the Contra Costa Canal System upon repayment of all outstanding capitalized costs of the facilities and upon authorization of Congress.

Before title transfer occurs, there will be further environmental review, including compliance with the National Environmental Policy Act (NEPA), Endangered Species Act (ESA) and National Historical Preservation Act (NHPA).

Title Transfer will result in lower costs and reduced administrative burden, provide greater flexibility in management of the asset, and will eliminate flood and other safety concerns. When the canal was originally built, there was no one around it. Now there are many homes and neighborhood along both sides of the structure. If the canal were to fail as has occurred with other earthen canals, homes would be flooded, and millions of dollars of property would be destroyed.

Title transfer would transfer this health and safety liability for the canal to CCWD. Reclamation also benefits through lower costs and reduced administrative burden. Currently, work on the Canal System requires varying levels of coordination and documentation with Reclamation for planning, design, project implementation, maintenance, and operation.

CCWD has been responsible for O&M of the Canal System for almost 50 years and its staff is intimately familiar with the system. CCWD ownership of the Canal System would eliminate much of this duplicative consultation. CCWD now finds it is doing much of the same work Reclamation conducts in its oversight and review responsibilities.

Third parties including local cities, Contra Costa County, local and regional agencies, including recreation partners, and utilities working within the Canal System rights-of-way all of whom would also benefit from removing the additional layer of federal review and approval bureaucracy that increases costs and causes schedule delays. I understand that the other local partners have all expressed support for this legislation.

Title Transfer to CCWD would also relieve the United States of any risk of canal failure due to erosion or earthquake.

Ultimately, CCWD is seeking authorization to transfer title to all Project Works associated with the Contra Costa Canal Unit. Construction of the Rock Slough Fish Screen was completed by the Bureau of Reclamation in 2011, and the bill I am introducing today would direct the transfer of title of Rock Slough Fish Screen following a mutual agreement on the transfer between CCWD and Reclamation.

Contra Costa Water District (CCWD) operates three screened intakes in the Sacramento/San Joaquin Delta—Rock Slough, Old River and Middle River. CCWD owns the latter two; the US Bureau of Reclamation owns Rock Slough. Operations at all three intakes are covered by the biological opinions on the long-term operation of the Central Valley Project and the State Water Project (USFWS 2008 and NMFS 2009) as well as separate opinions obtained for the original Los Vaqueros Project and the Middle River Intake under Section 7 of the Endangered Species Act.

The Central Valley Project Improvement Act (1992) and the Los Vaqueros Project Biological Opinions (BOs) required the Rock Slough intake to be screened. BOs from USFWS and NMFS were obtained for construction and operation of the fish screen. A transfer of ownership of the Rock Slough intake and fish screen will not affect the applicability of the various biological opinions that apply to the facility.

The primary stakeholders involve recreation and include the East Bay Regional Park District (EBRPD), City of Antioch, and City of Walnut Creek. EBRPD operates recreation facilities along the Contra Costa Canal (trails) and at the Contra Loma Reservoir.

CCWD and EBRPD executed a Memorandum of Understanding (MOU) in December 2017 that commits both agencies to work together to obtain authorization from Congress for title transfer of the Project Works to CCWD.

The City of Antioch and Walnut Creek operate a Sports Complex and trails, respectively, under management agreements with Reclamation. The management agreements would be amended and assigned to CCWD, and CCWD will provide for the continuation of recreation at these facilities by the cities.

The City of Concord and the EBRPD have expressed interest in the Clayton

Canal. The Clayton Canal traverses the former Concord Naval Weapons Station which is being developed to support civilian uses by the City of Concord. EBRPD is also developing a regional park and conservation area within the former Naval Station property. The Clayton Canal is no longer used by CCWD and title transfer would support the efficient disposal of the facility.

In summary, Mr. President, I believe title transfer is a sensible measure that will reduce flood and public safety risk by facilitating the conversion of the current earthen canal to a closed pipeline. Title transfer will also improve administrative efficiencies on the operation of the canal, and reduce the administrative burden on the federal government.

I ask my colleagues to join me in supporting this bill. Thank you, Mr. President, and I yield the floor.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 535—RE-AFFIRMING THE UNITED STATES COMMITMENT TO THE NORTH ATLANTIC TREATY ORGANIZATION

Mr. DURBIN (for himself, Mr. KAINE, Mr. CARDIN, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. BROWN, Mr. MERKLEY, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 535

Whereas the United States, Canada, Belgium, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, and the United Kingdom in 1949 signed the North Atlantic Treaty, which led to the foundation of the North Atlantic Treaty Organization (NATO);

Whereas NATO was created to deter Soviet expansionism, promote international peace, stability, and security, and prevent the re-emergence of nationalist militarism in Europe through a strong North American presence and a closer trans-Atlantic alliance;

Whereas, since the formation of NATO, the alliance has expanded to 29 members, with others still aspiring to join;

Whereas NATO is a vital component of the United States-led post-World War II international order that has made the world safer and more prosperous;

Whereas the aid and security umbrella the United States provided through NATO after World War II helped restore political stability and enabled an economic resurgence in Western Europe;

Whereas, during the Cold War, NATO helped unify the Western alliance and successfully deter Soviet threats;

Whereas NATO conducted its first major crisis response operation in Bosnia and Herzegovina, resulting in the Dayton Peace Accords and facilitating the country's reconstruction in the wake of the 1992-1995 war;

Whereas NATO contributed to the cessation of the 1998-1999 Kosovo conflict through security, stabilization, and humanitarian efforts;

Whereas NATO has served as an essential element of United States national security and a deterrent against external threats for 69 years;

Whereas Article 5 of the North Atlantic Treaty is an integral part of NATO and states that “[t]he Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all”;

Whereas the first and only time to date NATO invoked Article 5 was less than 24 hours after the terrorist attacks against the United States on September 11, 2001;

Whereas NATO allies and partners, including NATO aspirant countries Bosnia and Herzegovina, Georgia, Macedonia, and Ukraine, joined in assuring the security of the United States and the international community by serving alongside United States forces in Afghanistan since 2001;

Whereas more than 1,100 NATO ally and partner military personnel in Afghanistan have lost their lives, and thousands have been injured in service to the collective defense guarantee of NATO;

Whereas multiple NATO members participated in the coalition against ISIS by providing either military or humanitarian assistance;

Whereas, in the face of a burgeoning vacuum in global leadership, Russia is aggressively testing Western democracies, including through ongoing malicious cyber war capabilities;

Whereas Russia continues to challenge NATO, including by—

(1) deploying cruise missiles, violating the Intermediate-Range Nuclear Forces treaty;

(2) executing a suspected poisonous gas attack against Sergei Skripal and his daughter Yulia within the borders of the United Kingdom;

(3) occupying with military forces the sovereign territory of the European nations of Ukraine, Georgia, and Moldova;

(4) waging cyberattacks against the United States and Europe, especially the Baltics, in an effort to undermine democracy and defraud national elections;

(5) conducting the largest iteration ever of the Zapad, an annual military exercise, in Belarus with an estimated 60,000 to 70,000 troops in an excessive show of military force close to NATO borders and in violation of the 2011 Vienna Document;

(6) forcing Latvia, a NATO member, to close down its commercial airspace due to ongoing Russian military drills in the Baltic Sea;

(7) flying two Russian bombers within 30 miles of United Kingdom airspace; and

(8) flying Russian aircraft more than 110 times above or near the Baltic Sea in a marked increase since its annexation of Crimea, including flying a Russian jet within five feet of a United States reconnaissance plane flying in international airspace;

Whereas the Government of Russia has continuously propped up President of Syria Bashar al-Assad and supported atrocities in Syria, including the use of violence and illegal chemical weapons against civilians, resulting in the deaths of more than 400,000 Syrians and the displacement of 10,000,000 others during Syria's seven year civil war;

Whereas the displacement of millions of Syrians has contributed to the worst migrant and refugee crisis since World War II, with many Syrian refugees undertaking perilous journeys to escape war and resettle in territories of NATO allies;

Whereas, during the presidency of Barack Obama, NATO deployed greater resources and personnel to its eastern members in response to and to deter further Russian aggression;

Whereas President Donald J. Trump has caused disquieting fissures in the trans-Atlantic alliance, undermining faith in institutions and policies that comprise the post-World War II international order;

Whereas President Trump's wavering and inconsistent statements about NATO have resulted in alliance members questioning the commitment of the United States to the alliance rather than focusing on the multitude of threats NATO faces on both sides of the Atlantic;

Whereas, during the campaign for the United States presidency, then-candidate Trump repeatedly referred to the NATO alliance as “obsolete”;

Whereas candidate Trump on July 20, 2016, also said if Russia attacked Baltic NATO members, he would only offer support—a key tenet of the NATO charter—after reviewing if those nations had “fulfilled their obligations to us”;

Whereas, the next day, John Bolton said of the jarring comment, “I hope that Donald Trump retracts it.”;

Whereas President Trump subverted allied interests and flouted intelligence norms by reportedly revealing highly classified information to Russian Foreign Minister Sergei Lavrov and Ambassador Sergey Kislyak on May 10, 2017, in the Oval Office of the White House;

Whereas, during the 2017 NATO summit, President Trump alarmed allies by failing to commit publicly to honoring Article 5 if a United States ally is attacked;

Whereas President Trump's misguided withdrawal from the Paris Climate Agreement puts the United States at odds with every other country on earth and ignores the climate change-related national security risks highlighted in a 2017 NATO report;

Whereas President Trump imposed unilateral import tariffs on European steel and aluminum, further straining trans-Atlantic trade relations while possibly placing the United States in violation of World Trade Organization rules;

Whereas President Trump has acted anti-thetically to the NATO alliance by seemingly ignoring and dismissing malign Russian actions against the United States and its allies;

Whereas the United States, the United Kingdom, France, Russia, China, Germany, and Iran finalized the Joint Comprehensive Plan of Action (JCPOA) on July 14, 2015, to end Iran's nuclear weapons program;

Whereas Chairman of the Joint Chiefs of Staff Joseph Dunford stated on September 26, 2017, that the United States intelligence community assessment was that Iran was in compliance with the agreement;

Whereas Secretary of Defense James Mattis stated, under oath before Congress on October 3, 2017, that the JCPOA is in America's national security interest and the United States should consider remaining party to the agreement;

Whereas the head of United States Central Command, Joseph Votel, stated on March 13, 2018, that the JCPOA addresses one of the principal threats we face from Iran and it is in America's best interest to remain a party to the agreement;

Whereas the then-Central Intelligence Agency Director and Secretary of State nominee Mike Pompeo stated on April 12, 2018, that there was no evidence of Iranian noncompliance with the agreement;

Whereas, despite these statements, overwhelming evidence, and the appeals from several NATO allies, President Trump reinstated sanctions on the Government of Iran and unilaterally withdrew the United States from the JCPOA on May 8, 2018;

Whereas the ill-advised withdrawal of the United States from the JCPOA and ensuing threats of related sanctions against its NATO allies immediately sowed further discord in the trans-Atlantic relationship and created an exploitable crack in the armor of the greatest military alliance in the world

by eroding the trust of NATO member countries in the United States;

Whereas the leaders of France, Germany, and the United Kingdom issued a joint statement on May 8, 2018, expressing regret about the United States decision, further damaging the alliance and plunging the global order into crisis;

Whereas European Council President Donald Tusk on May 16, 2018, rebuked President Trump for deteriorating relations between the United States and European allies, stating the European Union is no longer under any illusions that the United States is a trustworthy friend;

Whereas hostile nations will seek to exploit the strained relationship between the United States and its NATO allies, specifically bolstering Russia's multifaceted strategy of fraying the relationships between NATO allies for its own benefit; and

Whereas alliance leaders will come together July 11–12, 2018, in Brussels for a summit to further strengthen trans-Atlantic unity and delineate strategies to respond to evolving Russian threats: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the long-standing and steadfast commitment of the United States to the NATO alliance, including Article V of the North Atlantic Treaty;

(2) recognizes that NATO continues to meet emerging and contemporary threats to the United States and its allies, and serves as a critical deterrent to Russia's destabilizing activities, including through innovation such as the creation of a Cyber Operations Center and collective action such as the Enhanced Forward Presence mission;

(3) encourages the United States Government to accept the recommendation of our NATO allies to combat jointly Russian cyber warfare;

(4) honors the men and women who have served under NATO and promoted peace, security, and international cooperation since 1949;

(5) encourages Congress to promote the NATO alliance and trans-Atlantic ties whenever possible;

(6) urges President Trump to unequivocally and definitively reaffirm the United States' commitment to the trans-Atlantic alliance and to counter Russian aggression, especially at the July NATO summit in Brussels; and

(7) reaffirms the critical importance and security mission of NATO to the United States, its allies, and the trans-Atlantic partnership.

#### SENATE RESOLUTION 536—TO AUTHORIZE DOCUMENT PRODUCTION BY THE SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 536

Whereas, the United States Department of Justice has requested that the Senate Select Committee on Intelligence provide it with records in connection with a pending investigation arising out of allegations of the unauthorized disclosure of information;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate:

Now, therefore, be it

*Resolved*, That the Chairman and Vice Chairman of the Senate Select Committee on Intelligence, acting jointly, are authorized to provide to the United States Department of Justice copies of Committee records sought in connection with a pending investigation arising out of allegations of the unauthorized disclosure of information, except concerning matters for which a privilege should be asserted.

#### AUTHORIZATION FOR DOCUMENTARY PRODUCTION BY SELECT COMMITTEE ON INTELLIGENCE

Mr. McCONNELL. Mr. President, the Select Committee on Intelligence has received a request from the Department of Justice for records pertinent to a pending investigation arising out of allegations of the unauthorized disclosure of information by a former employee of the Committee.

This resolution would authorize the Chairman and Vice Chairman of the Select Committee on Intelligence, acting jointly, to provide records in response to this request from the Department of Justice.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2275. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2276. Mr. BOOZMAN (for himself, Mr. INHOFE, Mrs. CAPITO, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2277. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2278. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2279. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2280. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2281. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2282. Mr. INHOFE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2283. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2284. Mr. REED submitted an amendment intended to be proposed by him to the

bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2285. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2286. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2287. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2288. Mrs. ERNST (for herself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2289. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2290. Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, Mr. BLUMENTHAL, Mr. KAINE, Mr. WICKER, and Mr. GARDNER) submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2291. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2292. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2293. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2294. Mrs. GILLIBRAND (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2295. Mr. CARPER (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2296. Mr. TILLIS (for himself, Mrs. SHAHEEN, and Mr. LANFORD) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2297. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2298. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2299. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2300. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2301. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2302. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2303. Mr. SANDERS (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2304. Mr. BLUMENTHAL (for himself and Mrs. ERNST) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2305. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2306. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2307. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2308. Mr. BLUNT (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2309. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2310. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2311. Ms. CANTWELL (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2312. Mr. BROWN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2313. Mr. PETERS (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2314. Mr. JOHNSON (for himself, Mrs. McCASKILL, Mr. HOEVEN, Ms. HEITKAMP, Mr. CASSIDY, and Mr. JONES) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2315. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2316. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2317. Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2318. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2319. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2320. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2321. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2322. Mrs. McCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2323. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2324. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2325. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2326. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2327. Mr. YOUNG (for himself, Mr. MERKLEY, Mr. RUBIO, Mr. COONS, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2328. Mr. BURR submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2329. Mr. CARDIN (for himself, Mr. MCCAIN, Mr. DURBIN, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2330. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2331. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2332. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2333. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2334. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2335. Mrs. GILLIBRAND (for herself, Mr. RISCH, Mr. YOUNG, Mr. BOOKER, and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the

bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2336. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2337. Ms. HEITKAMP (for herself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2338. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2339. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2340. Ms. SMITH (for herself, Mr. TILLIS, Mr. RUBIO, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2341. Mr. MERKLEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2342. Mr. MERKLEY (for himself, Mr. PAUL, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2343. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2344. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2345. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2346. Mr. CARDIN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2347. Mr. CARDIN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2348. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2349. Mr. McCONNELL (for Ms. MURKOWSKI) proposed an amendment to the bill H.R. 88, to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes.

SA 2350. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2351. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2352. Mrs. CAPITO (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2353. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2354. Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2355. Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2356. Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2357. Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2358. Ms. STABENOW (for herself, Mr. GRASSLEY, Mrs. McCASKILL, and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2359. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2360. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2361. Ms. KLOBUCHAR (for herself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2362. Ms. KLOBUCHAR (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2363. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2364. Ms. KLOBUCHAR (for herself, Mr. CORNYN, Mr. MANCHIN, Mr. KAINE, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2365. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 5515, *supra*; which was ordered to lie on the table.

SA 2366. Mr. LEE (for himself, Mrs. FEINSTEIN, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill H.R. 5515, *supra*; which was ordered to lie on the table.

SA 2367. Ms. CORTEZ MASTO (for herself, Mr. MORAN, and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, *supra*; which was ordered to lie on the table.

SA 2368. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, *supra*; which was ordered to lie on the table.

SA 2369. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, *supra*; which was ordered to lie on the table.

SA 2370. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2275.** Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

#### SEC. \_\_\_\_ . TIER 1 EXERCISE OF SUPPORT TO CIVIL AUTHORITIES FOR A CYBER INCIDENT.

(a) IN GENERAL.—The Commander of the United States Cyber Command, the Commander of United States Northern Command, and such other commands or components of the Department of Defense as the Secretary of Defense considers appropriate, shall, consistent with the recommendations made by the Comptroller General of the United States in the Government Accountability Office report GAO-16-574, conduct a tier 1 exercise of support to civil authorities for a cyber incident.

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

(1) Department level leadership and decision-making for providing cyber support to civil authorities.

(2) Testing of the policy, guidance, doctrine and other elements in the Department of Defense Cyber Incident Coordinating Procedure.

(3) Operational planning and execution by the Joint Staff and supported and supporting combatant commands.

(4) Coordination with, and incorporation of, as appropriate, the Department of Homeland Security, the Federal Bureau of Investigation, and elements across Federal and State governments and the private sector.

**SA 2276.** Mr. BOOZMAN (for himself, Mr. INHOFE, Mrs. CAPITO, and Mr. ENZI)

submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1254 and insert the following:

#### SEC. 1254. REPORT ON PERMANENT STATIONING OF UNITED STATES FORCES IN THE REPUBLIC OF POLAND.

(a) IN GENERAL.—Not later than March 1, 2019, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees a report on the feasibility and advisability of permanently stationing United States forces in the Republic of Poland.

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

(1) An assessment of the types of permanently stationed United States forces in Poland required to deter aggression by the Russian Federation and execute Department of Defense contingency plans, including combat enabler units in capability areas such as—

- (A) combat engineering;
- (B) logistics and sustainment;
- (C) warfighting headquarters elements;
- (D) long-range fires;
- (E) air and missile defense;
- (F) intelligence, surveillance, and reconnaissance; and
- (G) electronic warfare.

(2) An assessment of the feasibility and advisability of permanently stationing a United States Army brigade combat team in the Republic of Poland that includes the following:

(A) An assessment whether a permanently stationed United States Army brigade combat team in Poland would enhance deterrence against Russian aggression in Eastern Europe.

(B) An assessment of the actions the Russian Federation may take in response to a United States decision to permanently station a brigade combat team in Poland.

(C) An assessment of the international political considerations of permanently stationing such a brigade combat team in Poland, including within the North Atlantic Treaty Organization (NATO).

(D) An assessment whether a such a brigade combat team in Poland would support implementation of the National Defense Strategy.

(E) A description and assessment of the manner in which such a brigade combat team in Poland would affect the ability of the Joint Force to execute Department of Defense contingency plans in Europe.

(F) A description and assessment of the manner in which such a brigade combat team in Poland would affect the ability of the Joint Force to respond to a crisis inside the territory of a North Atlantic Treaty Organization ally that occurs prior to the invocation of Article 5 of the Washington Treaty by the North Atlantic Council.

(G) An identification and assessment of—

(i) potential locations in Poland for stationing such a brigade combat team;

(ii) the logistics requirements, including force enablers, equipment, supplies, storage, and maintenance, that would be required to support such a brigade combat team in Poland;

(iii) infrastructure investments by the United States and Poland, including new construction or upgrades of existing sites,

that would be required to support such a brigade combat team in Poland;

(iv) any new agreements, or changes to existing agreements, between the United States and Poland that would be required for a such a brigade combat team in Poland;

(v) any changes to the posture or capabilities of the Joint Force in Europe that would be required to support such a brigade combat team in Poland; and

(vi) the timeline required to achieve the permanent stationing of such a brigade combat team in Poland.

(H) An assessment of the willingness and ability of the Government of Poland to provide host nation support for such a brigade combat team.

(I) An assessment whether future growth in United States Army end strength may be used to source additional forces for such a brigade combat team in Poland.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SA 2277.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, line 18, strike “separate”.

**SA 2278.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . COORDINATION OF EFFORTS TO NEGOTIATE FREE TRADE AGREEMENTS WITH CERTAIN SUB-SAHARAN AFRICAN COUNTRIES.

(a) IN GENERAL.—The Chief Executive Officer of the Millennium Challenge Corporation shall consult and coordinate with the United States Trade Representative and the Administrator of the United States Agency for International Development with respect to countries described in subsection (b) for the purpose of developing and carrying out the plan required by section 116(b) of the African Growth and Opportunity Act (19 U.S.C. 3723(b)).

(b) COUNTRIES DESCRIBED.—A country is described in this paragraph if the country—

(1) is identified under section 110(b)(1) of the Trade Preferences Extension Act of 2015 (Public Law 114-27; 19 U.S.C. 3705 note); and

(2)(A) has entered into a Millennium Challenge Compact pursuant to section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708); or

(B) is selected by the Board of Directors of the Millennium Challenge Corporation under subsection (c) of section 607 of that Act (22 U.S.C. 7706) from among the countries determined to be eligible countries under subsection (a) of that section.

**SA 2279.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize

appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

**SEC. \_\_\_\_\_. IMPROVED PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.**

Section 130i(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting “and the operator controller device of the unmanned aircraft” before “, without”; and

(2) in subparagraph (F), by inserting “, including non-attributable, non-kinetic force,” after “force”.

**SA 2280.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At appropriate place, insert the following:

**SEC. \_\_\_\_\_. TREATMENT OF LEASES OF NON-EXCESS PROPERTY ENTERED INTO WITH INSURED DEPOSITORY INSTITUTIONS.**

Section 2667 of title 10, United States Code, is amended—

(1) in subsection (b)(4), by striking “amount that” and inserting “amount that, except as provided in subsection (c)(4),”; and

(2) in subsection (c), by adding at the end the following:

“(4)(A) In this paragraph—

“(i) the term ‘insured credit union’ has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752); and

“(ii) the term ‘insured depository institution’ has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

“(B) With respect to a lease under this section entered into with an insured depository institution or any insured credit union after the date of the enactment of this paragraph, the Secretary concerned shall accept the financial services provided by the insured depository institution or the credit union, as applicable, to members of the armed forces, civilian employees of the Department of Defense, and dependents of such members or employees as sufficient in-kind consideration to cover all lease, services, and utilities costs assessed with regard to the leased property.

“(C) With respect to a lease under this section that was entered into with an insured depository institution or credit union before the date of the enactment of this paragraph, the Secretary concerned may renegotiate the terms of the lease to apply subparagraph (A) to the lease as if such subparagraph was in effect at the time the Secretary entered into the lease.”.

**SA 2281.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

**SEC. 340. REDESIGNATION OF THE UTAH TEST AND TRAINING RANGE AS THE ORRIN G. HATCH TEST AND TRAINING RANGE.**

(a) REDESIGNATION.—The Utah Test and Training Range (UTTR) located in northwestern Utah and eastern Nevada is hereby redesignated as the “Orrin G. Hatch Test and Training Range”, effective as of January 1, 2019.

(b) REFERENCE.—Any reference in any law, regulation, document, record, map, electronic format, or other paper of the United States to the Utah Test and Training Range shall be deemed to be a reference to the “Orrin G. Hatch Test and Training Range”.

**SA 2282.** Mr. INHOFE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

(a) IN GENERAL.—This Act may be cited as the “John S. McCain National Defense Authorization Act for Fiscal Year 2019”.

(b) REFERENCES.—Any reference in this or any other Act to the “National Defense Authorization Act for Fiscal Year 2019” shall be deemed to be a reference to the “John S. McCain National Defense Authorization Act for Fiscal Year 2019”.

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

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

**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. Deployment by the Army of an interim cruise missile defense capability.

**Subtitle C—Navy Programs**

Sec. 121. Multiyear procurement authority for F/A-18E/F Super Hornet and EA-18G aircraft program.

Sec. 122. Multiyear procurement authority for E-2D Advanced Hawkeye (AHE) aircraft program.

Sec. 123. Extension of limitation on use of sole-source shipbuilding contracts for certain vessels.

Sec. 124. Prohibition on availability of funds for Navy port waterborne security barriers.

Sec. 125. Multiyear procurement authority for Standard Missile-6.

Sec. 126. Limitation on availability of funds for the Littoral Combat Ship.

Sec. 127. Nuclear refueling of aircraft carriers.

Sec. 128. Limitation on funding for Amphibious Assault Vehicle Product Improvement Program.

**Subtitle D—Air Force Programs**

Sec. 141. Prohibition on availability of funds for retirement of E-8 JSTARS aircraft.

Sec. 142. B-52H aircraft system modernization report.

Sec. 143. Repeal of funding restriction for EC-130H Compass Call Recapitalization Program and review of program acceleration opportunities.

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

Sec. 151. Multiyear procurement authority for C-130J aircraft program.

Sec. 152. Quarterly updates on the F-35 Joint Strike Fighter program.

Sec. 153. Authority to procure additional polar-class icebreakers.

**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. Codification and reauthorization of Defense Research and Development Rapid Innovation Program.

Sec. 212. Procedures for rapid reaction to emerging technology.

Sec. 213. Activities on identification and development of enhanced personal protective equipment against blast injury.

Sec. 214. Human factors modeling and simulation activities.

Sec. 215. Expansion of mission areas supported by mechanisms for expedited access to technical talent and expertise at academic institutions.

Sec. 216. Advanced manufacturing activities.

Sec. 217. National security innovation activities.

Sec. 218. Partnership intermediaries for promotion of defense research and education.

Sec. 219. Limitation on use of funds for Surface Navy Laser Weapon System.

Sec. 220. Expansion of coordination requirement for support for national security innovation and entrepreneurial education.

Sec. 221. Limitation on funding for Amphibious Combat Vehicle 1.2.

Sec. 222. Defense quantum information science and technology research and development program.

Sec. 223. Joint directed energy test activities.

Sec. 224. Requirement for establishment of arrangements for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.



Sec. 225. Authority for Joint Directed Energy Transition Office to conduct research relating to high powered microwave capabilities.

Sec. 226. Joint artificial intelligence research, development, and transition activities.

Subtitle C—Reports and Other Matters

Sec. 231. Report on comparative capabilities of adversaries in key technology areas.

Sec. 232. Report on active protection systems for armored combat and tactical vehicles.

Sec. 233. Next Generation Combat Vehicle.

Sec. 234. Report on the future of the defense research and engineering enterprise.

Sec. 235. Modification of reports on mechanisms to provide funds to defense laboratories for research and development of technologies for military missions.

Sec. 236. Report on Mobile Protected Firepower and Future Vertical Lift.

Sec. 237. Improvement of the Air Force supply chain.

Sec. 238. Review of guidance on blast exposure during training.

Sec. 239. List of technologies and manufacturing capabilities critical to Armed Forces.

Sec. 240. Report on requiring access to digital technical data in future acquisitions of combat, combat service, and combat support systems.

Sec. 241. Competitive acquisition strategy for Bradley Fighting Vehicle transmission replacement.

Sec. 242. Independent assessment of electronic warfare plans and programs.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Further improvements to energy security and resilience.

Sec. 312. Funding of study and assessment of health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.

Sec. 313. Military Mission Sustainment Siting Clearinghouse.

Sec. 314. Operational energy policy.

Sec. 315. Funding treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid at State-owned and operated National Guard installations.

Subtitle C—Reports

Sec. 321. Reports on readiness.

Sec. 322. Report on cold weather capabilities and readiness of United States Armed Forces.

Subtitle D—Other Matters

Sec. 331. Pilot programs on integration of military information support and civil affairs activities.

Sec. 332. Reporting on future years budgeting by subactivity group.

Sec. 333. Restriction on upgrades to aviation demonstration team aircraft.

Sec. 334. U.S. Special Operations Command civilian personnel.

Sec. 335. Limitation on availability of funds for service-specific Defense Readiness Reporting Systems.

Sec. 336. Repurposing and reuse of surplus Army firearms.

Sec. 337. Limitation on availability of funds for establishment of additional specialized undergraduate pilot training facility.

Sec. 338. Scope of authority for restoration of land due to mishap.

Sec. 339. Redesignation of the Utah Test and Training Range (UTTR).

Subtitle E—Logistics and Sustainment

Sec. 351. Limitation on modifications to Navy Facilities Sustainment, Restoration, and Modernization (FSRM) structure and mechanism.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. End strengths for commissioned officers on active duty in certain grades.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

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

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

Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

Sec. 422. Limitation on use of funds for personnel in fiscal year 2019 in excess of statutorily specified end strengths for fiscal year 2018.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

PART I—OFFICER PERSONNEL MANAGEMENT REFORM

Sec. 501. Repeal of codified specification of authorized strengths of certain commissioned officers on active duty.

Sec. 502. Annual defense manpower requirements report matters.

Sec. 503. Repeal of requirement for ability to complete 20 years of service by age 62 as qualification for original appointment as a regular commissioned officer.

Sec. 504. Enhancement of availability of constructive service credit for private sector training or experience upon original appointment as a commissioned officer.

Sec. 505. Standardized temporary promotion authority across the military departments for officers in certain grades with critical skills.

Sec. 506. Authority for promotion boards to recommend officers of particular merit be placed higher on a promotion list.

Sec. 507. Authority for officers to opt out of promotion board consideration.

Sec. 508. Competitive category matters.

Sec. 509. Promotion zone matters.

Sec. 510. Alternative promotion authority for officers in designated competitive categories of officers.

Sec. 511. Applicability to additional officer grades of authority for continuation on active duty of officers in certain military specialties and career tracks.

PART II—OTHER MATTERS

Sec. 516. Matters relating to satisfactory service in grade for purposes of retirement grade of officers in highest grade of satisfactory service.

Sec. 517. Reduction in number of years of active naval service required for permanent appointment as a limited duty officer.

Sec. 518. Repeal of original appointment qualification requirement for warrant officers in the regular Army.

Sec. 519. Uniform grade of service of the Chiefs of Chaplains of the Armed Forces.

Sec. 520. Written justification for appointment of Chiefs of Chaplains in grade below grade of major general or rear admiral.

Subtitle B—Reserve Component Management

Sec. 521. Authority to adjust effective date of promotion in the event of undue delay in extending Federal recognition of promotion.

Sec. 522. Authority to designate certain reserve officers as not to be considered for selection for promotion.

Sec. 523. Expansion of personnel subject to authority of the Chief of the National Guard Bureau in the execution of functions and missions of the National Guard Bureau.

Sec. 524. Repeal of prohibition on service on Army Reserve Forces Policy Committee by members on active duty.

Subtitle C—General Service Authorities

Sec. 531. Assessment of Navy standard workweek and related adjustments.

Sec. 532. Manning of Forward Deployed Naval Forces.

Sec. 533. Navy watchstander records.

Sec. 534. Qualification experience requirements for certain Navy watchstations.

Sec. 535. Repeal of 15-year statute of limitations on motions or requests for review of discharge or dismissal from the Armed Forces.

Sec. 536. Treatment of claims relating to military sexual trauma in correction of military records and review of discharge or dismissal proceedings.

Subtitle D—Military Justice Matters

Sec. 541. Punitive article on domestic violence under the Uniform Code of Military Justice.

Sec. 542. Inclusion of strangulation and suffocation in conduct constituting aggravated assault for purposes of the Uniform Code of Military Justice.

Sec. 543. Authorities of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

Sec. 544. Protective orders against individuals subject to the Uniform Code of Military Justice.

Sec. 545. Expansion of eligibility for Special Victims' Counsel services.

Sec. 546. Clarification of expiration of term of appellate military judges of the United States Court of Military Commission Review.

Sec. 547. Expansion of policies on expedited transfer of members of the Armed Forces who are victims of sexual assault.

Sec. 548. Uniform command action form on disposition of unrestricted sexual assault cases involving members of the Armed Forces.

Sec. 549. Inclusion of information on certain collateral conduct of victims of sexual assault in annual reports on sexual assault involving members of the Armed Forces.

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

Sec. 551. Consecutive service of service obligation in connection with payment of tuition for off-duty training or education for commissioned officers of the Armed Forces with any other service obligations.

Sec. 552. Consecutive service of active service obligations for medical training with other service obligations for education or training.

Sec. 553. Clarification of application and honorable service requirements under the Troops-to-Teachers Program to members of the Retired Reserve.

Sec. 554. Prohibition on use of funds for attendance of enlisted personnel at senior level and intermediate level officer professional military education courses.

Sec. 555. Repeal of program on encouragement of postseparation public and community service.

Sec. 556. Expansion of authority to assist members in obtaining professional credentials.

Sec. 557. Enhancement of authorities in connection with Junior Reserve Officers' Training Corps programs.

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

PART I—DEFENSE DEPENDENTS' EDUCATION MATTERS

Sec. 561. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 562. Impact aid for children with severe disabilities.

Sec. 563. Department of Defense Education Activity policies and procedures on sexual harassment of students of Activity schools.

PART II—MILITARY FAMILY READINESS MATTERS

Sec. 566. Improvement of authority to conduct family support programs for immediate family members of the Armed Forces assigned to special operations forces.

Sec. 567. Expansion of period of availability of Military OneSource program for retired and discharged members of the Armed Forces and their immediate families.

Sec. 568. Expansion of authority for non-competitive appointments of military spouses by Federal agencies.

Sec. 569. Improvement of My Career Advancement Account program for military spouses.

Sec. 570. Access to military installations for certain surviving spouses and other next of kin of members of the Armed Forces who die while on active duty or certain reserve duty.

Sec. 571. Department of Defense Military Family Readiness Council matters.

Sec. 572. Multidisciplinary teams for military installations on child abuse and other domestic violence.

Sec. 573. Provisional or interim clearances to provide childcare services at military childcare centers.

Sec. 574. Pilot program on prevention of child abuse and training on safe childcare practices among military families.

Sec. 575. Pilot program on participation of military spouses in Transition Assistance Program activities.

Sec. 576. Small business activities of military spouses on military installations in the United States.

Subtitle G—Decorations and Awards

Sec. 581. Authorization for award of the Distinguished Service Cross for Justin T. Gallegos for acts of valor during Operation Enduring Freedom.

Sec. 582. Award of medals or other commendations to handlers of military working dogs.

Subtitle H—Other Matters

Sec. 591. Authority to award damaged personal protective equipment to members separating from the Armed Forces and veterans as mementos of military service.

Sec. 592. Standardization of frequency of academy visits of the Air Force Academy Board of Visitors with academy visits of boards of other military service academies.

Sec. 593. Redesignation of the Commandant of the United States Air Force Institute of Technology as the President of the United States Air Force Institute of Technology.

Sec. 594. Limitation on justifications entered by military recruiters for enlistment or accession of individuals into the Armed Forces.

Sec. 595. National Commission on Military, National, and Public Service matters.

Sec. 596. Burial of unclaimed remains of inmates at the United States Disciplinary Barracks Cemetery, Fort Leavenworth, Kansas.

Sec. 597. Space-available travel on Department of Defense aircraft for veterans with service-connected disabilities rated as total.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Fiscal year 2019 increase in military basic pay.

Sec. 602. Repeal of authority for payment of personal money allowances to Navy officers serving in certain positions.

Sec. 603. Department of Defense proposal for a pay table for members of the Armed Forces using steps in grade based on time in grade rather than time in service.

Sec. 604. Financial support for lessors under the Military Housing Privatization Initiative during 2019.

Sec. 605. Modification of authority of President to determine alternative pay adjustment in annual basic pay of members of the uniformed services.

Sec. 606. Eligibility of reserve component members for high-deployment allowance for lengthy or numerous deployments and frequent mobilizations.

Sec. 607. Eligibility of reserve component members for nonreduction in pay while serving in the uniformed services or National Guard.

Sec. 608. Temporary adjustment in rate of basic allowance for housing following identification of significant underdetermination of civilian housing costs for housing areas.

Subtitle B—Bonuses and Special and Incentive Pays

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

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

Sec. 621. Technical corrections in calculation and publication of special survivor indemnity allowance cost of living adjustments.

Subtitle D—Other Matters

Sec. 631. Rates of per diem for long-term temporary duty assignments.

Sec. 632. Prohibition on per diem allowance reductions based on the duration of temporary duty assignment or civilian travel.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Consolidation of cost-sharing requirements under TRICARE Select and TRICARE Prime.

Sec. 702. Administration of TRICARE dental plans through the Federal Employees Dental Insurance Program.

Sec. 703. Contraception coverage parity under the TRICARE program.

Sec. 704. Pilot program on opioid management in the military health system.

Sec. 705. Pilot program on treatment of members of the Armed Forces for post-traumatic stress disorder related to military sexual trauma.

Subtitle B—Health Care Administration

Sec. 711. Improvement of administration of Defense Health Agency and military medical treatment facilities.

Sec. 712. Organizational framework of the military healthcare system to support medical requirements of the combatant commands.

Sec. 713. Streamlining of TRICARE Prime beneficiary referral process.

Sec. 714. Sharing of information with State prescription drug monitoring programs.

Sec. 715. Improvement of reimbursement by Department of Defense of entities carrying out State vaccination programs in connection with vaccines provided to covered beneficiaries under the TRICARE Program.

Subtitle C—Reports and Other Matters

Sec. 721. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.

Sec. 722. Increase in number of appointed members of the Henry M. Jackson Foundation for the Advancement of Military Medicine.

Sec. 723. Cessation of requirement for mental health assessment of members after redeployment from a contingency operation upon discharge or release from the Armed Forces.

Sec. 724. Pilot program on earning by special operations forces medics of credits towards a physician assistant degree.

- Sec. 725. Pilot program on partnerships with civilian organizations for specialized medical training.
- Sec. 726. Registry of individuals exposed to per- and polyfluoroalkyl substances on military installations.
- Sec. 727. Inclusion of gambling disorder in health assessments for members of the Armed Forces and related research efforts.
- Sec. 728. Comptroller General review of Defense Health Agency oversight of TRICARE managed care support contractors.

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

##### Subtitle A—Acquisition Policy and Management

- Sec. 801. Permanent Supply Chain Risk Management Authority.
- Sec. 802. Commercially available market research.
- Sec. 803. Comptroller General assessment of acquisition programs and related initiatives.
- Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations
- Sec. 811. Department of Defense contracting dispute matters.
- Sec. 812. Continuation of technical data rights during challenges.
- Sec. 813. Increased micro-purchase threshold.
- Sec. 814. Modification of limitations on single source task or delivery order contracts.
- Sec. 815. Preliminary cost analysis requirement for exercise of multiyear contract authority.
- Sec. 816. Inclusion of best available information regarding past performance of subcontractors and joint venture partners.
- Sec. 817. Modification of criteria for waivers of requirement for certified cost and price data.
- Sec. 818. Subcontracting price and approved purchasing systems.
- Sec. 819. Comptroller General of the United States report on progress payment financing of Department of Defense contracts.
- Sec. 820. Authorization to limit foreign access to technology through contracts.
- Sec. 821. Briefing requirement on services contracts.
- Sec. 822. Sense of Congress on awarding of contracts to responsible companies that primarily employ American workers and do not actively transfer American jobs to potential adversaries.

##### Subtitle C—Provisions Relating to Major Defense Acquisition Programs

- Sec. 831. Program cost, fielding, and performance goals in planning major acquisition programs.
- Sec. 832. Implementation of recommendations of the Independent Study on Consideration of Sustainment in Weapons Systems Life Cycle.
- Sec. 833. Pilot program to accelerate major weapons system programs.

##### Subtitle D—Provisions Relating to Acquisition Workforce

- Sec. 841. Permanent authority for demonstration projects relating to acquisition personnel management policies and procedures.
- Sec. 842. Establishment of integrated review team on defense acquisition industry-government exchange.

- Sec. 843. Exchange program for acquisition workforce employees.

##### Subtitle E—Provisions Relating to Commercial Items

- Sec. 851. Report on commercial item procurement reform.

##### Subtitle F—Industrial Base Matters

- Sec. 861. National technology and industrial base application process.
- Sec. 862. Report on defense electronics industrial base.
- Sec. 863. Support for defense manufacturing communities to support the defense industrial base.

##### Subtitle G—Other Transactions

- Sec. 871. Change to notification requirement for other transactions.
- Sec. 872. Data and policy on the use of other transactions.

##### Subtitle H—Development and Acquisition of Software Intensive and Digital Products and Services

- Sec. 881. Clarifications regarding proprietary and technical data.
- Sec. 882. Implementation of recommendations of the final report of the Defense Science Board Task Force on the Design and Acquisition of Software for Defense Systems.
- Sec. 883. Implementation of pilot program to use agile or iterative development methods required under section 873 of the National Defense Authorization Act for Fiscal Year 2018.
- Sec. 884. Enabling and other activities of the Cloud Executive Steering Group.

##### Subtitle I—Other Matters

- Sec. 891. Prohibition on certain telecommunications services or equipment.
- Sec. 892. Limitation on use of funds pending submittal of report on Army Marketing and Advertising Program.
- Sec. 893. Permanent SBIR and STTR authority for the Department of Defense.
- Sec. 894. Procurement of telecommunications supplies for experimental purposes.
- Sec. 895. Access by developmental and operational testing activities to data regarding modeling and simulation activity.

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

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

- Sec. 901. Powers and duties of the Under Secretary of Defense for Research and Engineering in connection with priority emerging technologies.
- Sec. 902. Redesignation and modification of responsibilities of Under Secretary of Defense for Personnel and Readiness.
- Sec. 903. Modification of responsibilities of the Under Secretary of Defense for Policy.
- Sec. 904. Report on allocation of former responsibilities of the Under Secretary of Defense for Acquisition, Technology, and Logistics.
- Sec. 905. Assistant Secretary of Defense for Strategy, Plans, Assessments, Readiness, and Capabilities.
- Sec. 906. Clarification of responsibilities and duties of the Chief Information Officer of the Department of Defense.

- Sec. 907. Specification of certain duties of the Defense Technical Information Center.

- Sec. 908. Limitation on termination of, and transfer of functions, responsibilities, and activities of, the Strategic Capabilities Office.

- Sec. 909. Technical corrections to Department of Defense Test Resource Management Center authority.

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

- Sec. 921. Modification of certain responsibilities of the Chairman of the Joint Chiefs of Staff relating to joint force concept development.
- Sec. 922. Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict review of United States Special Operations Command.
- Sec. 923. Qualifications for appointment as Deputy Chief Management Officer of a military department.
- Sec. 924. Expansion of principal duties of Assistant Secretary of the Navy for Research, Development, and Acquisition.

- Sec. 925. Cross-functional teams in the Department of Defense.

- Sec. 926. Deadline for completion of full implementation of requirements in connection with organization of the Department of Defense for management of special operations forces and special operations.

##### Subtitle C—Organization and Management of the Department of Defense Generally

- Sec. 931. Limitation on availability of funds for major headquarters activities of the Department of Defense.
- Sec. 932. Responsibility for policy on civilian casualty matters.
- Sec. 933. Additional matters in connection with background and security investigations for Department of Defense personnel.
- Sec. 934. Program of expedited security clearances for mission-critical positions.
- Sec. 935. Information sharing program for positions of trust.
- Sec. 936. Report on clearance in person concept.
- Sec. 937. Strategic Defense Fellows Program.

##### Subtitle D—Other Matters

- Sec. 941. Analysis of Department of Defense business management and operations datasets to promote savings and efficiencies.
- Sec. 942. Research and development to advance capabilities of the Department of Defense in data integration and advanced analytics in connection with personnel security.

#### TITLE X—GENERAL PROVISIONS

##### Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.
- Sec. 1002. Inclusion of funds for Air Force pass-through items in Defense-wide budget for the Department of Defense.
- Sec. 1003. Report on shift in requests for funds for Department of Defense activities from funds for overseas contingency operations to funds through the base budget.

- Sec. 1004. Ranking of auditability of financial statements of the organizations and elements of the Department of Defense.
- Sec. 1005. Transparency of accounting firms used to support Department of Defense audit.
- Subtitle B—Naval Vessels and Shipyards
- Sec. 1011. Date of listing of vessels as battle force ships in the Naval Vessel Register and other fleet inventory measures.
- Sec. 1012. Annual reports on examination of Navy vessels.
- Sec. 1013. Limitation on duration of homeporting of certain vessels in foreign locations.
- Sec. 1014. Specific authorization requirement for nuclear refueling of aircraft carriers.
- Sec. 1015. Dismantlement and disposal of nuclear-powered aircraft carriers.
- Sec. 1016. National Defense Sealift Fund.
- Sec. 1017. Limitation on use of funds for retirement of hospital ships.
- Subtitle C—Counterterrorism
- Sec. 1021. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.
- Sec. 1022. Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1023. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.
- Sec. 1024. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1025. Authority to transfer individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States temporarily for emergency or critical medical treatment.
- Subtitle D—Miscellaneous Authorities and Limitations
- Sec. 1031. Strategic guidance documents within the Department of Defense.
- Sec. 1032. Guidance on the electronic warfare mission area and joint electromagnetic spectrum operations.
- Sec. 1033. Limitation on use of funds for United States Special Operations Command Global Messaging and Counter-Messaging platform.
- Sec. 1034. Sense of Congress on the basing of KC-46A aircraft outside the continental United States.
- Sec. 1035. Relinquishment of legislative jurisdiction of criminal offenses committed by juveniles on military installations.
- Sec. 1036. Policy on response to juvenile-on-juvenile abuse committed on military installations.
- Subtitle E—Studies and Reports
- Sec. 1041. Report on highest-priority roles and missions of the Department of Defense and the Armed Forces.
- Sec. 1042. Annual reports by the Armed Forces on Out-Year Unconstrained Total Munitions Requirements and Out-Year inventory numbers.
- Sec. 1043. Comprehensive review of operational and administrative chains-of-command and functions of the Department of the Navy.
- Sec. 1044. Military aviation readiness review in support of the National Defense Strategy.
- Sec. 1045. Report on capabilities and capacities of Armored Brigade Combat Teams.
- Sec. 1046. Improvement of annual report on civilian casualties in connection with United States military operations.
- Sec. 1047. Report on Department of Defense participation in Export Administration Regulations license application review process.
- Sec. 1048. Automatic sunset for future statutory reporting requirements.
- Sec. 1049. Repeal of certain Department of Defense reporting requirements that otherwise terminate as of December 31, 2021.
- Sec. 1050. Report on potential improvements to certain military educational institutions of the Department of Defense.
- Sec. 1051. Recruiting costs of the Armed Forces.
- Subtitle F—Other Matters
- Sec. 1061. Authority to transfer funds for Bien Hoa dioxin cleanup.
- Sec. 1062. Improvement of database on emergency response capabilities.
- Sec. 1063. Acceptance and distribution by Department of Defense of assistance from certain nonprofit entities in support of missions of deployed United States personnel around the world.
- Sec. 1064. United States policy with respect to freedom of navigation and overflight.
- Sec. 1065. Prohibition of funds for Chinese language instruction provided by a Confucius Institute.
- TITLE XI—CIVILIAN PERSONNEL MATTERS
- Subtitle A—Department of Defense Matters
- Sec. 1101. Inapplicability of certification of executive qualifications by qualification review boards of Office of Personnel Management for initial appointments to Senior Executive Service positions in Department of Defense.
- Sec. 1102. Direct hire authority for science and technology reinvention laboratories and Major Range and Test Facilities Base facilities for recent science, technology, engineering, and mathematics graduates of minority-serving institutions.
- Sec. 1103. Inclusion of Strategic Capabilities Office and Defense Innovation Unit Experimental of the Department of Defense in personnel management authority to attract experts in science and engineering.
- Sec. 1104. Enhancement of flexible management authorities for Science and Technology Reinvention Laboratories of the Department of Defense.
- Sec. 1105. Inclusion of Office of Secretary of Defense among components of the Department of Defense covered by direct hire authority for financial management experts.
- Sec. 1106. Authority to employ civilian faculty members at the Joint Special Operations University.
- Subtitle B—Government-Wide Matters
- Sec. 1121. Alcohol testing of civil service mariners of the Military Sealift Command assigned to vessels.
- Sec. 1122. Expedited hiring authority for college graduates and post secondary students.
- Sec. 1123. Increase in maximum amount of voluntary separation incentive pay authorized for civilian employees.
- Sec. 1124. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1125. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
- TITLE XII—MATTERS RELATING TO FOREIGN NATIONS
- Subtitle A—Assistance and Training
- Sec. 1201. Clarification of authority for use of advisors and trainers for training of personnel of foreign ministries with security missions under defense institution capacity building authorities.
- Sec. 1202. Modification to Department of Defense State Partnership Program.
- Sec. 1203. Expansion of Regional Defense Combating Terrorism Fellowship Program to include irregular warfare.
- Sec. 1204. Extension and modification of authority to support border security operations of certain foreign countries.
- Sec. 1205. Legal and policy review of advise, assist, and accompany missions.
- Sec. 1206. Technical corrections relating to defense security cooperation statutory reorganization.
- Sec. 1207. Naval Small Craft Instruction and Technical Training School.
- Subtitle B—Matters Relating to Afghanistan and Pakistan
- Sec. 1211. Afghanistan Security Forces Fund.
- 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 transfer defense articles and provide defense services to the military and security forces of Afghanistan.
- Sec. 1214. Modification of reporting requirements for special immigrant visas for Afghan allies program.
- Subtitle C—Matters Relating to Syria, Iraq, and Iran
- Sec. 1221. Extension of authority to provide assistance to counter the Islamic State of Iraq and Syria.
- Sec. 1222. Extension and modification of authority to provide assistance to the vetted Syrian opposition.

- Sec. 1223. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.
- Sec. 1224. Syria Study Group.
- Sec. 1225. Modification of annual report on military power of Iran.
- Subtitle D—Matters Relating to Europe and the Russian Federation
- Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.
- Sec. 1232. Limitation on availability of funds relating to sovereignty of the Russian Federation over Crimea.
- Sec. 1233. Extension of Ukraine Security Assistance Initiative.
- Sec. 1234. Sense of Senate on relocation of Joint Intelligence Analysis Complex.
- Sec. 1235. Sense of Senate on enhancing deterrence against Russian aggression in Europe.
- Sec. 1236. Technical amendments related to NATO Support and Procurement Organization and related NATO agreements.
- Sec. 1237. Report on security cooperation between the Russian Federation and Cuba, Nicaragua, and Venezuela.
- Sec. 1238. Sense of Senate on countering Russian malign influence.
- Subtitle E—Matters Relating to the Indo-Pacific Region
- Sec. 1241. Redesignation, expansion, and extension of Southeast Asia Maritime Security Initiative.
- Sec. 1242. Modification of annual report on military and security developments involving the People's Republic of China.
- Sec. 1243. Sense of Senate on Taiwan.
- Sec. 1244. Redesignation and modification of sense of Congress and initiative for the Indo-Asia-Pacific region.
- Sec. 1245. Prohibition on participation of the People's Republic of China in Rim of the Pacific (RIMPAC) naval exercises.
- Sec. 1246. Assessment of and report on geopolitical conditions in the Indo-Pacific region.
- Sec. 1247. Sense of Senate on United States-India defense relationship.
- Sec. 1248. Sense of Senate on strategic importance of maintaining commitments under Compacts of Free Association.
- Sec. 1249. Sense of Senate on United States military forces on the Korean Peninsula.
- Subtitle F—Reports
- Sec. 1251. Report on military and coercive activities of the People's Republic of China in South China Sea.
- Sec. 1252. Report on terrorist use of human shields.
- Sec. 1253. Report on Arctic strategies.
- Sec. 1254. Report on permanent stationing of a United States Army brigade combat team in the Republic of Poland.
- Sec. 1255. Reports on nuclear capabilities of the Democratic People's Republic of Korea.
- Sec. 1256. Report on United States military training opportunities with allies and partners in the Indo-Pacific region.
- Subtitle G—Other Matters
- Sec. 1261. Modification of authorities relating to acquisition and cross-servicing agreements.
- Sec. 1262. Extension of authority for transfer of amounts for Global Engagement Center.
- Sec. 1263. Sense of Senate on purchase by Turkey of S-400 air defense system.
- Sec. 1264. Department of Defense support for stabilization activities in national security interest of the United States.
- Sec. 1265. Enhancement of U.S.-Israel defense cooperation.
- Sec. 1266. Certifications regarding actions by Saudi Arabia in Yemen.
- Sec. 1267. Sense of Senate on support for G5 Sahel Joint Force countries.
- Sec. 1268. Sense of Congress on broadening and expanding strategic partnerships and allies.
- Sec. 1269. Removal of Turkey from the F-35 program.
- Sec. 1270. Increase in minimum amount of obligations from the Special Defense Acquisition Fund for precision guided munitions.
- TITLE XIII—COOPERATIVE THREAT REDUCTION**
- Sec. 1301. Specification of Cooperative Threat Reduction funds.
- Sec. 1302. Funding allocations.
- TITLE XIV—OTHER AUTHORIZATIONS**
- Subtitle A—Military Programs
- Sec. 1401. Working capital funds.
- Sec. 1402. Chemical Agents and Munitions Destruction, Defense.
- Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-wide.
- Sec. 1404. Defense Inspector General.
- Sec. 1405. Defense Health Program.
- Subtitle B—National Defense Stockpile
- Sec. 1411. Consolidation of reporting requirements under the Strategic and Critical Materials Stock Piling Act.
- Subtitle C—Armed Forces Retirement Home
- Sec. 1421. Authorization of appropriations for Armed Forces Retirement Home.
- Sec. 1422. Expansion of eligibility for residence at the Armed Forces Retirement Home.
- Sec. 1423. Oversight of health care provided to residents of the Armed Forces Retirement Home.
- Sec. 1424. Modification of authority on acceptance of gifts for the Armed Forces Retirement Home.
- Sec. 1425. Relief for residents of the Armed Forces Retirement Home impacted by increase in fees.
- Sec. 1426. Limitation on applicability of fee increase for residents of the Armed Forces Retirement Home.
- Subtitle D—Other Matters
- Sec. 1431. 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. 1432. Economical and efficient operation of working capital fund activities.
- TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**
- Subtitle A—Authorizations of Appropriations
- Sec. 1501. Purpose.
- Sec. 1502. Overseas contingency operations.
- Sec. 1503. Procurement.
- Sec. 1504. Research, development, test, and evaluation.
- Sec. 1505. Operation and maintenance.
- Sec. 1506. Military personnel.
- Sec. 1507. Working capital funds.
- Sec. 1508. Drug Interdiction and Counter-Drug Activities, Defense-wide.
- Sec. 1509. Defense Inspector General.
- Sec. 1510. Defense Health Program.
- Subtitle B—Financial Matters
- Sec. 1521. Treatment as additional authorizations.
- Sec. 1522. Special transfer authority.
- Subtitle C—Other Matters
- Sec. 1531. Joint Improvised-Threat Defeat Organization.
- TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS**
- Subtitle A—Space Activities
- Sec. 1601. Modifications to Space Rapid Capabilities Office.
- Sec. 1602. Space warfighting policy and review of space capabilities.
- Sec. 1603. Report on enhancements to the Global Positioning System Operational Control Segment.
- Sec. 1604. Streamline of commercial space launch operations.
- Sec. 1605. Reusable launch vehicles.
- Sec. 1606. Review of and report on activities of International Space Station.
- Subtitle B—Defense Intelligence and Intelligence-related Activities
- Sec. 1611. Framework on governance, mission management, resourcing, and effective oversight of Department of Defense combat support agencies that are also elements of the intelligence community.
- Subtitle C—Cyberspace-related Matters
- PART I—CYBERSPACE GENERALLY**
- Sec. 1621. Policy of the United States on cyberspace, cybersecurity, cyber warfare, and cyber deterrence.
- Sec. 1622. Affirming the authority of the Secretary of Defense to conduct military activities and operations in cyberspace.
- Sec. 1623. Active defense and surveillance against Russian Federation attacks in cyberspace.
- Sec. 1624. Reorganization and consolidation of certain cyber provisions.
- Sec. 1625. Designation of official for matters relating to integrating cybersecurity and industrial control systems within the Department of Defense.
- Sec. 1626. Assistance for small manufacturers in the defense industrial supply chain on matters relating to cybersecurity.
- Sec. 1627. Modification of acquisition authority of the Commander of the United States Cyber Command.
- Sec. 1628. Email and Internet website security and authentication.
- Sec. 1629. Matters pertaining to the Sharkseer cybersecurity program.
- Sec. 1630. Pilot program on modeling and simulation in support of military homeland defense operations in connection with cyber attacks on critical infrastructure.
- Sec. 1631. Security product integration framework.
- Sec. 1632. Report on enhancement of software security for critical systems.
- Sec. 1633. Comply to connect and cybersecurity scorecard.
- Sec. 1634. Cyberspace Solarium Commission.

Sec. 1635. Program to establish cyber institutes at institutions of higher learning.

Sec. 1636. Establishment of Cybersecurity for Defense Industrial Base Manufacturing Activity.

**PART II—MITIGATION OF RISKS POSED BY PROVIDERS OF INFORMATION TECHNOLOGY WITH OBLIGATIONS TO FOREIGN GOVERNMENTS**

Sec. 1637. Definitions.

Sec. 1638. Identification of countries of concern regarding cybersecurity.

Sec. 1639. Mitigation of risks to national security posed by providers of information technology products and services who have obligations to foreign governments.

Sec. 1640. Establishment of registry of disclosures.

**Subtitle D—Nuclear Forces**

Sec. 1641. Oversight and management of the command, control, and communications system for the national leadership of the United States.

Sec. 1642. Modification to requirement for conventional long-range stand-off weapon.

Sec. 1643. Exchange program for nuclear weapons program employees.

Sec. 1644. Procurement authority for certain parts of intercontinental ballistic missile fuzes.

Sec. 1645. Plan to train officers in nuclear command, control, and communications.

Sec. 1646. Plan for alignment of acquisition of warhead life extension programs and delivery vehicles for such warheads.

Sec. 1647. Extension of annual report on plan for the nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear weapons command and control system.

Sec. 1648. Prohibition on use of funds for activities to modify United States aircraft to implement Open Skies Treaty.

Sec. 1649. Sense of Senate on Nuclear Posture Review.

**Subtitle E—Missile Defense Programs**

Sec. 1651. Extension of prohibition relating to missile defense information and systems.

Sec. 1652. Multiyear procurement authority for Standard Missile-3 IB guided missiles.

Sec. 1653. Extension of requirement for reports on unfunded priorities of Missile Defense Agency.

Sec. 1654. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.

Sec. 1655. Metrics for evaluating effectiveness of integrated Ballistic Missile Defense System against operationally realistic ballistic missile attacks.

Sec. 1656. Modification of requirement relating to transition of ballistic missile defense programs to military departments.

Sec. 1657. Sense of the Senate on acceleration of missile defense capabilities.

Sec. 1658. Integrated air and missile defense for evolving theater missile threats.

Sec. 1659. Acceleration of hypersonic missile defense program.

Sec. 1660. Sense of the Senate on allied partnerships for missile defense.

Sec. 1660A. Sense of the Senate on results of tests carried out by Missile Defense Agency.

Sec. 1660B. Sense of the Senate on discrimination for missile defense.

Sec. 1660C. Development and deployment of persistent space-based sensor architecture.

Sec. 1660D. Modification of requirement to develop a space-based ballistic missile intercept layer.

**Subtitle F—Other Matters**

Sec. 1661. Assessment of electronic warfare capabilities of Russia and China.

Sec. 1662. Budget exhibit on support provided to entities outside Department of Defense.

Sec. 1663. Development of Electromagnetic Battle Management capability for joint electromagnetic operations.

**TITLE XVII—COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES**

Sec. 1701. Short title.

Sec. 1702. Sense of Congress.

Sec. 1703. Definitions.

Sec. 1704. Acceptance of written notices.

Sec. 1705. Inclusion of partnership and side agreements in notice.

Sec. 1706. Declarations for certain covered transactions.

Sec. 1707. Stipulations regarding transactions.

Sec. 1708. Authority for unilateral initiation of reviews.

Sec. 1709. Timing for reviews and investigations.

Sec. 1710. Monitoring of non-notified and non-declared transactions.

Sec. 1711. Submission of certifications to Congress.

Sec. 1712. Analysis by Director of National Intelligence.

Sec. 1713. Information sharing.

Sec. 1714. Action by the President.

Sec. 1715. Judicial review.

Sec. 1716. Membership and staff of Committee.

Sec. 1717. Actions by the Committee to address national security risks.

Sec. 1718. Modification of annual report and other reporting requirements.

Sec. 1719. Certification of notices and information.

Sec. 1720. Implementation plans.

Sec. 1721. Assessment of need for additional resources for Committee.

Sec. 1722. Funding.

Sec. 1723. Centralization of certain Committee functions.

Sec. 1724. Conforming amendments.

Sec. 1725. Requirements to identify and control the export of emerging and foundational technologies.

Sec. 1726. Export control enforcement authority.

Sec. 1727. Prohibition on modification of civil penalties under export control and sanctions laws.

Sec. 1728. Under Secretary of Commerce for Industry and Security.

Sec. 1729. Limitation on cancellation of designation of Secretary of the Air Force as Department of Defense Executive Agent for a certain Defense Production Act program.

Sec. 1730. Review of and report on certain defense technologies critical to the United States maintaining superior military capabilities.

Sec. 1731. Briefing on information from transactions reviewed by Committee on Foreign Investment in the United States relating to foreign efforts to influence democratic institutions and processes.

Sec. 1732. Effective date.

Sec. 1733. Severability.

**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. Extension of authorizations of certain fiscal year 2015 projects.

Sec. 2105. Extension of authorizations of certain fiscal year 2016 project.

**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.

**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 phased project authorized in fiscal years 2015, 2016, and 2017.

Sec. 2306. Modification of authority to carry out certain fiscal year 2017 project.

Sec. 2307. Modification of authority to carry out certain fiscal year 2018 project.

Sec. 2308. Additional authority to carry out certain fiscal year 2019 projects.

**TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

Sec. 2401. Authorized defense agencies construction and land acquisition projects.

Sec. 2402. Energy Resilience and Conservation Investment Program.

Sec. 2403. Authorization of appropriations, defense agencies.

Sec. 2404. Extension of authorizations of certain fiscal year 2015 projects.

Sec. 2405. Authorization of certain fiscal year 2018 project.

**TITLE XXV—INTERNATIONAL PROGRAMS**

**Subtitle A—North Atlantic Treaty**

Organization Security Investment Program

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

**Subtitle B—Host Country In-kind Contributions**

Sec. 2511. Republic of Korea funded construction projects.

**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 2016 project.

Sec. 2612. Modification of authority to carry out certain fiscal year 2018 project.

Sec. 2613. Additional authority to carry out certain fiscal year 2019 project.

**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 AND GENERAL PROVISIONS**

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

Sec. 2801. Additional authority to obtain architectural and engineering services and construction design for defense laboratory modernization pilot program.

Sec. 2802. Modification of contract authority for acquisition, construction, or furnishing of test facilities and equipment.

Sec. 2803. Extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.

Sec. 2804. Unspecified minor military construction projects related to revitalization and recapitalization of Defense Industrial Base Facilities.

Sec. 2805. Congressional oversight of projects carried out pursuant to laws other than Military Construction Authorization Acts.

**Subtitle B—Project Management and Oversight Reforms**

Sec. 2811. Updates and modifications to Department of Defense Form 1391, Unified Facilities Criteria, and military installation master plans.

Sec. 2812. Work in Process Curve charts and outlay tables for military construction projects.

**Subtitle C—Land Conveyances**

Sec. 2821. Land exchange, Air Force Plant 44, Tucson, Arizona.

Sec. 2822. Land conveyance, Eglin Air Force Base, Florida.

**Subtitle D—Other Matters**

Sec. 2831. Commemoration of Freedman's Village.

Sec. 2832. Strategic plan to improve capabilities of Department of Defense training ranges and installations.

Sec. 2833. Native American Indian lands environmental mitigation program.

Sec. 2834. Defense community infrastructure pilot program.

Sec. 2835. Representation of installation interests in negotiations and proceedings with carriers and other public utilities.

Sec. 2836. White Sands Missile Range land enhancements.

Sec. 2837. Authority to transfer funds for construction of Indian River Bridge.

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

Sec. 2901. Authorized Army construction and land acquisition projects.

Sec. 2902. Authorized Navy construction and land acquisition projects.

Sec. 2903. Authorized Air Force construction and land acquisition projects.

Sec. 2904. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2905. Authorization of appropriations.

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

**TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**Subtitle A—National Security Programs and Authorizations**

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.

Sec. 3103. Other defense activities.

Sec. 3104. Nuclear energy.

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

Sec. 3111. Clarification of roles and authorities of National Nuclear Security Administration.

Sec. 3112. National Nuclear Security Administration Personnel System.

Sec. 3113. Amendments to the Atomic Energy Act of 1954.

Sec. 3114. Extension of enhanced procurement authority to manage supply chain risk.

Sec. 3115. Pilot program on conduct by Department of Energy of background reviews for access by certain individuals to national security laboratories.

Sec. 3116. Extension of authority for acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.

Sec. 3117. Modification of limitation on development of low-yield nuclear weapons.

Sec. 3118. Prohibition on use of funds for terminating activities at MOX facility.

**Subtitle C—Plans and Reports**

Sec. 3121. Modifications to cost-benefit analyses for competition of management and operating contracts.

Sec. 3122. Review of defense environmental cleanup activities.

Sec. 3123. Survey of workforce of national security laboratories and nuclear weapons production facilities.

Sec. 3124. Elimination of certain reports.

Sec. 3125. Implementation of Nuclear Posture Review by National Nuclear Security Administration.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

Sec. 3201. Authorization.

**TITLE XXXV—MARITIME ADMINISTRATION**

Sec. 3501. Maritime Administration.

Sec. 3502. Permanent authority of Secretary of Transportation to issue vessel war risk insurance.

## 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.

**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.

**TITLE XLIII—OPERATION AND MAINTENANCE**

Sec. 4301. Operation and maintenance.

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

**TITLE XLIV—MILITARY PERSONNEL**

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

**TITLE XLV—OTHER AUTHORIZATIONS**

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

**TITLE XLVI—MILITARY CONSTRUCTION**

Sec. 4601. Military construction.

Sec. 4602. Military construction for overseas contingency operations.

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

Sec. 4701. Department of Energy national security programs.

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

In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

**SEC. 4. BUDGETARY EFFECTS OF THIS ACT.**

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

**Subtitle A—Authorization of Appropriations**

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

Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

**Subtitle B—Army Programs**

**SEC. 111. DEPLOYMENT BY THE ARMY OF AN INTERIM CRUISE MISSILE DEFENSE CAPABILITY.**

(a) **CERTIFICATION OF NEED.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the congressional defense committees whether deployment of an interim, fixed site cruise missile defense capability is necessary.

(b) **DEPLOYMENT REQUIRED.**—The Army shall deploy an interim, fixed site cruise missile defense capability, in anticipation of delivery to the Army of the Indirect Fire Protection Capability (IFPC), by the deadlines as follows:

(1) Two batteries by not later than September 30, 2020.

(2) Two additional batteries by not later than September 30, 2023.

(c) LOCATIONS OF DEPLOYMENT.—In deploying the interim capability pursuant to subsection (b), the Secretary of Defense shall afford a priority in locations for deployment to air bases and significant fixed site locations in Europe and Asia for the purpose of the protection of such bases and locations against potential cruise missile threats.

(d) ACHIEVEMENT OF DEPLOYMENT DEADLINES.—In order to meet the deadlines for deployment specified in subsection (b), the Army—

(1) shall deploy systems that require the least amount of development; and

(2) may use a combination of—

(A) procurement of non-developmental air and missile defense systems currently in production to ensure rapid delivery of capability;

(B) use of existing systems, components, and capabilities already in the Joint Force inventory, including rockets and missiles as available;

(C) operational information technology for communication, detection, and fire control that is certified to work with existing joint information technology systems to ensure interoperability;

(D) engagement and collaboration with science and technology, engineering, testing, and acquisition organization and activities in the Department of Defense, including the Defense Innovation United Experimental, the Director of Operational Test and Evaluation, the Defense Digital Service, the Strategic Capabilities Office, and the Rapid Capabilities offices, to accelerate the development, testing, and deployment of existing systems; and

(E) institutional and operational basing to facilitate rapid training and fielding.

(e) FUNDING.—Of the amount authorized to be appropriated for fiscal year 2019 by section 101 and available for the Army for procurement as specified in the funding table in section 4101, up to \$500,000,000 may be available for the deployment of the interim capability required by subsection (b).

#### Subtitle C—Navy Programs

#### SEC. 121. MULTIYEAR PROCUREMENT AUTHORITY FOR F/A-18E/F SUPER HORNET AND EA-18G AIRCRAFT PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of F/A-18E/F Super Hornet and potential EA-18G aircraft. Notwithstanding subsection (k) of such section 2306b, the Secretary of Defense may enter into a multiyear contract under this section for up to three years.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with the F/A-18E/F Super Hornet and potential EA-18G aircraft, including economic order quantity, for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) COST ANALYSIS REQUIREMENT.—The Secretary may not exercise the authority provided under subsection (a) or (b) until the Secretary of Defense submits to the congressional defense committees the report and confirmation required under subparagraphs (A) and (B), respectively, of section 2306b(i)(2) of title 10, United States Code.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obliga-

tion of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

#### SEC. 122. MULTIYEAR PROCUREMENT AUTHORITY FOR E-2D ADVANCED HAWKEYE (AHE) AIRCRAFT PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of E-2D Advanced Hawkeye (AHE) aircraft. Notwithstanding subsection (k) of such section 2306b, the Secretary of Defense may enter into a multiyear contract under this section for up to five years.

(b) AUTHORITY FOR ADVANCE PROCUREMENT AND ECONOMIC ORDER QUANTITY.—The Secretary may enter into one or more contracts for advance procurement associated with the E-2D AHE (including economic order quantity) for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) COST ANALYSIS REQUIREMENT.—The Secretary may not exercise the authority provided under subsection (a) or (b) until the Secretary of Defense submits to the congressional defense committees the report and confirmation required under subparagraphs (A) and (B), respectively, of section 2306b(i)(2) of title 10, United States Code.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations for that purpose for such later fiscal year.

#### SEC. 123. EXTENSION OF LIMITATION ON USE OF SOLE-SOURCE SHIPBUILDING CONTRACTS FOR CERTAIN VESSELS.

Section 124 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), as amended by section 127 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended by striking “or fiscal year 2018” and inserting “, fiscal year 2018, or fiscal year 2019”.

#### SEC. 124. PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

(a) PROHIBITION.—Except as provided under subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2019 may be used for the procurement of new Navy port waterborne security barriers.

(b) WAIVER.—The Secretary of the Navy may waive the prohibition under subsection (a) not less than 30 days after submitting to the congressional defense committees—

(1) a Navy requirements document that specifies Key Performance Parameters and Key System Attributes for new Navy port waterborne security barriers;

(2) a certification that the level of capability specified under paragraph (1) will meet or exceed that of legacy Navy port waterborne security barriers;

(3) the acquisition strategy for the recapitalization of legacy Navy port waterborne security barriers, which will meet or exceed the requirements specified under paragraph (1); and

(4) a certification that any contract award or awards for new Navy port waterborne security barriers will result from full and open competition to the maximum extent practicable.

#### SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR STANDARD MISSILE-6.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of up to 625 Standard Missile-6 guided missiles.

(b) AUTHORITY FOR ADVANCE PROCUREMENT AND ECONOMIC ORDER QUANTITY.—The Secretary may enter into one or more contracts for advance procurement associated with the missiles (including economic order quantity) for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) COST ANALYSIS REQUIREMENT.—The Secretary may not exercise the authority provided under subsection (a) or (b) until the Secretary of Defense submits to the congressional defense committees the report and confirmation required under subparagraphs (A) and (B), respectively, of section 2306b(i)(2) of title 10, United States Code.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations for that purpose for such later fiscal year.

#### SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR THE LITTORAL COMBAT SHIP.

(a) LIMITATION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2019 may be used to exceed the total procurement quantity listed in revision five of the Littoral Combat Ship acquisition strategy unless the Under Secretary of Defense for Acquisition and Sustainment submits to the congressional defense committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification described in this subsection is a certification by the Under Secretary that awarding a contract for the procurement of a Littoral Combat Ship that exceeds the total procurement quantity listed in revision five of the Littoral Combat Ship acquisition strategy—

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

(2) will not result in exceeding the low-rate initial production quantity approved in the Littoral Combat Ship acquisition strategy in effect as of the date of the certification; and

(3) is necessary to maintain a full and open competition for the Guided Missile Frigate (FFG(X)) with a single source award in fiscal year 2020.

(c) DEFINITION.—The term “revision five of the Littoral Combat Ship acquisition strategy” means the fifth revision of the Littoral Combat Ship acquisition strategy approved by the Under Secretary of Defense for Acquisition and Sustainment on March 26, 2018.

#### SEC. 127. NUCLEAR REFUELING OF AIRCRAFT CARRIERS.

(a) AUTHORIZATION TO PROCURE NUCLEAR REFUELING MATERIALS.—Pursuant to section 7314a of title 10, United States Code, as added by section 1014 of this Act, the Secretary of the Navy may procure naval nuclear reactor power units and associated reactor components for the following aircraft carriers:

(1) U.S.S. John C. Stennis (CVN-74).

(2) U.S.S. Harry S. Truman (CVN-75).

(3) U.S.S. Ronald Reagan (CVN-76).

(4) U.S.S. George H.W. Bush (CVN-77).

(b) CONDITION FOR OUT-YEAR PAYMENTS.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year

2019 is subject to availability of appropriations for that purpose for that later fiscal year.

**SEC. 128. LIMITATION ON FUNDING FOR AMPHIBIOUS ASSAULT VEHICLE PRODUCT IMPROVEMENT PROGRAM.**

Not more than 75 percent of the funds authorized by this Act or otherwise made available for the Marine Corps for fiscal year 2019 for the Amphibious Assault Vehicle Product Improvement Program (AAV PIP) may be obligated or expended until the Secretary of Defense has submitted to the congressional defense committees—

(1) the report required under subsection (b) of section 1041; or

(2) the information required under paragraph (5) of such subsection.

**Subtitle D—Air Force Programs**

**SEC. 141. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF E-8 JSTARS AIRCRAFT.**

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—Except as provided by subsection (d), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Air Force may be obligated or expended to retire, or prepare to retire, any E-8 Joint Surveillance Target Attack Radar System aircraft.

(b) ADDITIONAL LIMITATION ON RETIREMENT.—

(1) IN GENERAL.—In addition to the prohibition in subsection (a), the Secretary of the Air Force may not retire, or prepare to retire, any E-8C aircraft until the Under Secretary of Defense for Acquisition and Sustainment submits to the congressional defense committees the certification described under paragraph (2).

(2) REQUIRED CERTIFICATION.—The certification referred to in paragraph (1) is a certification submitted by the Under Secretary of Defense for Acquisition and Sustainment to the congressional defense committees that the Department of Defense's plan for 21st Century Battle Management Command and Control, as briefed to the congressional defense committees in March 2018, is progressing according to the schedule presented in March 2018.

(c) EXCEPTION.—The prohibitions in subsections (a) and (b) shall not apply to individual E-8 Joint Surveillance Target Attack Radar System aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be nonoperational because of mishaps, other damage, or being uneconomical to repair.

**SEC. 142. B-52H AIRCRAFT SYSTEM MODERNIZATION REPORT.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the long term modernization of the B-52H aircraft, including an estimated timeline and requirements as an integrated aircraft system of—

(1) electronic warfare and defensive systems;

(2) communications including secure jam resistant capability;

(3) radar replacement;

(4) engine replacement;

(5) future weapons and targeting capability; and

(6) mission planning systems.

**SEC. 143. REPEAL OF FUNDING RESTRICTION FOR EC-130H COMPASS CALL RECAPITALIZATION PROGRAM AND REVIEW OF PROGRAM ACCELERATION OPPORTUNITIES.**

(a) REPEAL.—Section 131 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2037) is repealed.

(b) PERIODIC REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than December 30, 2018, June 30, 2019, and December 30, 2019, the Secretary of the Air Force shall submit to the congressional defense committees a series of updated program status reports for the EC-130H Compass Call Recapitalization Program.

(2) ELEMENTS.—The reports required under paragraph (1) shall include—

(A) a program status update describing progress in meeting current and future acquisition milestones;

(B) a description of opportunities to accelerate the program in fiscal years 2020 and 2021;

(C) a description of long-lead items or other block buy components that could reduce cost and lead to acceleration of the program;

(D) funding requirements to carry out program acceleration in order to replace the legacy EC-130H fleet as rapidly as possible; and

(E) a description of how the EC-130H Compass Call Recapitalization Program—

(i) meets the requirements of combatant commanders; and

(ii) is more operationally effective and survivable than the existing EC-130H Compass Call aircraft platform.

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

**SEC. 151. MULTIYEAR PROCUREMENT AUTHORITY FOR C-130J AIRCRAFT PROGRAM.**

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Air Force may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of C-130J aircraft and, acting as the executive agent for the Department of the Navy, for the procurement of C-130J aircraft.

(b) AUTHORITY FOR ADVANCE PROCUREMENT AND ECONOMIC ORDER QUANTITY.—The Secretary of the Air Force may enter into one or more contracts for advance procurement associated with the C-130J aircraft, including economic order quantity, for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations for that purpose for such later fiscal year.

(d) TREATMENT OF FISCAL YEAR 2018 AIRCRAFT.—The multiyear contract authority under subsection (a) includes C-130J aircraft for which funds were appropriated for fiscal year 2018.

**SEC. 152. QUARTERLY UPDATES ON THE F-35 JOINT STRIKE FIGHTER PROGRAM.**

(a) IN GENERAL.—Beginning not later than October 1, 2018, and on a quarterly basis thereafter through October 1, 2024, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the congressional defense committees a briefing on the progress of the F-35 Joint Strike Fighter program.

(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the F-35 Joint Strike Fighter program, the following elements:

(1) An overview of the program schedule.

(2) A description of each contract awarded under the program, including a description of the type of contract and the status of the contract.

(3) An assessment of the status of the program with respect to—

(A) modernization;

(B) modification;

(C) testing;

(D) delivery;

(E) sustainment; and

(F) program management.

**SEC. 153. AUTHORITY TO PROCURE ADDITIONAL POLAR-CLASS ICEBREAKERS.**

Section 122 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended—

(1) in the section heading, by striking “ICEBREAKER VESSEL” and inserting “AUTHORIZATION TO PROCURE UP TO SIX POLAR-CLASS ICEBREAKERS”;

(2) by striking subsections (a) and (b);

(3) by inserting before subsection (c) the following new subsection:

“(a) AUTHORITY TO PROCURE ICEBREAKERS.—The Secretary of the department in which the Coast Guard is operating may, in consultation with the Secretary of the Navy, enter into a contract or contracts for the procurement of up to six polar-class icebreakers, including—

“(1) polar-class heavy icebreakers; and

“(2) polar-class medium icebreakers.”;

(4) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(5) in paragraph (1) of subsection (b), as redesignated by paragraph (4) of this section, by striking “subsection (a)(1)” and inserting “subsection (a)”.

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

**Subtitle A—Authorization of Appropriations**

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

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

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

**SEC. 211. CODIFICATION AND REAUTHORIZATION OF DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.**

(a) CODIFICATION.—

(1) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2359 the following new section:

**“§2359a. Defense Research and Development Rapid Innovation Program**

“(a) PROGRAM ESTABLISHED.—(1) The Secretary of Defense shall establish a competitive, merit-based program to accelerate the fielding of technologies developed pursuant to phase II Small Business Innovation Research Program projects, technologies developed by the defense laboratories, and other innovative technologies (including dual use technologies).

“(2) The purpose of this program is to stimulate innovative technologies and reduce acquisition or lifecycle costs, address technical risks, improve the timeliness and thoroughness of test and evaluation outcomes, and rapidly insert such products directly in support of primarily major defense acquisition programs, but also other defense acquisition programs that meet critical national security needs.

“(b) GUIDELINES.—The Secretary shall issue guidelines for the operation of the program. At a minimum such guidance shall provide for the following:

“(1) The issuance of one or more broad agency announcements or the use of any other competitive or merit-based processes by the Department of Defense for candidate proposals in support of defense acquisition programs as described in subsection (a).

“(2) The review of candidate proposals by the Department of Defense and by each military department and the merit-based selection of the most promising cost-effective

proposals for funding through contracts, cooperative agreements, and other transactions for the purposes of carrying out the program.

“(3) The total amount of funding provided to any project under the program from funding provided under subsection (d) shall not exceed \$3,000,000, unless the Secretary, or the Secretary’s designee, approves a larger amount of funding for the project.

“(4) No project shall receive more than a total of two years of funding under the program from funding provided under subsection (d), unless the Secretary, or the Secretary’s designee, approves funding for any additional year.

“(5) Mechanisms to facilitate transition of follow-on or current projects carried out under the program into defense acquisition programs, through the use of the authorities of section 2302e of this title or such other authorities as may be appropriate to conduct further testing, low rate production, or full rate production of technologies developed under the program.

“(6) Projects are selected using merit-based selection procedures and the selection of projects is not subject to undue influence by Congress or other Federal agencies.

“(c) TREATMENT PURSUANT TO CERTAIN CONGRESSIONAL RULES.—Nothing in this section shall be interpreted to require or enable any official of the Department of Defense to provide funding under this section to any earmark as defined pursuant to House Rule XXI, clause 9, or any congressionally directed spending item as defined pursuant to Senate Rule XLIV, paragraph 5.

“(d) FUNDING.—Subject to the availability of appropriations for such purpose, the amounts authorized to be appropriated for research, development, test, and evaluation for a fiscal year may be used for such fiscal year for the program established under subsection (a).

“(e) TRANSFER AUTHORITY.—(1) The Secretary may transfer funds available for the program to the research, development, test, and evaluation accounts of a military department, defense agency, or the unified combatant command for special operations forces pursuant to a proposal, or any part of a proposal, that the Secretary determines would directly support the purposes of the program.

“(2) The transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2359 the following new item:

“2359a. Defense Research and Development Rapid Innovation Program.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF OLD PROVISION.—Section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2359 note) is hereby repealed.

(2) REPEAL OF OLD TABLE OF CONTENTS ITEM.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 1073.

#### SEC. 212. PROCEDURES FOR RAPID REACTION TO EMERGING TECHNOLOGY.

(a) REQUIREMENT TO ESTABLISH PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall prescribe procedures for the designation and development of technologies that are—

(1) urgently needed—

(A) to react to a technological development of an adversary of the United States; or

(B) to respond to a significant and urgent emerging technology; and

(2) not receiving appropriate research funding or attention from the Department of Defense.

(b) ELEMENTS.—The procedures prescribed under subsection (a) shall include the following:

(1) A process for streamlined communications between the the Under Secretary, the Joint Chiefs of Staff, the commanders of the combatant commands, the science and technology executives within each military department, and the science and technology community, including—

(A) a process for the commanders of the combatant commands and the Joint Chiefs of Staff to communicate their needs to the science and technology community; and

(B) a process for the science and technology community to propose technologies that meet the needs communicated by the combatant commands and the Joint Chiefs of Staff.

(2) Procedures for the development of technologies proposed pursuant to paragraph (1)(B), including—

(A) a process for demonstrating performance of the proposed technologies on a short timeline;

(B) a process for developing a development strategy for a technology, including integration into future budget years; and

(C) a process for making investment determinations based on information obtained pursuant to subparagraphs (A) and (B).

#### SEC. 213. ACTIVITIES ON IDENTIFICATION AND DEVELOPMENT OF ENHANCED PERSONAL PROTECTIVE EQUIPMENT AGAINST BLAST INJURY.

(a) ACTIVITIES REQUIRED.—

(1) IN GENERAL.—During fiscal years 2019 and 2020, the Secretary of the Army shall carry out a set of activities to identify and develop personal equipment to provide enhanced protection against injuries caused by blasts in combat and training.

(2) ACTION WITH DOTE.—The Secretary shall undertake all actions required of the Secretary under this section jointly with the Director of Operational Test and Evaluation.

(b) ACTIVITIES.—

(1) CONTINUOUS EVALUATION PROCESS.—For purposes of the activities required by subsection (a), the Secretary shall establish a process to continuously solicit from government, industry, academia, and other appropriate entities personal protective equipment that is ready for testing and evaluation in order to identify and evaluate equipment or clothing that is more effective in protecting members of the Armed Forces from the harmful effects of blast injuries, including traumatic brain injuries, and would be suitable for expedited procurement and fielding.

(2) GOALS.—The goals of the activities shall include:

(A) Development of streamlined requirements for procurement of personal protective equipment.

(B) Appropriate testing of personal protective equipment prior to procurement and fielding.

(C) Development of expedited mechanisms for deployment of effective personal protective equipment.

(D) Identification of areas of research in which increased investment has the potential to improve the quality of personal protective equipment and the capability of the industrial base to produce such equipment.

(E) Such other goals as the Secretary considers appropriate.

(3) PARTNERSHIPS FOR CERTAIN ASSESSMENTS.—As part of the activities, the Secretary shall establish research partnerships

with appropriate academic institutions for purposes of assessing the following:

(A) The ability of various forms of personal protective equipment to protect against common blast injuries, including traumatic brain injuries.

(B) The value of real-time data analytics to track the effectiveness of various forms of personal protective equipment to protect against common blast injuries, including traumatic brain injuries.

(C) The availability of commercial-off the-shelf personal protective technology to protect against traumatic brain injury resulting from blasts.

(D) The extent to which the equipment determined through the assessment to be most effective to protect against common blast injuries is readily modifiable for different body types and to provide lightweight material options to enhance maneuverability.

(c) AUTHORITIES.—In carrying out activities under subsection (a), the Secretary may use any authority as follows:

(1) Experimental procurement authority under section 2373 of title 10, United States Code.

(2) Other transactions authority under section 2371 and 2371b of title 10, United States Code.

(3) Authority to award technology prizes under section 2374a of title 10, United States Code.

(4) Authority under the Defense Acquisition Challenge Program under section 2359b of title 10, United States Code.

(5) Any other authority on acquisition, technology transfer, and personnel management that the Secretary considers appropriate.

(d) CERTAIN TREATMENT OF ACTIVITIES.—Any activities under this section shall be deemed to have been through the use of competitive procedures for the purposes of section 2304 of title 10, United States Code.

(e) ON-GOING ASSESSMENT FOLLOWING ACTIVITIES.—After the completion of activities under subsection (a), the Secretary shall, on an on-going basis, do the following:

(1) Evaluate the extent to which personal protective equipment identified through the activities would—

(A) enhance survivability of personnel from blasts in combat and training; and

(B) enhance prevention of brain damage, and reduction of any resultant chronic brain dysfunction, from blasts in combat and training.

(2) In the case of personal protective equipment so identified that would provide enhancements as described in paragraph (1), estimate the costs that would be incurred to procure such enhanced personal protective equipment, and develop a schedule for the procurement of such equipment.

(3) Estimate the potential health care cost savings that would occur from expanded use of personal protective equipment described in paragraph (2).

(f) REPORTS.—

(1) INITIAL REPORT.—Not later than December 1, 2019, the Secretary shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the activities under subsection (a) as of the date of the report.

(2) FINAL REPORT.—Not later than December 1, 2020, the Secretary shall submit to the committees of Congress referred to in paragraph (1) a report on the activities under this section, including the following:

(A) The results of the evaluation under subsection (e)(1).

(B) The estimate of costs and schedules under subsection (e)(2).

(g) FUNDING.—Of the amount authorized to be appropriated for fiscal year 2019 for the Department of Defense by section 201, up to

\$10,000,000 may be available to carry out this section.

**SEC. 214. HUMAN FACTORS MODELING AND SIMULATION ACTIVITIES.**

(a) **ACTIVITIES REQUIRED.**—The Secretary of the Army shall develop and provide for the carrying out of human factors modeling and simulation activities designed to do the following:

(1) Provide warfighters and civilians with personalized assessment, education, and training tools.

(2) Identify and implement effective ways to interface and team warfighters with machines.

(3) Result in the use of intelligent, adaptive augmentation to enhance decision making.

(4) Result in the development of techniques, technologies, and practices to mitigate critical stressors that impede warfighter and civilian protection, sustainment, and performance.

(b) **PURPOSE.**—The overall purpose of the activities shall be to accelerate research and development that enhances capabilities for human performance, human-systems integration, and training for the warfighter.

(c) **PARTICIPANTS IN ACTIVITIES.**—Participants in the activities may include the following:

(1) Elements of the Department of Defense engaged in science and technology activities.

(2) Program Executive Offices of the Department.

(3) Academia.

(4) The private sector.

(5) Such other participants as the Secretary considers appropriate.

(d) **EXECUTION.**—The Secretary shall carry out this section through the Army Futures Command, the Army Research Institute, or such other component of the Department of the Army as the Secretary considers appropriate.

**SEC. 215. EXPANSION OF MISSION AREAS SUPPORTED BY MECHANISMS FOR EXPEDITED ACCESS TO TECHNICAL TALENT AND EXPERTISE AT ACADEMIC INSTITUTIONS.**

Section 217(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2358 note) is amended—

(1) by redesignating paragraph (23) as paragraph (27); and

(2) by inserting after paragraph (22) the following new paragraphs:

“(23) Space.

“(24) Infrastructure resilience.

“(25) Photonics.

“(26) Autonomy.”.

**SEC. 216. ADVANCED MANUFACTURING ACTIVITIES.**

(a) **DESIGNATION.**—The Under Secretary of Defense for Acquisition and Sustainment and the Under Secretary of Defense for Research and Engineering shall jointly, in coordination with Secretaries of the military departments, establish not less than three activities to demonstrate advanced manufacturing techniques and capabilities at depot-level activities or military arsenal facilities of the military departments.

(b) **PURPOSES.**—The activities established pursuant to subsection (a) shall—

(1) support efforts to implement advanced manufacturing techniques and capabilities;

(2) identify improvements to sustainment methods for component parts and other logistics needs;

(3) identify and implement appropriate information security protections to ensure security of advanced manufacturing;

(4) aid in the procurement of advanced manufacturing equipment and support services; and

(5) enhance partnerships between the defense industrial base and Department of De-

fense laboratories, academic institutions, and industry.

**(c) COOPERATIVE AGREEMENTS AND PARTNERSHIPS.**—

(1) **IN GENERAL.**—The Under Secretaries may enter into a cooperative agreement and use public-private and public-public partnerships to facilitate development of advanced manufacturing techniques in support of the defense industrial base.

(2) **REQUIREMENTS.**—A cooperative agreement entered into under paragraph (1) and a partnership used under such paragraph shall facilitate—

(A) development and implementation of advanced manufacturing techniques and capabilities;

(B) appropriate sharing of information in the adaptation of advanced manufacturing, including technical data rights; and

(C) implementation of appropriate information security protections into advanced manufacturing tools and techniques.

(d) **AUTHORITIES.**—In carrying out this section, the Under Secretaries may use the following authorities:

(1) Section 2196 of title 10, United States Code, relating to the Manufacturing Engineering Education Program.

(2) Section 2368 of such title, relating to centers for science, technology, and engineering partnership.

(3) Section 2374a of such title, relating to prizes for advanced technology achievements.

(4) Section 2474 of such title, relating to centers of industrial and technical excellence.

(5) Section 2521 of such title, relating to the Manufacturing Technology Program.

(6) Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) and section 6305 of title 31, United States Code, relating to cooperative research and development agreements.

(7) Such other authorities as the Under Secretaries considers appropriate.

**SEC. 217. NATIONAL SECURITY INNOVATION ACTIVITIES.**

(a) **ESTABLISHMENT.**—The Under Secretary of Defense for Research and Engineering shall establish activities to develop interaction between the Department of Defense and the commercial technology industry and academia with regard to emerging hardware products and technologies with national security applications.

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

(1) Informing and encouraging private investment in specific hardware technologies of interest to future defense technology needs with unique national security applications.

(2) Funding research and technology development in critical hardware-based defense sectors, specifically microelectromechanical systems, processing components, micro-machinery, and materials science that private industry has not supported sufficiently to meet rapidly emerging national security needs.

(3) Developing and executing policies and actions to deter strategic acquisition of industrial and technical capabilities in the private sector by foreign entities that could potentially exclude companies from participating in the Department of Defense technology and industrial base.

(4) Identifying promising emerging technology in industry and academia for the Department of Defense for potential support or research and development cooperation.

**(c) TRANSFER OF PERSONNEL AND RESOURCES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Under Secretary may transfer such personnel, resources, and authorities as the

Under Secretary considers appropriate to carry out the activities established under subsection (a) from other elements of the Department.

(2) **CERTIFICATION.**—The Under Secretary may only make a transfer of personnel, resources, or authorities under paragraph (1) upon certification by the Under Secretary that the activities established under paragraph (a) can attract sufficient private sector investment, has personnel with sufficient technical and management expertise, and has identified relevant technologies and systems for potential investment in order to carry out the activities established under subsection (a), independent of further government funding beyond this authorization.

(d) **ESTABLISHMENT OF NONPROFIT ENTITY.**—The Under Secretary may establish or fund a nonprofit entity to carry out the program activities under subsection (a).

**(e) PLAN.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Under Secretary shall submit to the congressional defense committees a detailed plan to carry out this section.

(2) **ELEMENTS.**—The plan required by paragraph (1) shall include the following:

(A) A description of the additional authorities needed to carry out the activities set forth in subsection (b).

(B) Plans for transfers under subsection (c), including plans for private fund-matching and investment mechanisms, oversight, treatment of rights relating to technical data developed, and relevant dates and goals of such transfers.

(C) Plans for attracting the participation of the commercial technology industry and academia and how those plans fit into the current Department of Defense research and engineering enterprise.

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

(1) Section 1711 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), relating to a pilot program on strengthening manufacturing in the defense industrial base.

(2) Section 1599g of title 10 of the United States Code, relating to public-private talent exchanges.

(3) Section 2368 of such title, relating to Centers for Science, Technology, and Engineering Partnerships.

(4) Section 2374a of such title, relating to prizes for advanced technology achievements.

(5) Section 2474 of such title, relating to Centers of Industrial and Technical Excellence.

(6) Section 2521 of such title, relating to the Manufacturing Technology Program.

(7) Subchapter VI of chapter 33 of title 5, United States Code, relating to assignments to and from States.

(8) Chapter 47 of such title, relating to personnel research programs and demonstration projects.

(9) Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) and section 6305 of title 31, United States Code, relating to cooperative research and development agreements.

(10) Such other authorities as the Under Secretary considers appropriate.

(g) **FUNDING.**—Of the amount authorized to be appropriated for fiscal year 2019 for the Department of Defense by section 201 and subject to the availability of appropriations, up to \$150,000,000 may be available to carry out this section.

**SEC. 218. PARTNERSHIP INTERMEDIARIES FOR PROMOTION OF DEFENSE RESEARCH AND EDUCATION.**

Section 2368 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) **USE OF PARTNERSHIP INTERMEDIARIES TO PROMOTE DEFENSE RESEARCH AND EDUCATION.**—(1) Subject to the approval of the Secretary or the head of the another department or agency of the Federal Government concerned, the Director of a Center may enter into a contract, memorandum of understanding or other transition with a partnership intermediary that provides for the partnership intermediary to perform services for the Department of Defense that increase the likelihood of success in the conduct of cooperative or joint activities of the Center with industry or academic institutions.

“(2) In this subsection, the term ‘partnership intermediary’ means an agency of a State or local government, or a nonprofit entity owned in whole or in part by, chartered by, funded in whole or in part by, or operated in whole or in part by or on behalf of a State or local government, that assists, counsels, advises, evaluates, or otherwise cooperates with industry or academic institutions that need or can make demonstrably productive use of technology-related assistance from a Center.”.

**SEC. 219. LIMITATION ON USE OF FUNDS FOR SURFACE NAVY LASER WEAPON SYSTEM.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated or otherwise made available by this Act may be used to exceed a procurement quantity of one Surface Navy Laser Weapon System, also known as the High Energy Laser and Integrated Optical-dazzler with Surveillance (HELIOS), per fiscal year, unless the Secretary of the Navy submits to the congressional defense committees a report on such system with the elements set forth in subsection (b).

(b) **ELEMENTS.**—The elements set forth in this subsection are, with respect to the system described in subsection (a), the following:

(1) A document setting forth the requirements for the system, including desired performance characteristics.

(2) An acquisition plan that includes the following:

(A) A program schedule to accomplish design completion, technology maturation, risk reduction, and other activities, including dates of key design reviews (such as Preliminary Design Review and Critical Design Review) and program initiation decision (such as Milestone B) if applicable.

(B) A contracting strategy, including requests for proposals, the extent to which contracts will be competitively awarded, option years, option quantities, option prices, and ceiling prices.

(C) The fiscal years of procurement and delivery for each engineering development model, prototype, or similar unit planned to be acquired.

(D) A justification for the fiscal years of procurement and delivery for each engineering development model, prototype, or similar unit planned to be acquired.

(3) A test plan and schedule sufficient to achieve operational effectiveness and operational suitability determinations (such as Early Operational Capability and Initial Operational Capability) related to the requirements set forth in paragraph (1).

(4) Associated funding and item quantities, disaggregated by fiscal year and appropriation, requested in the Fiscal Year 2019 Future Years Defense Program.

(5) An estimate of the acquisition costs, including the total costs for procurement, research, development, test, and evaluation.

**SEC. 220. EXPANSION OF COORDINATION REQUIREMENT FOR SUPPORT FOR NATIONAL SECURITY INNOVATION AND ENTREPRENEURIAL EDUCATION.**

Section 225(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by adding at the end the following new paragraph:

“(16) The National Security Technology Accelerator.”.

**SEC. 221. LIMITATION ON FUNDING FOR AMPHIBIOUS COMBAT VEHICLE 1.2.**

None of the funds authorized by this Act or otherwise made available for the Marine Corps for fiscal year 2019 for the development of Amphibious Combat Vehicle 1.2 may be obligated or expended until the Secretary of Defense has submitted to the congressional defense committees—

(1) the report required under subsection (b) of section 1041; or

(2) the information required under paragraph (5) of such subsection.

**SEC. 222. DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.**

(a) **ESTABLISHMENT.**—The Secretary of Defense shall carry out a quantum information science and technology research and development program.

(b) **PURPOSES.**—The purposes of the program required by subsection (a) are as follows:

(1) To ensure global superiority of the United States in quantum information science necessary for meeting national security requirements.

(2) To coordinate all quantum information science and technology research and development within the Department of Defense and to provide for interagency cooperation and collaboration on quantum information science and technology research and development between the Department of Defense and other departments and agencies of the United States and appropriate private sector entities that are involved in quantum information science and technology research and development.

(3) To develop and manage a portfolio of fundamental and applied quantum information science and technology and engineering research initiatives that is stable, consistent, and balanced across scientific disciplines.

(4) To accelerate the transition and deployment of technologies and concepts derived from quantum information science and technology research and development into the Armed Forces, and to establish policies, procedures, and standards for measuring the success of such efforts.

(5) To collect, synthesize, and disseminate critical information on quantum information science and technology research and development.

(6) To establish and support appropriate research, innovation, and industrial base, including facilities and infrastructure, to support the needs of Department of Defense missions and systems related to quantum information science and technology.

(c) **ADMINISTRATION.**—In carrying out the program required by subsection (a), the Secretary shall act through the Under Secretary of Defense for Research and Engineering, who shall supervise the planning, management, and coordination of the program. The Under Secretary, in consultation with the Secretaries of the military departments and the heads of participating Defense Agencies and other departments and agencies of the United States, shall—

(1) prescribe a set of long-term challenges and a set of specific technical goals for the program, including—

(A) optimization of analysis of national security data sets;

(B) design of new materials and molecular functions;

(C) secure communications and cryptography;

(D) quantum sensing and metrology;

(E) development of mathematics to support defense missions related to quantum-based encryption techniques; and

(F) processing and manufacturing of low-cost, robust, and reliable quantum information science and technology-enabled devices and systems;

(2) develop a coordinated and integrated research and investment plan for meeting the near-, mid-, and long-term challenges with definitive milestones while achieving the specific technical goals that builds upon the Department's increased investment in quantum information science and technology research and development, commercial sector and global investments, and other United States Government investments in the quantum sciences;

(3) not later than 180 days after the date of the enactment of this Act, develop and continuously update guidance, including classification and data management plans for defense-related quantum information science and technology activities, and policies for control of personnel participating on such activities to minimize the effects of loss of intellectual property in basic and applied quantum science and information considered sensitive to the leadership of the United States in the field of quantum computing; and

(4) develop memoranda of agreement, joint funding agreements, and other cooperative arrangements necessary for meeting the long-term challenges and achieving the specific technical goals.

(d) **REPORT.**—Not later than December 31, 2020, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees a report on the program, in both classified and unclassified format.

**SEC. 223. JOINT DIRECTED ENERGY TEST ACTIVITIES.**

(a) **TEST ACTIVITIES.**—The Under Secretary of Defense for Research and Engineering shall develop, establish, and coordinate directed energy testing activities adequate to ensure the achievement by the Department of Defense of goals of the Department for developing and deploying directed energy systems to match national security needs.

(b) **ELEMENTS.**—The activity established under subsection (a) shall include the following:

(1) The High Energy Laser System Test Facility of the Army Test and Evaluation Command.

(2) Such other test resources and activities as the Under Secretary may designate for purposes of this section.

(c) **DESIGNATION.**—The test activities established under subsection (a) shall be considered part of the Major Range and Test Facility Base (as defined in 196(i) of title 10, United States Code).

(d) **DIRECTION AND CONTROL.**—The conduct of testing activities under subsection (a) shall be subject to authority, direction, and control of the Under Secretary in the Under Secretary's capacity as the official with principal responsibility for the development and demonstration of directed energy weapons for the Department pursuant to section 219(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 2431 note).

(e) **PRIORITIZATION OF EFFORT.**—In developing and coordinating testing activities pursuant to subsection (a), the Under Secretary shall prioritize efforts consistent with the following:



(1) Paragraphs (2) through (5) of section 219(a) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 2431 note).

(2) Enabling the standardized collection and evaluation of testing data to establish testing references and benchmarks.

(3) Concentrating sufficient personnel expertise of directed energy weapon systems in order to validate the effectiveness of new weapon systems against a variety of targets.

(4) Consolidating modern state-of-the-art testing infrastructure including telemetry, sensors, and optics to support advanced technology testing and evaluation.

(5) Formulating a joint lethality or vulnerability information repository that can be accessed by any of the military departments of Defense Agencies, similar to a Joint Munitions Effectiveness Manuals (JMEMs).

(6) Reducing duplication of directed energy weapon testing.

(7) Ensuring that an adequate workforce and adequate testing facilities are maintained to support missions of the Department of Defense.

**SEC. 224. REQUIREMENT FOR ESTABLISHMENT OF ARRANGEMENTS FOR EXPEDITED ACCESS TO TECHNICAL TALENT AND EXPERTISE AT ACADEMIC INSTITUTIONS TO SUPPORT DEPARTMENT OF DEFENSE MISSIONS.**

(a) IN GENERAL.—Subsection (a)(1) of section 217 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking “may” and inserting “shall”.

(b) EXTENSION.—Subsection (f) of such section is amended by striking “September 30, 2020” and inserting “September 30, 2022”.

**SEC. 225. AUTHORITY FOR JOINT DIRECTED ENERGY TRANSITION OFFICE TO CONDUCT RESEARCH RELATING TO HIGH POWERED MICROWAVE CAPABILITIES.**

Section 219(b)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 2431 note) is amended by inserting “, including high-powered microwaves,” after “energy systems and technologies”.

**SEC. 226. JOINT ARTIFICIAL INTELLIGENCE RESEARCH, DEVELOPMENT, AND TRANSITION ACTIVITIES.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense shall establish a set of activities within the Department of Defense to coordinate the efforts of the Department to develop, mature, and transition artificial intelligence technologies into operational use.

(2) EMPHASIS.—The set of activities established under paragraph (1) shall apply artificial intelligence and machine learning solutions to operational problems and coordinate activities involving artificial intelligence and artificial intelligence enabled capabilities within the Department.

(b) DESIGNATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense with principal responsibility for the coordination of activities relating to the development and demonstration of artificial intelligence and machine learning for the Department.

(c) DUTIES.—The duties of the official designated under subsection (b) shall include the following:

(1) STRATEGIC PLAN.—Developing a detailed strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use. Such plan shall include the following:

(A) A strategic roadmap for the identification and coordination of the development and fielding of artificial intelligence technologies and key enabling capabilities.

(B) The continuous evaluation and adaptation of relevant artificial intelligence capabilities developed both inside the Department and in other organizations for military missions.

(2) ACCELERATION OF DEVELOPMENT AND FIELDING OF ARTIFICIAL INTELLIGENCE.—To the degree practicable, the designated official shall—

(A) use the flexibility of regulations, personnel, or other relevant policies of the Department to accelerate the development and fielding of artificial intelligence capabilities;

(B) ensure engagement with defense and private industries, research universities, and unaffiliated, nonprofit research institutions;

(C) provide technical advice and support to entities in the Department of Defense and the military departments to optimize the use of artificial intelligence and machine learning technologies to meet Department missions;

(D) support the development of requirements for artificial intelligence capabilities that address the highest priority capability gaps of the Department and technical feasibility;

(E) develop and support capabilities for technical analysis and assessment of threat capabilities based on artificial intelligence;

(F) ensure that the Department has appropriate workforce and capabilities at laboratories, test ranges, and within the organic defense industrial base to support the artificial intelligence capabilities and requirements of the Department;

(G) develop classification guidance for all artificial intelligence related activities of the Department;

(H) work with appropriate officials to develop appropriate ethical, legal, and other policies for the Department governing the development and use of artificial intelligence enabled systems and technologies in operational situations; and

(I) ensure—

(i) that artificial intelligence programs of each military department and of the Defense Agencies are consistent with the priorities identified under this section; and

(ii) appropriate coordination of artificial intelligence activities of the Department with interagency, industry, and international efforts relating to artificial intelligence, including relevant participation in standards setting bodies.

(d) ACCESS TO INFORMATION.—The Secretary of Defense shall ensure that the official designated under subsection (b) has access to such information on programs and activities of the military departments and other Defense Agencies as the Secretary considers appropriate to carry out the coordination described in subsection (b) and the duties set forth in subsection (c).

(e) STUDY ON ARTIFICIAL INTELLIGENCE TOPICS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the official designated under subsection (b) shall—

(A) complete a study on the future of artificial intelligence in the context of the missions of the Department; and

(B) submit to the congressional defense committees a report on the findings of the designated official with respect to the study completed under subparagraph (A).

(2) CONSULTATION WITH EXPERTS.—In conducting the study required by paragraph (1)(A), the designated official shall consult with experts within the Department, other Federal agencies, academia, and the commercial sector, as the Secretary considers appropriate.

(3) ELEMENTS.—The study required by paragraph (1)(A) shall include the following:

(A) A comprehensive and national-level review of advances in artificial intelligence and machine learning, and associated technologies relevant to the needs of the Department and the Armed Forces.

(B) Near-term actionable recommendations to the Secretary, including ways to more effectively organize the Department for artificial intelligence and most effectively leverage academic and commercial progress in these technologies.

(C) Recommendations for engagement by the Department with relevant agencies that will be involved with artificial intelligence in the future.

**Subtitle C—Reports and Other Matters**

**SEC. 231. REPORT ON COMPARATIVE CAPABILITIES OF ADVERSARIES IN KEY TECHNOLOGY AREAS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that sets forth a direct comparison between the capabilities of the United States in emerging technology areas (such as hypersonics, artificial intelligence, quantum information science, and directed energy weapons) and the capabilities of adversaries of the United States in such areas.

(b) ELEMENTS.—The report required by subsection (a) shall include, for each technology covered by such report, the following:

(1) An evaluation of spending by the United States and adversaries on such technology.

(2) An evaluation of the quantity and quality of research on such technology.

(3) An evaluation of the test infrastructure and workforce supporting such technology.

(4) An assessment of the technological progress of the United States and adversaries on such technology.

(5) Descriptions of timelines for operational deployment of such technology.

(6) An assessment of the intent or willingness of adversaries to use such technology.

(c) COORDINATION.—The Director shall prepare the report in coordination with other appropriate officials of the intelligence community and with such other partners in the technology areas covered by the report as the Director considers appropriate.

**SEC. 232. REPORT ON ACTIVE PROTECTION SYSTEMS FOR ARMORED COMBAT AND TACTICAL VEHICLES.**

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on technologies related to active protection systems (APS) for armored combat and tactical vehicles.

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

(1) With respect to the active protection systems that the Army has recently tested on the M1A2 Abrams, the M2A3 Bradley, and the STRYKER, the following:

(A) An assessment of the effectiveness of such systems.

(B) Plans of the Secretary to further test such systems.

(C) Proposals for future development of such systems.

(D) A timeline for fielding such systems.

(2) Plans for how the Army will incorporate active protection systems into new armored combat and tactical vehicle designs, such as Mobile Protection Firepower (MPF), Armored Multi-Purpose Vehicle (AMPV), and Next Generation Combat Vehicle (NGCV).

**SEC. 233. NEXT GENERATION COMBAT VEHICLE.**

(a) **PROTOTYPE.**—The Secretary of the Army shall take appropriate actions to ensure that the Tank Automotive, Research, Development, and Engineering Center (TARDEC) of the Army is provided the resources, including funds and acquisition authorities, necessary to build a prototype for the Next Generation Combat Vehicle (NGCV).

**(b) REPORT.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the development of the Next Generation Combat Vehicle.

**(2) ANALYSIS.**—

(A) **IN GENERAL.**—The report required by paragraph (1) shall include a thorough analysis of the requirements of the Next Generation Combat Vehicle.

(B) **RELEVANCE TO NATIONAL DEFENSE STRATEGY.**—In carrying out subparagraph (A), the Secretary shall ensure that the requirements are relevant to the most recently published National Defense Strategy.

(C) **THREATS AND TERRAIN.**—The Secretary shall ensure that the analysis includes consideration of threats and terrain.

(D) **COMPONENT TECHNOLOGIES.**—The Secretary shall ensure that the analysis includes consideration of the latest enabling component technologies that have the potential to dramatically change basic combat vehicle design and improve lethality, protection, mobility, range, and sustainment.

(c) **LIMITATION.**—Of the funds authorized to be appropriated for fiscal year 2019 by section 201 and available for research, development, testing, and evaluation, Army, for the Next Generation Combat Vehicle, not more than 50 percent may be obligated or expended until the Secretary submits the report required by subsection (b).

**SEC. 234. REPORT ON THE FUTURE OF THE DEFENSE RESEARCH AND ENGINEERING ENTERPRISE.**

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth recommendations on the future of the defense research and engineering enterprise, including such recommendations for legislative or administrative action as the Under Secretary considers appropriate in light of the anticipated future of the defense research and engineering enterprise.

(b) **FOCUS.**—The recommendations under subsection (a) shall focus on enabling the success of the defense research and engineering enterprise in the current environment of strategic competition.

(c) **DEFENSE RESEARCH AND ENGINEERING ENTERPRISE.**—For purposes of subsection (a), the defense research and engineering enterprise shall consist of the following:

- (1) The science and technology elements of the military departments.
- (2) The Department of Defense laboratories
- (3) The test ranges and facilities of the Department.
- (4) The Defense Advanced Research Projects Agency (DARPA).
- (5) The Defense Innovation Unit Experimental (DIU(x)).
- (6) The Strategic Capabilities Office of the Department.
- (7) The Small Business Innovation Research Program of the Department.
- (8) Such other elements, offices, programs, and activities of the Department as the Under Secretary considers appropriate for purposes of the this section.

(d) **PARTICULAR RECOMMENDATIONS.**—The recommendations under subsection (a) shall include recommendations on the following:

(1) Portfolio management and coordination of research and development activities across the military departments and the defense research and engineering enterprise, including management and activities across the enterprise.

(2) Workforce management, recruitment, retention, and shaping.

(3) Facilities and research and test infrastructure.

(4) Relationships with academia, the acquisition community, the operational community, and the commercial sector.

(5) Governance.

(e) **COMPARISONS.**—For purposes of making recommendations under subsection (a), the Under Secretary shall conduct a comparison of the defense research and engineering enterprise of the United States, namely processes, test infrastructure, and workforce, with the defense research and engineering enterprises of other countries and the private sector.

(f) **CONSULTATION AND COMMENTS.**—In making recommendations under subsection (a), the Under Secretary shall consult with and seek comments from groups and entities relevant to the recommendations, such as the military departments, the combatant commands, the Defense Innovation Board, the Defense Science Board, the Defense Business Board, the federally funded research and development centers (FFRDCs), and commercial partners of the Department of Defense (including small business concerns).

**SEC. 235. MODIFICATION OF REPORTS ON MECHANISMS TO PROVIDE FUNDS TO DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MISSIONS.**

Subsection (c) of section 2363 of title 10, United States Code, is amended to read as follows:

“(c) **RELEASE AND DISSEMINATION OF INFORMATION ON CONTRIBUTIONS FROM USE OF AUTHORITY TO MILITARY MISSIONS.**—

“(1) **COLLECTION OF INFORMATION.**—The Secretary shall establish and maintain mechanisms for the continuous collection of information on achievements, best practices identified, lessons learned, and challenges arising in the exercise of the authority in this section.

“(2) **RELEASE OF INFORMATION.**—The Secretary shall establish and maintain mechanisms as follows:

“(A) Mechanisms for the release to the public of information on achievements and best practices described in paragraph (1) in unclassified form.

“(B) Mechanisms for dissemination to appropriate civilian and military officials of information on achievements and best practices described in paragraph (1) in classified form.”.

**SEC. 236. REPORT ON MOBILE PROTECTED FIREPOWER AND FUTURE VERTICAL LIFT.**

(a) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the requirements of the Army for Mobile Protected Firepower (MPF) and Future Vertical Lift (FVL).

(b) **CONTENTS.**—The report submitted pursuant to subsection (a) shall include the following:

(1) An explanation of how Mobile Protected Firepower and Future Vertical Lift could survive against the effects of anti-armor and anti-aircraft networks established within anti-access, area-denial defenses.

(2) An explanation of how Mobile Protected Firepower and Future Vertical Lift would improve offensive overmatch against a peer adversary.

(3) Details regarding the total number of Mobile Protected Firepower and Future Vertical Lift systems needed by the Army.

(4) An explanation of how these systems will be logistically supported within light formations.

(5) Plans to integrate active protection systems into the designs of such systems.

**SEC. 237. IMPROVEMENT OF THE AIR FORCE SUPPLY CHAIN.**

(a) **IN GENERAL.**—The Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics may use funds described in subsection (b) as follows:

(1) For nontraditional technologies and sustainment practices (such as additive manufacturing, artificial intelligence, predictive maintenance, and other software-intensive and software-defined capabilities) to—

(A) increase the availability of aircraft to the Air Force; and

(B) decrease backlogs and lead times for the production of parts for such aircraft.

(2) To advance the qualification, certification, and integration of additive manufacturing into the Air Force supply chain.

(3) To otherwise identify and reduce supply chain risk for the Air Force.

(4) To define workforce development requirements and training for personnel who implement and support additive manufacturing for the Air Force at the warfighter, end-item designer and equipment operator, and acquisition officer levels.

(b) **FUNDING.**—Of the amounts authorized to be appropriated for fiscal year 2019 by section 201 for research, development, test, and evaluation for the Air Force and available for Tech Transition Program (Program Element (0604858F)), up to \$42,800,000 may be available as described in subsection (a).

**SEC. 238. REVIEW OF GUIDANCE ON BLAST EXPOSURE DURING TRAINING.**

(a) **INITIAL REVIEW.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review the firing limits for heavy weapons during training exercises.

(b) **ELEMENTS.**—The review required by subsection (a) shall take into account current data and evidence on the cognitive effects of blast exposure and shall include consideration of the following:

(1) The impact of exposure over multiple successive days of training.

(2) The impact of multiple types of heavy weapons being fired in close succession.

(3) The feasibility of cumulative annual or lifetime exposure limits.

(4) The minimum safe distance for observers and instructors.

(c) **UPDATED TRAINING GUIDANCE.**—Not later than 180 days after the date of the completion of the review under subsection (a), each Secretary of a military department shall update any relevant training guidance to account for the conclusions of the review.

(d) **UPDATED REVIEW.**—

(1) **IN GENERAL.**—Not less frequently than once every two years after the initial review conducted under subsection (a), the Secretary of Defense shall conduct an updated review under such subsection, including consideration of the matters set forth under subsection (b), and update training guidance under subsection (c).

(2) **CONSIDERATION OF NEW RESEARCH AND EVIDENCE.**—Each updated review conducted under paragraph (1) shall take into account new research and evidence that has emerged since the previous review.

(e) **BRIEFING REQUIRED.**—The Secretary of Defense shall brief the Committees on

Armed Services of the Senate and the House of Representatives on a summary of the results of the initial review under subsection (a), each updated review conducted under subsection (d), and any updates to training guidance and procedures resulting from any such review or updated review.

**SEC. 239. LIST OF TECHNOLOGIES AND MANUFACTURING CAPABILITIES CRITICAL TO ARMED FORCES.**

(a) **LIST REQUIRED.**—The Secretary of Defense shall develop a list of technologies and manufacturing capabilities critical to the Armed Forces.

(b) **PRIMARY EMPHASIS.**—In developing such list, primary emphasis shall be given to—

(1) research, development, design, and manufacturing expertise;

(2) research, development, design, and manufacturing equipment and unique facilities;

(3) goods and services associated with or enabled by research, development, operation, application, manufacturing, or maintenance expertise, which are not possessed by countries to which exports are controlled and which, if exported or otherwise transferred, would permit a significant advance in the military capabilities of any such country; and

(4) emerging technology areas supportive of military requirements and strategies.

(c) **SPECIFICITY.**—The shall ensure that the list required by subsection (a) is sufficiently specific to guide the recommendations of the Secretary in any interagency determinations on exercising export licensing, technology transfer, or foreign investment.

(d) **PUBLICATION.**—

(1) **IN GENERAL.**—Not later than December 31, 2019, the Secretary shall publish the list required by subsection (a) and continuously update such list thereafter as the Secretary considers appropriate.

(2) **FORM.**—The list published under paragraph (1) shall be published in unclassified form, but may include a classified annex.

**SEC. 240. REPORT ON REQUIRING ACCESS TO DIGITAL TECHNICAL DATA IN FUTURE ACQUISITIONS OF COMBAT, COMBAT SERVICE, AND COMBAT SUPPORT SYSTEMS.**

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility and advisability of requiring access to digital technical data in all future acquisitions by the Department of Defense of combat, combat service, and combat support systems, including front-end negotiations for such access. Such report shall include a digital data standard for technical data for use by equipment manufacturers and the Department with regard to three-dimensional printed parts.

**SEC. 241. COMPETITIVE ACQUISITION STRATEGY FOR BRADLEY FIGHTING VEHICLE TRANSMISSION REPLACEMENT.**

(a) **PLAN REQUIRED.**—The Secretary of the Army shall develop a strategy to competitively procure a new transmission for the Bradley Fighting Vehicle family of vehicles.

(b) **ADDITIONAL STRATEGY REQUIREMENTS.**—The plan required by subsection (a) shall include the following:

(1) An analysis of the potential cost savings and performance improvements associated with developing or procuring a new transmission common to the Bradley Fighting Vehicle family of vehicles, including the Armored Multipurpose Vehicle and the Paladin Integrated Management artillery system.

(2) A plan to use full and open competition to the maximum extent practicable.

(c) **TIMELINE.**—Not later than February 15, 2019, the Secretary of the Army shall submit

to the congressional defense committees the strategy developed under subsection (a).

(d) **LIMITATION.**—None of the funds authorized to be appropriated for fiscal year 2019 by this Act for Weapons and Tracked Combat Vehicles, Army, may be obligated or expended to procure a Bradley Fighting Vehicle replacement transmission until the date that is 30 days after the date on which the Secretary of the Army submits to the congressional defense committees the plan required by subsection (a).

**SEC. 242. INDEPENDENT ASSESSMENT OF ELECTRONIC WARFARE PLANS AND PROGRAMS.**

(a) **AGREEMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense shall seek to enter into an agreement with the private scientific advisory group known as “JASON” to perform the services covered by this section.

(2) **TIMING.**—The Secretary shall seek to enter into the agreement described in paragraph (1) not later than 120 days after the date of the enactment of this Act.

(b) **INDEPENDENT ASSESSMENT.**—Under an agreement between the Secretary and JASON under this section, JASON shall—

(1) assess the strategies, programs, order of battle, and doctrine of the United States related to the electronic warfare mission area and electromagnetic spectrum operations;

(2) assess the strategies, programs, order of battle, and doctrine of potential adversaries, such as China, Iran, and the Russian Federation, related to the same;

(3) develop recommendations for improvements to the strategies, programs, and doctrine of the United States in order to enable the United States to achieve and maintain superiority in the electromagnetic spectrum in future conflicts; and

(4) develop recommendations for the Secretary, Congress, and such other Federal entities as JASON considers appropriate, including recommendations for—

(A) closing technical, policy, or resource gaps;

(B) improving cooperation and appropriate integration among Federal entities;

(C) improving cooperation between the United States and other countries and international organizations; and

(D) such other important matters identified by JASON that are directly relevant to the strategies of the United States described in paragraph (3).

(c) **LIAISONS.**—The Secretary shall appoint appropriate liaisons to JASON to support the timely conduct of the services covered by this section.

(d) **MATERIALS.**—The Secretary shall provide access to JASON to materials relevant to the services covered by this section, consistent with the protection of sources and methods and other critically sensitive information.

(e) **CLEARANCES.**—The Secretary shall ensure that appropriate members and staff of JASON have the necessary clearances, obtained in an expedited manner, to conduct the services covered by this section.

(f) **REPORT.**—Not later than October 1, 2019, the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of JASON with respect to the assessments carried out under subsection (b); and

(2) the recommendations developed by JASON pursuant to such subsection.

(g) **ALTERNATE CONTRACT SCIENTIFIC ORGANIZATION.**—

(1) **IN GENERAL.**—If the Secretary is unable within the period prescribed in paragraph (2) of subsection (a) to enter into an agreement described in paragraph (1) of such subsection with JASON on terms acceptable to the Secretary, the Secretary shall seek to enter into

such agreement with another appropriate scientific organization that—

(A) is not part of the Government; and

(B) has expertise and objectivity comparable to that of JASON.

(2) **TREATMENT.**—If the Secretary enters into an agreement with another organization as described in paragraph (1), any reference in this section to JASON shall be treated as a reference to the other organization.

**TITLE III—OPERATION AND MAINTENANCE**

**Subtitle A—Authorization of Appropriations**

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

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

**Subtitle B—Energy and Environment**

**SEC. 311. FURTHER IMPROVEMENTS TO ENERGY SECURITY AND RESILIENCE.**

(a) **ENERGY POLICY AUTHORITY.**—Section 2911(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (3), (4), and (5), respectively; and

(2) by inserting before paragraph (3), as so redesignated, the following new paragraphs:

“(1) establish metrics and standards for the assessment of energy resilience;

“(2) require the Secretary of a military department to perform mission assurance and readiness assessments of energy power systems for mission critical assets and supporting infrastructure, applying uniform mission standards established by the Secretary of Defense;”.

(b) **REPORTING ON ENERGY SECURITY AND RESILIENCE GOALS.**—Section 2911(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) The Secretary of Defense shall include the energy security and resilience goals of the Department of Defense in the installation energy report submitted under section 2925(a) of this title for fiscal year 2018 and every fiscal year thereafter. In the development of energy security and resilience goals, the Department of Defense shall conform with the definitions of energy security and resilience under this title. The report shall include the amount of critical energy load, together with the level of availability and reliability by fiscal year the Department of Defense deems necessary to achieve energy security and resilience.”.

(c) **REPORTING ON INSTALLATIONS ENERGY MANAGEMENT, ENERGY RESILIENCE, AND MISSION ASSURANCE.**—Section 2925(a) of title 10, United States Code, is amended—

(1) by inserting “, including progress on energy resilience at military installations according to metrics developed by the Secretary” after “under section 2911 of this title”; and

(2) in paragraph (3), by striking “the mission requirements associated with disruption tolerances based on risk to mission” and inserting “the downtimes (in minutes or hours) these missions can afford based on their mission requirements and risk tolerances”;

(3) in paragraph (4), by inserting “(including critical energy loads in megawatts and the associated downtime tolerances for critical energy loads)” after “energy requirements and critical energy requirements”;

(4) by redesignating paragraph (5) as paragraph (7); and

(5) by inserting after paragraph (4) the following new paragraphs:

“(5) A list of energy resilience projects awarded by the Department of Defense by

military department and military installation, whether appropriated or alternative financed for the reporting fiscal year, including project description, award date, the critical energy requirements serviced (including critical energy loads in megawatts), expected reliability of the project (as indicated in the awarded contract), life cycle costs, savings to investment, fuel type, and the type of appropriation or alternative financing used.

“(6) A list of energy resilience projects planned by the Department of Defense by military department and military installation, whether appropriated or alternative financed for the next two fiscal years, including project description, fuel type, expected award date, and the type of appropriation or alternative financing expected for use.”.

(d) INCLUSION OF ENERGY SECURITY AND RESILIENCE AS PRIORITIES IN CONTRACTS FOR ENERGY OR FUEL FOR MILITARY INSTALLATIONS.—Section 2922a(d) of title 10, United States Code, is amended to read as follows:

“(d) The Secretary concerned shall ensure energy security and resilience are prioritized and included in the provision and operation of energy production facilities under this section.”.

(e) CONVEYANCE AUTHORITY FOR UTILITY SYSTEMS.—Section 2688 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “Secretary of a military department” and inserting “Secretary of Defense, or the Secretary of a military department designated by the Secretary.”;

(2) in subsection (d)(2), by adding at the end the following: “The business case analysis must also demonstrate how a privatized system will operate in a manner consistent with subsection (g)(3).”; and

(3) in subsection (g)(3)—

(A) by striking “Secretary concerned may require” and inserting “Secretary of Defense, in consultation with the Secretaries of the military departments, shall require”; and

(B) by striking “consistent with energy resilience requirements and metrics” and inserting “consistent with energy resilience and cybersecurity requirements and associated metrics”.

(f) MODIFICATION OF ENERGY RESILIENCE DEFINITION.—Section 101(e)(6) of title 10, United States Code, is amended by striking “task critical assets and other”.

(g) AUTHORITY TO ACCEPT ENERGY PERFORMANCE FINANCIAL INCENTIVES FROM STATE AND LOCAL GOVERNMENTS.—Section 2913(c) of title 10, United States Code, is amended by inserting “a State or local government” after “generally available from”.

(h) TREATMENT OF ENERGY DEMAND RESPONSE FINANCIAL INCENTIVES.—Paragraph (2) of section 2919(b) of title 10, United States Code, is amended to read as follows:

“(2) credited to an appropriation designated by the Secretary of Defense, submitted in the annual President’s budget request, merged with the appropriation to which credited, and available for energy security or energy resilience projects.”.

(i) USE OF ENERGY COST SAVINGS TO IMPLEMENT ENERGY RESILIENCE AND ENERGY CONSERVATION CONSTRUCTION PROJECTS.—Section 2912(b)(1) of title 10, United States Code, is amended by inserting “, including energy resilience and energy conservation construction projects,” after “energy security measures”.

(j) ADDITIONAL BASIS FOR PRESERVATION OF PROPERTY IN THE VICINITY OF MILITARY INSTALLATIONS IN AGREEMENTS WITH NON-FEDERAL ENTITIES ON USE OF SUCH PROPERTY.—Section 2684a(a)(2)(B) of title 10, United States Code, is amended—

(1) by striking “(B)” and inserting “(B)(i)”; and

(2) by adding at the end of the following new clause:

“(ii) maintains or improves military installation resilience; or”.

**SEC. 312. FUNDING OF STUDY AND ASSESSMENT OF HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.**

Paragraph (2) of section 316(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended to read as follows:

“(2) FUNDING.—

“(A) SOURCE OF FUNDS.—The study and assessment performed pursuant to this section may be paid for using funds authorized to be appropriated to the Department of Defense under the heading ‘Operation and Maintenance, Defense-Wide’.

“(B) TRANSFER AUTHORITY.—(i) Of the amounts authorized to be appropriated for the Department of Defense for fiscal year 2018, not more than \$10,000,000 shall be transferred by the Secretary of Defense, without regard to section 2215 of title 10, United States Code, to the Secretary of Health and Human Services to pay for the study and assessment required by this section.

“(ii) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than \$10,000,000 a year during fiscal years 2019 and 2020 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.

“(C) EXPENDITURE AUTHORITY.—Amounts transferred to the Secretary of Health and Human Services shall be used to carry out the study and assessment under this section through contracts, cooperative agreements, or grants. In addition, such funds may be transferred by the Secretary of Health and Human Services to other accounts of the Department for the purposes of carrying out this section.

“(D) RELATIONSHIP TO OTHER TRANSFER AUTHORITIES.—The transfer authority provided under this paragraph is in addition to any other transfer authority available to the Department of Defense.”.

**SEC. 313. MILITARY MISSION SUSTAINMENT SITING CLEARINGHOUSE.**

(a) CHANGE IN NAME OF CLEARINGHOUSE.—Section 183a of title 10, United States Code, is amended—

(1) in the section heading, by striking “**Military Aviation and Installation Assurance Clearinghouse for review of mission obstructions**” and inserting “**Military Mission Sustainment Siting Clearinghouse for review of energy projects**”; and

(2) in paragraph (1) of subsection (a), by striking “Military Aviation and Installation Assurance Siting Clearinghouse” and inserting “Military Mission Sustainment Siting Clearinghouse”.

(b) RESPONSIBLE OFFICIAL.—Subsection (a) of such section is further amended, in paragraph (2)(A), by striking “control of an Assistant Secretary of Defense designated by the Secretary” and inserting “control of the Under Secretary of Defense for Acquisition and Sustainment”.

(c) FUNCTIONS.—Subsection (b) of such section is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) The Clearinghouse shall coordinate Department of Defense consideration of and response to requests for reviews received from other Federal agencies, State governments, Indian tribal governments, local governments, landowners, and developers of energy projects.”.

(d) REVIEW OF PROPOSED ACTIONS.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting “, including any potential negative impacts on pilot safety and training” after “military operations and readiness”; and

(B) in subparagraph (B), by inserting “, including any potential negative impacts on pilot safety and training,” after “risks to national security”; and

(2) in paragraph (3), by inserting “and the relevant local military installation” after “notice to the governor of the State”.

(e) IDENTIFICATION OF ACTIONS TO MITIGATE ALL ADVERSE IMPACTS.—Subsection (d)(2)(F) is amended by inserting “all” before “adverse impacts of projects filed”.

(f) DEPARTMENT OF DEFENSE FINDING OF UNACCEPTABLE RISK.—Subsection (e)(1) of such section is amended by inserting “, including unacceptable risk to pilot safety and unacceptable loss of training days” after “risk to the national security of the United States”.

(g) DEFINITION OF ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS.—Subsection (h)(1) of such section is amended by inserting “pilot safety,” after “including flight operations.”.

(h) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 10, United States Code, is amended by striking the item relating to section 183a and inserting the following:

“183a. Military Mission Sustainment Siting Clearinghouse for review of energy projects.”.

**SEC. 314. OPERATIONAL ENERGY POLICY.**

(a) IN GENERAL.—Section 2926 of title 10, United States Code, is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as subsections (c), (d), (e), (f), respectively;

(2) by inserting before subsection (c), as redesignated by paragraph (1), the following new subsections:

“(a) OPERATIONAL ENERGY POLICY.—In carrying out section 2911(a) of this title, the Secretary of Defense shall ensure the types, availability, and use of operational energy promote the readiness of the armed forces for their military missions.

“(b) AUTHORITIES.—The Secretary of Defense may—

“(1) require the Secretary of a military department or the commander of a combatant command to assess the energy supportability of systems, capabilities, and plans;

“(2) authorize the use of energy security, cost of backup power, and energy resilience as factors in the cost-benefit analysis for procurement of operational equipment; and

“(3) in selecting equipment that will use operational energy, give favorable consideration to the acquisition of equipment that enhances energy security, energy resilience, energy conservation, and reduces logistical vulnerabilities.”; and

(3) in subsection (c), as redesignated by subparagraph (A)—

(A) in the subsection heading, by striking “**ALTERNATIVE FUEL ACTIVITIES**” and inserting “**FUNCTIONS OF THE ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT**”; and

(B) by striking “heads of the military departments and the Assistant Secretary of Defense for Research and Engineering” and inserting “heads of the appropriate Department of Defense components”;

(C) in paragraph (1), by striking “lead the alternative fuels activities” and inserting “oversee the operational energy activities”;

(D) in paragraph (2), by striking “regarding the development of alternative fuels by the military departments and the Office of the

Secretary of Defense” and inserting “regarding the policies and investments that affect the use of operational energy across the Department of Defense”;

(E) in paragraph (3), by striking “prescribe policy to streamline the investments in alternative fuel activities across the Department of Defense” and inserting “recommend to the Secretary policy to improve warfighting capability through energy security and energy resilience”;

(F) in paragraph (5), by striking “subsection (c)(4)” and inserting “subsection (e)(4)”.

(b) CONFORMING AMENDMENTS.—(1) Section 2925(b)(1) of title 10, United States Code, is amended by striking “section 2926(b)” and inserting “section 2926(d)”.

(2) Section 1061(c)(55) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note) is amended by striking “section 2926(c)(4)” and inserting “section 2926(e)(4)”.

**SEC. 315. FUNDING TREATMENT OF PERFLUOROOCTANE SULFONIC ACID AND PERFLUOROOCTANOIC ACID AT STATE-OWNED AND OPERATED NATIONAL GUARD INSTALLATIONS.**

(a) ASSISTANCE AUTHORIZED.—The Secretary concerned may provide for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from wells owned and operated by a local water authority undertaken to attain the lifetime health advisory level for such acids in drinking water.

(b) REQUIREMENTS FOR ASSISTANCE.—The Secretary concerned may only provide for the treatment of drinking water pursuant to subsection (a) if—

(1) the local water authority has requested such treatment from the Secretary during the fiscal year when the treatment is provided;

(2) the elevated levels of perfluorooctane sulfonic acid and perfluorooctanoic acid in the drinking water are the result of activities conducted by or paid for by the Department of the Army or the Department of the Air Force at a State-owned National Guard installation;

(3) such treatment takes place only during the fiscal year in which the request was made;

(4) the local water authority waives all claims against the United States and the National Guard for treatment expenses incurred before the fiscal year during which the treatment is taking place; and

(5) the cost of any treatment provided pursuant to subsection (a) does not exceed the actual cost of the treatment attributable to the activities conducted by or paid for by the Department of the Army or the Department of the Air Force, as the case may be.

(c) EXISTING AGREEMENTS.—Treatment of drinking water pursuant to subsection (a) may be provided without regard to existing contractual provisions in agreements between the Department of the Army, the Department of the Air Force, or the National Guard Bureau, as the case may be, and the State in which the base is located relating to environmental response actions or indemnification.

(d) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary concerned may enter into such grants, cooperative agreements, or contracts with a local water authority as may be necessary to implement this section.

(e) USE OF DSMOA.—Using up to \$45,000,000 of the funds authorized to be appropriated by section 301 for operation and maintenance, the Secretary concerned may pay, utilizing an existing Defense-State Memorandum of Agreement, costs that would otherwise be eligible for payment under that agreement.

(f) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on September 30, 2021.

(g) RETROACTIVE EFFECT.—Notwithstanding paragraphs (1), (3), (4) of subsection (b), the Secretary concerned may reimburse a local water authority or a State for the treatment of drinking water pursuant to this section if—

(1) the local water authority or state requested such a payment from the National Guard Bureau prior to March 1, 2018, or the National Guard Bureau was aware of a treatment plan by the local water authority or state prior to that date; and

(2) the local water authority or the State, as the case may be, waives all claims against the United States and the National Guard for treatment expenses incurred before January 1, 2018.

(h) CONFORMING AMENDMENTS.—

(1) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of title 10, United States Code, is amended by inserting “or pollutants or contaminants” after “releases of hazardous substances”.

(2) DEFINITION OF FACILITY.—Section 2700(2) of title 10, United States Code, is amended—

(A) by striking “The terms ‘environment’, ‘facility’,” and inserting “(A) The terms ‘environment’,”;

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

“(B) The term ‘facility’—

“(i) has the meaning given the term in section 101 of CERCLA (42 U.S.C. 9601); and

“(ii) includes real property which is owned by, leased, to, or otherwise possessed by the United States at locations conducting military activities under the authority of either this title or title 32.”.

(i) DEFINITIONS.—In this section—

(1) LIFETIME HEALTH ADVISORY.—The term “lifetime health advisory” means the United States Environmental Protection Agency Lifetime Health Advisory for the presence of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means the Secretary of the Army or the Secretary of the Air Force.

(3) STATE.—The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

(4) STATE-OWNED NATIONAL GUARD INSTALLATION.—The term “State-owned National Guard installation” means a facility or site owned or operated by a State when such facility or site is used for training the National Guard pursuant to chapter 5 of title 32, United States Code, with funds provided by the Secretary of Defense or the Secretary of a military department, even though the Department of Defense is not the owner or operator of such facility or site.

**Subtitle C—Reports**

**SEC. 321. REPORTS ON READINESS.**

(a) UNIFORM APPLICABILITY OF READINESS REPORTING SYSTEM.—Subsection (b) of section 117 of title 10, United States Code, is amended—

(1) by inserting “and maintaining” after “establishing”;

(2) in paragraph (1), by striking “reporting system is applied uniformly throughout the Department of Defense” and inserting “reporting system and associated policies are applied uniformly throughout the Department of Defense, including between and among the joint staff and each of the armed forces”;

(3) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively;

(4) by inserting after paragraph (1) the following new paragraphs:

“(2) that is the single authoritative readiness reporting system for the Department,

and that there shall be no military service specific systems;

“(3) that readiness assessments are accomplished at an organizational level at, or below, the level at which forces are employed;

“(4) that the reporting system include resources information, force posture, and mission centric capability assessments, as well as predicted changes to these attributes;”;

and

(5) in paragraph (5), as redesignated by paragraph (3) of this subsection, by inserting “, or element of a unit,” after “readiness status of a unit”.

(b) CAPABILITIES OF READINESS REPORTING SYSTEM.—Such section is further amended in subsection (c)—

(1) in paragraph (1)—

(A) by striking “Measure, on a monthly basis, the capability of units” and inserting “Measure the readiness of units”; and

(B) by striking “conduct their assigned wartime missions” and inserting “conduct their designed and assigned missions”;

(2) in paragraph (2)—

(A) by striking “Measure, on an annual basis,” and inserting “Measure”; and

(B) by striking “wartime missions” and inserting “designed and assigned missions”;

(3) in paragraph (3)—

(A) by striking “Measure, on an annual basis,” and inserting “Measure”; and

(B) by striking “wartime missions” and inserting “designed and assigned missions”;

(4) in paragraph (4), by striking “Measure, on a monthly basis,” and inserting “Measure”;

(5) in paragraph (5), by striking “Measure, on an annual basis,” and inserting “Measure”;

(6) by striking paragraphs (6) and (8) and redesignating paragraph (7) as paragraph (6); and

(7) in paragraph (6), as so redesignated, by striking “Measure, on a quarterly basis,” and inserting “Measure”.

(c) SEMI-ANNUAL AND MONTHLY JOINT READINESS REVIEWS.—Such section is further amended in subsection (d)(1)(A) by inserting “, which includes a validation of readiness data currency and accuracy” after “joint readiness review”.

(d) QUARTERLY REPORT ON CHANGE IN CURRENT STATE OF UNIT READINESS.—Such section is further amended—

(1) in subsection (e), by striking “SUBMISSION TO CONGRESSIONAL COMMITTEES” and inserting “QUARTERLY REPORT ON JOINT READINESS”;

(2) by redesignating subsection (f) as subsection (h); and

(3) by inserting after subsection (e) the following new subsection:

“(f) QUARTERLY REPORT ON MONTHLY CHANGES IN CURRENT STATE OF READINESS OF UNITS.—The Secretary shall each quarter submit to the congressional defense committees a report on each monthly upgrade or downgrade of the current state of readiness of a unit that was issued by the commander of a unit during the previous quarter, together with the rationale of the commander for the issuance of such upgrade or downgrade.”.

(e) ANNUAL REPORT TO CONGRESS ON OPERATIONAL CONTRACT SUPPORT.—Such section is further amended by inserting after subsection (f), as added by subsection (d) of this section, the following new subsection:

“(g) ANNUAL REPORT ON OPERATIONAL CONTRACT SUPPORT.—The Secretary shall each year submit to the congressional defense committees a report in writing containing the results of the most recent annual measurement of the capability of operational contract support to support current and anticipated wartime missions of the armed forces.

Each such report shall be submitted in unclassified form, but may include a classified annex.”.

(f) REGULATIONS.—Such section is further amended in subsection (h), as redesignated by subsection (d) of this section, by striking “prescribe the units that are subject to reporting in the readiness reporting system, what type of equipment is subject to such reporting” and inserting “prescribe the established information technology system for Department of Defense reporting, specifically authorize exceptions to a single-system architecture, and identify the organizations, units, and entities that are subject to reporting in the readiness reporting system, what organization resources are subject to such reporting”.

(g) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—Such section is further amended in the section heading by striking “: establishment; reporting to congressional committees”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 2 is amended by striking the item relating to section 117 and inserting the following new item:

“117. Readiness reporting system.”.

**SEC. 322. REPORT ON COLD WEATHER CAPABILITIES AND READINESS OF UNITED STATES ARMED FORCES.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the current cold weather capabilities and readiness of the United States Armed Forces.

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

(1) A description of current cold weather capabilities and training to support United States military operations in cold climates across the joint force.

(2) A description of anticipated requirements for United States military operations in cold and extreme cold weather in the Arctic, Northeast Asia, and Northern and Eastern Europe.

(3) A description of the current cold weather readiness of the joint force, the ability to increase cold weather training across the joint force, and any equipment, infrastructure, personnel, or resource limitations or gaps that may exist.

(4) An analysis of potential opportunities to expand cold weather training for the Army, the Navy, the Air Force, and the Marine Corps and the resources or infrastructure required for such expansion.

(5) An analysis of potential cold weather amphibious landing locations, including the potential for a combined arms live fire exercise.

**Subtitle D—Other Matters**

**SEC. 331. PILOT PROGRAMS ON INTEGRATION OF MILITARY INFORMATION SUPPORT AND CIVIL AFFAIRS ACTIVITIES.**

(a) PILOT PROGRAMS AUTHORIZED.—

(1) IN GENERAL.—The commander of any geographic combatant command designated by the Secretary of Defense for purposes of this section, and the Commander of the United States Special Operations Command if so designated, may carry out one or more pilot programs designed to assess the feasibility and advisability of integrating military information support and civil affairs in support of the theater campaign plans of such combatant command.

(2) CONCURRENCE OF CHIEFS OF MISSION.—Activities under a pilot program under this section may be carried out in a country only with the concurrence of the Chief of Mission for that country.

(b) REQUIREMENT FOR BOTH MILITARY INFORMATION SUPPORT AND CIVIL AFFAIRS CAPABILITIES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each pilot program under this section shall include both a military information support capability and a civil affairs capability.

(2) NO MILITARY INFORMATION SUPPORT CAPABILITY.—A pilot program may be carried out in a region or country in which no military information support capability is deployed if the program is complemented by a Department of State public diplomacy effort that contributes to the fulfillment of the objectives of the commander of the combatant command concerned to convey information to foreign audiences in the region or country to influence their emotions, motives, objective reasoning, and behavior in support of the applicable theater campaign plan.

(3) NO CIVIL AFFAIRS CAPABILITY.—A pilot program may be carried out in a region or country in which no civil affairs capability is deployed if the program is complemented by an effort of the Department of State or the United States Agency for International Development to contribute to the fulfillment of the objectives of the commander of the combatant command concerned to reestablish or maintain stability within the region or country in support of the applicable theater campaign plan.

(4) PLAN.—In the event a pilot program will be carried out pursuant to paragraph (2) or (3), planning for the pilot program shall include an explanation of concept, budget, timeline, and metrics for measuring the effectiveness of activities of the Department of State or United States Agency for International Development, as applicable, under the pilot program.

(c) DURATION.—The authority to carry out pilot programs under this section shall cease on September 30, 2023.

(d) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the last day of each of fiscal year 2019 through 2023, the Secretary shall submit to the congressional defense committees a report on the pilot programs carried out under this section during the preceding fiscal year.

(2) ELEMENTS.—Each report under this subsection shall include, for the fiscal year covered by such report, the following:

(A) A list of all pilot programs carried out, set forth by combatant command.

(B) A list of all pilot programs commenced, set forth by combatant command.

(C) The amount of funds provided for each pilot program carried out.

(D) The objectives of each pilot program carried out, and the metrics used or to be used to measure the effectiveness of such pilot program.

(E) A description of the manner in which each pilot program carried out supports the applicable theater campaign plan of the commanders of the combatant command concerned.

(F) If a pilot program was concluded, an assessment of the value of the program, a description and assessment of lessons learned through the program, and any recommendations the Secretary considers appropriate for follow-on efforts in connection with the program.

(e) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated for each of fiscal years 2019 through 2023 for the Department of Defense for operation and maintenance and available for the combatant commands, an aggregate of \$20,000,000 may be used in each such fiscal year by each such combatant command for pilot programs under this section.

(2) LIMITATION ON AMOUNT FOR PARTICULAR PROGRAMS.—The amount expended on any particular pilot program may not exceed \$2,000,000.

(f) DEFINITIONS.—In this section:

(1) CIVIL AFFAIRS.—The term “civil affairs” means activities intended to establish, maintain, influence, or exploit relations between military forces, indigenous populations, and institutions by directly supporting the attainment of objectives relating to the reestablishment or maintenance of stability within a region or country.

(2) MILITARY INFORMATION SUPPORT.—The term “military information support” means operations to convey selected information and indicators to foreign audiences to influence their emotions, motives, objective reasoning, and ultimately the behavior of foreign governments, organizations, groups, and individuals in a manner favorable to the objectives of those planning such operations.

(3) THEATER CAMPAIGN PLAN.—The term “theater campaign plan” means a plan developed by a combatant command for the steady-state activities of the command, including operations, security cooperation, and other activities designed to achieve strategic end states in the theater.

**SEC. 332. REPORTING ON FUTURE YEARS BUDGETING BY SUBACTIVITY GROUP.**

Along with the budget for each fiscal year submitted by the President pursuant to section 1105(a) of title 31, United States Code, the Secretary of Defense and the Secretaries of the military departments shall include in the OP-5 Justification Books as detailed by Department of Defense Financial Management Regulation 7000.14-R the amount for each individual subactivity group (SAG) as detailed in the Department’s future years defense program pursuant to section 221 of title 10, United States Code.

**SEC. 333. RESTRICTION ON UPGRADES TO AVIATION DEMONSTRATION TEAM AIRCRAFT.**

(a) IN GENERAL.—Except as provided under subsection (b), the Secretary of Defense may not upgrade the type, model, or series of aircraft used by a military service for its fixed wing aviation demonstration teams, including Blue Angel and Thunderbird aircraft, until the service’s active and reserve duty squadrons and weapon training schools have replaced 100 percent of the existing type, model, and series of aircraft.

(b) WAIVER AUTHORITY.—The Secretary of Defense may, upon written notice to the congressional defense committees, waive the prohibition under subsection (a) for the purpose of carrying out upgrades to the type, model, or series of the aircraft described under such subsection that are necessary to ensure the safety of pilots.

**SEC. 334. U.S. SPECIAL OPERATIONS COMMAND CIVILIAN PERSONNEL.**

Of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-wide for U.S. Special Operations Command civilian personnel, not less than \$6,200,000 shall be used to fund the detail of civilian personnel to the office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict to support the Secretariat for Special Operations.

**SEC. 335. LIMITATION ON AVAILABILITY OF FUNDS FOR SERVICE-SPECIFIC DEFENSE READINESS REPORTING SYSTEMS.**

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2019 for operation and maintenance, research, development, test, and evaluation, or procurement, and available to operate service specific Defense Readiness Reporting Systems (DRRS) may be made available for such purpose except for required maintenance and in order to facilitate the transition to DRRS-Strategic (DRRS-S).



(b) PLAN.—Not later than February 1, 2019, the Under Secretary for Personnel and Readiness shall submit to the congressional defense committees a resource and funding plan to include a schedule with relevant milestones on the elimination of service-specific DRRS and the migration of the military services and other organizations to DRRS-S.

(c) TRANSITION.—The military services shall complete the transition to DRRS-S not later than October 1, 2019. The Secretary of Defense shall notify the congressional defense committees upon the complete transition of the services.

(d) REPORTING REQUIREMENT.—

(1) IN GENERAL.—The Under Secretary for Personnel and Readiness, the Under Secretary for Acquisition and Sustainment, and the Under Secretary for Research and Engineering, in coordination with the Secretaries of the military departments and other organizations with relevant technical expertise, shall establish a working group including individuals with expertise in application or software development, data science, testing, and development and assessment of performance metrics to assess the current process for collecting, analyzing, and communicating readiness data, and develop a strategy for implementing any recommended changes to improve and establish readiness metrics using the current DRRS-Strategic platform.

(2) ELEMENTS.—The assessment conducted pursuant to paragraph (1) shall include—

(A) identification of modern tools, methods, and approaches to readiness to more effectively and efficiently collect, analyze, and make decision based on readiness data; and

(B) consideration of cost and schedule.

(3) SUBMISSION TO CONGRESS.—Not later than February 1, 2020, the Secretary of Defense shall submit to the congressional defense committees the assessment conducted pursuant to paragraph (1).

(e) DEFENSE READINESS REPORTING REQUIREMENTS.—To the maximum extent practicable, the Secretary of Defense shall meet defense readiness reporting requirements consistent with the recommendations of the working group established under subsection (d)(1).

#### SEC. 336. REPURPOSING AND REUSE OF SURPLUS ARMY FIREARMS.

Section 348(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1365) is amended by inserting “shredded or” before “melted and repurposed”.

#### SEC. 337. LIMITATION ON AVAILABILITY OF FUNDS FOR ESTABLISHMENT OF ADDITIONAL SPECIALIZED UNDERGRADUATE PILOT TRAINING FACILITY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2019 for Specialized Undergraduate Pilot Training for the Air Force (referred to in this section as “SUPT”) no funds may be used to enter into a contract for the procurement of equipment, facilities, real property, or services to establish a new SUPT location in the United States until the date on which the Secretary of the Air Force submits to the congressional defense committees the certification described under subsection (b).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification that—

(1) existing SUPT installations are operating at maximum capacity in terms of pilot production; and

(2) the Air Force plans to operate existing SUPT installations at maximum capacity over the future years defense program.

(c) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2019, the Secretary of the Air Force shall submit to the congressional defense committees a report on existing SUPT production, resourcing, and locations.

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

(A) A description of the strategy of the Air Force for utilizing existing SUPT locations to produce the number of pilots the Air Force requires.

(B) The number of pilots that each SUPT location has graduated, by year, over the previous 5 fiscal years.

(C) The forecast number of pilots that each SUPT location will produce for fiscal year 2019.

(D) The maximum production capacity of each SUPT location.

(E) A cost estimate of the resources required for each SUPT location to reach maximum production capacity.

(F) A determination as to whether increasing production capacity at existing SUPT locations will satisfy the Air Force's SUPT requirement.

(G) A timeline and cost estimation of establishing a new SUPT location.

(H) A business case analysis comparing the establishment of a new SUPT location to increasing production capacity at existing SUPT locations.

#### SEC. 338. SCOPE OF AUTHORITY FOR RESTORATION OF LAND DUE TO MISHAP.

Subsection (e) of section 2691 of title 10, United States Code, as added by section 2814 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1849), is amended by adding at the end the following new paragraph:

“(3) The authority under paragraphs (1) and (2) includes activities and expenditures necessary to complete restoration to meet the regulations of the Federal department or agency with administrative jurisdiction over the affected land, which may be different than the regulations of the Department of Defense.”.

#### SEC. 339. REDESIGNATION OF THE UTAH TEST AND TRAINING RANGE (UTTR).

The Utah Test and Training Range (UTTR) located in northwestern Utah and eastern Nevada may be redesignated.

#### Subtitle E—Logistics and Sustainment

#### SEC. 351. LIMITATION ON MODIFICATIONS TO NAVY FACILITIES SUSTAINMENT, RESTORATION, AND MODERNIZATION (FSRM) STRUCTURE AND MECHANISM.

The Secretary of the Navy may not make any modification to the existing Navy Facilities Sustainment, Restoration, and Modernization (FSRM) structure or mechanism that would modify duty relationships or significantly alter the existing structure until 90 days after providing notice of the proposed modification to the congressional defense committees.

### TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

#### Subtitle A—Active Forces

#### SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2019, as follows:

- (1) The Army, 485,741.
- (2) The Navy, 331,900.
- (3) The Marine Corps, 186,100.
- (4) The Air Force, 325,720.

#### SEC. 402. END STRENGTHS FOR COMMISSIONED OFFICERS ON ACTIVE DUTY IN CERTAIN GRADES.

The Armed Forces are authorized strengths for commissioned officers on ac-

tive duty as of September 30, 2019, in the grades as follows in the number specified:

- (1) The Army:
  - (A) Colonel, 3,970.
  - (B) Lieutenant colonel, 8,700.
  - (C) Major, 15,470.
- (2) The Navy:
  - (A) Captain, 3,060.
  - (B) Commander, 6,670.
  - (C) Lieutenant commander, 11,010.
- (3) The Marine Corps:
  - (A) Colonel, 650.
  - (B) Lieutenant colonel, 1,910.
  - (C) Major, 3,920.
- (4) The Air Force:
  - (A) Colonel, 3,450.
  - (B) Lieutenant colonel, 10,270.
  - (C) Major, 13,920.

#### Subtitle B—Reserve Forces

#### SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2019, as follows:

- (1) The Army National Guard of the United States, 343,500.
- (2) The Army Reserve, 199,500.
- (3) The Navy Reserve, 59,000.
- (4) The Marine Corps Reserve, 38,500.
- (5) The Air National Guard of the United States, 106,600.
- (6) The Air Force Reserve, 69,800.
- (7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

#### SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2019, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 30,155.
- (2) The Army Reserve, 16,261.
- (3) The Navy Reserve, 10,101.
- (4) The Marine Corps Reserve, 2,261.
- (5) The Air National Guard of the United States, 19,450.
- (6) The Air Force Reserve, 3,588.

#### SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2019 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

(2) For the Army Reserve, 6,492.

(3) For the Air National Guard of the United States, 18,969.

(4) For the Air Force Reserve, 8,880.

**SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

During fiscal year 2019, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

**Subtitle C—Authorization of Appropriations**

**SEC. 421. MILITARY PERSONNEL.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2019.

**SEC. 422. LIMITATION ON USE OF FUNDS FOR PERSONNEL IN FISCAL YEAR 2019 IN EXCESS OF STATUTORILY SPECIFIED END STRENGTHS FOR FISCAL YEAR 2018.**

Notwithstanding any other provision of this title, funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2019 for military personnel may be not obligated or expended for a number of military personnel covered by an end strength in title IV of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) in excess of such end strength until the Secretary of Defense has submitted to the congressional defense committees the report required under subsection (b) of section 1041.

**TITLE V—MILITARY PERSONNEL POLICY**

**Subtitle A—Officer Personnel Policy**

**PART I—OFFICER PERSONNEL MANAGEMENT REFORM**

**SEC. 501. REPEAL OF CODIFIED SPECIFICATION OF AUTHORIZED STRENGTHS OF CERTAIN COMMISSIONED OFFICERS ON ACTIVE DUTY.**

Effective as of October 1, 2018, the text of section 523 of title 10, United States Code, is amended to read as follows:

“The total number of commissioned officers serving on active duty in the Army, Air Force, or Marine Corps in each of the grades of major, lieutenant colonel, or colonel, or in the Navy in each of the grades of lieutenant commander, commander, or captain, at the end of any fiscal year shall be as specifically authorized by Act of Congress for such fiscal year.”.

**SEC. 502. ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT MATTERS.**

(a) DATE OF SUBMITTAL.—Subsection (a) of section 115a of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking “not later than 45 days after the date on which” and inserting “on the date on which”.

(b) SPECIFICATION OF ANTICIPATED OPPORTUNITIES FOR PROMOTION OF COMMISSIONED

OFFICERS.—Subsection (d) of such section is amended by adding the following new paragraph:

“(4) The opportunities for promotion of commissioned officers anticipated to be estimated pursuant to section 623(b)(4) of this title for the fiscal year in which such report is submitted for purposes of promotion selection boards convened pursuant to section 611 of this title during such fiscal year.”.

(c) ENUMERATION OF REQUIRED NUMBERS OF CERTAIN COMMISSIONED OFFICERS.—Such section is further amended by adding at the end the following new subsection:

“(i) In each such report, the Secretary shall also include a separate statement of the number of officers required for the next fiscal year in each grade as follows:

“(1) Major, lieutenant colonel, and colonel of each of the Army, the Air Force, and the Marine Corps.

“(2) Lieutenant commander, commander, and captain of the Navy.”.

**SEC. 503. REPEAL OF REQUIREMENT FOR ABILITY TO COMPLETE 20 YEARS OF SERVICE BY AGE 62 AS QUALIFICATION FOR ORIGINAL APPOINTMENT AS A REGULAR COMMISSIONED OFFICER.**

(a) REPEAL.—Subsection (a) of section 532 of title 10, United States Code, is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(b) CONFORMING AMENDMENT.—Such section is further amended by striking subsection (d).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to original appointments of regular commissioned officers of the Armed Forces made on or after that date.

**SEC. 504. ENHANCEMENT OF AVAILABILITY OF CONSTRUCTIVE SERVICE CREDIT FOR PRIVATE SECTOR TRAINING OR EXPERIENCE UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.**

(a) REGULAR OFFICERS.—

(1) IN GENERAL.—Subsection (b) of section 533 of title 10, United States Code, is amended—

(A) in paragraph (1), by striking subparagraph (D) and inserting the following new subparagraph (D):

“(D) Additional credit for special training or experience in a particular officer career field as designated by the Secretary concerned, if such training or experience is directly related to the operational needs of the armed force concerned.”; and

(B) in paragraph (2)—

(i) by striking “Except as authorized by the Secretary concerned in individual cases and under regulations prescribed by the Secretary of Defense in the case of a medical or dental officer, the amount” and inserting “The amount”; and

(ii) by striking “in the grade of major in the Army, Air Force, or Marine Corps or lieutenant commander in the Navy” and inserting “in the grade of colonel in the Army, Air Force, or Marine Corps or captain in the Navy”.

(2) REPEAL OF TEMPORARY AUTHORITY FOR SERVICE CREDIT FOR CRITICALLY NECESSARY CYBERSPACE-RELATED EXPERIENCE.—Such section is further amended—

(A) in subsections (a)(2) and (c), by striking “or (g)”; and

(B) by striking subsection (g).

(b) RESERVE OFFICERS.—

(1) IN GENERAL.—Subsection (b) of section 12207 of title 10, United States Code, is amended—

(A) in paragraph (1), by striking subparagraph (D) and inserting the following new subparagraph (D):

“(D) Additional credit for special training or experience in a particular officer career field as designated by the Secretary concerned, if such training or experience is directly related to the operational needs of the armed force concerned.”; and

(B) by striking paragraph (3) and inserting the following new paragraph (3):

“(3) The amount of constructive service credit credited to an officer under this subsection may not exceed the amount required in order for the officer to be eligible for an original appointment as a reserve officer of the Army, Air Force, or Marine Corps in the grade of colonel or as a reserve officer of the Navy in the grade of captain.”.

(2) REPEAL OF TEMPORARY AUTHORITY FOR SERVICE CREDIT FOR CRITICALLY NECESSARY CYBERSPACE-RELATED EXPERIENCE.—Such section is further amended—

(A) by striking subsection (e);

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively; and

(C) in subsection (e), as redesignated by subparagraph (B), by striking “, (d), or (e)” and inserting “or (d)”.

**SEC. 505. STANDARDIZED TEMPORARY PROMOTION AUTHORITY ACROSS THE MILITARY DEPARTMENTS FOR OFFICERS IN CERTAIN GRADES WITH CRITICAL SKILLS.**

(a) STANDARDIZED TEMPORARY PROMOTION AUTHORITY.—

(1) IN GENERAL.—Chapter 35 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 605. Promotion to certain grades for officers with critical skills: colonel, lieutenant colonel, major, captain; captain, commander, lieutenant commander, lieutenant**

“(a) IN GENERAL.—An officer in the grade of first lieutenant, captain, major, or lieutenant colonel in the Army, Air Force, or Marine Corps, or lieutenant (junior grade), lieutenant, lieutenant commander, or commander in the Navy, who is described in subsection (b) may be temporarily promoted to the grade of captain, major, lieutenant colonel, or colonel in the Army, Air Force, or Marine Corps, or lieutenant, lieutenant commander, commander, or captain in the Navy, as applicable, under regulations prescribed by the Secretary of the military department concerned. Appointments under this section shall be made by the President, by and with the advice and consent of the Senate.

“(b) COVERED OFFICERS.—An officer described in this subsection is any officer in a grade specified in subsection (a) who—

“(1) has a skill in which the armed force concerned has a critical shortage of personnel (as determined by the Secretary of the military department concerned); and

“(2) is serving in a position (as determined by the Secretary of the military department concerned) that—

“(A) is designated to be held by a captain, major, lieutenant colonel, or colonel in the Army, Air Force, or Marine Corps, or lieutenant, lieutenant commander, commander, or captain in the Navy, as applicable; and

“(B) requires that an officer serving in such position have the skill possessed by such officer.

“(c) STATUS OF OFFICERS APPOINTED.—

“(1) PRESERVATION OF POSITION AND STATUS.—An appointment under this section does not change the position on the active-duty list or the permanent, probationary, or acting status of the officer so appointed, prejudice the officer in regard to other promotions or appointments, or abridge the rights or benefits of the officer.

“(2) GRADE FOR PURPOSES OF ANNUAL DEFENSE MANPOWER REPORTS.—For purposes of section 115a of this title, an officer holding an appointment under this section is considered as serving in the grade of the temporary promotion this section.

“(d) BOARD RECOMMENDATION REQUIRED.—A temporary promotion under this section may be made only upon the recommendation of a board of officers convened by the Secretary of the military department concerned for the purpose of recommending officers for such promotions.

“(e) ACCEPTANCE AND EFFECTIVE DATE OF APPOINTMENT.—Each appointment under this section, unless expressly declined, is, without formal acceptance, regarded as accepted on the date such appointment is made, and a member so appointed is entitled to the pay and allowances of the grade of the temporary promotion under this section from the date the appointment is made.

“(f) TERMINATION OF APPOINTMENT.—Unless sooner terminated, an appointment under this section terminates—

“(1) on the date the officer who received the appointment is promoted to the permanent grade of captain, major, lieutenant colonel, or colonel in the Army, Air Force, or Marine Corps, or lieutenant, lieutenant commander, commander, or captain in the Navy; or

“(2) on the date the officer is detached from a position described in subsection (b)(2), unless the officer is on a promotion list to the permanent grade of captain, major, lieutenant colonel, or colonel in the Army, Air Force, or Marine Corps, or lieutenant, lieutenant commander, commander, or captain in the Navy, in which case the appointment terminates on the date the officer is promoted to that grade.

“(g) LIMITATION ON NUMBER OF ELIGIBLE POSITIONS.—An appointment under this section may only be made for service in a position designated by the Secretary of the military department concerned for the purposes of this section. The number of positions so designated may not exceed the following:

“(1) In the case of the Army—

“(A) as captain, 120;

“(B) as major, 350;

“(C) as lieutenant colonel, 200; and

“(D) as colonel, 100.

“(2) In the case of the Air Force—

“(A) as captain, 100;

“(B) as major, 325;

“(C) as lieutenant colonel, 175; and

“(D) as colonel, 80.

“(3) In the case of the Marine Corps—

“(A) as captain, 50;

“(B) as major, 175;

“(C) as lieutenant colonel, 100; and

“(D) as colonel, 50.

“(4) In the case of the Navy—

“(A) as lieutenant, 100;

“(B) as lieutenant commander, 325;

“(C) as commander, 175; and

“(D) as captain, 80.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of such title is amended by adding at the end the following new item:

“605. Promotion to certain grades for officers with critical skills: colonel, lieutenant colonel, major, captain; captain, commander, lieutenant commander, lieutenant ant.”.

(b) REPEAL OF SUPERSEDED AUTHORITY APPLICABLE TO NAVY LIEUTENANTS.—

(1) REPEAL.—Chapter 544 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 10, United States Code, and at the beginning of subtitle C of such title, are each amended by striking the item relating to chapter 544.

**SEC. 506. AUTHORITY FOR PROMOTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED HIGHER ON A PROMOTION LIST.**

(a) DOPMA BOARDS.—

(1) IN GENERAL.—Section 616 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) In selecting the officers to be recommended for promotion, a selection board may, when authorized by the Secretary of the military department concerned, recommend officers of particular merit, from among those officers selected for promotion, to be placed higher on the promotion list established by the Secretary under section 624(a)(1) of this title.

“(2) An officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the officer receives the recommendation of at least a majority of the members of the board, unless the Secretary concerned establishes an alternative requirement. Any such alternative requirement shall be furnished to the board as part of the guidelines furnished to the board under section 615 of this title.

“(3) For the officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend the order in which those officers should be placed on the list.”.

(2) PROMOTION SELECTION BOARD REPORTS RECOMMENDING OFFICERS OF PARTICULAR MERIT BE PLACED HIGHER ON PROMOTION LIST.—Section 617 of such title is amended by adding at the end the following new subsection:

“(d) A selection board convened under section 611(a) of this title shall, when authorized under section 616(g) of this title, include in its report to the Secretary concerned the names of those officers recommended by the board to be placed higher on the promotion list and the order in which the board recommends that those officers should be placed on the list.”.

(3) OFFICERS OF PARTICULAR MERIT APPEARING HIGHER ON PROMOTION LIST.—Section 624(a)(1) of such title is amended in the first sentence by adding at the end “or based on particular merit, as determined by the promotion board”.

(b) ROPMA BOARDS.—

(1) IN GENERAL.—Section 14108 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) OFFICERS OF PARTICULAR MERIT.—(1) In selecting the officers to be recommended for promotion, a promotion board may, when authorized by the Secretary of the military department concerned, recommend officers of particular merit, from among those officers selected for promotion, to be placed higher on the promotion list established by the Secretary under section 14308(a) of this title.

“(2) An officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the officer receives the recommendation of at least a majority of the members of the board, unless the Secretary concerned establishes an alternative requirement. Any such alternative requirement shall be furnished to the board as part of the guidelines furnished to the board under section 14107 of this title.

“(3) For the officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend the order in which those officers should be placed on the list.”.

(2) PROMOTION BOARD REPORTS RECOMMENDING OFFICERS OF PARTICULAR MERIT BE PLACED HIGHER ON PROMOTION LIST.—Section 14109 of such title is amended by adding at the end the following new subsection:

“(d) OFFICERS OF PARTICULAR MERIT.—A promotion board convened under section 14101(a) of this title shall, when authorized under section 14108(f) of this title, include in its report to the Secretary concerned the names of those officers recommended by the board to be placed higher on the promotion

list and the order in which the board recommends that those officers should be placed on the list.”.

(3) OFFICERS OF PARTICULAR MERIT APPEARING HIGHER ON PROMOTION LIST.—Section 14308(a) of such title is amended in the first sentence by adding at the end “or based on particular merit, as determined by the promotion board”.

**SEC. 507. AUTHORITY FOR OFFICERS TO OPT OUT OF PROMOTION BOARD CONSIDERATION.**

(a) ACTIVE-DUTY LIST OFFICERS.—Section 619 of title 10, United States Code, is amended—

(1) in subsection (d), by adding at the end the following new paragraph:

“(6) An officer excluded under subsection (e).”; and

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

“(e) AUTHORITY TO ALLOW OFFICERS TO OPT OUT OF SELECTION BOARD CONSIDERATION.—(1) The Secretary of a military department may provide that an officer under the jurisdiction of the Secretary may, upon the officer's request and with the approval of the Secretary, be excluded from consideration by a selection board convened under section 611(a) of this title to consider officers for promotion to the next higher grade.

“(2) The Secretary concerned may only approve a request under paragraph (1) if—

“(A) the basis for the request is to allow an officer to complete a broadening assignment, advanced education, another assignment of significant value to the Department, or a career progression requirement delayed by the assignment or education;

“(B) the Secretary determines the exclusion from consideration is in the best interest of the military department concerned; and

“(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.”.

(b) RESERVE ACTIVE-STATUS LIST OFFICERS.—Section 14301 of such title is amended—

(1) in subsection (c)—

(A) in the subsection heading, by striking “PREVIOUSLY SELECTED OFFICERS NOT ELIGIBLE” and inserting “CERTAIN OFFICERS NOT”; and

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

“(6) An officer excluded under subsection (j).”; and

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

“(j) AUTHORITY TO ALLOW OFFICERS TO OPT OUT OF SELECTION BOARD CONSIDERATION.—(1) The Secretary a military department may provide that an officer under the jurisdiction of the Secretary may, upon the officer's request and with the approval of the Secretary, be excluded from consideration by a selection board convened under section 14101(a) of this title to consider officers for promotion to the next higher grade.

“(2) The Secretary concerned may only approve a request under paragraph (1) if—

“(A) the basis for the request is to allow an officer to complete a broadening assignment, advanced education, another assignment of significant value to the Department, or a career progression requirement delayed by the assignment or education;

“(B) the Secretary determines the exclusion from consideration is in the best interest of the military department concerned; and

“(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.”.

**SEC. 508. COMPETITIVE CATEGORY MATTERS.**

Section 621 of title 10, United States Code, is amended—

(1) by inserting “(a) COMPETITIVE CATEGORIES.—” before “Under regulations”; and

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

“(b) BASES FOR COMPETITIVE CATEGORIES.—Competitive categories shall be established on the bases as follows:

“(1) Officers occupying similar officer qualifications, specialties, occupations, or ratings shall be grouped together.

“(2) Promotion timing, promotion opportunity, and officer career length shall each be tailored to particular officer qualifications, specialties, occupations, or ratings.

“(c) CONSISTENCY NOT REQUIRED IN PROMOTION TIMING OR OPPORTUNITY.—In establishing competitive categories, the Secretary of a military department shall not be required to provide consistency in promotion timing or promotion opportunity among competitive categories of the armed force concerned.”.

**SEC. 509. PROMOTION ZONE MATTERS.**

(a) ALIGNMENT WITH ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORTS.—Subsection (b) of section 623 of title 10, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding after paragraph (4) the following new paragraph (5):

“(5) the alignment of opportunities for promotion for officers considered by any particular selection board with opportunities for promotion in the next year as estimated pursuant to paragraph (4) and reported in the annual defense manpower requirements report covering such year under section 115a of this title.”.

(b) PROHIBITION ON DETERMINATION OF OFFICERS IN PROMOTION ZONE BASED ON YEAR OF ORIGINAL APPOINTMENT TO CURRENT GRADE.—

(1) IN GENERAL.—Such section is further amended by adding at the end the following new subsection:

“(c) The Secretary concerned may not determine the number of officers in a promotion zone on the basis of the year in which officers receive their original appointment in their current grade.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to promotion zones established for promotion selection boards convened on or after that date.

**SEC. 510. ALTERNATIVE PROMOTION AUTHORITY FOR OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES OF OFFICERS.**

(a) ALTERNATIVE PROMOTION AUTHORITY.—

(1) IN GENERAL.—Chapter 36 of title 10, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER VI—ALTERNATIVE PROMOTION AUTHORITY FOR OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES

“Sec.

“649a. Officers in designated competitive categories.

“649b. Selection for promotion.

“649c. Eligibility for consideration for promotion.

“649d. Opportunities for consideration for promotion.

“649e. Promotions.

“649f. Failure of selection for promotion.

“649g. Retirement: retirement for years of service; selective early retirement.

“649h. Continuation on active duty.

“649h-1. Continuation on active duty: officers in certain military specialties and career tracks.

“649i. Other administrative authorities.

“649j. Regulations.

**“§ 649a. Officers in designated competitive categories**

“(a) AUTHORITY TO DESIGNATE COMPETITIVE CATEGORIES OF OFFICERS.—Each Secretary of a military department may designate one or more competitive categories for promotion of officers under section 621 of this title that are under the jurisdiction of such Secretary as a competitive category of officers whose promotion, retirement, and continuation on active duty shall be subject to the provisions of this subchapter.

“(b) LIMITATION ON EXERCISE OF AUTHORITY.—The Secretary of a military department may not designate a competitive category of officers for purposes of this subchapter until 60 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report on the designation of the competitive category. The report on the designation of a competitive category shall set forth the following:

“(1) A detailed description of officer requirements for officers within the competitive category.

“(2) An explanation of the number of opportunities for consideration for promotion to each particular grade, and an estimate of promotion timing, within the competitive category.

“(3) An estimate of the size of the promotion zone for each grade within the competitive category.

“(4) A description of any other matters the Secretary considered in determining to designate the competitive category for purposes of this subchapter.

**“§ 649b. Selection for promotion**

“(a) IN GENERAL.—Except as provided in this section, the selection for promotion of officers in any competitive category of officers designated for purposes of this subchapter shall be governed by the provisions of subchapter I of this chapter.

“(b) NO RECOMMENDATION FOR PROMOTION OF OFFICERS BELOW PROMOTION ZONE.—Section 616(b) of this title shall not apply to the selection for promotion of officers described in subsection (a).

“(c) RECOMMENDATION FOR OFFICERS TO BE EXCLUDED FROM FUTURE CONSIDERATION FOR PROMOTION.—In making recommendations pursuant to section 616 of this title for purposes of the administration of this subchapter, a selection board convened under section 611(a) of this title may recommend that an officer considered by the board be excluded from future consideration for promotion under this chapter.

**“§ 649c. Eligibility for consideration for promotion**

“(a) IN GENERAL.—Except as provided by this section, eligibility for promotion of officers in any competitive category of officers designated for purposes of this subchapter shall be governed by the provisions of section 619 of this title.

“(b) INAPPLICABILITY OF CERTAIN TIME-IN-GRADE REQUIREMENTS.—Paragraphs (2) through (4) of section 619(a) of this title shall not apply to the promotion of officers described in subsection (a).

“(c) INAPPLICABILITY TO OFFICERS ABOVE AND BELOW PROMOTION ZONE.—The following provisions of section 619(c) of this title shall not apply to the promotion of officers described in subsection (a):

“(1) The reference in paragraph (1) of that section to an officer above the promotion zone.

“(2) Paragraph (2)(A) of that section.

“(d) INELIGIBILITY OF CERTAIN OFFICERS.—The following officers are not eligible for promotion under this subchapter:

“(1) An officer described in section 619(d) of this title.

“(2) An officer not included within the promotion zone.

“(3) An officer who has failed of promotion to a higher grade the maximum number of times specified for opportunities for promotion for such grade within the competitive category concerned pursuant to section 649d of this title.

“(4) An officer recommended by a selection board to be removed from consideration for promotion in accordance with section 649b(c) of this title.

**“§ 649d. Opportunities for consideration for promotion**

“(a) SPECIFICATION OF NUMBER OF OPPORTUNITIES FOR CONSIDERATION FOR PROMOTION.—In designating a competitive category of officers pursuant to section 649a of this title, the Secretary of a military department shall specify the number of opportunities for consideration for promotion to be afforded officers of the armed force concerned within the category for promotion to each grade above the grade of first lieutenant or lieutenant (junior grade), as applicable.

“(b) LIMITED AUTHORITY OF SECRETARY OF MILITARY DEPARTMENT TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of a military department may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified by the Secretary pursuant subsection (a) or this subsection, not more frequently than once every five years.

“(c) DISCRETIONARY AUTHORITY OF SECRETARY OF DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified or modified pursuant to any provision of this section, at the discretion of the Secretary.

“(d) LIMITATION ON NUMBER OF OPPORTUNITIES SPECIFIED.—The number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as specified or modified pursuant to any provision of this section, may not exceed five opportunities.

“(e) EFFECT OF CERTAIN REDUCTION IN NUMBER OF OPPORTUNITIES SPECIFIED.—If, by reason of a reduction in the number of opportunities for consideration for promotion under this section, an officer would no longer have one or more opportunities for consideration for promotion that were available to the officer before the reduction, the officer shall be afforded one additional opportunity for consideration for promotion after the reduction.

**“§ 649e. Promotions**

“Sections 620 through 626 of this title shall apply in promotions of officers in competitive categories of officers designated for purposes of this subchapter.

**“§ 649f. Failure of selection for promotion**

“(a) IN GENERAL.—Except as provided in this section, sections 627 through 632 of this title shall apply to promotions of officers in competitive categories of officers designated for purposes of this subchapter.

“(b) INAPPLICABILITY OF FAILURE OF SELECTION FOR PROMOTION TO OFFICERS ABOVE PROMOTION ZONE.—The reference in section 627 of this title to an officer above the promotion zone shall not apply in the promotion of officers described in subsection (a).

“(c) SPECIAL SELECTION BOARD MATTERS.—The reference in section 628(a)(1) of this title to a person above the promotion zone shall not apply in the promotion of officers described in subsection (a).”

“(d) EFFECT OF FAILURE OF SELECTION.—In the administration of this subchapter pursuant to subsection (a)—

“(1) an officer described in subsection (a) shall not be deemed to have failed twice of selection for promotion for purposes of section 629(e)(2) of this title until the officer has failed selection of promotion to the next higher grade the maximum number of times specified for opportunities for promotion to such grade within the competitive category concerned pursuant to section 649d of this title; and

“(2) any reference in section 631(a) or 632(a) of this title to an officer who has failed of selection for promotion to the next higher grade for the second time shall be deemed to refer instead to an officer described in subsection (a) who has failed of selection for promotion to the next higher grade for the maximum number of times specified for opportunities for promotion to such grade within the competitive category concerned pursuant to such section 649d.

**“§ 649g. Retirement: retirement for years of service; selective early retirement**

“(a) RETIREMENT FOR YEARS OF SERVICES.—Sections 633 through 636 of this title shall apply to the retirement of officers in competitive categories of officers designated for purposes of this subchapter.

“(b) SELECTIVE EARLY RETIREMENT.—Sections 638 and 638a of this title shall apply to the retirement of officers described in subsection (a).

**“§ 649h. Continuation on active duty**

“(a) IN GENERAL.—An officer subject to discharge or retirement pursuant to this subchapter may, subject to the needs of the service, be continued on active duty if the officer is selected for continuation on active duty in accordance with this section by a selection board convened under section 611(b) of this title.

“(b) IDENTIFICATION OF POSITIONS FOR OFFICERS CONTINUED ON ACTIVE DUTY.—

“(1) IN GENERAL.—Officers may be selected for continuation on active duty pursuant to this section only for assignment to positions identified by the Secretary of the military department concerned for which vacancies exist or are anticipated to exist.

“(2) IDENTIFICATION.—Before convening a selection board pursuant to section 611(b) of this title for purposes of selection of officers for continuation on active duty pursuant to this section, the Secretary of the military department concerned shall specify for purposes of the board the positions identified by the Secretary to which officers selected for continuation on active duty may be assigned.

“(c) RECOMMENDATION FOR CONTINUATION.—A selection board may recommend an officer for continuation on active duty pursuant to this section only if the board determines that the officer is qualified for assignment to one or more positions identified pursuant to subsection (b) on the basis of skills, knowledge, and behavior required of an officer to perform successfully in such position or positions.

“(d) APPROVAL OF SECRETARY OF MILITARY DEPARTMENT.—Continuation of an officer on active duty under this section pursuant to the action of a selection board is subject to the approval of the Secretary of the military department concerned.

“(e) NONACCEPTANCE OF CONTINUATION.—An officer who is selected for continuation on active duty pursuant to this section, but who declines to continue on active duty, shall be

discharged or retired, as appropriate, in accordance with section 632 of this title.

“(f) PERIOD OF CONTINUATION.—

“(1) IN GENERAL.—An officer continued on active duty pursuant to this section shall remain on active duty, and serve in the position to which assigned (or in another position to which assigned with the approval of the Secretary of the military department concerned), for a total of not more than three years after the date of assignment to the position to which first so assigned.

“(2) ADDITIONAL CONTINUATION.—An officer whose continued service pursuant to this section would otherwise expire pursuant to paragraph (1) may be continued on active duty if selected for continuation on active duty in accordance with this section before the date of expiration pursuant to that paragraph.

“(g) EFFECT OF EXPIRATION OF CONTINUATION.—Each officer continued on active duty pursuant to this subsection who is not selected for continuation on active duty pursuant to subsection (f)(2) at the completion of the officer's term of continued service shall, unless sooner discharged or retired under another provision of law—

“(1) be discharged upon the expiration of the term of continued service; or

“(2) if eligible for retirement under another other provision of law, be retired under that law on the first day of the first month following the month in which the officer completes the term of continued service.

“(h) TREATMENT OF DISCHARGE OR RETIREMENT.—The discharge or retirement of an officer pursuant to this section shall be considered to be an involuntary discharge or retirement for purposes of any other provision of law.

**“§ 649h-1. Continuation on active duty: officers in certain military specialties and career tracks**

“In addition to continuation on active duty provided for in section 649h of this title, an officer to whom section 637a of this title applies may be continued on active duty in accordance with the provisions of such section 637a.

**“§ 649i. Other administrative authorities**

“(a) IN GENERAL.—The following provisions of this title shall apply to officers in competitive categories of officers designated for purposes of this subchapter:

“(1) Section 638b, relating to voluntary retirement incentives.

“(2) Section 639, relating to continuation on active duty to complete disciplinary action.

“(3) Section 640, relating to deferment of retirement or separation for medical reasons.

**“§ 649j. Regulations**

“The Secretary of Defense shall prescribe regulations regarding the administration of this subchapter. The elements of such regulations shall include mechanisms to clarify the manner in which provisions of other subchapters of this chapter shall be used in the administration of this subchapter in accordance with the provisions of this subchapter.”

(2) CLERICAL AMENDMENT.—The table of subchapters at the beginning of chapter 36 of this title is amended by adding at the end the following new item:

**“VI. Alternative Promotion Authority for Officers in Designated Competitive Categories ..... 649a”.**

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on

Armed Services of the Senate and the House of Representatives a report on the authorities in subchapter VI of chapter 36 of title 10, United States Code (as added by subsection (a)).

(2) ELEMENTS.—The report shall include the following:

(A) A detailed analysis and assessment of the manner in which the exercise of the authorities in subchapter VI of chapter 36 of title 10, United States Code (as so added), will effect the career progression of commissioned officers in the Armed Forces.

(B) A description of the competitive categories of officers that are anticipated to be designated as competitive categories of officers for purposes of such authorities.

(C) A plan for implementation of such authorities.

(D) Such recommendations for legislative or administrative action as the Secretary of Defense considers appropriate to improve or enhance such authorities.

**SEC. 511. APPLICABILITY TO ADDITIONAL OFFICER GRADES OF AUTHORITY FOR CONTINUATION ON ACTIVE DUTY OF OFFICERS IN CERTAIN MILITARY SPECIALTIES AND CAREER TRACKS.**

Section 637a(a) of title 10, United States Code, is amended—

(1) by striking “grade O-4” and inserting “grade O-2”; and

(2) by inserting “632,” before “633.”

**PART II—OTHER MATTERS**

**SEC. 516. MATTERS RELATING TO SATISFACTORY SERVICE IN GRADE FOR PURPOSES OF RETIREMENT GRADE OF OFFICERS IN HIGHEST GRADE OF SATISFACTORY SERVICE.**

(a) CONDITIONAL DETERMINATIONS OF GRADE OF SATISFACTORY SERVICE.—

(1) IN GENERAL.—Subsection (a)(1) of section 1370 of title 10, United States Code, is amended by adding at the end the following new sentences: “When an officer is under investigation for alleged misconduct at the time of retirement, the Secretary concerned may conditionally determine the highest grade of satisfactory service of the officer pending completion of the investigation. Such grade is subject to reopening in accordance with subsection (f).”

(2) OFFICERS IN O-9 AND O-10 GRADES.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

“(4) The Secretary of Defense may make a conditional certification regarding satisfactory service in grade under paragraph (1) with respect to an officer under that paragraph notwithstanding the fact that there is pending the disposition of an adverse personnel action against the officer for alleged misconduct. The retired grade of an officer following such a conditional certification is subject to reopening in accordance with subsection (f).”

(3) RESERVE OFFICERS.—Subsection (d)(1) of such section is amended by adding at the end the following new sentences: “When an officer is under investigation for alleged misconduct at the time of retirement, the Secretary concerned may conditionally determine the highest grade of satisfactory service of the officer pending completion of the investigation. Such grade is subject to reopening in accordance with subsection (f).”

(b) DETERMINATIONS OF SATISFACTORY SERVICE.—Such section is further amended—

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

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

“(e) DETERMINATIONS OF SATISFACTORY SERVICE IN GRADE.—The determination whether an officer's service in grade is satisfactory for purposes of any provision of this section shall—

“(1) be based on quantitative and qualitative considerations;

“(2) take into account both acts and omissions; and

“(3) take into account service in current grade and in any prior grade in which served (whether a lower or higher grade).”.

(c) **FINALITY OF RETIRED GRADE DETERMINATIONS.**—Such section is further amended by inserting after subsection (e), as amended by subsection (b) of this section, the following new subsection:

“(f) **FINALITY OF RETIRED GRADE DETERMINATIONS.**—(1) Except as otherwise provided by law, a determination or certification of the retired grade of an officer pursuant to this section is administratively final on the day the officer is retired, and may not be reopened.

“(2) A determination or certification of the retired grade of an officer may be reopened as follows:

“(A) If the retirement or retired grade of the officer was procured by fraud.

“(B) If substantial evidence comes to light after the retirement that could have led to a lower retired grade under this section if known by competent authority at the time of retirement.

“(C) If a mistake of law or calculation was made in the determination of the retired grade.

“(D) In the case of a retired grade following a conditional determination under subsection (a)(1) or (d)(1) or conditional certification under subsection (c)(4), if the investigation of or personnel action against the officer, as applicable, results in adverse findings.

“(E) If the Secretary concerned determines, pursuant to regulations prescribed by the Secretary of Defense, that good cause exists to reopen the determination or certification.

“(3) If a determination or certification of the retired grade of an officer is reopened, the Secretary concerned—

“(A) shall notify the officer of the reopening; and

“(B) may not make an adverse determination on the retired grade of the officer until the officer has had a reasonable opportunity to respond regarding the basis of the reopening.

“(4) If a certification of the retired grade of an officer covered by subsection (c) is reopened, the Secretary concerned shall also notify the President and Congress of the reopening.

“(5) If the retired grade of an officer is reduced through the reopening of the officer's retired grade, the retired pay of the officer under chapter 71 of this title shall be recalculated, and any modification of the retired pay of the officer shall go into effect on the effective date of the reduction of the officer's retired grade.”.

(d) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to officers who retire from the Armed Forces on or after that date.

**SEC. 517. REDUCTION IN NUMBER OF YEARS OF ACTIVE NAVAL SERVICE REQUIRED FOR PERMANENT APPOINTMENT AS A LIMITED DUTY OFFICER.**

Section 5589(d) of title 10, United States Code, is amended by striking “10 years” and inserting “8 years”.

**SEC. 518. REPEAL OF ORIGINAL APPOINTMENT QUALIFICATION REQUIREMENT FOR WARRANT OFFICERS IN THE REGULAR ARMY.**

(a) **IN GENERAL.**—Section 3310 of title 10, United States Code, is repealed.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 335 of

such title is amended by striking the item relating to section 3310.

**SEC. 519. UNIFORM GRADE OF SERVICE OF THE CHIEFS OF CHAPLAINS OF THE ARMED FORCES.**

The grade of service as Chief of Chaplains of the Army, Chief of Chaplains of the Navy, and Chief of Chaplains of the Air Force of an officer serving in such position shall be such grade as the Secretary of Defense shall specify. The grade of service shall be the same for service in each such position.

**SEC. 520. WRITTEN JUSTIFICATION FOR APPOINTMENT OF CHIEFS OF CHAPLAINS IN GRADE BELOW GRADE OF MAJOR GENERAL OR REAR ADMIRAL.**

(a) **CHIEF OF CHAPLAINS OF THE ARMY.**—Section 3036 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(h) If an individual is appointed Chief of Chaplains in a regular grade below the grade of major general, the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth in writing the justification for the appointment of the individual as Chief of Chaplains in such lower grade.”.

(b) **CHIEF OF CHAPLAINS OF THE NAVY.**—Section 5142(b) of such title is amended—

(1) by inserting “(1)” after “(b)”; and

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

“(2) If an individual is appointed Chief of Chaplains in a regular grade below the grade of rear admiral, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth in writing the justification for the appointment of the individual as Chief of Chaplains in such lower grade.”.

(c) **CHIEF OF CHAPLAINS OF THE AIR FORCE.**—Section 8039(a) of such title is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) If an individual is appointed Chief of Chaplains in a regular grade below the grade of major general, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth in writing the justification for the appointment of the individual as Chief of Chaplains in such lower grade.”.

**Subtitle B—Reserve Component Management**

**SEC. 521. AUTHORITY TO ADJUST EFFECTIVE DATE OF PROMOTION IN THE EVENT OF UNDUE DELAY IN EXTENDING FEDERAL RECOGNITION OF PROMOTION.**

(a) **IN GENERAL.**—Section 14308(f) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The effective date of promotion”; and

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

“(2) If the Secretary concerned determines that there was an undue delay in extending Federal recognition in the next higher grade in the Army National Guard or the Air National Guard to a reserve commissioned officer of the Army or the Air Force, and the delay was not attributable to the action (or inaction) of such officer, the effective date of the promotion concerned under paragraph (1) may be adjusted to a date determined by the Secretary concerned, but not earlier than the effective date of the State promotion.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to promotions of of-

ficers whose State effective date is on or after that date.

**SEC. 522. AUTHORITY TO DESIGNATE CERTAIN RESERVE OFFICERS AS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.**

Section 14301 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(j) **CERTAIN OFFICERS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.**—The Secretary of the military department concerned may provide that an officer who is in an active status, but is in a duty status in which the only points the officer accrues under section 12732(a)(2) of this title are pursuant to subparagraph (C)(i) of that section (relating to membership in a reserve component), shall not be considered for selection for promotion until completion of two years of service in such duty status. Any such officer may remain on the reserve active-status list.”.

**SEC. 523. EXPANSION OF PERSONNEL SUBJECT TO AUTHORITY OF THE CHIEF OF THE NATIONAL GUARD BUREAU IN THE EXECUTION OF FUNCTIONS AND MISSIONS OF THE NATIONAL GUARD BUREAU.**

Section 10508(b)(1) of title 10, United States Code, is amended by striking “sections 2103,” and all that follows through “of title 32,” and inserting “sections 2102, 2103, 2105, and 3101, and subchapter IV of chapter 53, of title 5, or sections 328 and 709 of title 32,”.

**SEC. 524. REPEAL OF PROHIBITION ON SERVICE ON ARMY RESERVE FORCES POLICY COMMITTEE BY MEMBERS ON ACTIVE DUTY.**

Section 10302 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “not on active duty” each place it appears; and

(2) in subsection (c)—

(A) by inserting “of the reserve components” after “among the members”; and

(B) by striking “not on active duty”.

**Subtitle C—General Service Authorities**

**SEC. 531. ASSESSMENT OF NAVY STANDARD WORKWEEK AND RELATED ADJUSTMENTS.**

(a) **ASSESSMENT.**—The Secretary of the Navy shall conduct a comprehensive assessment of the Navy standard workweek.

(b) **OTHER REQUIREMENTS.**—The Secretary shall—

(1) update Office of the Chief of Naval Operations Instruction 1000.16L in order to—

(A) obtain an examination of current in-port workloads; and

(B) identify the manpower necessary to execute in-port workload for all surface ship classes;

(2) update the criteria used in the Instruction referred to in paragraph (1) that are used to reassess the factors used to calculate manpower requirements periodically or when conditions change; and

(3) using the updates required by paragraphs (1) and (2), identify personnel needs and costs associated with the planned larger size of the Navy fleet.

(c) **ADDED DEMANDS.**—The Secretary shall identify and quantify added demands on Navy ship crews, including Ready Relevant Learning training periods and additional work that affects readiness and technical qualifications for Navy ship crews.

(d) **DEADLINE.**—The Secretary shall complete carrying out the requirements in this section by not later than 180 days after the date of the enactment of this Act.

**SEC. 532. MANNING OF FORWARD DEPLOYED NAVAL FORCES.**

Commencing not later than October 1, 2019, the Secretary of the Navy shall implement a policy to man ships homeported overseas (commonly referred to as “Forward Deployed



Naval Forces”) at manning levels not less than the levels established for each ship class or type of unit, including any adjustments resulting from as a result of changes from actions in connection with section 531, relating to an assessment of the Navy standard workweek and related adjustments.

#### SEC. 533. NAVY WATCHSTANDER RECORDS.

(a) IN GENERAL.—The Secretary of the Navy shall require that, commencing not later than 180 days after the date of the enactment of this Act, key watchstanders on Navy surface ships shall maintain a career record of watchstanding hours and specific operational evolutions.

(b) KEY WATCHSTANDER DEFINED.—In this section, the term “key watchstander” means each of the following:

- (1) Officer of the Deck.
- (2) Any other officer specified by the Secretary for purposes of this section.

#### SEC. 534. QUALIFICATION EXPERIENCE REQUIREMENTS FOR CERTAIN NAVY WATCHSTATIONS.

(a) IN GENERAL.—Not later than 90 days after the date the of enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the adequacy of individual training for certain watchstations, including any planned or recommended changes in qualification standards for such watchstations.

(b) WATCHSTATIONS.—The watchstations covered by the report required by subsection (a) are the following:

- (1) Officer of the Deck.
- (2) Combat Information Center Watch Officer.
- (3) Tactical Action Officer.

#### SEC. 535. REPEAL OF 15-YEAR STATUTE OF LIMITATIONS ON MOTIONS OR REQUESTS FOR REVIEW OF DISCHARGE OR DISMISSAL FROM THE ARMED FORCES.

(a) REPEAL.—Section 1553(a) of title 10, United States Code, is amended by striking the second sentence.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2019.

#### SEC. 536. TREATMENT OF CLAIMS RELATING TO MILITARY SEXUAL TRAUMA IN CORRECTION OF MILITARY RECORDS AND REVIEW OF DISCHARGE OR DISMISSAL PROCEEDINGS.

(a) CORRECTION OF MILITARY RECORDS.—

(1) IN GENERAL.—Subsection (h) of section 1552 of title 10, United States Code, is amended in paragraphs (1) and (2)(B), by striking “post-traumatic stress disorder or traumatic brain injury” and inserting “post-traumatic stress disorder, traumatic brain injury, or military sexual trauma”.

(2) QUARTERLY REPORTS.—Subsection (i)(1) of such section is amended by inserting “, or an experience of military sexual trauma,” after “traumatic brain injury”.

(b) REVIEW OF DISCHARGE OR DISMISSAL.—Section 1553(d) of such title is amended—

(1) by striking “or traumatic brain injury” each place it appears (other than the second place it appears in paragraph (3)(B)) and inserting “, traumatic brain injury, or military sexual trauma”; and

(2) in paragraph (3)(B), by inserting “and” before “whose” the second place it appears.

#### Subtitle D—Military Justice Matters

#### SEC. 541. PUNITIVE ARTICLE ON DOMESTIC VIOLENCE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PUNITIVE ARTICLE.—

(1) IN GENERAL.—Subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 928a (article 128a) the following new section (article):

##### “§ 928b. Art. 128b. Domestic violence

“(a) IN GENERAL.—Any person who—

“(1) commits a violent offense against a spouse, an intimate partner, or an immediate family member of that person;

“(2) with intent to threaten or intimidate a spouse, an intimate partner, or an immediate family member of that person—

“(A) commits an offense under this chapter against any person; or

“(B) commits an offense under this chapter against any property, including an animal;

“(3) with intent to threaten or intimidate a spouse, an intimate partner, or an immediate family member of that person, violates a protection order;

“(4) with intent to commit a violent offense against a spouse, an intimate partner, or an immediate family member of that person, violates a protection order; or

“(5) assaults a spouse, an intimate partner, or an immediate family member of that person by strangling or suffocating; shall be punished as a court-martial may direct.

“(b) DEFINITIONS.—In this section (article):

“(1) IMMEDIATE FAMILY.—The term ‘immediate family’, with respect to an accused, means a spouse, parent, brother or sister, child of the accused, a person to whom the accused stands in loco parentis, and any other person who lives in the household involved and is related by blood or marriage to the accused.

“(2) INTIMATE PARTNER.—The term ‘intimate partner’, with respect to an accused, means—

“(A) a former spouse of the accused;

“(B) a person who has a child in common with the accused;

“(C) a person who cohabits or has cohabited as a spouse with the accused; or

“(D) a person who is or has been in a social relationship of a romantic or intimate nature with the accused, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the person and the accused.

“(3) PROTECTION ORDER.—The term ‘protection order’ means—

“(A) a military protective order enforceable under section 890 of this title (article 90); or

“(B) a protection order, as defined in section 2266 of title 18 and, if issued by a State, Indian tribal, or territorial court, is in accordance with the standards specified in section 2265 of such title.

“(4) STRANGLING.—The term ‘strangling’ means intentionally or knowingly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether the impeding results in any visible injury or whether there is any intent to kill or protractedly injure the victim.

“(5) SUFFOCATING.—The term ‘suffocating’ means intentionally or knowingly impeding the normal breathing of a person by covering the mouth or the nose, regardless of whether the impeding results in any visible injury or whether there is any intent to kill or protractedly injure the victim.

“(6) VIOLENT OFFENSE.—The term ‘violent offense’ means a violation of any of the provisions of this chapter as follows:

“(A) Section 918 of this title (article 118).

“(B) Section 919(a) of this title (article 119(a)).

“(C) Section 919a of this title (article 119a).

“(D) Section 920 of this title (article 120).

“(E) Section 920b of this title (article 120b).

“(F) Section 922 of this title (article 122).

“(G) Section 925 of this title (article 125).

“(H) Section 926 of this title (article 126).

“(I) Section 928 of this title (article 128).

“(J) Section 928a of this title (article 128a).

“(K) Section 930 of this title (article 130).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of

chapter 47 of such title (the Uniform Code of Military Justice) is amended by inserting after the item relating to section 928a (article 128a) the following new item:

“928b. 128b. Domestic violence.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2019, immediately after the coming into effect of the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) as provided in section 5542 of that Act (130 Stat. 2967; 10 U.S.C. 801 note).

#### SEC. 542. INCLUSION OF STRANGULATION AND SUFFOCATION IN CONDUCT CONSTITUTING AGGRAVATED ASSAULT FOR PURPOSES OF THE UNIFORM CODE OF MILITARY JUSTICE.

(a) IN GENERAL.—Subsection (b) of section 928 of title 10, United States Code (article 128 of the Uniform Code of Military Justice), is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by adding “or” after the semicolon; and

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

“(3) who commits an assault by strangulation or suffocation;”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2019, immediately after the coming into effect of the amendment made by section 5441 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2954) as provided in section 5542 of that Act (130 Stat. 2967; 10 U.S.C. 801 note).

#### SEC. 543. AUTHORITIES OF FEDERAL ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

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

“(d) AUTHORITIES.—

“(1) HEARINGS.—The Advisory Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the committee considers appropriate to carry out its duties under this section.

“(2) INFORMATION FROM FEDERAL AGENCIES.—Upon request by the chair of the Advisory Committee, a department or agency of the Federal Government shall provide information that the Advisory Committee considers necessary to carry out its duties under this section.”.

#### SEC. 544. PROTECTIVE ORDERS AGAINST INDIVIDUALS SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PROTECTIVE ORDERS.—

(1) IN GENERAL.—Subchapter II of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 809 (article 9) the following new section (article):

##### “§ 809a. Art. 9a. Protective orders

“(a) ISSUANCE AUTHORIZED.—

“(1) IN GENERAL.—In accordance with such regulations as the President may prescribe and subject to the provisions of this section, upon proper application therefor pursuant to subsection (b), a military judge or military magistrate may issue the following:

“(A) A protective order described in subsection (c) on an emergency basis against a person subject to this chapter.

“(B) A protective order described in subsection (c), other than a protective order on

an emergency basis, against a person subject to this chapter.

“(2) OTHER PROTECTIVE ORDERS.—Nothing in this section may be construed as limiting or altering any authority of a military judge or military magistrate to issue a protective order, other than a protective order described in subsection (c), against a person subject to this chapter under any other provision of law or regulation.

“(b) APPLICATION.—

“(1) IN GENERAL.—Application for a protective order under this section shall be made in accordance with such requirements and procedures as the President shall prescribe. Such requirements and procedures shall, to the extent practicable, conform to the requirements and procedures generally applicable to applications for protective orders in civilian jurisdictions of the United States.

“(2) ELIGIBILITY.—Application for a protective order may be made by any individual. The regulations prescribed for purposes of this section may not limit eligibility for application to judge advocates or other attorneys or to military commanders or other members of the armed forces.

“(c) PROTECTIVE ORDERS.—

“(1) IN GENERAL.—A protective order described in this subsection is an order that—

“(A) restrains a person from harassing, stalking, threatening, or otherwise contacting or communicating with another person who stands in relation to the person as described in subsection (d)(8) or (g)(8) of section 922 of title 18, or engaging in other conduct that would place such other person in reasonable fear of bodily injury to any such other person; and

“(B) by its terms, explicitly prohibits—

“(i) the use, attempted use, or threatened use of physical force by the person against another person who stands in relation to the person as described in subsection (d)(8) or (g)(8) of section 922 of title 18 that would reasonably be expected to cause bodily injury;

“(ii) the initiation by the person restrained of any contact or communication with such other person; or

“(iii) actions described by both clauses (i) and (ii).

“(2) DEFINITIONS.—In this subsection:

“(A) The term ‘contact’ includes contact in person or through a third party, or through gifts,

“(B) The term ‘communication’ includes communication in person or through a third party, and by telephone or in writing by letter, data fax, or other electronic means.

“(d) DUE PROCESS.—

“(1) PROTECTION OF DUE PROCESS.—Except as provided in paragraph (2), a protective order described in subsection (c) may only be issued after the person to be subject to the order has received such notice and opportunity to be heard on the order as the President shall prescribe.

“(2) EMERGENCY ORDERS.—A protective order on an emergency basis may be issued on an ex parte basis under such rules and limitations as the President shall prescribe.

“(e) NATURE AND SCOPE OF PROTECTIVE ORDERS.—The President shall prescribe any requirements or limitations applicable to nature and scope of protective orders described in subsection (c), including requirements and limitations relating to the following:

“(1) The duration of protective orders on an emergency basis, and of other protective orders.

“(2) The scope of protective orders on an emergency basis, and of other protective orders.

“(f) COMMAND MATTERS.—

“(1) DELIVERY TO COMMANDER.—A copy of a protective order described in subsection (c) against a member of the armed forces shall be provided to such commanding officer in

the chain of command of the member as the President shall prescribe for purposes of this section.

“(2) INCLUSION IN PERSONNEL FILE.—Any protective order described in subsection (c) against a member shall be placed and retained in the military personnel file of the member.

“(3) NOTICE TO CIVILIAN LAW ENFORCEMENT OF ISSUANCE.—Any protective order described in subsection (c) against a member shall be treated as a military protective order for purposes of section 1567a of this title, including for purposes of mandatory notification of issuance to civilian law enforcement as required by that section.

“(4) AUTHORITY OF COMMANDING OFFICERS.—Nothing in this section may be construed as prohibiting a commanding officer from issuing or enforcing any otherwise lawful order in the nature of a protective order described in subsection (c) to or against members of the officer’s command.

“(g) DELIVERY TO CERTAIN PERSONS.—A physical copy of any protective order described in subsection (c) shall be provided, as soon as practicable after issuance, to the following:

“(1) The person or persons protected by the protective order or to the guardian of such a person if such person is under the age of 18 years.

“(2) The person subject to the protective order.

“(h) ENFORCEMENT.—A protective order described in subsection (c) shall be enforceable by a military judge or military magistrate under such rules, and subject to such requirements and limitations, as the President shall prescribe.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 47 of such title is amended by inserting after the item relating to section 809 (article 9) the following new item:

“809a. 9a. Protective orders.”.

(b) AUTHORITY OF MILITARY MAGISTRATES.—

(1) IN GENERAL.—Section 826a(b) of title 10, United States Code (article 26a(b) of the Uniform Code of Military Justice), is amended by striking “819 or 830a of this title (article 19 or 30a)” and inserting “809a, 819, or 830 of this title (article 9a, 19, or 30a)”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2019, immediately after the coming into effect pursuant to section 5542 of the Military Justice Act of 2016 (division E of Public Law 114-328; 130 Stat. 2967; 10 U.S.C. 801 note) of the amendment made by section 5185 of the Military Justice Act of 2016 (130 Stat. 2902), to which the amendment made by paragraph (1) relates.

#### SEC. 545. EXPANSION OF ELIGIBILITY FOR SPECIAL VICTIMS’ COUNSEL SERVICES.

(a) IN GENERAL.—Subsection (a) of section 1044e of title 10, United States Code, is amended by striking “alleged sex-related offense” each place it appears and inserting “alleged covered violence offense”.

(b) TYPES OF LEGAL ASSISTANCE AUTHORIZED.—Subsection (b) of such section is amended—

(1) by striking “the alleged sex-related offense” each place it appears and inserting “the alleged covered violence offense”; and

(2) in paragraph (3), by inserting “if and as applicable,” after “or domestic abuse advocate.”.

(c) AVAILABILITY OF SVCs.—Such section is further amended—

(1) in subsection (b)(10), by striking “subsection (h)” and inserting “subsection (j)”;

(2) by redesignating subsections (g) and (h) as subsections (i) and (j), respectively;

(3) in subsection (f)—

(A) by striking the subsection heading and inserting “AVAILABILITY OF SVCs IN CONNECTION WITH SEX-RELATED OFFENSES.”; and

(B) in paragraph (1), by inserting “an alleged covered violence offense that is” before “an alleged sex-related offense” the first place it appears; and

(4) by inserting after subsection (f) the following new subsections:

“(g) AVAILABILITY OF SVCs IN CONNECTION WITH DOMESTIC VIOLENCE OFFENSES.—(1) An individual described in subsection (a)(2) who is the victim of an alleged covered violence offense that is an alleged domestic violence offense shall be offered the option of receiving assistance from a Special Victims’ Counsel upon report of an alleged domestic violence offense or at the time the victim seeks assistance from a Family Advocate, a domestic violence victim advocate, a military criminal investigator, a victim/witness liaison, a trial counsel, a healthcare provider, or any other personnel designated by the Secretary concerned for purposes of this subsection.

“(2) Paragraphs (2) and (3) of subsection (f) shall apply to the availability of Special Victims’ Counsel under this subsection to victims of an alleged domestic violence offense.

“(h) AVAILABILITY OF SVCs IN CONNECTION WITH OTHER COVERED VIOLENCE OFFENSES.—An individual described in subsection (a)(2) who is the victim of an alleged covered violence offense (other than an alleged offense covered by subsection (f) or (g)) shall be offered the option of receiving assistance from a Special Victims’ Counsel upon report of such alleged covered violence offense or at the time the victim seeks assistance from a military criminal investigator, a victim/witness liaison, a trial counsel, a healthcare provider, or any other personnel designated by the Secretary concerned for purposes of this subsection.”.

(d) DEFINITIONS.—Subsection (i) of such section, as redesignated by subsection (c)(2) of this section, is further amended to read as follows:

“(i) DEFINITIONS.—In this section:

“(1) ALLEGED COVERED VIOLENCE OFFENSE.—The term ‘alleged covered violence offense’ means any allegation of the following:

“(A) A violation of section 918, 919, 919a, 920, 920b, 925, 928a, or 930 of this title (article 118, 119, 119a, 120, 120b, 125, 128a, or 130 of the Uniform Code of Military Justice).

“(B) A violation of subsection (b) of section 928 of this title (article 128 of the Uniform Code of Military Justice), if the offense was aggravated.

“(C) A violation of any other provision of chapter 47 of this title (the Uniform Code of Military Justice) that the Secretary of Defense and the Secretary of Homeland Security jointly specify as an alleged covered violence offense for purposes of this section.

“(D) An attempt to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

“(E) A conspiracy to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 881 of this title (article 81 of the Uniform Code of Military Justice).

“(F) A solicitation to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 882 of this title (article 82 of the Uniform Code of Military Justice).

“(2) ALLEGED DOMESTIC VIOLENCE OFFENSE.—The term ‘alleged domestic violence offense’ means any allegation of the following:

“(A) A violation of section 919b of this title (article 119b of the Uniform Code of Military Justice).

“(B) A violation of section 920, 928 (if the offense was aggravated), or 930 of this title (article 120, 128, or 130 of the Uniform Code of Military Justice) in which the victim of the violation is a spouse or other intimate partner of the accused or a child of the spouse or other intimate partner of the accused and the accused.

“(C) A violation of any other provision of chapter 47 of this title (the Uniform Code of Military Justice) that the Secretary of Defense and the Secretary of Homeland Security jointly specify as an alleged domestic violence offense for purposes of this section.

“(D) An attempt to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

“(E) A conspiracy to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 881 of this title (article 81 of the Uniform Code of Military Justice).

“(F) A solicitation to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 882 of this title (article 82 of the Uniform Code of Military Justice).

“(3) ALLEGED SEX-RELATED OFFENSE.—The term ‘alleged sex-related offense’ means any allegation of the following:

“(A) A violation of section 920, 920b, 920c, or 930 of this title (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice).

“(B) A violation of any other provision of chapter 47 of this title (the Uniform Code of Military Justice) that the Secretary of Defense and the Secretary of Homeland Security jointly specify as an alleged sex-related offense for purposes of this section.

“(C) An attempt to commit an offense specified in subparagraph (A) or (B) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

“(D) A conspiracy to commit an offense specified in subparagraph (A) or (B) as punishable under section 881 of this title (article 81 of the Uniform Code of Military Justice).

“(E) A solicitation to commit an offense specified in subparagraph (A) or (B) as punishable under section 882 of this title (article 82 of the Uniform Code of Military Justice).”

(e) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

**“§ 1044e. Special Victims’ Counsel: victims of sex-related offenses, domestic violence offenses, and other violence offenses”.**

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1044e and inserting the following new item:

“1044e. Special Victims’ Counsel: victims of sex-related offenses, domestic violence offenses, and other violence offenses.”

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on such date after January 1, 2019, as the President shall specify for purposes of this section.

(2) DATE SPECIFIED.—In specifying a date for purposes of paragraph (1), the President shall specify a date that permits the Secretaries concerned and the Armed Forces the opportunity to assess and properly allocate the personnel and other resources required to fully implement and carry out the amendments made by this section.

(3) IMPLEMENTATION ACTIVITIES.—During the period beginning on the date of the enactment of this Act and ending on the date specified for purposes of paragraph (1), the

Secretaries concerned and the Armed Forces shall—

(A) establish mechanisms to ensure that a priority is afforded in the discharge of duties of Special Victims’ Counsel under the amendments made by this section to serious cases of child abuse and other domestic violence (including cases involving aggravated assault and serious neglect that could result in serious injury or death); and

(B) strongly consider the advisability of employing civilians to perform duties of Special Victims’ Counsel in the matters covered by the amendments in the event the number of military Special Victims’ Counsel is insufficient for the full and effective discharge of such duties.

(4) SECRETARIES CONCERNED DEFINED.—In this subsection, the term “Secretaries concerned” has the meaning given that term in section 101(a)(9) of title 10, United States Code.

**SEC. 546. CLARIFICATION OF EXPIRATION OF TERM OF APPELLATE MILITARY JUDGES OF THE UNITED STATES COURT OF MILITARY COMMISSION REVIEW.**

(a) IN GENERAL.—Section 950f(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) The term of an appellate military judge assigned to the Court under paragraph (2) or appointed to the Court under paragraph (3) shall expire on the earlier of the date on which—

“(A) the judge leaves active duty; or

“(B) the judge is reassigned to other duties in accordance with section 949b(b)(4) of this title.”

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to each judge of the United States Court of Military Commission Review serving on that court on the date of the enactment of this Act and each judge assigned or appointed to that court on or after such date.

**SEC. 547. EXPANSION OF POLICIES ON EXPEDITED TRANSFER OF MEMBERS OF THE ARMED FORCES WHO ARE VICTIMS OF SEXUAL ASSAULT.**

(a) ELIGIBILITY OF ADDITIONAL MEMBERS FOR TRANSFER.—The Secretary of Defense shall modify section 105.9 of title 32, Code of Federal Regulations, and any other regulations and policy of the Department of Defense applicable to the expedited transfer of members of the Armed Forces who allege they are a victim of sexual assault, in order to provide that a member of the Armed Forces described in subsection (b) is eligible for expedited transfer under such regulations and policy in connection with an allegation as described in that paragraph.

(b) COVERED MEMBERS.—A member of the Armed Forces described in this subsection is any member as follows:

(1) A member who is an alleged victim of sexual assault committed by the spouse or intimate partner of the member, which spouse or intimate partner is not a member of the Armed Forces.

(2) A member who is an alleged victim of physical domestic violence (other than sexual assault) committed by the spouse or intimate partner of the member, regardless of whether the spouse or intimate partner is a member of the Armed Forces.

(c) PHYSICAL DOMESTIC VIOLENCE.—In carrying out subsection (a), the Secretary shall prescribe the offenses or other actions constituting physical domestic violence for purposes of subsection (b)(2).

**SEC. 548. UNIFORM COMMAND ACTION FORM ON DISPOSITION OF UNRESTRICTED SEXUAL ASSAULT CASES INVOLVING MEMBERS OF THE ARMED FORCES.**

(a) UNIFORM FORM REQUIRED.—The Secretary of Defense shall establish a uniform

command action form, applicable across the Armed Forces, for reporting the final disposition of cases of sexual assault in which—

(1) the alleged offender is a member of the Armed Forces; and

(2) the victim files an unrestricted report on the alleged assault.

(b) ELEMENTS.—The form required by subsection (a) shall provide for the inclusion of information on the following:

(1) The final disposition of the case.

(2) Appropriate demographic information on the victim and the alleged offender.

(3) The status of the alleged offender as of final disposition of the case.

(4) Whether the victim received assistance from a Special Victims’ Counsel in connection with the case.

(5) Whether the victim was disciplined for any collateral misconduct in connection with the case.

(6) The number of years working in a criminal justice litigation billet of any trial counsel who prosecuted or otherwise consulted on the case.

**SEC. 549. INCLUSION OF INFORMATION ON CERTAIN COLLATERAL CONDUCT OF VICTIMS OF SEXUAL ASSAULT IN ANNUAL REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.**

Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561 note) is amended by adding at the end the following new paragraph:

“(13) Information on the frequency with which individuals who were identified as victims of sexual assault in case files of military criminal investigative organizations were also accused of or punished for misconduct or crimes considered collateral to the sexual assault under investigation by such organizations, including the type of misconduct or crime and the punishment, if any, received.”

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

**SEC. 551. CONSECUTIVE SERVICE OF SERVICE OBLIGATION IN CONNECTION WITH PAYMENT OF TUITION FOR OFF-DUTY TRAINING OR EDUCATION FOR COMMISSIONED OFFICERS OF THE ARMED FORCES WITH ANY OTHER SERVICE OBLIGATIONS.**

(a) IN GENERAL.—Section 2007(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Any active duty service obligation of a commissioned officer under this subsection shall be served consecutively with any other service obligation of the officer (whether active duty or otherwise) under any other provision of law.”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to agreements for the payment of tuition for off-duty training or education that are entered into on or after that date.

**SEC. 552. CONSECUTIVE SERVICE OF ACTIVE SERVICE OBLIGATIONS FOR MEDICAL TRAINING WITH OTHER SERVICE OBLIGATIONS FOR EDUCATION OR TRAINING.**

(a) UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—Section 2114(d) of title 10, United States Code, is amended—

(1) by inserting “(1)” after “(d)”; and

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

“(2) A commissioned service obligation incurred as a result of participation in a military intern, residency, or fellowship training program shall be served consecutively with the commissioned service obligation imposed by this section and by any other provision of this title for education or training.”

(b) HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section 2123(b) of such title is amended—

(1) by inserting “(1)” after “(b)”;

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

“(2) A commissioned service obligation incurred as a result of participation in a military intern, residency, or fellowship training program shall be served consecutively with the active duty obligation imposed by this section and by any other provision of this title for education or training.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals beginning participation in a military intern, residency, or fellowship training program on or after January 1, 2020.

**SEC. 553. CLARIFICATION OF APPLICATION AND HONORABLE SERVICE REQUIREMENTS UNDER THE TROOPS-TO-TEACHERS PROGRAM TO MEMBERS OF THE RETIRED RESERVE.**

(a) IN GENERAL.—Paragraph (2)(B) of section 1154(d) of title 10, United States Code, is amended—

(1) by inserting “(A)(iii),” after “(A)(i),”;  
 (2) by inserting “transferred to the Retired Reserve, or” after “member is retired,”; and  
 (3) by striking “separated,” and inserting “separated”.

(b) CONFORMING AMENDMENTS.—The second sentence of paragraph (3)(D) of such section is amended—

(1) by inserting “, the transfer of the member to the Retired Reserve,” after “retirement of the member”; and  
 (2) by inserting “transfer,” after “after the retirement,”.

**SEC. 554. PROHIBITION ON USE OF FUNDS FOR ATTENDANCE OF ENLISTED PERSONNEL AT SENIOR LEVEL AND INTERMEDIATE LEVEL OFFICER PROFESSIONAL MILITARY EDUCATION COURSES.**

(a) PROHIBITION.—None of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be obligated or expended for the purpose of the attendance of enlisted personnel at senior level and intermediate level officer professional military education courses.

(b) SENIOR LEVEL AND INTERMEDIATE LEVEL OFFICER PROFESSIONAL MILITARY EDUCATION COURSES DEFINED.—In this section, the term “senior level and intermediate level officer professional military education courses” means any course offered by a school specified in section 2151(b) of title 10, United States Code.

(c) REPEAL OF SUPERSEDED LIMITATION.—

(1) IN GENERAL.—Section 547 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is repealed.

(2) PRESERVATION OF CERTAIN REPORTING REQUIREMENT.—The repeal in paragraph (1) shall not be interpreted to terminate the requirement of the Comptroller General of the United States to submit the report required by subsection (c) of section 547 of the National Defense Authorization Act for Fiscal Year 2018.

**SEC. 555. REPEAL OF PROGRAM ON ENCOURAGEMENT OF POSTSEPARATION PUBLIC AND COMMUNITY SERVICE.**

(a) REPEAL.—

(1) IN GENERAL.—Section 1143a of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1143a.

(b) CONFORMING AMENDMENTS.—Section 1144(b) of such title is amended—

(1) by striking paragraph (8); and  
 (2) by redesignating paragraphs (9), (10), and (11) as paragraphs (8), (9), and (10), respectively.

**SEC. 556. EXPANSION OF AUTHORITY TO ASSIST MEMBERS IN OBTAINING PROFESSIONAL CREDENTIALS.**

Section 2015 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

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

“(b) PROFESSIONAL CREDENTIALS NOT RELATED TO MILITARY TRAINING AND SKILLS.—Under the program required by this section, the Secretary of Defense, and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, may enable members of the armed forces to obtain, while serving in the armed forces, professional credentials for which such members are other otherwise qualified that do not relate to military training and skills if such Secretary determines that such action is in the best interests of the United States.”.

**SEC. 557. ENHANCEMENT OF AUTHORITIES IN CONNECTION WITH JUNIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAMS.**

(a) FLEXIBILITY IN AUTHORITIES FOR MANAGEMENT OF PROGRAMS AND UNITS.—

(1) IN GENERAL.—Chapter 102 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 2034. Flexibility in authorities for management of programs and units**

“(a) AUTHORITY TO CONVERT OTHERWISE CLOSING UNITS TO NATIONAL DEFENSE CADET CORPS PROGRAM UNITS.—If the Secretary of a military department is notified by a local educational agency of the intent of the agency to close its Junior Reserve Officers’ Training Corps, the Secretary shall offer the agency the option of converting the unit to a National Defense Cadet Corps (NDCC) program unit in lieu of closing the unit.

“(b) FLEXIBILITY IN ADMINISTRATION OF INSTRUCTORS.—

“(1) IN GENERAL.—The Secretaries of the military departments may, without regard to any other provision of this chapter, undertake initiatives designed to promote flexibility in the hiring and compensation of instructors for the Junior Reserve Officers’ Training Corps program under the jurisdiction of such Secretaries.

“(2) ELEMENTS.—The initiatives undertaken pursuant to this subsection may provide for one or more of the following:

“(A) Termination of the requirement for a waiver as a condition of the hiring of well-qualified non-commissioned officers with a bachelor’s degree for senior instructor positions within the Junior Reserve Officers’ Training Corps.

“(B) Specification of a single instructor as the minimum number of instructors required to found and operate a Junior Reserve Officers’ Training Corps unit.

“(C) Authority for Junior Reserve Officers’ Training Corps instructors to undertake school duties, in addition to Junior Reserve Officers’ Training Corps duties, at small schools.

“(D) Authority for the payment of instructor compensation for a limited number of Junior Reserve Officers’ Training Corps instructors on a 10-month per year basis rather than a 12-month per year basis.

“(E) Such other actions as the Secretaries of the military departments consider appropriate.

“(c) FLEXIBILITY IN ALLOCATION AND USE OF TRAVEL FUNDING.—The Secretaries of the military departments shall take appropriate actions to provide so-called regional directors of the Junior Reserve Officers’ Training Corps programs located at remote rural schools enhanced discretion in the allocation

and use of funds for travel in connection with Junior Reserve Officers’ Training Corps activities.

“(d) STANDARDIZATION OF PROGRAM DATA.—The Secretary of Defense shall take appropriate actions to standardize the data collected and maintained on the Junior Reserve Officers’ Training Corps programs in order to facilitate and enhance the collection and analysis of such data. Such actions shall include a requirement for the use of the National Center for Education Statistics (NCES) identification code for each school with a unit under a Junior Reserve Officers’ Training Corps program in order to facilitate identification of such schools and their units under the Junior Reserve Officers’ Training Corps programs.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 102 of such title is amended by adding at the end the following new item:

“2034. Flexibility in authorities for management of programs and units.”.

(b) AUTHORITY FOR ADDITIONAL UNITS.—The Secretaries of the military departments may, using amounts authorized to be appropriated by this Act and available in the funding tables in sections 4301 and 4401 for purposes of the Junior Reserve Officers’ Training Corps programs, establish an aggregate of not more than 100 units under the Junior Reserve Officers’ Training Corps programs in low-income and rural areas of the United States and areas of the United States currently underserved by the Junior Reserve Officers’ Training Corps programs.

**Subtitle F—Defense Dependents’ Education and Military Family Readiness Matters**  
**PART I—DEFENSE DEPENDENTS’ EDUCATION MATTERS**

**SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.**

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2019 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$40,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

**SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.**

(a) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2019 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(b) USE OF CERTAIN AMOUNT.—Of the amount available under subsection (a) for payments as described in that subsection, \$5,000,000 shall be available for such payments to local educational agencies determined by the Secretary of Defense, in the discretion of the Secretary, to have higher concentrations of military children with severe disabilities.

**SEC. 563. DEPARTMENT OF DEFENSE EDUCATION ACTIVITY POLICIES AND PROCEDURES ON SEXUAL HARASSMENT OF STUDENTS OF ACTIVITY SCHOOLS.**

(a) **APPLICABILITY OF TITLE IX PROTECTIONS.**—The provisions of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (in this section referred to as “title IX”) with respect to education programs or activities receiving Federal financial assistance shall apply equally to education programs and activities administered by the Department of Defense Education Activity (DODEA).

(b) **POLICIES AND PROCEDURES.**—Not later than March 31, 2019, the Department of Defense Education Activity shall establish policies and procedures to protect students at schools of the Activity who are victims of sexual harassment. Such policies and procedures shall afford protections at least comparable to the protections afforded under title IX.

(c) **ELEMENTS.**—The policies and procedures required by subsection (b) shall include, at a minimum, the following:

(1) A policy addressing sexual harassment of students at the schools of the Department of Defense Education Activity that uses and incorporates terms, procedures, protections, investigation standards, and standards of evidence consistent with title IX.

(2) A procedure by which—

(A) a student of a school of the Activity, or a parent of such a student, may file a complaint with the school alleging an incident of sexual harassment at the school; and

(B) such a student or parent may appeal the decision of the school regarding such complaint.

(3) A procedure and mechanisms for the appointment and training of, and allocation of responsibility to, a coordinator at each school of the Activity for sexual harassment matters involving students from the military community served by such school.

(4) Training of employees of the Activity, and volunteers at schools of the Activity, on the policies and procedures.

(5) Mechanisms for the broad distribution and display of the policy described in paragraph (1), including on the Internet website of the Activity and on Internet websites of schools of the Activity, in printed and online versions of student handbooks, and in brochures and flyers displayed on school bulletin boards and in guidance counselor offices.

(6) Reporting and recordkeeping requirements designed to ensure that—

(A) complaints of sexual harassment at schools of the Activity are handled—

(i) with professionalism and consistency; and

(ii) in a manner that permits coordinators referred to in paragraph (3) to track trends in incidents of sexual harassment and to identify repeat offenders of sexual harassment; and

(B) appropriate members of the local leadership of military communities are held accountable for acting upon complaints of sexual harassment at schools of the Activity.

**PART II—MILITARY FAMILY READINESS MATTERS**

**SEC. 566. IMPROVEMENT OF AUTHORITY TO CONDUCT FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.**

(a) **COSTS OF PARTICIPATION OF FAMILY MEMBERS IN PROGRAMS.**—Section 1788a of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

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

“(c) **COSTS OF FAMILY MEMBER PARTICIPATION.**—In carrying out family support programs under this section, the Commander may also pay, or reimburse immediate family members, for transportation, food, lodging, child care, supplies, fees, and training materials in connection with the participation of family members in such programs.”.

(b) **FUNDING.**—Subsection (d) of such section, as redesignated by subsection (a)(1) of this section, is amended—

(1) by striking “up to \$5,000,000” and inserting “up to \$10,000,000”; and

(2) by inserting before the period the following: “, including payment of costs of participation in such programs as authorized by subsection (c)”.

(c) **TECHNICAL AMENDMENT.**—Paragraph (3) of subsection (f) of such section, as so redesignated, is amended by striking “section 167(i)” and inserting “section 167(j)”.

**SEC. 567. EXPANSION OF PERIOD OF AVAILABILITY OF MILITARY ONESOURCE PROGRAM FOR RETIRED AND DISCHARGED MEMBERS OF THE ARMED FORCES AND THEIR IMMEDIATE FAMILIES.**

(a) **IN GENERAL.**—Under regulations prescribed by the Secretary of Defense, the period of eligibility for the Military OneSource program of the Department of Defense of an eligible individual retired, discharged, or otherwise released from the Armed Forces, and for the eligible immediate family members of such an individual, shall be the one-year period beginning on the date of the retirement, discharge, or release, as applicable, of such individual.

(b) **INFORMATION TO FAMILIES.**—The Secretary shall, in such manner as the Secretary considers appropriate, inform military families and families of veterans of the Armed Forces of the wide range of benefits available through the Military OneSource program.

**SEC. 568. EXPANSION OF AUTHORITY FOR NON-COMPETITIVE APPOINTMENTS OF MILITARY SPOUSES BY FEDERAL AGENCIES.**

(a) **EXPANSION TO INCLUDE ALL SPOUSES OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.**—Section 3330d of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraphs (3), (4), and (5); and

(B) by redesignating paragraph (6) as paragraph (3);

(2) by striking subsections (b) and (c) and inserting the following new subsection (b):

“(b) **APPOINTMENT AUTHORITY.**—The head of an agency may appoint noncompetitively—

“(1) a spouse of a member of the Armed Forces on active duty; or

“(2) a spouse of a disabled or deceased member of the Armed Forces.”;

(3) by redesignating subsection (d) as subsection (c); and

(4) in subsection (c), as so redesignated, by striking “subsection (a)(6)” in paragraph (1) and inserting “subsection (a)(3)”.

(b) **HEADING AMENDMENT.**—The heading of such section is amended to read as follows:

“§ 3330d. Appointment of military spouses”.

(c) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 33 of such title is amended by striking the item relating to section 3330d and inserting the following new item:

“§ 3330d. Appointment of military spouses.”.

**SEC. 569. IMPROVEMENT OF MY CAREER ADVANCEMENT ACCOUNT PROGRAM FOR MILITARY SPOUSES.**

(a) **OUTREACH ON AVAILABILITY OF PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Defense shall take appropriate actions to ensure that

military spouses who are eligible for participation in the My Career Advancement Account (MyCAA) program of the Department of Defense are, to the extent practicable, made aware of the program.

(2) **COMPTROLLER GENERAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth such recommendations as the Comptroller General considers appropriate regarding the following:

(A) Mechanisms to increase awareness of the My Career Advancement Account program among military spouses who are eligible to participate in the program.

(B) Mechanisms to increase participation in the My Career Advancement Account program among military spouses who are eligible to participate in the program.

(b) **TRAINING FOR INSTALLATION CAREER COUNSELORS ON PROGRAM.**—The Secretaries of the military departments shall take appropriate actions to ensure that career counselors at military installations receive appropriate training and current information on eligibility for and use of benefits under the My Career Advancement Account program, including financial assistance to cover costs associated with professional recertification, portability of occupational licenses, professional credential exams, and other mechanisms in connection with the portability of professional licenses.

**SEC. 570. ACCESS TO MILITARY INSTALLATIONS FOR CERTAIN SURVIVING SPOUSES AND OTHER NEXT OF KIN OF MEMBERS OF THE ARMED FORCES WHO DIE WHILE ON ACTIVE DUTY OR CERTAIN RESERVE DUTY.**

(a) **PROCEDURES FOR ACCESS OF SURVIVING SPOUSES REQUIRED.**—The Secretary of Defense, acting jointly with the Secretary of Homeland Security, shall establish procedures by which an eligible surviving spouse may obtain unescorted access, as appropriate, to military installations in order to receive benefits to which the eligible surviving spouse may be entitled by law or policy.

(b) **ELIGIBLE SURVIVING SPOUSE.**—

(1) **IN GENERAL.**—In this section, the term “eligible surviving spouse” means an individual who—

(A) is a surviving spouse of a member of the Armed Forces who dies while serving—

(i) on active duty; or

(ii) on such reserve duty as the Secretary of Defense and the Secretary of Homeland Security may jointly specify for purposes of this section; and

(B) has guardianship of one or more dependent children of such member.

(2) **STATUS NOT EFFECTED BY REMARRIAGE.**—An individual is an eligible surviving spouse for purposes of this section without regard to whether the individual remarries after the death of the member concerned.

(c) **PROCEDURES FOR ACCESS OF NEXT OF KIN AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretary of Defense, acting jointly with the Secretary of Homeland Security, may establish procedures by which the next of kin of a deceased member of the Armed Forces, in addition to an eligible surviving spouse, may obtain access to military installations for such purposes and under such conditions as the Secretaries jointly consider appropriate.

(2) **NEXT OF KIN.**—If the Secretaries establish procedures pursuant to paragraph (1), the Secretaries shall jointly specify the individuals who shall constitute next of kin for purposes of such procedures.

(d) **CONSIDERATIONS.**—Any procedures established under this section shall—

(1) be applied consistently across the Department of Defense and the Department of Homeland Security, including all components of the Departments;

(2) minimize any administrative burden on a surviving spouse or dependent child, including through the elimination of any requirement for a surviving spouse to apply as a personal agent for continued access to military installations in accompaniment of a dependent child;

(3) take into account measures required to ensure the security of military installations, including purpose and eligibility for access and renewal periodicity; and

(4) take into account such other factors as the Secretary of Defense or the Secretary of Homeland Security considers appropriate.

(e) **DEADLINE.**—The procedures required by subsection (a) shall be established by the date that is not later than one year after the date of the enactment of this Act.

#### **SEC. 571. DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS COUNCIL MATTERS.**

(a) **MEMBER MATTERS.**—

(1) **MEMBERSHIP.**—Paragraph (1)(B) of subsection (b) of section 1781a of title 10, United States Code, is amended—

(A) in clause (i), by striking “a member of the armed force to be represented” and inserting “a member or civilian employee of the armed force to be represented”; and

(B) by striking clause (ii) and inserting the following new clause (ii):

“(ii) One representative, who shall be a member or civilian employee of the National Guard Bureau, to represent both the Army National Guard and the Air National Guard.”.

(2) **TERMS.**—Paragraph (2) of such subsection is amended—

(A) in subparagraph (A)—

(i) in the first sentence, by striking “clauses (i) and (iii) of”; and

(ii) by striking the second sentence; and

(B) in subparagraph (B), by striking “three years” and inserting “two years”.

(b) **DUTIES.**—Subsection (d) of such section is amended—

(1) in paragraph (2), by striking “military family readiness by the Department of Defense” and inserting “military family readiness programs and activities of the Department of Defense”; and

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

“(4) To make recommendations to the Secretary of Defense to improve collaboration, awareness, and promotion of accurate and timely military family readiness information and support services by policy makers, service providers, and targeted beneficiaries.”.

(c) **ANNUAL REPORTS.**—Subsection (e) of such section is amended by striking “February 1” and inserting “July 1”.

(d) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

(2) **APPLICABILITY OF MEMBERSHIP AND TERM AMENDMENTS.**—The amendments made by subsection (a) shall apply to members of the Department of Defense Military Family Readiness Council appointed after the date of the enactment of this Act.

#### **SEC. 572. MULTIDISCIPLINARY TEAMS FOR MILITARY INSTALLATIONS ON CHILD ABUSE AND OTHER DOMESTIC VIOLENCE.**

(a) **MULTIDISCIPLINARY TEAMS REQUIRED.**—

(1) **IN GENERAL.**—Under regulations prescribed by each Secretary concerned, there shall be established and maintained for each military installation, except as provided in paragraph (2), one or more multidisciplinary teams on child abuse and other domestic vio-

lence for the purposes specified in subsection (b).

(2) **SINGLE TEAM FOR PROXIMATE INSTALLATIONS.**—A single multidisciplinary team described in paragraph (1) may be established and maintained under this subsection for two or more military installations in proximity with one another if the Secretary concerned determines, in consultation with the Secretary of Defense, that a single team for such installations suffices to carry out the purposes of such teams under subsection (b) for such installations.

(b) **PURPOSES.**—The purposes of each multidisciplinary team maintained pursuant to subsection (a) shall be as follows:

(1) To provide for the sharing of information among such team and other appropriate personnel on the installation or installations concerned regarding the progress of investigations into and resolutions of incidents of child abuse and other domestic violence involving members of the Armed Forces stationed at or otherwise assigned to the installation or installations.

(2) To provide for and enhance collaborative efforts among such team and other appropriate personnel of the installation or installations regarding investigations into and resolutions of such incidents.

(3) To enhance the social services available to military families at the installation or installations in connection with such incidents, including through the enhancement of cooperation among specialists and other personnel providing such services to such military families in connection with such incidents.

(4) To carry out such other duties regarding the response to child abuse and other domestic violence at the installation or installations as the Secretary concerned considers appropriate for such purposes.

(c) **PERSONNEL.**—

(1) **IN GENERAL.**—Each multidisciplinary team maintained pursuant to subsection (a) shall be composed of the following:

(A) One or more judge advocates.

(B) Appropriate personnel of one or more military criminal investigation services.

(C) Appropriate mental health professionals.

(D) Appropriate medical personnel.

(E) Family advocacy case workers.

(F) Such other personnel as the Secretary or Secretaries concerned consider appropriate.

(2) **EXPERTISE AND TRAINING.**—Any individual assigned to a multidisciplinary team shall possess such expertise, and shall undertake such training as is required to maintain such expertise, as the Secretary concerned shall specify for purposes of this section in order to ensure that members of the team remain appropriately qualified to carry out the purposes of the team under this section. The training and expertise so specified shall include training and expertise on special victims' crimes, including child abuse and other domestic violence.

(d) **COORDINATION AND COLLABORATION WITH NON-MILITARY RESOURCES.**—

(1) **USE OF COMMUNITY RESOURCES SERVING INSTALLATIONS.**—In providing under this section for a multidisciplinary team for a military installation or installations that benefit from services or resources on child abuse or other domestic violence that are provided by civilian entities in the vicinity of the installation or installations, the Secretary concerned may take the availability of such services or resources to the installation or installations into account in providing for the composition and duties of the team.

(2) **BEST PRACTICES.**—The Secretaries concerned shall take appropriate actions to ensure that multidisciplinary teams maintained pursuant to subsection (a) remain

fully and currently apprised of best practices in the civilian sector on investigations into and resolutions of incidents of child abuse and other domestic violence and on the social services provided in connection with such incidents.

(3) **COLLABORATION.**—In providing for the enhancement of social services available to military families in accordance with subsection (b)(3), the Secretaries concerned shall permit, facilitate, and encourage multidisciplinary teams to collaborate with appropriate civilian agencies in the vicinity of the military installations concerned with regard to availability, provision, and use of such services to and by such families.

(e) **ANNUAL REPORTS.**—Not later than March 1 of each of 2020 through 2022, each Secretary concerned shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities of multidisciplinary teams maintained pursuant to subsection (a) under the jurisdiction of such Secretary during the preceding year. Each report shall set forth, for the period covered by such report, the following:

(1) A summary description of the activities of the multidisciplinary teams concerned, including the number and composition of such teams, the recurring activities of such teams, and any notable achievements of such teams.

(2) A description of any impediments to the effectiveness of such teams.

(3) Such recommendations for legislative or administrative action as such Secretary considers appropriate in order to improve the effectiveness of such teams.

(4) Such other matters with respect to such teams as such Secretary considers appropriate.

(f) **SECRETARY CONCERNED.**—

(1) **DEFINITION.**—In this section, the term “Secretary concerned” has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(2) **USAGE WITH RESPECT TO MULTIPLE INSTALLATIONS.**—For purposes of this section, any reference to “Secretary concerned” with respect to a single multidisciplinary team established and maintained pursuant to subsection (a) for two or more military installations that are under the jurisdiction of different Secretaries concerned, shall be deemed to refer to each Secretary concerned who has jurisdiction of such an installation, acting jointly.

#### **SEC. 573. PROVISIONAL OR INTERIM CLEARANCES TO PROVIDE CHILDCARE SERVICES AT MILITARY CHILDCARE CENTERS.**

(a) **IN GENERAL.**—The Secretary of Defense shall implement a policy to permit the issuance on a provisional or interim basis of clearances for the provision of childcare services at military childcare centers.

(b) **ELEMENTS.**—The policy required by subsection (a) shall provide for the following:

(1) Any clearance issued under the policy shall be temporary and contingent upon the satisfaction of such requirements for the issuance of a clearance on a permanent basis as the Secretary considers appropriate.

(2) Any individual issued a clearance on a provisional or interim basis under the policy shall be subject to such supervision in the provision of childcare services using such clearance as the Secretary considers appropriate.

(c) **CLEARANCE DEFINED.**—In this section, the term “clearance”, with respect to an individual and the provision of childcare services, means the formal approval of the individual, after appropriate background checks and other review, to provide childcare services to children at a military childcare center of the Department of Defense.



**SEC. 574. PILOT PROGRAM ON PREVENTION OF CHILD ABUSE AND TRAINING ON SAFE CHILDCARE PRACTICES AMONG MILITARY FAMILIES.**

**(a) PILOT PROGRAM.—**

(1) **IN GENERAL.**—The Secretary of Defense shall, acting through the Defense Health Agency, carry out a pilot program on universal home visits for purposes of providing eligible covered beneficiaries and their families training on safe childcare practices aimed at reducing child abuse and fatalities due to abuse and neglect, assessments of risk factors for child abuse, and connections with community resources to meet identified needs.

(2) **SCOPE.**—The pilot program shall be designed to facilitate connections between covered beneficiaries and their families and community resources (including existing resources provided by the Armed Forces). The pilot program, including the practices covered by training pursuant to the pilot program, shall conform to evidence-based scientific criteria, including criteria available through publications in peer-reviewed scientific journals.

(3) **ELEMENTS.**—The pilot program shall include the following:

(A) Between one and three home visits, and not more than seven other contacts, except in unusual cases (such as deployments), with such home visits by a team led by a nurse, whenever practicable, to provide screening, community resource referral, and training to eligible covered beneficiaries and their families on the following:

- (i) General maternal and infant health.
- (ii) Safe sleeping environments.
- (iii) Feeding and bathing.
- (iv) Adequate supervision.
- (v) Common hazards.
- (vi) Self-care.
- (vii) Recognition of post-partum depression, substance abuse, and domestic violence in a mother or her partner and community violence.
- (viii) Skills for management of infant crying.
- (ix) Other positive parenting skills and practices.

(x) The importance of participating in ongoing healthcare for an infant and in ongoing healthcare for post-partum depression.

(xi) Finding, qualifying for, and participating in available community resources with respect to infant care, childcare, and parenting support.

(xii) Planning for parenting or guardianship of children during deployment.

(xiii) Such other matters as the Secretary considers appropriate.

(B) If a parent is deployed at the time of birth—

(i) the first home visit pursuant to subparagraph (A) shall, to the extent practicable, incorporate both parents, in person with the local parent and by electronic means (such as Skype or FaceTime) with the deployed parent; and

(ii) another such home visit shall be conducted upon the return of the parent from deployment, and shall include both parents.

(C) An electronic directory of community resources available to eligible covered beneficiaries and their families in order to assist teams described in subparagraph (A) in connecting beneficiaries and families with such resources.

(D) An electronic integrated data system to—

(i) support teams in referring beneficiaries to the services and resources to be offered under subsection (c)(3) and track beneficiary usage;

(ii) track interactions between teams described in subparagraph (A) and eligible beneficiaries and their families; and

(iii) otherwise evaluate the implementation and effectiveness of the pilot program.

**(b) MANDATORY PARTICIPATION.—**

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary shall require all eligible covered beneficiaries at each installation at which the pilot program is being conducted to be contacted by the pilot program under this section.

(2) **EXCEPTION.**—The Secretary shall encourage participation by both parents of a child in the pilot program, but participation by one parent shall be sufficient to meet the requirement under paragraph (1).

**(c) AVAILABLE SERVICES AND RESOURCES.—**

(1) **IN GENERAL.**—In carrying out the pilot program under this section, the Secretary shall offer services and resources to an eligible covered beneficiary based on the particular needs of the beneficiary and the beneficiary's family.

(2) **VOLUNTARY PARTICIPATION.**—Participation by an eligible covered beneficiary and family in any service or resource offered under paragraph (1) shall be at the election of the beneficiary.

**(3) ASSESSMENT OF ELIGIBLE COVERED BENEFICIARIES.—**

(A) **IN GENERAL.**—In carrying out the pilot program, the Secretary shall conduct, or attempt to conduct, an assessment of every eligible covered beneficiary and beneficiary family participating in the pilot program, regardless of risk factors, to determine which services and resources to offer such beneficiary and family under paragraph (1).

(B) **PARTICULAR NEEDS.**—In conducting an assessment of an eligible covered beneficiary and family under subparagraph (A), the Secretary shall assess their needs and eligibility for particular services and resources and connect the beneficiary and family to services and resources for which they have a need and are eligible, either within the Department of Defense or elsewhere.

**(d) INVOLVEMENT OF MEDICAL STAFF.—**

(1) **IN GENERAL.**—The Secretary shall ensure that the pilot program under this section is conducted by licensed medical staff of the Department of Defense and not family advocacy staff.

**(2) HOME VISITS.—**

(A) **IN GENERAL.**—The Secretary shall ensure that the pilot program includes the following:

(i) An initial contact made prenatally (except when not possible, in which case the contact shall occur as soon after birth as possible) by a team described in subsection (a)(3)(A), which shall include screening for the matters specified in that subsection.

(ii) Home visits by a nurse or other licensed medical professional trained in the practices covered by the program at the birth of a child, which visits shall follow a research-based structured clinical protocol and include use of the electronic integrated data described in subsection (a)(3)(D).

(B) **TIMING OF VISITS.**—The first visits under subparagraph (A)(ii) shall occur between two and five weeks after hospital discharge with appropriate follow-up generally accomplished within two home visits.

(C) **DURATION OF VISITS.**—Visits under this paragraph shall have a duration between 90 minutes and 2 hours.

(D) **FINAL VISIT.**—Not later than 45 days after the last visit conducted by a nurse under subparagraph (A)(ii) with respect to an eligible covered beneficiary, appropriate staff shall follow-up with the beneficiary and the beneficiary's family to assess if they are using the services recommended under subsection (c).

**(e) IMPLEMENTATION ASSESSMENTS.—**

(1) **IN GENERAL.**—The Secretary shall carry out not fewer than five implementation assessments in accordance with this subsection

in order to assess the effectiveness of the elements and requirements of the pilot program.

(2) **SCHEDULE.**—The implementation assessment required by this subsection shall be completed by not later than two years after the date of the enactment of this Act.

(3) **LOCATIONS.**—The implementation assessments shall be carried out at not less than five military installations selected by the Secretary for purposes of this subsection. In selecting such installations, the Secretary shall select installations representing a range of circumstances, including installations in an urban location and a rural location, installations with a large population and with a small population, installations currently experiencing high incidence of child abuse, neglect, or both and low incidence of child abuse, neglect, or both, installations with a hospital or clinic and without a hospital or clinic, joint installations, and installations serving only one Armed Force.

(4) **ASSESSMENT.**—In carrying out the implementation assessments, the Secretary shall seek to obtain an assessment of each of the following:

(A) The ability of nurses or other licensed medical professionals to contact families eligible for participation in the pilot program.

(B) The extent to which families eligible for participation in the program actually participate in the pilot program.

(C) The ability of medical personnel to adhere to the clinical protocols of the pilot program.

(D) The extent to which families participating in the pilot program are being connected to services and resources under the pilot program.

(E) The extent to which families participating in the pilot program are using services and resources under the pilot program.

**(f) REPORTS.—**

(1) **INITIAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program to be carried out pursuant to this section. The report shall include a comprehensive description of each implementation assessment to be carried out pursuant to subsection (e), including—

(A) the installation at which such implementation assessment is being carried out;

(B) a justification for the selection of such installation for purposes of subsection (e); and

(C) the elements and requirements of the pilot program being carried out through such implementation assessment, including strategy and metrics for evaluating effectiveness.

(2) **FINAL REPORT.**—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the committees specified in paragraph (1) a report on the pilot program. The report shall include the following:

(A) A comprehensive description and assessment of each of the implementation assessments under subsection (e).

(B) A comprehensive description and assessment of the pilot program.

(C) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of pilot program, including recommendations for modifications of the pilot program or extension of the pilot program on a permanent basis at additional locations.

(g) **IMPLEMENTATION DEFENSE-WIDE.**—If the Secretary determines as a result of the pilot program that any element of the pilot program is effective, the Secretary shall take appropriate actions to implement the pilot program as a program throughout and across

the military installations of the Department.

(h) DEFINITIONS.—In this section:

(1) The term “community”, with respect to a military installation, means the catchment area for community services of the installation, including services provided on the installation and services provided by State, county, and local jurisdictions in which the installation is located or in the vicinity of the installation.

(2) The term “eligible covered beneficiary” means a covered beneficiary (as that term is defined in section 1072 of title 10, United States Code) who obtains pre-natal and obstetrical care in a military medical treatment facility in connection with a birth covered by the pilot program.

**SEC. 575. PILOT PROGRAM ON PARTICIPATION OF MILITARY SPOUSES IN TRANSITION ASSISTANCE PROGRAM ACTIVITIES.**

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of permitting military spouses to participate in activities under the Transition Assistance Program (TAP) under section 1144 of title 10, United States Code, on military installations.

(b) LOCATIONS.—The Secretary shall carry out the pilot program at not fewer than five military installations selected by the Secretary for purposes of the pilot program.

(c) DURATION.—The Secretary shall carry out the pilot program during the five-year period beginning on the date of the enactment of this Act.

(d) PARTICIPATION.—

(1) IN GENERAL.—Under the pilot program, the spouse of a member of the Armed Forces assigned to a military installation at which the pilot program is carried out who is participating in activities under the Transition Assistance Program may participate in such activities under the Program as the spouse considers appropriate, regardless of whether the member is also participating in such activities at the time of the spouse's participation.

(2) ADEQUATE FACILITIES.—The Secretary shall ensure that the facilities for the carrying out of activities under the Transition Assistance Program at each installation at which the pilot program is carried out are adequate to permit the participation in such activities of any spouse of a member of the Armed Forces at the installation who seeks to participate in such activities.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program, including a comprehensive description of the pilot program.

(2) FINAL REPORT.—Not later than six months after the completion of the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program. The report shall include the following:

(A) A comprehensive description of the pilot program, including the installations at which the pilot program was carried out and the rates of participation of military spouses in activities under the Transition Assistance Program pursuant to the pilot program.

(B) Such recommendations for extension or expansion of the pilot program, including making the pilot program permanent, as the Secretary considers appropriate in light of the pilot program.

**SEC. 576. SMALL BUSINESS ACTIVITIES OF MILITARY SPOUSES ON MILITARY INSTALLATIONS IN THE UNITED STATES.**

(a) ASSESSMENT OF SMALL BUSINESS ACTIVITIES.—The Secretary of Defense shall submit to Congress a report setting forth an assessment of the feasibility and advisability of permitting military spouses to engage in small business activities on military installations in the United States and in partnership with commissaries, exchange stores, and other morale, welfare, and recreation facilities of the Armed Forces in the United States.

(b) ELEMENTS.—The assessment shall—

(1) take into account the usage by military spouses of installation facilities, utilities, and other resources in the conduct of small business activities on military installations in the United States and such other matters in connection with the conduct of such business activities by military spouses as the Secretary considers appropriate; and

(2) seek to identify mechanisms to ensure that costs and fees associated with the usage by military spouses of such facilities, utilities, and other resources in connection with such business activities does not meaningfully curtail or eliminate the opportunity for military spouses to profit reasonably from such business activities.

**Subtitle G—Decorations and Awards**

**SEC. 581. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED SERVICE CROSS FOR JUSTIN T. GALLEGOS FOR ACTS OF VALOR DURING OPERATION ENDURING FREEDOM.**

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 3742 of such title to Justin T. Gallegos for the acts of valor during Operation Enduring Freedom described in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Justin T. Gallegos on October 3, 2009, while serving in the grade of Staff Sergeant in Afghanistan while serving with B Troop, 3d Squadron, 61st Cavalry Regiment, 4th Brigade Combat Team, 4th Infantry Division.

**SEC. 582. AWARD OF MEDALS OR OTHER COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS.**

(a) PROGRAM OF AWARD REQUIRED.—Each Secretary of a military department shall carry out a program to provide for the award of one or more medals or other commendations to handlers of military working dogs under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

(b) MEDALS AND COMMENDATIONS.—Any medal or commendation awarded pursuant to a program under subsection (a) shall be of such design, and include such elements, as the Secretary of the military department concerned shall specify.

(c) PRESENTATION AND ACCEPTANCE.—Any medal or commendation awarded pursuant to a program under subsection (a) may be presented to and accepted by the handler concerned on behalf of the handler and the military working dog concerned.

(d) REGULATIONS.—Medals and commendations shall be awarded under programs under subsection (a) in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.

**Subtitle H—Other Matters**

**SEC. 591. AUTHORITY TO AWARD DAMAGED PERSONAL PROTECTIVE EQUIPMENT TO MEMBERS SEPARATING FROM THE ARMED FORCES AND VETERANS AS MEMENTOS OF MILITARY SERVICE.**

(a) IN GENERAL.—Chapter 152 of title 10, United States Code, is amended by adding at the end the following new section:

**“§2568a. Damaged personal protective equipment: award to members separating from the armed forces and veterans**

“The Secretary of a military department may award to a member of the armed forces under the jurisdiction of the Secretary who is separating from the armed forces, and to any veteran formerly under the jurisdiction of the Secretary, demilitarized personal protective equipment (PPE) of the member or veteran that was damaged in combat or otherwise during the deployment of the member or veteran. The award of equipment under this section shall be without cost to the member or veteran concerned.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 152 of such title is amended by adding at the end the following new item:

“2568a. Damaged personal protective equipment: award to members separating from the armed forces and veterans.”

**SEC. 592. STANDARDIZATION OF FREQUENCY OF ACADEMY VISITS OF THE AIR FORCE ACADEMY BOARD OF VISITORS WITH ACADEMY VISITS OF BOARDS OF OTHER MILITARY SERVICE ACADEMIES.**

Section 9355 of title 10, United States Code, is amended by striking subsection (d) and inserting the following new subsection:

“(d) The Board shall visit the Academy annually. With the approval of the Secretary of the Air Force, the Board or its members may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy. Board members shall have access to the Academy grounds and the cadets, faculty, staff, and other personnel of the Academy for the purposes of the duties of the Board.”

**SEC. 593. REDESIGNATION OF THE COMMANDANT OF THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY AS THE PRESIDENT OF THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.**

(a) REDESIGNATION.—Section 9314b(a) of title 10, United States Code, is amended—

(1) in subsection heading, by striking “COMMANDANT” and inserting “PRESIDENT”;

(2) by striking “Commandant” each place it appears and inserting “President”; and

(3) in the heading of paragraph (3), by striking “COMMANDANT” and inserting “PRESIDENT”.

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the Commandant of the United States Air Force Institute of Technology shall be deemed to be a reference to the President of the United States Air Force Institute of Technology.

**SEC. 594. LIMITATION ON JUSTIFICATIONS ENTERED BY MILITARY RECRUITERS FOR ENLISTMENT OR ACCESSION OF INDIVIDUALS INTO THE ARMED FORCES.**

(a) IN GENERAL.—In any case in which a database or system maintained by an Armed Force regarding the reasons why individuals elect to enlist or access into the Armed Force provides for military recruiters to select among pre-specified options for reasons for such election, military recruiters entering data into such database or system may select only among such pre-specified options as reasons for the enlistment or accession of any particular individual.

(b) **MILITARY RECRUITER DEFINED.**—In this section, the term “military recruiter” means a person who as the duty to recruit persons into the Armed Forces for military service.

**SEC. 595. NATIONAL COMMISSION ON MILITARY, NATIONAL, AND PUBLIC SERVICE MATTERS.**

(a) **DEFINITIONS.**—Section 551(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2130) is amended—

(1) in paragraph (1), by inserting after “United States Code” the following: “or active status (as that term is defined in subsection (d)(4) of such section)”;

(2) in paragraph (2)—

(A) by striking “‘national service’” and inserting “‘public service’”; and

(B) by striking “‘or State Government’” and inserting “‘, State, Tribal, or local government’”;

(3) in paragraph (3)—

(A) by striking “‘public service’” and inserting “‘national service’”; and

(B) by striking “‘employment’” and inserting “‘participation’”; and

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

“(4) The term ‘establishment date’ means September 19, 2017.”.

(b) **EXCEPTION TO PAPERWORK REDUCTION ACT.**—Section 555(e) of that Act (130 Stat. 2134) is amended by adding at the end the following new paragraph:

“(4) **PAPERWORK REDUCTION ACT.**—For purposes of developing its recommendations, the information collection of the Commission may be treated as a pilot project under section 3505(a) of title 44, United States Code. In addition, the Commission shall not be subject to the requirements of section 3506(c)(2)(A) of such title.”.

**SEC. 596. BURIAL OF UNCLAIMED REMAINS OF INMATES AT THE UNITED STATES DISCIPLINARY BARRACKS CEMETERY, FORT LEAVENWORTH, KANSAS.**

Section 985 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “A person who is ineligible” in the matter preceding paragraph (1) and inserting “Except as provided in subsection (c), a person who is ineligible”;

(2) by redesignating subsection (c) as subsection (d); and

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

“(c) **UNCLAIMED REMAINS OF MILITARY PRISONERS.**—Subsection (b) shall not preclude the burial at the United States Disciplinary Barracks Cemetery at Fort Leavenworth, Kansas, of a military prisoner, including a military prisoner who is a person described in section 2411(b) of title 38, who dies while in custody of a military department and whose remains are not claimed by the person authorized to direct disposition of the remains or by other persons legally authorized to dispose of the remains.”.

**SEC. 597. SPACE-AVAILABLE TRAVEL ON DEPARTMENT OF DEFENSE AIRCRAFT FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES RATED AS TOTAL.**

(a) **IN GENERAL.**—Subsection (c) of section 2641b of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

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

“(4) Subject to subsection (f), veterans with a permanent service-connected disability rated as total.”.

(b) **CONDITIONS AND LIMITATIONS.**—Such section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) **VETERANS WITH SERVICE-CONNECTED DISABILITIES RATED AS TOTAL.**—(1) Travel may not be provided under this section to a veteran eligible for travel pursuant to subsection (c)(4) in priority over any member eligible for travel under subsection (c)(1) or any dependent of such a member eligible for travel under this section.

“(2) The authority in subsection (c)(4) may not be construed as affecting or in any way imposing on the Department of Defense, any armed force, or any commercial company with which they contract an obligation or expectation that they will retrofit or alter, in any way, military aircraft or commercial aircraft, or related equipment or facilities, used or leased by the Department or such armed force to accommodate passengers provided travel under such authority on account of disability.

“(3) The authority in subsection (c)(4) may not be construed as preempting the authority of a flight commander to determine who boards the aircraft and any other matters in connection with safe operation of the aircraft.”.

**TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

**Subtitle A—Pay and Allowances**

**SEC. 601. FISCAL YEAR 2019 INCREASE IN MILITARY BASIC PAY.**

(a) **WAIVER OF SECTION 1009 ADJUSTMENT.**—The adjustment to become effective during fiscal year 2019 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) **INCREASE IN BASIC PAY.**—Effective on January 1, 2019, the rates of monthly basic pay for members of the uniformed services are increased by 2.6 percent.

**SEC. 602. REPEAL OF AUTHORITY FOR PAYMENT OF PERSONAL MONEY ALLOWANCES TO NAVY OFFICERS SERVING IN CERTAIN POSITIONS.**

(a) **REPEAL.**—Section 414 of title 37, United States Code, is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on December 31, 2018, and shall apply with respect to personal money allowances payable under section 414 of title 37, United States Code, for years beginning after that date.

**SEC. 603. DEPARTMENT OF DEFENSE PROPOSAL FOR A PAY TABLE FOR MEMBERS OF THE ARMED FORCES USING STEPS IN GRADE BASED ON TIME IN GRADE RATHER THAN TIME IN SERVICE.**

(a) **PROPOSAL REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a proposal for a pay table for members of the Armed Forces that uses steps in grade for each pay grade based on time of service within such pay grade rather than on time of service in the Armed Forces as a whole.

(b) **COMPTROLLER GENERAL ASSESSMENT.**—Not later than April 1, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the proposed pay table required pursuant to subsection (a), including an assessment of the effects of using the proposed pay table, rather than the current pay table for members of the Armed Forces, on recruitment and retention of members of the Armed Forces as a whole and on recruitment and retention of members of the Armed Forces with particular sets of

skills (including cyber and other technical skills).

**SEC. 604. FINANCIAL SUPPORT FOR LESSORS UNDER THE MILITARY HOUSING PRIVATIZATION INITIATIVE DURING 2019.**

(a) **SUPPORT AUTHORIZED.**—Subject to subsection (c), for each month during 2019, the Secretary of Defense may pay to a lessor of covered housing up to 2 percent of the amount calculated under section 403(b)(3)(A)(i) of title 37, United States Code, for the area in which the covered housing exists for each member to whom such lessor leases covered housing for such month.

(b) **COVERED HOUSING.**—In this section, the term “covered housing” means a unit of housing—

(1) acquired or constructed under the alternative authority of subchapter IV of chapter 169 of title 10, United States Code (known as the Military Housing Privatization Initiative);

(2) that is leased to a member of a uniformed service who resides in such unit; and

(3) for which the lessor charges such member rent that equals or exceeds the amount calculated under section 403(b)(3)(A) of title 37, United States Code.

(c) **SUPPORT CONTINGENT ON NOTICE TO CONGRESS.**—

(1) **IN GENERAL.**—The Secretary may not make payments to a lessor for particular covered housing in 2019 authorized by subsection (a) until the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a notice on such payments.

(2) **ELEMENTS.**—The notice on payments to a lessor for particular covered housing in 2019 for purposes of paragraph (1) shall include the following:

(A) A documented request from the lessor for additional funding in connection with such housing and endorsed by the commander of the military installation concerned.

(B) A description of the formula to be used by the Secretary to calculate the amount of such payments.

(C) A description of the current financial condition of the lessor in connection with such housing, including the following:

(i) The current debt coverage ratio of the lessor for such housing.

(ii) An assessment of the lessor’s ability to fund future sustainment costs for such housing in the absence of payments as described in subsection (a).

(iii) An assessment of whether any earnings for the lessor from other covered housing, if any, can offset predicted shortfalls in funding for such housing.

(D) An assessment of the effects, if any, of recent reductions in basic allowance for housing on the financial viability of such housing for the lessor.

(E) A plan to ensure the long-term financial stability of such housing.

(F) A recommendation whether the contract between the lessor and government for such housing area should be retained without modification, or modified, to ensure long-term financial viability of such housing.

**SEC. 605. MODIFICATION OF AUTHORITY OF PRESIDENT TO DETERMINE ALTERNATIVE PAY ADJUSTMENT IN ANNUAL BASIC PAY OF MEMBERS OF THE UNIFORMED SERVICES.**

(a) **MODIFICATION.**—Section 1009(e) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking “or serious economic conditions affecting the general welfare”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and—

(1) if the date of the enactment of this Act occurs before September 1 of a year, shall apply with respect to plans for alternative pay adjustments for any year beginning after such year; and

(2) if the date of the enactment of this Act occurs after August 31 of a year, shall apply with respect to plans for alternative pay adjustments for any year beginning after the year following such year.

**SEC. 606. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR HIGH-DEPLOYMENT ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS AND FREQUENT MOBILIZATIONS.**

Section 436(a)(2)(C)(ii) of title 37, United States Code, is amended by inserting after “under” the first place it appears the following: “section 12304b of title 10 or”.

**SEC. 607. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR NONREDUCTION IN PAY WHILE SERVING IN THE UNIFORMED SERVICES OR NATIONAL GUARD.**

Section 5538(a) of title 5, United States Code, is amended in the matter preceding paragraph (1) by inserting after “under” the following: “section 12304b of title 10 or”.

**SEC. 608. TEMPORARY ADJUSTMENT IN RATE OF BASIC ALLOWANCE FOR HOUSING FOLLOWING IDENTIFICATION OF SIGNIFICANT UNDERDETERMINATION OF CIVILIAN HOUSING COSTS FOR HOUSING AREAS.**

Section 403(b) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(8)(A) Under the authority of this paragraph, the Secretary of Defense may prescribe a temporary adjustment in the current rates of basic allowance for housing for a military housing area or portion of a military housing area if the Secretary determines that the actual costs of adequate housing for civilians in that military housing area or portion thereof differ from such current rates of basic allowance for housing by an amount in excess of 20 percent of such current rates of basic allowance for housing.

“(B) Any temporary increase in rates of basic allowance for housing under this paragraph shall remain in effect only until the next annual adjustment in rates of basic allowance for housing under this subsection by law.

“(C) This paragraph shall cease to be effective on December 31, 2019.”.

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

**SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.**

(a) **AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.**—The following sections of title 37, United States Code, are amended by striking “December 31, 2018” and inserting “December 31, 2019”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

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

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(b) **AUTHORITIES RELATING TO RESERVE FORCES.**—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

(c) **TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.**—The following sections of title 10, United States Code, are amended by striking “December 31, 2018” and inserting “December 31, 2019”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(d) **AUTHORITIES RELATING TO NUCLEAR OFFICERS.**—Section 333(i) of title 37, United States Code, is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

(e) **AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.**—Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

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

**SEC. 621. TECHNICAL CORRECTIONS IN CALCULATION AND PUBLICATION OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE COST OF LIVING ADJUSTMENTS.**

(a) **MONTHS FOR WHICH ADJUSTMENT APPLICABLE.**—Paragraph (2) of section 1450(m) of title 10, United States Code, is amended—

(1) in subparagraph (I), by striking “December” and inserting “November”; and

(2) in subparagraph (J), by striking “for months during any calendar year after 2018” and inserting “for months after November 2018”.

(b) **COST OF LIVING ADJUSTMENT.**—Paragraph (6) of such section is amended—

(1) in the paragraph heading, by striking “AFTER 2018” and inserting “AFTER NOVEMBER 2018”; and

(2) by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) **IN GENERAL.**—Whenever retired pay is increased for a month under section 1401a of this title (or any other provision of law), the amount of the allowance payable under paragraph (1) for that month shall also be increased.

“(B) **AMOUNT OF INCREASE.**—With respect to an eligible survivor of a member of the uniformed services, the increase for a month shall be—

“(i) the amount payable pursuant to paragraph (2) for months during the preceding 12-month period; plus

“(ii) an amount equal to a percentage of the amount determined pursuant to clause (i), which percentage is the percentage by which the retired pay of the member would have increased for the month, as described in subparagraph (A), if the member was alive (and otherwise entitled to such pay).

“(C) **ROUNDING DOWN.**—The monthly amount of an allowance payable under this subsection, if not a multiple of \$1, shall be rounded to the next lower multiple of \$1.

“(D) **PUBLIC NOTICE ON AMOUNT OF ALLOWANCE PAYABLE.**—Whenever an increase in the amount of the allowance payable under paragraph (1) is made pursuant to this paragraph, the Secretary of Defense shall publish the

amount of the allowance so payable by reason of such increase, including the months for which payable.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on December 1, 2018.

**Subtitle D—Other Matters**

**SEC. 631. RATES OF PER DIEM FOR LONG-TERM TEMPORARY DUTY ASSIGNMENTS.**

(a) **REPORT ON COST-BENEFIT ANALYSIS OF NOVEMBER 2014 CHANGE OF POLICY.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an analysis, conducted by the Secretary for purposes of the report, of the costs and benefits of the change in policy of the Department of Defense on rates of per diem for long-term temporary duty assignments that took effect on November 1, 2014. The study shall be consistent with the principles and requirements of Office of Management and Budget Circular A-94.

(2) **ELEMENT ASSESSING COST-BENEFIT.**—The report under paragraph (1) shall specify, in particular, whether or not the benefits of the change in policy described in that paragraph have outweighed and will continue to outweigh the costs of the change of policy.

(b) **CONTINGENT REVERSION TO PRIOR POLICY.**—

(1) **LACK OF REPORT.**—If the report required by subsection (a)(1) is not submitted to the committees of Congress referred to in that subsection by the contingency date, effective as of the contingency date, the policy of the Department on rates of per diem for long-term temporary duty assignments shall be the policy as in effect as of October 31, 2014.

(2) **FINDING OF COSTS OUTWEIGHING BENEFITS.**—If the specification in the report as required by subsection (a)(2) is that the benefits of the change in policy described in subsection (a)(1) have not outweighed or will not continue to outweigh the costs of the change of policy, effective as of the date of the report, the policy of the Department on rates of per diem for long-term temporary duty assignments shall be the policy as in effect as of October 31, 2014.

(3) **CONTINGENCY DATE DEFINED.**—In this subsection, the term “contingency date” means the date that is 120 days after the date of the enactment of this Act.

**SEC. 632. PROHIBITION ON PER DIEM ALLOWANCE REDUCTIONS BASED ON THE DURATION OF TEMPORARY DUTY ASSIGNMENT OR CIVILIAN TRAVEL.**

(a) **MEMBERS.**—Section 474(d)(3) of title 37, United States Code, is amended by adding at the end the following new sentence: “The Secretary of a military department shall not alter the amount of the per diem allowance, or the maximum amount of reimbursement, for a locality based on the duration of the temporary duty assignment in the locality of a member of the armed forces under the jurisdiction of the Secretary.”.

(b) **CIVILIAN EMPLOYEES.**—Section 5702(a)(2) of title 5, United States Code, is amended by adding at the end the following new sentence: “The Secretary of Defense shall not alter the amount of the per diem allowance, or the maximum amount of reimbursement, for a locality based on the duration of the travel in the locality of an employee of the Department.”.

(c) **REPEALS.**—

(1) **EXISTING POLICY AND REGULATIONS.**—The policy, and any regulations issued pursuant to such policy, implemented by the Secretary of Defense on November 1, 2014, with respect to reductions in per diem allowances based on duration of temporary duty assignment or civilian travel shall have no force or effect.

(2) ATTEMPTED STATUTORY FIX.—Section 672 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 37 U.S.C. 474 note; 130 Stat. 2178) is repealed.

## TITLE VII—HEALTH CARE PROVISIONS

### Subtitle A—TRICARE and Other Health Care Benefits

#### SEC. 701. CONSOLIDATION OF COST-SHARING REQUIREMENTS UNDER TRICARE SELECT AND TRICARE PRIME.

(a) TRICARE SELECT.—

(1) IN GENERAL.—Section 1075 of title 10, United States Code, is amended—

(A) in subsection (c), by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) With respect to beneficiaries in the active-duty family member category or the retired category other than beneficiaries described in paragraph (2)(B), the cost-sharing requirements shall be calculated pursuant to subsection (d)(1).

“(2)(A) With respect to beneficiaries described in subparagraph (B) in the active-duty family member category or the retired category, the cost-sharing requirements shall be calculated as if the beneficiary were enrolled in TRICARE Extra or TRICARE Standard as if TRICARE Extra or TRICARE Standard, as the case may be, were still being carried out by the Secretary.

“(B) Beneficiaries described in this subparagraph are the following beneficiaries:

“(i) Retired members and the family members of such retired members covered by section 1086(c)(1) of this title by reason of being retired under chapter 61 of this title or being a dependent of such a retired member.

“(ii) Survivors covered by section 1086(c)(2) of this title.”;

(B) by striking subsection (e); and

(C) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively.

(2) CONFORMING AMENDMENT.—Subsection (d)(2) of such section is amended by striking “, and the amounts specified under paragraphs (1) and (2) of subsection (e),”.

(b) TRICARE PRIME.—Section 1075a(a) of title 10, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following new paragraph:

“(2) With respect to beneficiaries in the active-duty family member category or the retired category (as described in section 1075(b)(1) of this title) other than beneficiaries described in paragraph (3)(B), the cost-sharing requirements shall be calculated pursuant to subsection (b)(1).”; and

(2) in paragraph (3), by striking subparagraph (B) and inserting the following new subparagraph:

“(B) Beneficiaries described in this subparagraph are the following beneficiaries:

“(i) Retired members and the family members of such retired members covered by section 1086(c)(1) of this title by reason of being retired under chapter 61 of this title or being a dependent of such a retired member.

“(ii) Survivors covered by section 1086(c)(2) of this title.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2019.

#### SEC. 702. ADMINISTRATION OF TRICARE DENTAL PLANS THROUGH THE FEDERAL EMPLOYEES DENTAL INSURANCE PROGRAM.

(a) ELIGIBILITY OF ADDITIONAL BENEFICIARIES UNDER THE FEDERAL EMPLOYEES DENTAL INSURANCE PROGRAM.—Section 8951(8) of title 5, United States Code, is amended by striking “1076c” and inserting “1076a or 1076c”.

(b) ADMINISTRATION OF TRICARE DENTAL PLANS.—Subsection (b) of section 1076a of title 10, United States Code, is amended to read as follows:

“(b) ADMINISTRATION OF PLANS.—The plans established under this section shall be administered by the Secretary of Defense through an agreement with the Director of the Office of Personnel Management to allow persons described in subsection (a) to enroll in an insurance plan under chapter 89A of title 5, in accordance with terms prescribed by the Secretary, including terms, to the extent practical, as defined by the Director through regulation, consistent with subsection (d) and, to the extent practicable in relation to such chapter 89A, other provisions of this section.”.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to the first contract year for chapter 89A of title 5, United States Code, that begins on or after January 1, 2022.

(d) TRANSITION.—To ensure the successful transition of programs, in carrying out the TRICARE dental program under section 1076a of title 10, United States Code, the Secretary of Defense shall ensure that the contractor for such program provides claims information under such program to carriers providing dental coverage under chapter 89A of title 5, United States Code.

#### SEC. 703. CONTRACEPTION COVERAGE PARITY UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1074d(b)(3) of title 10, United States Code, is amended by inserting before the period at the end the following: “(including all methods of contraception approved by the Food and Drug Administration, contraceptive care (including with respect to insertion, removal, and follow up), sterilization procedures, and patient education and counseling in connection therewith)”.

(b) PROHIBITION ON COST-SHARING FOR CERTAIN SERVICES.—

(1) TRICARE SELECT.—Section 1075(c) of such title is amended by adding at the end the following new paragraph:

“(4) For all beneficiaries under this section, there is no cost-sharing for any method of contraception provided by a network provider.”.

(2) TRICARE PRIME.—Section 1075a(b) of such title is amended by adding at the end the following new paragraph:

“(5) For all beneficiaries under this section, there is no cost-sharing for any method of contraception provided by a network provider.”.

(3) PHARMACY BENEFITS PROGRAM.—Section 1074g(a)(6) of such title is amended by adding at the end the following new subparagraph:

“(D) Notwithstanding subparagraphs (A) and (B), there is no cost-sharing for any prescription contraceptive on the uniform formulary provided by a network retail pharmacy provider or the mail order pharmacy program.”.

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

#### SEC. 704. PILOT PROGRAM ON OPIOID MANAGEMENT IN THE MILITARY HEALTH SYSTEM.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall implement a comprehensive pilot program to minimize early opioid exposure in beneficiaries under the TRICARE program and to prevent progression to misuse or abuse of opioid medications.

(2) OPIOID SAFETY ACROSS CONTINUUM OF CARE.—The pilot program shall include elements to maximize opioid safety across the entire continuum of care consisting of patient, physician or dentist, and pharmacist.

(b) ELEMENTS OF PILOT PROGRAM.—The pilot program shall include the following:

(1) Identification of potential opioid misuse or abuse in pharmacies of military treat-

ment facilities, retail network pharmacies, and the home delivery pharmacy and transmission of alerts regarding such potential mistreatment to opioid prescribing physicians or dentists.

(2) Direct engagement with, education for, and management of beneficiaries under the TRICARE program to help such beneficiaries avoid opioid misuse or abuse.

(3) Provision of in-home disposal kits to deactivate excess opioids and prevent unauthorized use.

(4) Proactive outreach by specialist pharmacists to such beneficiaries when identifying potential opioid misuse or abuse.

(5) Monitoring of such beneficiaries through the use of predictive analytics to identify the potential for abuse and addiction before such beneficiaries begin an opioid prescription.

(6) Detection of fraud, waste, and abuse.

(c) REPORT ON PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days before completion of the pilot program, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that describes the conduct of the pilot program.

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

(A) A description of the pilot program, including outcome measures developed to determine the overall effectiveness of the pilot program.

(B) A description of the ability of the pilot program to identify opioid misuse and abuse among beneficiaries under the TRICARE program in each pharmacy venue of the pharmacy program of the military health system.

(C) A description of the impact of the use of predictive analytics to monitor such beneficiaries to identify the potential for opioid abuse and addiction before such beneficiaries begin an opioid prescription.

(D) A description of any reduction in the misuse or abuse of opioid medications among such beneficiaries as a result of the pilot program.

(d) DURATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Director shall carry out the pilot program for a period of not more than three years.

(2) EXPANSION.—The Director may implement the pilot program on a permanent basis if the Director determines that the pilot program successfully reduces early opioid exposure in beneficiaries under the TRICARE program and prevents progression to misuse or abuse of opioid medications.

(e) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

#### SEC. 705. PILOT PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER RELATED TO MILITARY SEXUAL TRAUMA.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

(b) DISCHARGE THROUGH PARTNERSHIPS.—The pilot program authorized by subsection (a) shall be carried out through partnerships with public, private, and non-profit health care organizations and institutions that—

(1) provide health care to members of the Armed Forces;

(2) provide evidence-based treatment for psychological and neurological conditions

that are common among members of the Armed Forces, including post-traumatic stress disorder, traumatic brain injury, substance abuse, and depression;

(3) provide health care, support, and other benefits to family members of members of the Armed Forces; and

(4) provide health care under the TRICARE program (as that term is defined in section 1072 of title 10, United States Code).

(c) **PROGRAM ACTIVITIES.**—Each organization or institution that participates in a partnership under the pilot program authorized by subsection (a) shall—

(1) carry out intensive outpatient programs of short duration to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

(3) share clinical and outreach best practices with other organizations and institutions participating in the pilot program; and

(4) annually assess outcomes for members of the Armed Forces individually and among the organizations and institutions participating in the pilot program with respect to the treatment of conditions described in paragraph (1).

(d) **EVALUATION METRICS.**—Before commencement of the pilot program, the Secretary shall establish metrics to be used to evaluate the effectiveness of the pilot program and the activities under the pilot program.

(e) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program authorized by subsection (a). The report shall include a description of the pilot program and such other matters on the pilot program as the Secretary considers appropriate.

(2) **FINAL REPORT.**—Not later than 180 days after the cessation of the pilot program under subsection (f), the Secretary shall submit to the committees of Congress referred to in paragraph (1) a report on the pilot program. The report shall include the following:

(A) A description of the pilot program, including the partnership under the pilot program as described in subsection (b).

(B) An assessment of the effectiveness of the pilot program and the activities under the pilot program.

(C) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program, including recommendations for extension or making permanent the authority for the pilot program.

(f) **TERMINATION.**—The Secretary may not carry out the pilot program authorized by subsection (a) after the date that is three years after the date of the enactment of this Act.

#### Subtitle B—Health Care Administration

### SEC. 711. IMPROVEMENT OF ADMINISTRATION OF DEFENSE HEALTH AGENCY AND MILITARY MEDICAL TREATMENT FACILITIES.

(a) **IN GENERAL.**—Subsection (a) of section 1073c of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) In addition to the responsibilities set forth in paragraph (1), the Director of the

Defense Health Agency shall have the authority—

“(A) to direct, control, and serve as the primary rater of the performance of commanders or directors of military medical treatment facilities;

“(B) to direct and control any intermediary organizations between the Defense Health Agency and military medical treatment facilities;

“(C) to determine the scope of medical care provided at each military medical treatment facility to meet the military personnel readiness requirements of the senior military operational commander of the military installation;

“(D) to determine total workforce requirements at each military medical treatment facility;

“(E) to direct joint manning at military medical treatment facilities and intermediary organizations;

“(F) to establish training and skills sustainment venues for military medical personnel;

“(G) to address personnel staffing shortages at military medical treatment facilities; and

“(H) to approve service nominations for commanders or directors of military medical treatment facilities.”.

(b) **COMBAT SUPPORT RESPONSIBILITIES.**—Subsection (d)(2) of such section is amended by adding at the end the following new subparagraph:

“(C) Ensuring that the Defense Health Agency meets the military personnel readiness requirements of the senior military operational commanders of the military installations.”.

### SEC. 712. ORGANIZATIONAL FRAMEWORK OF THE MILITARY HEALTHCARE SYSTEM TO SUPPORT MEDICAL REQUIREMENTS OF THE COMBATANT COMMANDS.

(a) **ORGANIZATIONAL FRAMEWORK REQUIRED.**—The Secretary of Defense shall, acting through the Director of the Defense Health Agency, implement an organizational framework for the military healthcare system that most effectively implements chapter 55 of title 10, United States Code, in a manner that maximizes interoperability and fully integrates medical capabilities of the Armed Forces in order to enhance joint military medical operations in support of requirements of the combatant commands.

(b) **IMPLEMENTATION.**—

(1) **COMMENCEMENT.**—Implementation of the organizational framework required by subsection (a) shall commence not later than October 1, 2018.

(2) **PHASED IMPLEMENTATION.**—Implementation of the organizational framework may occur in phases, as considered appropriate by the Director.

(3) **COMPLETION.**—The organizational framework shall be fully implemented by not later than October 1, 2020.

(4) **COMPLIANCE WITH CERTAIN REQUIREMENTS.**—The organizational framework, as implemented, shall comply with all requirements of section 1073c of title 10, United States Code, except for the October 1, 2018, implementation date specified in such section.

(c) **HEALTH-READINESS REGIONS IN CONUS REQUIRED.**—The organizational framework required by subsection (a) shall meet the requirements as follows:

(1) **HEALTH-READINESS REGIONS.**—There shall be not more than three health-readiness regions established in the continental United States.

(2) **LEADER.**—Each region under paragraph (1) shall be led by a commander or director who is a member of the Armed Forces serving in a grade not higher than major general or rear admiral and who shall be—

(A) selected by the Director from among members of the Armed Forces recommended by the military departments for service in such position; and

(B) under the authority, direction, and control of the Director while serving in such position.

(3) **REGIONAL HUBS.**—

(A) **IN GENERAL.**—Each region under paragraph (1) shall include a major military medical center designated by the Director to serve as the regional hub for the provision of specialized medical services in such region.

(B) **CAPABILITIES.**—A major medical center may not be designated as a regional hub unless the center—

(i) includes one or more large graduate medical education training platforms; and

(ii) provides, at a minimum, role 4 medical care.

(C) **LOCATION.**—Any major medical center designated as a regional hub of a region shall be geographically located so as to maximize the support provided by uniformed medical resources in the region to the combatant commands. In designating major medical centers as a regional hub, the Director shall give consideration to the collocation of such centers with major aerial debarkation points of patients in the medical evacuation system of the United States Transportation Command.

(D) **MAJOR HEALTH CARE DELIVERY PLATFORM.**—A major medical center designated as a regional hub of a region shall serve as the major health care delivery platform for the provision of complex specialized medical care in the region, whether through patient referrals from other military medical treatment facilities in the region or through referrals from other regions in the case of certain specialized medical services (such as treatment for severe burns) which may only be available at a military medical treatment facility within the region.

(4) **ADDITIONAL MILITARY MEDICAL CENTERS.**—Consistent with section 1073d of title 10, United States Code, each region under paragraph (1) may include one or more additional military medical centers, whether established or maintained by the Director for purposes of this section, in order to serve locations in the region, if any, as follows:

(A) Locations with large beneficiary populations.

(B) Locations that serve as the primary readiness platforms of the Armed Forces.

(5) **PATIENT REFERRALS AND COORDINATION.**—The Director shall ensure effective and efficient medical care referrals and coordination among military medical treatment facilities in each region under paragraph (1), and among local or regional high-performing health systems in the region, through local or regional partnerships with institutional or individual civilian providers.

(d) **HEALTH-READINESS REGIONS OCONUS REQUIRED.**—The organizational framework required by subsection (a) shall meet the requirements as follows:

(1) **HEALTH-READINESS REGIONS.**—There shall be established not more than two health-readiness regions outside the continental United States—

(A) to enhance joint military medical operations in support of the requirements of the combatant commands in such region or regions, with a specific focus on existing and future contingency and operational plans;

(B) to ensure the provision of high-quality healthcare services to beneficiaries; and

(C) to improve the interoperability of healthcare delivery systems in regions (whether under this subsection, subsection (c), or both).

(2) **PATIENT REFERRALS AND COORDINATION.**—The Director shall ensure effective



and efficient medical care referrals and coordination among military medical treatment facilities in any region under paragraph (1), and among local or regional high-performing health systems in such region.

(e) **PLANNING AND COORDINATION.**—

(1) **SUSTAINMENT OF CLINICAL COMPETENCIES AND STAFFING.**—The Director shall—

(A) provide in each health-readiness region under this section healthcare delivery venues for uniformed medical and dental personnel to obtain operational clinical competencies; and

(B) coordinate with the military departments to ensure that staffing at military medical treatment facilities in each region supports readiness requirements for members of the Armed Forces and military medical personnel.

(2) **OVERSIGHT AND ALLOCATION OF RESOURCES.**—

(A) **IN GENERAL.**—The Director shall, consistent with section 193 of title 10, United States Code, coordinate with the Chairman of the Joint Chiefs of Staff, through the Joint Staff Surgeon, to conduct oversight and direct resources to support requirements related to readiness or operational medicine support that are validated by the Joint Staff.

(B) **SUPPLY AND DEMAND FOR MEDICAL SERVICES.**—Based on operational medical force readiness requirements of the combatant commands validated by the Joint Staff, the Director shall—

(i) validate supply and demand requirements for medical and dental services at each military medical treatment facility;

(ii) in coordination with the operational medical force readiness organizations required by subsection (f)(1), provide currency workload for uniformed medical and dental personnel at each facility to maintain skills proficiency; and

(iii) if workload is insufficient to meet requirements, identify alternative training and clinical practice sites for uniformed medical and dental personnel, and establish military-civilian training partnerships, to provide such workload.

(f) **OPERATIONAL MEDICAL FORCE READINESS ORGANIZATIONS OF THE ARMED FORCES.**—

(1) **ESTABLISHMENT.**—Not later than October 1, 2019, the Secretary of Defense shall, acting through the Secretary of the military department concerned, establish in each military department an operational medical force readiness organization in accordance with this subsection.

(2) **LEADER.**—

(A) **IN GENERAL.**—Each operational medical force readiness organization established under paragraph (1) shall be led by the Surgeon General of an Armed Force.

(B) **CONSTRUCTION OF DUTIES.**—The duties of a Surgeon General under this paragraph as leader of an operational medical force readiness organization are in addition to the duties of such Surgeon General under section 3036, 5137, or 8036 of title 10, United States Code, as applicable.

(3) **RESPONSIBILITIES.**—The responsibilities of an operational medical force readiness organization are limited to the responsibilities as follows:

(A) To recruit, organize, train, and equip uniformed medical and dental personnel of the military department concerned.

(B) To assign uniformed medical and dental personnel of the military department concerned to military medical treatment facilities for training activities specific to such military department and for operational and training missions, during which assignment such personnel shall be under the operational control of the commander or director of the military medical treatment fa-

cility concerned, subject to the authority, direction, and control of the Director.

(C) To ensure the readiness for operational deployment of medical and dental personnel and deployable medical or dental teams or units of the Armed Force or Armed Forces concerned.

(D) To provide logistical support for operational deployment of medical and dental personnel and deployable medical or dental teams or units of the Armed Force or Armed Forces concerned.

(E) To oversee the mobilization and demobilization in connection with operational deployment of medical and dental personnel of the Armed Force or Armed Forces concerned.

(F) To carry out operational medical and dental force development for the military department concerned.

(G) In coordination with the Secretary concerned, to ensure that the operational medical force readiness organizations of the Armed Forces support the medical and dental readiness responsibilities of the Director and the Secretary concerned.

(4) **MEDICAL FORCE REQUIREMENTS OF COMBATANT COMMANDS.**—

(A) **IN GENERAL.**—Each operational medical force readiness organization shall ensure that the uniformed medical and dental personnel serving in the military department concerned receive training and clinical practice opportunities necessary to ensure that such personnel are capable of meeting the operational medical force requirements of the combatant commands applicable to such personnel. Such training and practice opportunities shall be provided through programs and activities of the Defense Health Agency and by such other mechanisms as the Secretary shall designate for purposes of this paragraph.

(B) **REQUIREMENTS.**—The commanders of the combatant commands shall apprise operational medical force readiness organizations of the operational medical force requirements of the combatant commands through the Joint Staff.

(5) **NO COMMAND AUTHORITY.**—An operational medical force readiness organization established under paragraph (1) shall have no command authority.

(g) **DISESTABLISHMENT OF SUPERSEDED MEDICAL ORGANIZATIONS.**—

(1) **IN GENERAL.**—Not later than the date on which the Secretary of Defense establishes an operational medical force readiness organization within a military department pursuant to subsection (f), the Secretary of Defense shall, acting through the Secretary of such military department concerned, disestablish the following:

(A) In the case of the Army, the Army Medical Command, and any associated subordinate command or organization.

(B) In the case of the Navy, the Bureau of Medicine and Surgery of the Navy, and any associated subordinate command or organization.

(C) In the case of the Air Force, the Air Force Medical Service, and any associated subordinate command or organization.

(2) **TRANSFER OF PERSONNEL AUTHORIZATIONS.**—Any personnel authorization of a command or organization disestablished pursuant to paragraph (1) as of the date of disestablishment may be transferred by the Secretary to the Defense Health Agency or any other organization of the Department of Defense considered appropriate by the Secretary, including an operational medical force readiness organization under subsection (f).

**SEC. 713. STREAMLINING OF TRICARE PRIME BENEFICIARY REFERRAL PROCESS.**

(a) **IN GENERAL.**—The Secretary of Defense shall streamline the process under section

1095f of title 10, United States Code, by which beneficiaries enrolled in TRICARE Prime are referred to the civilian provider network for inpatient or outpatient care under the TRICARE program.

(b) **OBJECTIVES.**—In carrying out the requirement in subsection (a), the Secretary shall meet the following objectives:

(1) The referral process shall model best industry practices for referrals from primary care managers to specialty care providers.

(2) The process shall strictly limit administrative requirements for enrolled beneficiaries, relying instead on communications among providers and care coordinators to arrange appointments within applicable access to care scheduling time standards.

(3) Beneficiary preferences for communications relating to appointment referrals using state-of-the-art information technology shall be used to expedite the process.

(4) There shall be effective and efficient processes to determine the availability of appointments at military medical treatment facilities and, when unavailable, to make prompt referrals to network providers under the TRICARE program.

(5) There shall be no right-of-first refusal requirement under the process.

(c) **DEADLINE FOR IMPLEMENTATION.**—The requirement in subsection (a) shall be implemented for referrals under TRICARE Prime in calendar year 2019.

(d) **EVALUATION AND IMPROVEMENT.**—After 2019, the Secretary shall—

(1) evaluate the process described in subsection (a) not less often annually; and

(2) make appropriate improvements to the process in light of such evaluation.

(e) **DEFINITIONS.**—In this section, the terms “TRICARE program” and “TRICARE Prime” have the meaning given such terms in section 1072 of title 10, United States Code.

**SEC. 714. SHARING OF INFORMATION WITH STATE PRESCRIPTION DRUG MONITORING PROGRAMS.**

(a) **IN GENERAL.**—Section 1074g of title 10, United States Code, is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following new subsection (g):

“(g) **SHARING OF INFORMATION WITH STATE PRESCRIPTION DRUG MONITORING PROGRAMS.**—(1) The Secretary of Defense shall establish and maintain a program (to be known as the ‘Military Health System Prescription Drug Monitoring Program’) in accordance with this subsection. The program shall include a special emphasis on drugs provided through facilities of the uniformed services.

“(2) The program shall be—

“(A) comparable to prescription drug monitoring programs operated by States, including such programs approved by the Secretary of Health and Human Services under section 3990 of the Public Health Service Act (42 U.S.C. 280g-3); and

“(B) applicable to designated controlled substance prescriptions under the pharmacy benefits program.

“(3)(A) The Secretary shall establish appropriate procedures for the bi-directional sharing of patient-specific information regarding prescriptions for designated controlled substances between the program and State prescription drug monitoring programs.

“(B) The purpose of sharing of information under this paragraph shall be to prevent misuse and diversion of opioid medications and other designated controlled substances.

“(C) Any disclosure of patient-specific information by the Secretary under this paragraph is an authorized disclosure for purposes of the health information privacy regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191).

“(4)(A) Any procedures developed pursuant to paragraph (3)(A) shall include appropriate safeguards, as determined by the Secretary, concerning cyber security of Department of Defense systems and operational security of Department personnel.

“(B) To the extent the Secretary considers appropriate, the program may be treated as comparable to a State program for purposes of bi-directional sharing of controlled substance prescription information.

“(5) For purposes of this subsection, any reference to a program operated by a State includes any program operated by a county, municipality, or other subdivision within that State.”.

(b) **CONFORMING AMENDMENT.**—Section 1079(q) of such title is amended by striking “section 1074(g)” and inserting “section 1074(h)”.

**SEC. 715. IMPROVEMENT OF REIMBURSEMENT BY DEPARTMENT OF DEFENSE OF ENTITIES CARRYING OUT STATE VACCINATION PROGRAMS IN CONNECTION WITH VACCINES PROVIDED TO COVERED BENEFICIARIES UNDER THE TRICARE PROGRAM.**

Section 719(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 1074g note) is amended—

(1) in paragraph (1), by striking “for the cost of vaccines provided to covered beneficiaries through such program”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “to purchase vaccines provided” and inserting “in making vaccines available”; and

(B) in subparagraph (B), by striking “to provide vaccines” and all that follows through the period at the end and inserting “with respect to a State vaccination program may not exceed the amount the Department would reimburse an entity for making vaccines available to the number of covered beneficiaries who reside in the State concerned.”; and

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

“(C) **INAPPLICABILITY OF LIMITATION.**—Subparagraph (B) shall not apply to amounts assessed by entities that provide independent verification that the assessments of such entities are below the costs of the private sector in making vaccines available.”.

**Subtitle C—Reports and Other Matters**

**SEC. 721. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.**

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2573), as amended by section 722 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), section 723 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), section 741(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), and section 719 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended by striking “September 30, 2019” and inserting “September 30, 2020”.

**SEC. 722. INCREASE IN NUMBER OF APPOINTED MEMBERS OF THE HENRY M. JACKSON FOUNDATION FOR THE ADVANCEMENT OF MILITARY MEDICINE.**

Section 178(c)(1)(C) of title 10, United States Code, is amended by striking “four members” and inserting “six members”.

**SEC. 723. CESSATION OF REQUIREMENT FOR MENTAL HEALTH ASSESSMENT OF MEMBERS AFTER REDEPLOYMENT FROM A CONTINGENCY OPERATION UPON DISCHARGE OR RELEASE FROM THE ARMED FORCES.**

Section 1074m of title 10, United States Code, is amended—

(1) in subsection (a)(1)(C), by striking “Once” and inserting “Subject to subsection (d), once”; and

(2) in subsection (d), by striking “subsection (a)(1)(D)” and inserting “subparagraph (C) or (D) of subsection (a)(1)”.

**SEC. 724. PILOT PROGRAM ON EARNING BY SPECIAL OPERATIONS FORCES MEDICS OF CREDITS TOWARDS A PHYSICIAN ASSISTANT DEGREE.**

(a) **IN GENERAL.**—The Assistant Secretary of Defense for Health Affairs shall conduct a pilot program to assess the feasibility and advisability of partnerships between special operations forces and institutions of higher education, and health care systems if determined appropriate by the Assistant Secretary for purposes of the pilot program, through which special operations forces medics earn credit toward the master’s degree of physician assistant for military operational work and training performed by the medics.

(b) **DURATION.**—The Assistant Secretary shall conduct the pilot program for a period not to exceed five years.

(c) **CLINICAL TRAINING.**—Partnerships under subsection (a) shall permit medics participating in the pilot program to conduct clinical training at medical facilities of the Department of Defense and the civilian sector.

(d) **EVALUATION.**—The evaluation of work and training performed by medics for which credits are earned under the pilot program shall comply with civilian clinical evaluation standards applicable to the awarding of master’s degrees of physician assistant.

(e) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that shall include the following:

(A) A comprehensive framework for the military education to be provided to special operations forces medics under the pilot program, including courses of instruction at institutions of higher education and any health care systems participating in the pilot program.

(B) Metrics to be used to assess the effectiveness of the pilot program.

(C) A description of the mechanisms to be used by the Department, medics, or both to cover the costs of education received by medics under the pilot program through institutions of higher education or health care systems, including payment by the Department in return for a military service commitment, tuition or other educational assistance by the Department, use by medics of post-9/11 educational assistance available through the Department of Veterans Affairs, and any other mechanisms the Secretary considers appropriate for purposes of the pilot program.

(2) **FINAL REPORT.**—Not later than 180 days after completion of the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the pilot program. The report shall include the following:

(A) An evaluation of the pilot program using the metrics of assessment set forth pursuant to paragraph (1)(B).

(B) An assessment of the utility of the funding mechanisms set forth pursuant to paragraph (1)(C).

(C) An assessment of the effects of the pilot program on recruitment and retention of medics for special operations forces.

(D) An assessment of the feasibility and advisability of extending one or more authorities for joint professional military education under chapter 107 of title 10, United States Code, to warrant officers or enlisted personnel, and if the Secretary considers the extension of any such authorities feasible and advisable, recommendations for legislative or administrative action to so extend such authorities.

(f) **CONSTRUCTION OF AUTHORITIES.**—Nothing in this section may be construed to—

(1) authorize an officer or employee of the Federal Government to create, endorse, or otherwise incentivize a particular curriculum or degree track; or

(2) require, direct, review, or control a State or educational institution, or the instructional content, curriculum, and related activities of a State or educational institution.

**SEC. 725. PILOT PROGRAM ON PARTNERSHIPS WITH CIVILIAN ORGANIZATIONS FOR SPECIALIZED MEDICAL TRAINING.**

(a) **IN GENERAL.**—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of establishing partnerships with public, private, and non-profit organizations and institutions to provide short-term specialized medical training to advance the medical skills and capabilities of military medical providers.

(b) **DURATION.**—The Secretary may carry out the pilot program under subsection (a) for a period of not more than three years.

(c) **EVALUATION METRICS.**—Before commencing the pilot program under subsection (a), the Secretary shall establish metrics to be used to evaluate the effectiveness of the pilot program.

(d) **REPORTS.**—

(1) **INITIAL REPORT.**—

(A) **IN GENERAL.**—Not later than 180 days before the commencement of the pilot program under subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program.

(B) **ELEMENTS.**—The report required by subparagraph (A) shall include a description of the pilot program, the evaluation metrics established under subsection (c), and such other matters relating to the pilot program as the Secretary considers appropriate.

(2) **FINAL REPORT.**—

(A) **IN GENERAL.**—Not later than 180 days after the completion of the pilot program under subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program.

(B) **ELEMENTS.**—The report required by subparagraph (A) shall include the following:

(i) A description of the pilot program, including the partnerships established under the pilot program as described in subsection (a).

(ii) An assessment of the effectiveness of the pilot program.

(iii) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program, including recommendations for extending or making permanent the authority for the pilot program.

(e) **FUNDING.**—

(1) **IN GENERAL.**—The amount authorized to be appropriated for fiscal year 2019 for the Department of Defense for the Defense

Health Program for education and training shall be increased by \$2,500,000.

(2) **AVAILABILITY.**—The amount of the increase of the authorization under paragraph (1) shall be available to carry out this section and shall remain available for obligation until the completion of the pilot program under this section.

**SEC. 726. REGISTRY OF INDIVIDUALS EXPOSED TO PER- AND POLYFLUOROALKYL SUBSTANCES ON MILITARY INSTALLATIONS.**

(a) **ESTABLISHMENT OF REGISTRY.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) establish and maintain a registry for eligible individuals who may have been exposed to per- and polyfluoroalkyl substances (in this section referred to as “PFAS”) due to the environmental release of aqueous film-forming foam (in this section referred to as “AFFF”) on military installations to meet the requirements of military specification MIL-F-24385F;

(B) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members of the Armed Forces to PFAS associated with AFFF;

(C) develop a public information campaign to inform eligible individuals about the registry, including how to register and the benefits of registering; and

(D) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to PFAS.

(2) **COORDINATION.**—The Secretary of Veterans Affairs shall coordinate with the Secretary of Defense in carrying out paragraph (1).

(b) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than two years after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress an initial report containing the following:

(A) An assessment of the effectiveness of actions taken by the Secretary of Veterans Affairs and the Secretary of Defense to collect and maintain information on the health effects of exposure to PFAS.

(B) Recommendations to improve the collection and maintenance of such information.

(C) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to exposure to PFAS.

(2) **FOLLOW-UP REPORT.**—Not later than five years after submitting the initial report under paragraph (1), the Secretary of Veterans Affairs shall submit to Congress a follow-up report containing the following:

(A) An update to the initial report submitted under paragraph (1).

(B) An assessment of whether and to what degree the content of the registry established under subsection (a) is current and scientifically up-to-date.

(3) **INDEPENDENT SCIENTIFIC ORGANIZATION.**—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to prepare the reports under paragraphs (1) and (2).

(c) **RECOMMENDATIONS FOR ADDITIONAL EXPOSURES TO BE INCLUDED.**—Not later than five years after the date of the enactment of this Act, and every five years thereafter, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Administrator of the Environmental Protection Agency, shall submit to Congress rec-

ommendations for additional chemicals with respect to which individuals exposed to such chemicals should be included in the registry established under subsection (a).

(d) **ELIGIBLE INDIVIDUAL DEFINED.**—In this section, the term “eligible individual” means any individual who, on or after a date specified by the Secretary of Veterans Affairs through regulations, served or is serving in the Armed Forces at a military installation where AFFF was used or at another location of the Department of Defense where AFFF was used.

**SEC. 727. INCLUSION OF GAMBLING DISORDER IN HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES AND RELATED RESEARCH EFFORTS.**

(a) **ANNUAL PERIODIC HEALTH ASSESSMENT.**—The Secretary of Defense shall incorporate medical screening questions specific to gambling disorder into the Annual Periodic Health Assessment conducted by the Department of Defense for members of the Armed Forces.

(b) **RESEARCH EFFORTS.**—The Secretary shall incorporate into ongoing research efforts of the Department questions on gambling disorder, as appropriate, including by restoring such questions into the Health Related Behaviors Survey of Active Duty Military Personnel and the Health Related Behaviors Survey of Reserve Component Personnel.

(c) **REPORT.**—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on efforts undertaken pursuant to subsections (a) and (b) and the findings of the assessments and surveys described in those subsections with respect to the prevalence of gambling disorder among members of the Armed Forces.

**SEC. 728. COMPTROLLER GENERAL REVIEW OF DEFENSE HEALTH AGENCY OVERSIGHT OF TRICARE MANAGED CARE SUPPORT CONTRACTORS.**

(a) **REVIEW.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a review of the oversight conducted by the Defense Health Agency with respect to the transition of managed care support contractors for the TRICARE program.

(b) **MATTERS INCLUDED.**—The review conducted under subsection (a) shall include the following:

(1) The extent to which the Defense Health Agency provided guidance and oversight to the outgoing and incoming managed care support contractors during the transition period prior to the start of health care delivery.

(2) The extent to which there were any issues with health care delivery, and if so—

(A) the effect, if any, of the guidance and oversight by the Defense Health Agency during the transition period on those issues; and

(B) the solutions of the Defense Health Agency for remediating any deficiencies of managed care support contractors.

(3) The extent to which the Defense Health Agency has reviewed any lessons learned from prior transitions and incorporated those lessons into the current transition.

(c) **ONGOING REQUIREMENT.**—The Comptroller General shall review any transition of managed care support contractors for the TRICARE program occurring after the date of the review under subsection (a) and submit to the congressional defense committees a similar review for each such transition.

(d) **TRICARE PROGRAM DEFINED.**—In this section, the term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

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

**Subtitle A—Acquisition Policy and Management**

**SEC. 801. PERMANENT SUPPLY CHAIN RISK MANAGEMENT AUTHORITY.**

(a) **PERMANENT EXTENSION OF AUTHORITY.**—(1) **IN GENERAL.**—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 2339a. Requirements for information relating to supply chain risk**

“(a) **AUTHORITY.**—Subject to subsection (b), the head of a covered agency may—

“(1) carry out a covered procurement action; and

“(2) limit, notwithstanding any other provision of law, in whole or in part, the disclosure of information relating to the basis for carrying out a covered procurement action.

“(b) **DETERMINATION AND NOTIFICATION.**—The head of a covered agency may exercise the authority provided in subsection (a) only after—

“(1) obtaining a joint recommendation by the Under Secretary of Defense for Acquisition and Sustainment and the Chief Information Officer of the Department of Defense, on the basis of a risk assessment by the Under Secretary of Defense for Intelligence, that there is a significant supply chain risk to a covered system;

“(2) making a determination in writing, in unclassified or classified form, with the concurrence of the Under Secretary of Defense for Acquisition and Sustainment, that—

“(A) use of the authority in subsection (a)(1) is necessary to protect national security by reducing supply chain risk;

“(B) less intrusive measures are not reasonably available to reduce such supply chain risk; and

“(C) in a case where the head of the covered agency plans to limit disclosure of information under subsection (a)(2), the risk to national security due to the disclosure of such information outweighs the risk due to not disclosing such information; and

“(3) providing a classified or unclassified notice of the determination made under paragraph (2) to the appropriate congressional committees, which notice shall include—

“(A) the information required by section 2304(f)(3) of this title;

“(B) the joint recommendation by the Under Secretary of Defense for Acquisition and Sustainment and the Chief Information Officer of the Department of Defense as specified in paragraph (1);

“(C) a summary of the risk assessment by the Under Secretary of Defense for Intelligence that serves as the basis for the joint recommendation specified in paragraph (1); and

“(D) a summary of the basis for the determination, including a discussion of less intrusive measures that were considered and why they were not reasonably available to reduce supply chain risk.

“(c) **DELEGATION.**—The head of a covered agency may not delegate the authority provided in subsection (a) or the responsibility to make a determination under subsection (b) to an official below the level of the service acquisition executive for the agency concerned.

“(d) **LIMITATION ON DISCLOSURE.**—If the head of a covered agency has exercised the authority provided in subsection (a)(2) to limit disclosure of information—

“(1) no action undertaken by the agency head under such authority shall be subject to review in a bid protest before the Government Accountability Office or in any Federal court; and

“(2) the agency head shall—

“(A) notify appropriate parties of a covered procurement action and the basis for such action only to the extent necessary to effectuate the covered procurement action;

“(B) notify other Department of Defense components or other Federal agencies responsible for procurements that may be subject to the same or similar supply chain risk, in a manner and to the extent consistent with the requirements of national security; and

“(C) ensure the confidentiality of any such notifications.

“(e) DEFINITIONS.—In this section:

“(1) HEAD OF A COVERED AGENCY.—The term ‘head of a covered agency’ means each of the following:

“(A) The Secretary of Defense.

“(B) The Secretary of the Army.

“(C) The Secretary of the Navy.

“(D) The Secretary of the Air Force.

“(2) COVERED PROCUREMENT ACTION.—The term ‘covered procurement action’ means any of the following actions, if the action takes place in the course of conducting a covered procurement:

“(A) The exclusion of a source that fails to meet qualification standards established in accordance with the requirements of section 2319 of this title for the purpose of reducing supply chain risk in the acquisition of covered systems.

“(B) The exclusion of a source that fails to achieve an acceptable rating with regard to an evaluation factor providing for the consideration of supply chain risk in the evaluation of proposals for the award of a contract or the issuance of a task or delivery order.

“(C) The decision to withhold consent for a contractor to subcontract with a particular source or to direct a contractor for a covered system to exclude a particular source from consideration for a subcontract under the contract.

“(3) COVERED PROCUREMENT.—The term ‘covered procurement’ means—

“(A) a source selection for a covered system or a covered item of supply involving either a performance specification, as provided in section 2305(a)(1)(C)(ii) of this title, or an evaluation factor, as provided in section 2305(a)(2)(A) of this title, relating to supply chain risk;

“(B) the consideration of proposals for and issuance of a task or delivery order for a covered system or a covered item of supply, as provided in section 2304(c)(3) of this title, where the task or delivery order contract concerned includes a contract clause establishing a requirement relating to supply chain risk; or

“(C) any contract action involving a contract for a covered system or a covered item of supply where such contract includes a clause establishing requirements relating to supply chain risk.

“(4) SUPPLY CHAIN RISK.—The term ‘supply chain risk’ means the risk that an adversary may sabotage, maliciously introduce unwanted function, or otherwise subvert the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of a covered system so as to surveil, deny, disrupt, or otherwise degrade the function, use, or operation of such system.

“(5) COVERED SYSTEM.—The term ‘covered system’ means a national security system, as that term is defined in section 3542(b) of title 44.

“(6) COVERED ITEM OF SUPPLY.—The term ‘covered item of supply’ means an item of information technology (as that term is defined in section 11101 of title 40) that is purchased for inclusion in a covered system, and the loss of integrity of which could result in a supply chain risk for a covered system.

“(7) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) in the case of a covered system included in the National Intelligence Program or the Military Intelligence Program, the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and the congressional defense committees; and

“(B) in the case of a covered system not otherwise included in subparagraph (A), the congressional defense committees.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2339 the following new item:

“2339a. Requirements for information relating to supply chain risk.”.

(b) REPEAL OF OBSOLETE AUTHORITY.—Section 806(g) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2304 note) is hereby repealed.

#### SEC. 802. COMMERCIALLY AVAILABLE MARKET RESEARCH.

(a) IN GENERAL.—Subsection (e) of section 2431a of title 10, United States code, is amended by adding at the end the following new paragraph:

“(10) The term ‘market research’ includes—

“(A) government market research directly with prospective vendors, including—

“(i) contacting knowledgeable individuals in government and industry regarding market capabilities to meet requirements;

“(ii) reviewing the results of recent market research undertaken to meet similar or identical requirements;

“(iii) publishing formal requests for information in appropriate technical or scientific journals or business publications;

“(iv) querying the governmentwide database of contracts and other procurement instruments intended for use by multiple agencies;

“(v) participating in interactive, on-line communication among industry, acquisition personnel, and customers;

“(vi) obtaining source lists of similar items from other contracting activities or agencies, trade associations, or other sources;

“(vii) reviewing catalogs and other generally available product literature published by manufacturers, distributors, and dealers or available online;

“(viii) conducting interchange meetings or holding presolicitation conferences to involve potential offerors early in the acquisition process; and

“(ix) ensuring that any conflicts of interest presented by vendors providing government capability statements are both disclosed and mitigated; and

“(B) commercially available third-party market research.”.

(b) REVIEW.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Under Secretary of Defense for Research and Engineering, shall review the guidance of the Department of Defense with regard to those portions of the Federal Acquisition Regulation regarding commercially available market research, including sections 10.001(a)(2)(vi) and 10.002(b). The review shall, at a minimum—

(1) assess the impact that conducting market research has on the Department’s resources; and

(2) ensure that commercially available market research is considered among other sources of research, as appropriate, and re-

viewed prior to developing new requirements documents for an acquisition by the Department.

#### SEC. 803. COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED INITIATIVES.

(a) IN GENERAL.—Chapter 131 of title 10, United States Code, is amended by adding at the end the following new section:

##### “§ 2229b. Comptroller General assessment on acquisition programs and initiatives

“(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall submit to the congressional defense committees an annual assessment of selected acquisition programs and initiatives of the Department of Defense by March 30th of each year, beginning in 2020.

“(b) ANALYSES TO BE INCLUDED.—The assessment required under subsection (a) shall include—

“(1) a macro analysis of how well acquisition programs and initiatives are performing and reasons for that performance;

“(2) a summary of organizational and legislative changes and emerging assessment methodologies since the last assessment, and a discussion of the implications for execution and oversight of programs and initiatives; and

“(3) specific analyses of individual acquisition programs and initiatives.

“(c) ACQUISITION PROGRAMS AND INITIATIVES TO BE CONSIDERED.—The assessment required under subsection (a) shall consider the following programs and initiatives:

“(1) Selected weapon systems, as determined appropriate by the Comptroller General.

“(2) Selected information technology systems and initiatives, including defense business systems, networks, and software-intensive systems, as determined appropriate by the Comptroller General.

“(3) Selected prototyping and rapid fielding activities and initiatives, as determined appropriate by the Comptroller General.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2229a the following new item:

“2229b. Comptroller General assessment on acquisition programs and related initiatives.”.

(c) REPEAL OF SUPERSEDED AUTHORITY.—Section 883(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 2222 note) is amended by striking paragraph (1).

#### Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

##### SEC. 811. DEPARTMENT OF DEFENSE CONTRACTING DISPUTE MATTERS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall carry out a study of the frequency and effects of bid protests involving the same contract award or proposed award that have been filed at both the Government Accountability Office and the United States Court of Federal Claims. The study shall cover Department of Defense contracts and include, at a minimum—

(1) the number of protests that have been filed with both tribunals and results;

(2) the number of such protests where the tribunals differed in denying or sustaining the action;

(3) the length of time, in average time and median time—

(A) from initial filing at the Government Accountability Office to decision in the United States Court of Federal Claims;

(B) from filing with each tribunal to decision by such tribunal;

(C) from the time at which the basis of the protest is known to the time of filing in each tribunal; and

(D) in the case of an appeal from a decision of the United States Court of Federal Claims, from the date of the initial filing of the appeal to decision in the appeal;

(4) the number of protests where performance was stayed or enjoined and for how long;

(5) if performance was stayed or enjoined, whether the requirement was obtained in the interim through another vehicle or in-house, or whether during the period of the stay or enjoining the requirement went unfulfilled;

(6) separately for each tribunal, the number of protests where performance was stayed or enjoined and monetary damages were awarded, which shall include for how long performance was stayed or enjoined and the amount of monetary damages;

(7) whether the protestor was a large or small business; and

(8) whether the protestor was the incumbent in a prior contract for the same or similar product or service.

(b) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a report on the results of the study, along with related recommendations for improving the expediency of the bid protest process. In preparing the report, the Secretary shall consult with the Attorney General of the United States, the Comptroller General of the United States, and the United States Court of Federal Claims.

(c) **ONGOING DATA COLLECTION.**—Not later than 270 days after the date of enactment of this Act, the Secretary of Defense shall establish and continuously maintain a data repository to collect on an ongoing basis the information described in subsection (a) and any additional relevant bid protest data the Secretary determines necessary and appropriate to allow the Department of Defense, the Government Accountability Office, and the United States Court of Federal Claims to assess and review bid protests over time.

(d) **ESTABLISHMENT OF EXPEDITED PROCESS FOR SMALL VALUE CONTRACTS.**—

(1) **IN GENERAL.**—Not later than December 1, 2019, the Secretary of Defense shall develop a plan and schedule for an expedited bid protest process for Department of Defense contracts with a value of less than \$100,000.

(2) **CONSULTATION.**—In carrying out paragraph (1), the Secretary of Defense may consult with the Government Accountability Office and the United States Court of Federal Claims to the extent such entities may establish a similar process at their election.

(3) **REPORT.**—Not later than May 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report on the plan and schedule for implementation of the expedited bid protest process, which shall include a request for any additional authorities the Secretary determines appropriate for such efforts.

#### **SEC. 812. CONTINUATION OF TECHNICAL DATA RIGHTS DURING CHALLENGES.**

(a) **EXERCISE OF RIGHTS IN TECHNICAL DATA BEFORE FINAL DISPOSITION OF A CHALLENGE.**—Section 2321(i) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting “PRIOR TO AND” after “RIGHTS AND LIABILITY”;

(2) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively; and

(3) by inserting before paragraph (3), as so redesignated, the following new paragraphs:

“(1) Upon issuance of a challenge to a use or release restriction asserted by a con-

tractor or subcontractor under the contract made pursuant to subsection (d) or made under procedures established by the Department of Defense for challenges to asserted use or release restrictions in connection with noncommercial computer software, and until final disposition of such a challenge, the Department of Defense may exercise rights in the technical data or noncommercial computer software rights consistent with the grounds identified in the challenge pursuant to subsection (d)(3), (or the grounds identified under corresponding Department of Defense procedures in the case of noncommercial computer software) in order to meet Department of Defense mission requirements.

“(2) In the event that the challenge made by the government is not sustained upon final disposition, the contractor or subcontractor shall have only a right to damages against the United States if the United States was found to have not acted in good faith and as otherwise provided by law arising from the exercise of rights described in paragraph (1) during the time period described in such paragraph.”.

(b) **REVISION OF THE DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Defense Federal Acquisition Regulation Supplement, by interim or final rule, to implement the amendments made by subsection (a).

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) and the revision required by subsection (b) shall become effective on the date of publication of the interim or final rule (whichever is earlier) required by subsection (b) and shall apply to solicitations issued by Department of Defense contracting activities after that date unless the senior procurement executive of the agency concerned grants a waiver on a case-by-case basis.

(d) **GUIDANCE ON TECHNICAL DATA RIGHT NEGOTIATION.**—The Secretary of Defense shall develop policies on the negotiation of technical data rights for noncommercial software that reflects the Department of Defense's needs for technical data rights in the event of a protest or replacement of incumbent contractor to meet defense requirements in the most cost effective manner.

#### **SEC. 813. INCREASED MICRO-PURCHASE THRESHOLD.**

(a) **IN GENERAL.**—Section 2338 of title 10, United States Code, is amended by striking “Notwithstanding subsection (a) of section 1902 of title 41, the micro-purchase threshold for the Department of Defense for purposes of such section is \$5,000” and inserting “The micro-purchase threshold for the Department of Defense is \$10,000”.

(b) **CONFORMING AMENDMENT.**—Section 1902(a)(1) of title 41, United States Code, is amended by striking “sections 2338 and 2339 of title 10 and”.

(c) **REPEAL OF OBSOLETE AUTHORITY.**—

(1) **IN GENERAL.**—Section 2339 of title 10, United States Code, is repealed.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by striking the item relating to section 2339.

#### **SEC. 814. MODIFICATION OF LIMITATIONS ON SINGLE SOURCE TASK OR DELIVERY ORDER CONTRACTS.**

Section 2304a(d)(3)(A) of title 10, United States Code, is amended by striking “reasonably perform the work” and inserting “efficiently perform the work”.

#### **SEC. 815. PRELIMINARY COST ANALYSIS REQUIREMENT FOR EXERCISE OF MULTIYEAR CONTRACT AUTHORITY.**

Section 2306b(i)(2)(B) of title 10, United States Code, is amended—

(1) by striking “made after the completion of a cost analysis” and inserting “supported by a preliminary cost analysis”; and

(2) by striking “for the purpose of section 2334(e)(1) of this title, and that the analysis supports those preliminary findings”.

#### **SEC. 816. INCLUSION OF BEST AVAILABLE INFORMATION REGARDING PAST PERFORMANCE OF SUBCONTRACTORS AND JOINT VENTURE PARTNERS.**

(a) **REQUIREMENTS FOR PERFORMANCE OF SUBCONTRACTORS AND JOINT VENTURE PARTNERS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Federal Acquisition Regulatory Council and the Administrator for Federal Procurement Policy, shall develop policies for the Department of Defense to ensure the best information regarding past performance of certain subcontractors and joint venture partners is available when awarding Department of Defense contracts. The policies shall include proposed revisions to the Defense Federal Acquisition Regulation Supplement as follows:

(1) Required performance evaluations, as part of a government-wide evaluation reporting tool, for first-tier subcontractors performing a portion of the contract valued at not less than 20 percent of the value of the prime contract, provided—

(A) the information included in rating the subcontractor is not inconsistent with the information included in the rating for the prime contractor;

(B) the subcontractor evaluation is conducted consistent with the provisions of section 42.15 of the Federal Acquisition Regulation;

(C) negative evaluations of a subcontractor in no way obviate the prime contractor's responsibility for successful completion of the contract and management of its subcontractors; and

(D) that in the judgment of the contracting officer, the overall execution of the work is impacted by the performance of the subcontractor or subcontractors.

(2) Required performance evaluations, as part of a government-wide evaluation reporting tool, of individual partners of joint venture-awarded, to ensure that past performance on joint venture projects is considered in future awards to individual joint venture partners, provided—

(A) at a minimum, the rating for joint ventures includes an identification that allows the evaluation to be retrieved for each partner of the joint venture;

(B) each partner, through the joint venture, is given the same opportunity to submit comments, rebutting statements, or additional information, consistent with the provisions of section 42.15 of the Federal Acquisition Regulation; and

(C) the rating clearly identifies the responsibilities of joint venture partners for discrete elements of the work where the partners are not jointly and severally responsible for the project.

(3) Processes to request exceptions from the annual evaluation requirement under section 42.1502(a) of the Federal Acquisition Regulation where submission of the annual evaluations would not provide the best representation of the performance of a contractor, including subcontractors and joint venture partners, including—

(A) where no severable element of the work has been completed;

(B) where the contracting officer determines that—

(i) an insubstantial portion of the contract work has been completed in the preceding year; and

(ii) the lack of performance is at non-fault to the contractor; or

(C) where the contracting officer determines that there is an issue in dispute which, until resolved, would likely cause the

annual rating to inaccurately reflect the past performance of the contractor.

(b) **REPORT ON CONTRACTOR PERFORMANCE APPEALS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the defense committees a report on contractor and subcontractor past performance evaluations and appeals, including—

(1) data on the number of performance evaluation appeals filed by contractors and subcontractors within the previous five years;

(2) the frequency that an appeal was successful and the performance evaluation was changed favorably for the contractor;

(3) the time it takes for an appeal to make its way through the process from filing to adjudication; and

(4) what impact the appeals process has on the tracking of information in the performance database system and consideration of contractor and subcontractor performance on future contracts.

(c) **AGENCY PROGRESS ON PERFORMANCE EVALUATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a scorecard that compares the timeliness, completeness, and accuracy of contractor performance evaluations among the Department's components. This scorecard shall be reported annually to Congress and made publicly available not later than December 31 for the prior fiscal year until 2024.

(d) **CONGRESSIONAL ACCESS TO PERFORMANCE DATA.**—

(1) **IN GENERAL.**—At the written request of a Chairman or Ranking Member of one of the appropriate congressional committees, the Secretary of Defense shall make all contractor performance evaluations available through electronic access to data systems or in another manner specified by the request for designated staff members of the appropriate congressional committees.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Oversight and Government Reform of the House of Representatives.

**SEC. 817. MODIFICATION OF CRITERIA FOR WAIVERS OF REQUIREMENT FOR CERTIFIED COST AND PRICE DATA.**

Section 817(b)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 2306a note) is amended by striking “; and” and inserting “; or”.

**SEC. 818. SUBCONTRACTING PRICE AND APPROVED PURCHASING SYSTEMS.**

(a) **AMENDMENT.**—Section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2302 note) is amended—

(1) in subsection (g), by adding at the end the following new paragraph:

“(5) The term ‘approved purchasing system’ has the meaning given the term in section 44.101 of the Federal Acquisition Regulation (or any similar regulation).”; and

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

“(i) **CONSENT TO SUBCONTRACT.**—If the contractor on a Department of Defense contract requiring a contracting officer's written consent prior to the contractor entering into a subcontract has an approved purchasing system, the contracting officer may not withhold such consent without the written approval of the program manager.”.

(b) **CONFORMING REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall re-

vise the Defense Federal Acquisition Regulation Supplement to conform with the amendments to section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2302 note) made by this section.

**SEC. 819. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON PROGRESS PAYMENT FINANCING OF DEPARTMENT OF DEFENSE CONTRACTS.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the results of an analysis, conducted by the Comptroller General, of the effects of current financing levels of Department of Defense contracts on contractors of the Department and the budgets of the Department.

(b) **ELEMENTS.**—

(1) **IN GENERAL.**—The report required by subsection (a) shall include an analysis and assessment of the impact of the matters specified in paragraph (2), for both government and business, on—

(A) the relationship between financing amounts and contractor profit; and

(B) the willingness of contractors to pursue contracts with the Department.

(2) **COVERED MATTERS.**—The matters specified in this paragraph are each of the following under Department contracts:

(A) Past changes to progress payment rates and conditions.

(B) Progress payment rates and limitations on progressing for undefinitized contract actions.

**SEC. 820. AUTHORIZATION TO LIMIT FOREIGN ACCESS TO TECHNOLOGY THROUGH CONTRACTS.**

The Under Secretary of Defense for Research and Engineering, or a designee of the Under Secretary, may include in the terms of any contract that the Under Secretary enters into a provision that—

(1) limits access by select persons or organizations to technology that is the subject of the contract under terms defined by the Under Secretary, including by limiting such access to specific periods of time; and

(2) if the person or organization violates the requirement described in paragraph (1), the Under Secretary may require the person or organization to forfeit intellectual property rights associated with the contract.

**SEC. 821. BRIEFING REQUIREMENT ON SERVICES CONTRACTS.**

Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the requirements of section 2329(b) of title 10, United States Code, are met, the Under Secretary of Defense for Acquisition and Sustainment shall brief the congressional defense committees on the progress of Department of Defense efforts to meet the requirements of such section, including relevant information on the methodology and implementation plans for future compliance.

**SEC. 822. SENSE OF CONGRESS ON AWARDING OF CONTRACTS TO RESPONSIBLE COMPANIES THAT PRIMARILY EMPLOY AMERICAN WORKERS AND DO NOT ACTIVELY TRANSFER AMERICAN JOBS TO POTENTIAL ADVERSARIES.**

It is the sense of Congress that the Department of Defense should award contracts to responsible companies that primarily employ United States workers or are partners in the national technology and industrial base and do not actively transfer United States jobs to potential adversaries.

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

**SEC. 831. PROGRAM COST, FIELDING, AND PERFORMANCE GOALS IN PLANNING MAJOR ACQUISITION PROGRAMS.**

Section 2448a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “Secretary of Defense” and inserting “designated milestone decision authority for the major defense acquisition program”; and

(B) by striking “the milestone decision authority for the major defense acquisition program approves a program that” and inserting “the program”; and

(2) by striking subsection (b).

**SEC. 832. IMPLEMENTATION OF RECOMMENDATIONS OF THE INDEPENDENT STUDY ON CONSIDERATION OF SUSTAINMENT IN WEAPONS SYSTEMS LIFE CYCLE.**

(a) **IMPLEMENTATION REQUIRED.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall, except as provided under subsection (b), commence implementation of each recommendation submitted as part of the independent assessment produced under section 844 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2290).

(b) **EXCEPTIONS.**—

(1) **DELAYED IMPLEMENTATION.**—The Secretary of Defense may commence implementation of a recommendation described under subsection (a) later than the date required under such subsection if the Secretary provides the congressional defense committees with a specific justification for the delay in implementation of such recommendation.

(2) **NONIMPLEMENTATION.**—The Secretary of Defense may opt not to implement a recommendation described under subsection (a) if the Secretary provides to the congressional defense committees—

(A) the reasons for the decision not to implement the recommendation; and

(B) a summary of the alternative actions the Secretary plans to take to address the purposes underlying the recommendation.

(c) **IMPLEMENTATION PLANS.**—For each recommendation that the Secretary is implementing, or that the Secretary plans to implement, the Secretary shall submit to the congressional defense committees—

(1) a summary of actions that have been taken to implement the recommendation; and

(2) a schedule, with specific milestones, for completing the implementation of the recommendation.

**SEC. 833. PILOT PROGRAM TO ACCELERATE MAJOR WEAPONS SYSTEM PROGRAMS.**

(a) **IN GENERAL.**—The Secretary of Defense shall establish a pilot program to reform and accelerate the contracting and pricing processes associated with contracts in excess of \$50,000,000 by—

(1) basing price reasonableness determinations on actual cost and pricing data for purchases of the same or similar products for the Department of Defense; and

(2) reducing the cost and pricing data to be submitted in accordance with section 2306a of title 10, United States Code.

(b) **SUNSET.**—The authority to carry out the pilot program under this section shall expire on January 2, 2021.



**Subtitle D—Provisions Relating to Acquisition Workforce**

**SEC. 841. PERMANENT AUTHORITY FOR DEMONSTRATION PROJECTS RELATING TO ACQUISITION PERSONNEL MANAGEMENT POLICIES AND PROCEDURES.**

(a) **PERMANENT AUTHORITY.**—Section 1762 of title 10, United States Code, is amended by striking subsections (g) and (h).

(b) **SCOPE OF AUTHORITY.**—Subsection (a) of such section is amended by striking “COMMENCEMENT.” and all that follows through “a demonstration project,” and inserting “IN GENERAL.—The Secretary of Defense may carry out demonstration projects”.

**SEC. 842. ESTABLISHMENT OF INTEGRATED REVIEW TEAM ON DEFENSE ACQUISITION INDUSTRY-GOVERNMENT EXCHANGE.**

(a) **STUDY.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall direct the Defense Business Board to convene an integrated review team (in this section referred to as the “exchange team”) to undertake a study on facilitating the exchange of defense industry personnel on term assignments within the Department of Defense.

(2) **MEMBER PARTICIPATION.**—

(A) **DEFENSE BUSINESS BOARD.**—The Chairman of the Defense Business Board shall select six members from the membership of the Board to participate on the exchange team, including one member to lead the team.

(B) **DEFENSE INNOVATION BOARD.**—The Chairman of the Defense Innovation Board shall select five appropriate members from the membership of their Board to participate on the exchange team.

(C) **DEFENSE SCIENCE BOARD.**—The Chairman of the Defense Science Board shall select five appropriate members from the membership of their Board to participate on the exchange team.

(D) **REQUIRED EXPERIENCE.**—The Chairmen referred to in subparagraphs (a) through (C) shall ensure that members have significant legislative or regulatory expertise and reflect diverse experiences in the public and private sector.

(3) **SCOPE.**—The study conducted pursuant to paragraph (1) shall—

(A) review legal, ethical, and financial disclosure requirements for industry-government exchanges;

(B) review existing or previous industry-government exchange programs such as the Department of State’s Franklin Fellows Program and the Information Technology Exchange Program;

(C) review how the military departments address legal, ethical, and financial requirements for members of the reserve components who also maintain civilian employment in the defense industry;

(D) produce specific and detailed recommendations for any legislation, including the amendment or repeal of regulations, as well as non-legislative approaches, that the members of the exchange team conducting the study determine necessary to—

(i) reduce barriers to industry-government exchange to encourage the flow of acquisition best practices;

(ii) ensure continuing financial and ethical integrity; and

(iii) protect the best interests of the Department of Defense; and

(E) produce such additional recommendations for legislation as the members consider appropriate.

(4) **ACCESS TO INFORMATION.**—The Secretary of Defense shall provide the exchange team with timely access to appropriate information, data, resources, and analysis so that

the exchange team may conduct a thorough and independent analysis as required under this subsection.

(b) **BRIEFING.**—Not later than December 31, 2018, the exchange team shall provide an interim briefing to the congressional defense committees on the study conducted under subsection (a)

(c) **FINAL REPORT.**—Not later than March 1, 2019, the exchange team shall submit a final report on the study to the Under Secretary of Defense for Acquisition and Sustainment and the congressional defense committees.

**SEC. 843. EXCHANGE PROGRAM FOR ACQUISITION WORKFORCE EMPLOYEES.**

(a) **PROGRAM AUTHORIZED.**—The Secretary of Defense shall establish an exchange program under which the Under Secretary of Defense for Acquisition and Sustainment shall arrange for the temporary assignment of civilian personnel in the Department of Defense acquisition workforce.

(b) **PURPOSES.**—The purposes of the exchange program established pursuant to subsection (a) are—

(1) to familiarize personnel from the acquisition workforce with the equities, priorities, processes, culture, and workforce of the acquisition-related defense agencies;

(2) to enable participants in the exchange program to return the expertise gained through their exchanges to their original organizations; and

(3) to improve communication between and integration of the organizations that support the policy, implementation, and oversight of defense acquisition through lasting relationships.

(c) **PARTICIPANTS.**—

(1) **NUMBER OF PARTICIPANTS.**—The Under Secretary shall select not less than 10 and no more than 20 participants per year for participation in the exchange program established under subsection (a).

(2) **CRITERIA FOR SELECTION.**—The Under Secretary shall select participants for the exchange program established under subsection (a) from among mid-career employees and based on—

(A) the qualifications and desire to participate in the program of the employee; and

(B) the technical needs and capacities of the acquisition workforce, as applicable.

(d) **TERMS.**—Exchanges pursuant to the exchange program established under subsection (a) shall be for terms of one to two years, as determined and negotiated by the Under Secretary. The terms may begin and end on a rolling basis.

(e) **GUIDANCE AND IMPLEMENTATION.**—

(1) **GUIDANCE.**—Not later than 90 days after the date of the enactment of this Act, the Under Secretary shall develop and submit to the congressional defense committees interim guidance on the form and contours of the exchange program established under subsection (a).

(2) **IMPLEMENTATION.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall implement the guidance developed under paragraph (1).

**Subtitle E—Provisions Relating to Commercial Items**

**SEC. 851. REPORT ON COMMERCIAL ITEM PROCUREMENT REFORM.**

(a) **REPORT REQUIRED.**—Not later than March 1, 2020, the Assistant Secretary of Defense for Acquisition, in consultation with members of the Defense Business Board as appropriate, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on reforms for commercial item procurement.

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

(1) A review of recommendations by the independent panel created under section 809

of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 112 Public Law 889) pertaining to commercial items.

(2) A review of commercial item provisions from the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), and other relevant legislation.

(3) An analysis of the extent to which the Department of Defense should treat commercial service contracts and commercial products in a similar manner.

(4) Such other matters with respect to commercial item procurement as the Assistant Secretary considers appropriate.

**Subtitle F—Industrial Base Matters**

**SEC. 861. NATIONAL TECHNOLOGY AND INDUSTRIAL BASE APPLICATION PROCESS.**

(a) **IN GENERAL.**—Subchapter II of chapter 148 of title 10, United States Code, is amended by adding at the end the following new section:

**“§2509. National technology and industrial base application process**

“(a) **IN GENERAL.**—The Secretary of Defense shall administer a national technology and industrial base application process.

“(b) **ELEMENTS.**—The application process required under subsection (a) shall include the following elements:

“(1) The Secretary shall designate an official within the Office of the Secretary of Defense responsible for administration of the national technology and industrial base application process and associated policy.

“(2) A person or organization that meets the definition of national technology and industrial base under section 2500(1) of this title shall have the opportunity to apply for an item to be covered under the national technology and industrial base. The application shall include, at a minimum, the following information:

“(A) Information demonstrating the applicant meets such definition.

“(B) The section or sections of this chapter, related to the national technology and industrial base, that the applicant seeks to modify.

“(C) The applicant’s proposed modifications to the section or sections identified under subparagraph (B).

“(D) For each item the applicant seeks to include in the national technology and industrial base, the applicant shall include the following information:

“(i) The extent to which such item has commercial applications.

“(ii) The number of such items to be procured by current programs of record.

“(iii) The criticality of such item to a military unit’s mission accomplishment.

“(iv) The estimated cost and other considerations of reconstituting the manufacturing capability of such item, if not maintained in the national technology and industrial base.

“(v) National security regulations or restrictions imposed on such item that may not be imposed on a non-national technology and industrial base competitor.

“(vi) Non-national security-related Federal, State, and local government regulations imposed on such item that may not be imposed on a non-national technology and industrial base competitor.

“(vii) The extent to which such item is fielded in current programs of record.

“(viii) The extent to which cost and pricing data for such item has been deemed fair and reasonable.

“(c) **CONSIDERATION OF APPLICATIONS.**—

“(1) **RESPONSIBILITY OF DESIGNATED OFFICIAL.**—The official designated pursuant to

subsection (b)(1) shall be responsible for providing complete applications submitted pursuant to this subsection to the appropriate component acquisition executive for consideration not later than 15 days after receipt of such application.

“(2) REVIEW.—Not later than 60 days after receiving a complete application, the component acquisition executive shall review such application, make a determination, and return the application to the official designated pursuant to subsection (b)(1).

“(3) ELEMENTS OF DETERMINATION.—The determination required under paragraph (2) shall—

“(A) recommend the modification to this chapter proposed pursuant to subsection (b)(2)(C);

“(B) recommend the modification to this chapter proposed pursuant to subsection (b)(2)(C) with further modifications; or

“(C) not recommend the modification to this chapter proposed pursuant to subsection (b)(2)(C).

“(4) JUSTIFICATION.—The determination required under paragraph (2) shall also include the rationale and justification for the determination.

“(d) RECOMMENDATIONS FOR LEGISLATION.—For applications recommended under subsection (c), the official designated pursuant to subsection (b)(1) shall be responsible for preparing a legislative proposal for consideration by the Secretary.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“2509. National technology and industrial base application process.”

(c) EFFECTIVE DATE.—Section 2509 of title 10, United States Code, as added by subsection (a), shall take effect 60 days after the date of the enactment of this Act.

#### **SEC. 862. REPORT ON DEFENSE ELECTRONICS INDUSTRIAL BASE.**

(a) IN GENERAL.—Not later than January 31, 2019, the Secretary of Defense, in consultation with the Executive Agent for Printed Circuit Board and Interconnect Technology and the Director of the Office of Management and Budget, shall submit to Congress a report examining the health of the defense electronics industrial base, including analog and passive electronic parts, substrates, printed boards, assemblies, connectors, cabling, and related areas, both domestically and within the national technology and industrial base.

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

(1) An examination of current and planned partnerships with the commercial industry.

(2) Analysis of the current and future defense electronics industrial base.

(3) Threat assessment related to system security.

(4) An assessment of the health of the engineering and production workforce.

(5) A description of the electronics supply chain requirements of defense systems integral to meeting the goals of the 2018 National Defense Strategy.

(6) Recommended actions to address areas deemed deficient or vulnerable, and a plan to formalize long-term resourcing for the Executive Agent.

(7) Any other areas matters determined relevant by the Secretary.

#### **SEC. 863. SUPPORT FOR DEFENSE MANUFACTURING COMMUNITIES TO SUPPORT THE DEFENSE INDUSTRIAL BASE.**

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may, in coordination with the Secretary of Commerce and working in coordination with

the defense manufacturing institutes, establish within the Department of Defense a program to make long-term investments in critical skills, infrastructure, research and development, and small business support in order to strengthen the national security innovation base by designating and supporting consortiums as defense manufacturing communities.

(2) DESIGNATION.—The program authorized by this section shall be known as the “Defense Manufacturing Community Support Program” (in this section referred to as the “Program”).

(b) DESIGNATION OF DEFENSE MANUFACTURING COMMUNITIES COMPLEMENTARY TO DEFENSE MANUFACTURING INSTITUTES.—

(1) IN GENERAL.—The Secretary of Defense may designate eligible consortiums as defense manufacturing communities through a competitive process, and in coordination with the defense manufacturing institutes.

(2) ELIGIBLE CONSORTIUMS.—The Secretary may establish eligibility criteria for a consortium to participate in the Program. In developing such criteria, the Secretary may consider the merits of—

(A) including members from academia, defense industry, commercial industry, and State and local government organizations;

(B) supporting efforts in geographical regions that have capabilities in key technologies or industrial base supply chains that are determined critical to national security;

(C) optimal consortium composition and size to promote effectiveness, collaboration, and efficiency; and

(D) complementarity with defense manufacturing institutes.

(3) DURATION.—Each designation under paragraph (1) shall be for a period designated by the Secretary.

(4) RENEWAL.—

(A) IN GENERAL.—The Secretary may renew a designation made under paragraph (1) for up to two additional two-year periods. Any designation as a defense manufacturing community or renewal of such designation that is in effect before the date of the enactment of this Act shall count toward the limit set forth in this subparagraph.

(B) EVALUATION FOR RENEWAL.—The Secretary shall establish criteria for the renewal of a consortium. In establishing such criteria, the Secretary may consider—

(i) the performance of the consortium in meeting the established goals of the Program;

(ii) the progress the consortium has made with respect to project-specific metrics, particularly with respect to those metrics that were designed to help communities track their own progress;

(iii) whether any changes to the composition of the eligible consortium or revisions of the plan for the consortium would improve the capabilities of the defense industrial base;

(iv) the effectiveness of coordination with defense manufacturing institutes; and

(v) such other criteria as the Secretary considers appropriate.

(5) APPLICATION FOR DESIGNATION.—An eligible consortium seeking a designation under paragraph (1) shall submit an application to the Secretary at such time and in such manner as the Secretary may require. In developing such procedures, the Secretary may consider the inclusion of—

(A) a description of the regional boundaries of the consortium, and the defense manufacturing capacity of the region;

(B) an evidence-based plan for enhancing the defense industrial base through the efforts of the consortium;

(C) the investments the consortium proposes and the strategy of the consortium to address gaps in the defense industrial base;

(D) a description of the outcome-based metrics, benchmarks, and milestones that will track and the evaluation methods that will be used to gauge performance of the consortium;

(E) how the initiatives will complement defense manufacturing institutes; and

(F) such other matters as the Secretary considers appropriate.

(c) FINANCIAL AND TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—Under the Program, the Secretary of Defense may award financial or technical assistance to a member of a consortium designated as a defense manufacturing community under the Program as appropriate for purposes of the Program.

(2) USE OF FUNDS.—A recipient of financial or technical assistance under the Program may use such financial or technical assistance to support an investment that will improve the defense industrial base.

(3) INVESTMENTS SUPPORTED.—Investments supported under this subsection may include activities not already provided for by defense manufacturing institutes on—

(A) infrastructure;

(B) access to capital;

(C) promotion of exports and foreign direct investment;

(D) equipment or facility upgrades;

(E) workforce training, retraining, or recruitment and retention, including that of women and underrepresented minorities;

(F) energy or process efficiency;

(G) business incubators;

(H) site preparation;

(I) advanced research and commercialization, including with Federal laboratories and depots;

(J) supply chain development; and

(K) small business assistance.

(d) RECEIPT OF TRANSFERRED FUNDS.—The Secretary of Defense may accept amounts transferred to the Secretary from the head of another agency or a State or local governmental organization to carry out this section.

#### **Subtitle G—Other Transactions**

#### **SEC. 871. CHANGE TO NOTIFICATION REQUIREMENT FOR OTHER TRANSACTIONS.**

Section 2371b(f)(1) of title 10, United States Code, is amended by inserting after the first sentence the following: “The cost of any such option shall be considered for purposes of subsection (a)(2) as part of the cost to the Department of Defense of a transaction (for a prototype).”

#### **SEC. 872. DATA AND POLICY ON THE USE OF OTHER TRANSACTIONS.**

(a) COLLECTION AND STORAGE.—The Service Acquisition Executives of the military departments shall collect data on the use of other transactions by their respective departments, and the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Acquisition and Sustainment shall collect data on all other use by the Department of Defense of other transactions, including use by the Defense Agencies. The data shall be stored in a manner that allows the Assistant Secretary of Defense for Acquisition access at any time.

(b) USE OF DATA.—The Assistant Secretary of Defense for Acquisition shall analyze and leverage the data collected under subsection (a) to update policy and guidance related to the use of other transactions.

**Subtitle H—Development and Acquisition of Software Intensive and Digital Products and Services**

**SEC. 881. CLARIFICATIONS REGARDING PROPRIETARY AND TECHNICAL DATA.**

(a) **VALIDATION OF PROPRIETARY DATA RESTRICTIONS.**—Section 2321(f) of title 10, United States Code, is amended—

(1) by striking “(1) Except as provided in paragraph (2), in” and inserting “In”; and

(2) by striking paragraph (2).

(b) **RIGHTS IN TECHNICAL DATA.**—Section 2320 of title 10, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

**SEC. 882. IMPLEMENTATION OF RECOMMENDATIONS OF THE FINAL REPORT OF THE DEFENSE SCIENCE BOARD TASK FORCE ON THE DESIGN AND ACQUISITION OF SOFTWARE FOR DEFENSE SYSTEMS.**

(a) **IMPLEMENTATION REQUIRED.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall, except as provided under subsection (b), commence implementation of each recommendation submitted as part of the final report of the Defense Science Board Task Force on the Design and Acquisition of Software for Defense Systems.

(b) **EXCEPTIONS.**—

(1) **DELAYED IMPLEMENTATION.**—The Secretary of Defense may commence implementation of a recommendation described under subsection (a) later than the date required under such subsection if the Secretary provides the congressional defense committees with a specific justification for the delay in implementation of such recommendation.

(2) **NONIMPLEMENTATION.**—The Secretary of Defense may opt not to implement a recommendation described under subsection (a) if the Secretary provides to the congressional defense committees—

(A) the reasons for the decision not to implement the recommendation; and

(B) a summary of the alternative actions the Secretary plans to take to address the purposes underlying the recommendation.

(c) **IMPLEMENTATION PLANS.**—For each recommendation that the Secretary is implementing, or that the Secretary plans to implement, the Secretary shall submit to the congressional defense committees—

(1) a summary of actions that have been taken to implement the recommendation; and

(2) a schedule, with specific milestones, for completing the implementation of the recommendation.

**SEC. 883. IMPLEMENTATION OF PILOT PROGRAM TO USE AGILE OR ITERATIVE DEVELOPMENT METHODS REQUIRED UNDER SECTION 873 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018.**

(a) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall include the following systems for realignment under the pilot program to use agile or iterative development methods pursuant to section 873 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91):

(1) Global Positioning System Next Generation Operational Control System (GPS OCX).

(2) Integrated Air and Missile Defense Battle Command System (IBCS).

(3) Command Control Battle Management and Communications (C2BMC).

(4) The family of Distributed Common Ground Systems.

(5) The family of Global Command and Control Systems.

(6) Joint Space Operations Center Mission Systems (JMS).

(7) Joint Strike Fighter Autonomic Logistics Information System (ALIS).

(8) Electronic Procurement System (ePS).

(9) Air Force Integrated Personnel and Pay System (AFIPPS).

(10) Navy Personnel and Pay (NP2).

(11) Integrated Personnel and Pay-Army (IPPS-A).

(12) Maintenance, Repair, and Overhaul (MROI).

(13) Defense Enterprise Accounting Management System (DEAMS).

(14) Army Contract Writing System.

(15) Contracting IT System.

(16) Defense-wide Electronic Procurement Capabilities.

(b) **REVISIONS TO LIST.**—The Secretary of Defense shall notify the congressional defense committees of any revisions to the list of systems included for realignment under subsection (a).

**SEC. 884. ENABLING AND OTHER ACTIVITIES OF THE CLOUD EXECUTIVE STEERING GROUP.**

(a) **ACTIVITIES REQUIRED.**—Commencing not later than 90 days after the date of the enactment of this Act, the Cloud Executive Steering Group (CESG) established by the Deputy Secretary of Defense in a directive memorandum dated September 13, 2017, in order to support its Joint Enterprise Defense Infrastructure (JEDI) initiative to procure commercial cloud services, shall conduct certain key enabling activities as follows:

(1) **ADVANCED COMMERCIAL NETWORK CAPABILITIES.**—Develop an approach to rapidly acquire advanced commercial network capabilities, including software-defined networking, on-demand bandwidth, and aggregated cloud access gateways, through commercial service providers in order—

(A) to support the migration of applications and systems to commercial cloud platforms;

(B) to increase visibility of end-to-end performance to enable and enforce service level agreements for cloud services;

(C) to ensure efficient and common cloud access;

(D) to facilitate shifting data and applications from one cloud platform to another;

(E) to improve cybersecurity; and

(F) to consolidate networks and achieve efficiencies and improved performance;

(2) **WORKLOAD AND MIGRATION ANALYSIS.**—Conduct an analysis of existing workloads that would be migrated to the Joint Enterprise Defense Infrastructure, including—

(A) identifying all of the cloud initiatives across the Department of Defense, and determining the objectives of such initiatives in connection with the intended scope of the Infrastructure;

(B) identifying all the systems and applications that the Department would intend to migrate to the Infrastructure;

(C) conducting rationalization of applications to identify applications and systems that may duplicate the processing of workloads in connection with the Infrastructure; and

(D) as result of such actions, arriving at dispositions about migration or termination of systems and applications in connection with the Infrastructure.

(b) **LIMITATION ON NEW SYSTEMS AND APPLICATIONS.**—The Deputy Secretary shall require that no new system or application will be approved for development or modernization without an assessment that such system or application is already, or can and would be, cloud-hosted.

(c) **INTEGRATION AND SUPPORT.**—The Deputy Secretary shall ensure that the activities conducted under subsection (a) are integrated with and support the plan of the Department to acquire and migrate to commercial cloud services.

(d) **TRANSPARENCY AND COMPETITION.**—The Deputy Secretary shall ensure that the acquisition approach of the Department continues to follow the Federal Acquisition Regulation, including part 16.504(c) of such regulation, regarding procedures relating to the preference for multiple awards.

**Subtitle I—Other Matters**

**SEC. 891. PROHIBITION ON CERTAIN TELECOMMUNICATIONS SERVICES OR EQUIPMENT.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) In its 2011 “Annual Report to Congress on Military and Security Developments Involving the People’s Republic of China”, the Department of Defense stated, “China’s defense industry has benefited from integration with a rapidly expanding civilian economy and science and technology sector, particularly elements that have access to foreign technology. Progress within individual defense sectors appears linked to the relative integration of each, through China’s civilian economy, into the global production and R&D chain . . . Information technology companies in particular, including Huawei, Datang, and Zhongxing, maintain close ties to the PLA.”

(2) In a 2011 report titled “The National Security Implications of Investments and Products from the People’s Republic of China in the Telecommunications Sector”, the United States China Commission stated that “[n]ational security concerns have accompanied the dramatic growth of China’s telecom sector. . . . Additionally, large Chinese companies—particularly those ‘national champions’ prominent in China’s ‘going out’ strategy of overseas expansion—are directly subject to direction by the Chinese Communist Party, to include support for PRC state policies and goals.”

(3) The Commission further stated in its report that “[f]rom this point of view, the clear economic benefits of foreign investment in the U.S. must be weighed against the potential security concerns related to infrastructure components coming under the control of foreign entities. This seems particularly applicable in the telecommunications industry, as Chinese companies continue systematically to acquire significant holdings in prominent global and U.S. telecommunications and information technology companies.”

(4) In its 2011 Annual Report to Congress, the United States China Commission stated that “[t]he extent of the state’s control of the Chinese economy is difficult to quantify . . . There is also a category of companies that, though claiming to be private, are subject to state influence. Such companies are often in new markets with no established SOE leaders and enjoy favorable government policies that support their development while posing obstacles to foreign competition. Examples include Chinese telecoms giant Huawei and such automotive companies as battery maker BYD and vehicle manufacturers Geely and Chery.”

(5) General Michael Hayden, who served as Director of the Central Intelligence Agency and Director of the National Security Agency, stated in July 2013 that Huawei had “shared with the Chinese state intimate and extensive knowledge of foreign telecommunications systems it is involved with”.

(6) The Federal Bureau of Investigation, in a February 2015 Counterintelligence Strategy Partnership Intelligence Note stated that, “[w]ith the expanded use of Huawei Technologies Inc. equipment and services in U.S. telecommunications service provider networks, the Chinese Government’s potential access to U.S. business communications

is dramatically increasing. Chinese Government-supported telecommunications equipment on U.S. networks may be exploited through Chinese cyber activity, with China's intelligence services operating as an advanced persistent threat to U.S. networks.”.

(7) The FBI further stated in its February 2015 counterintelligence note that “China makes no secret that its cyber warfare strategy is predicated on controlling global communications network infrastructure”.

(8) At a hearing before the Committee on Armed Services of the House of Representatives on September 30, 2015, Deputy Secretary of Defense Robert Work, responding to a question about the use of Huawei telecommunications equipment, stated, “In the Office of the Secretary of Defense, absolutely not. And I know of no other—I don't believe we operate in the Pentagon, any [Huawei] systems in the Pentagon.”.

(9) At that hearing, the Commander of the United States Cyber Command, Admiral Mike Rogers, responding to a question about why such Huawei telecommunications equipment is not used, stated, “As we look at supply chain and we look at potential vulnerabilities within the system, that it is a risk we felt was unacceptable.”.

(10) In March 2017, ZTE Corporation pled guilty to conspiring to violate the International Emergency Economic Powers Act by illegally shipping U.S.-origin items to Iran, paying the United States Government a penalty of \$892,360,064 for activity between January 2010 and January 2016.

(11) The Department of the Treasury's Office of Foreign Assets Control issued a subpoena to Huawei as part of a Federal investigation of alleged violations of trade restrictions on Cuba, Iran, Sudan, and Syria.

(12) In the bipartisan “Investigative Report on the United States National Security Issues Posed by Chinese Telecommunication Companies Huawei and ZTE” released in 2012 by the Permanent Select Committee on Intelligence of the House of Representatives, it was recommended that “U.S. government systems, particularly sensitive systems, should not include Huawei or ZTE equipment, including in component parts. Similarly, government contractors—particularly those working on contracts for sensitive U.S. programs—should exclude ZTE or Huawei equipment in their systems.”.

(b) **PROHIBITION ON USE OR PROCUREMENT.**—The Secretary of Defense may not—

(1) procure or obtain or extend or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or

(2) enter into a contract (or extend or renew a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) **EFFECTIVE DATES.**—The prohibition under subsection (b)(1) shall take effect 180 days after the date of the enactment of this Act and the prohibition under subsection (b)(2) shall take effect three years after the date of the enactment of this Act.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to—

(1) prohibit the Secretary of Defense from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(2) cover telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or

packets that such equipment transmits or otherwise handles

(e) **DEFINITIONS.**—In this section:

(1) **COVERED FOREIGN COUNTRY.**—The term “covered foreign country” means the People's Republic of China.

(2) **COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES.**—The term “covered telecommunications equipment or services” means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(C) Telecommunications equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

**SEC. 892. LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF REPORT ON ARMY MARKETING AND ADVERTISING PROGRAM.**

(a) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the recommendations contained in the audit of the Army Audit Agency of the Army's Marketing and Advertising Program concerning contract oversight and return on investment.

(2) **ELEMENTS.**—The report required by paragraph (1) shall address each of the following:

(A) The mitigation and oversight measures implemented to assure improved program return and contract management, including the establishment of specific goals to measure long-term effects of investments in marketing efforts.

(B) The establishment of a review process to regularly evaluate the effectiveness and efficiency of marketing efforts, including efforts to better support the accessions missions of the Army.

(C) The increase of acquisition and marketing experience within the Army Marketing and Research Group (in this section referred to as the “AMRG”).

(D) A workforce analysis of AMRG in cooperation with the Office of Personnel Management and industry experts assessing the AMRG organizational structure, staffing, and training, including an assessment of the workplace climate and culture internal to the AMRG.

(E) The establishment of an Army Marketing and Advisory Board comprised of senior Army and marketing and advertising leaders and an assessment of industry and service marketing and advertising best practices, including a plan to incorporate relevant practices.

(F) The status of the implementation of contracting practices recommended by the Army Audit Agency's audit of contracting oversight of AMRG contained in Audit Report A-2018-0033-MTH.

(b) **LIMITATION ON USE OF FUNDS.**—Not more than 50 percent of the amounts authorized to be appropriated by this Act or otherwise made available for the AMRG for fiscal year 2019 for advertising and marketing activities may be obligated or expended until the Secretary of the Army submits the report required under subsection (a).

(c) **COMPTROLLER GENERAL REVIEW.**—Not later than 90 days after the date of the submittal of the report required under sub-

section (a), the Comptroller General of the United States shall conduct a review of the results and implementation of the recommendations of the Army Audit Agency Audits of the AMRG on contract oversight and return on investment. The review shall include an assessment of the effects of the implementation of the recommendations on the AMRG leadership, workforce, and business practices, and return on investment.

**SEC. 893. PERMANENT SBIR AND STTR AUTHORITY FOR THE DEPARTMENT OF DEFENSE.**

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (m), by inserting “, except with respect to the Department of Defense” after “September 30, 2022”; and

(2) in subsection (n)(1)(A)—

(A) by inserting “(or, with respect to the Department of Defense, any fiscal year)” after “2022”; and

(B) by inserting “(or, with respect to the Department of Defense, for any fiscal year)” after “for that fiscal year”.

**SEC. 894. PROCUREMENT OF TELECOMMUNICATIONS SUPPLIES FOR EXPERIMENTAL PURPOSES.**

Section 2373 of title 10, United States Code, is amended by inserting “telecommunications,” after “space flight,”.

**SEC. 895. ACCESS BY DEVELOPMENTAL AND OPERATIONAL TESTING ACTIVITIES TO DATA REGARDING MODELING AND SIMULATION ACTIVITY.**

(a) **IN GENERAL.**—Section 139(e) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The Director shall have prompt access to all data regarding modeling and simulation activity proposed to be used by military departments and defense agencies in support of operational or live fire test and evaluation of military capabilities. This access shall include data associated with verification, validation, and accreditation activities.”.

(b) **ADDITIONAL TESTING DATA.**—Developmental Test and Evaluation activities under the leadership of the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Acquisition and Sustainment shall have prompt access to all data regarding modeling and simulation activity proposed to be used by military departments and defense agencies in support of developmental test and evaluation of military capabilities. This access shall include data associated with verification, validation, and accreditation activities.

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

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

**SEC. 901. POWERS AND DUTIES OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING IN CONNECTION WITH PRIORITY EMERGING TECHNOLOGIES.**

(a) **IN GENERAL.**—In carrying out duties under section 133a of title 10, United States Code, in connection with the National Defense Strategy of the Department of Defense of 2018, the Under Secretary of Defense for Research and Engineering shall have the authority to direct the Secretaries of the military departments, and the heads of all other elements of the Department of Defense with regard to matters for which the Under Secretary has responsibility, with respect to programs, projects, and activities in connection with technology areas given priority, including technology areas as follows:

(1) Directed energy.

(2) Hypersonics.

(3) Artificial intelligence.

(4) Future space satellite architectures.

(b) **DIRECTION OF SECRETARY OF DEFENSE.**—

(1) IN GENERAL.—The Under Secretary shall carry out any powers and duties under this section under the authority, direction, and control of the Secretary.

(2) CONSTRUCTION OF AUTHORITY.—Nothing in this section may be construed as altering or revising the authority, direction, and control of the Under Secretary by the Secretary of Defense and the Deputy Secretary of Defense.

(c) SATELLITE ARCHITECTURES.—

(1) NO DIRECTIONAL AUTHORITY FOR SPACE LAUNCH VEHICLES.—The authority in subsection (a) with respect to future space satellite architectures does not include the following:

(A) Authority for space launch vehicles.

(B) Authority for direction of the Evolved Expendable Launch Vehicle program, including any program, project, or activity relating to the Next Generation Launch System.

(2) FINAL DECISIONAL AUTHORITY ON ARCHITECTURES.—The Deputy Secretary of Defense shall have final decisional authority over any decision on future space satellite architecture under the authority in subsection (a). The Deputy Secretary shall exercise such final decisional authority in consultation with the Secretaries of the military departments.

(d) COORDINATION.—In executing powers and duties under this section, the Under Secretary shall consult with appropriate officials of the military departments and the Defense Agencies in order to maximize support of effective and efficient execution of the National Defense Strategy referred to in subsection (a).

(e) EXPIRATION.—The authority of the Under Secretary under this section shall expire on the date that is one year after the date of the enactment of this Act.

#### **SEC. 902. REDESIGNATION AND MODIFICATION OF RESPONSIBILITIES OF UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.**

(a) REDESIGNATION AND RESPONSIBILITIES AS UNDER SECRETARY OF DEFENSE FOR PERSONNEL.—

(1) IN GENERAL.—Section 136 of title 10, United States Code, is amended—

(A) by striking “and Readiness” each place it appears; and

(B) by striking subsection (d).

(2) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

**“§ 136. Under Secretary of Defense for Personnel”.**

(b) DESIGNATION AS CHIEF HUMAN CAPITAL OFFICER.—Such section is further amended—

(1) by inserting “(1)” after “(b)”; and

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

“(2) The Under Secretary is the Chief Human Capital Officer of the Department of Defense for purposes of chapter 14 of title 5.”.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 136 and inserting the following new item:

“136. Under Secretary of Defense for Personnel.”.

(d) OTHER CONFORMING AMENDMENTS.—

(1) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is further amended as follows:

(A) In section 131(b)(3), by striking subparagraph (E) and inserting the following new subparagraph (E):

“(D) The Undersecretary of Defense for Personnel.”.

(B) In section 137(c), by striking “and Readiness”.

(2) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amend-

ed by striking the item relating to the Under Secretary of Defense for Personnel and Readiness and inserting the following new item:

“Under Secretary of Defense for Personnel.”.

(e) REFERENCES.—Any reference to the Under Secretary of Defense for Personnel and Readiness in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Under Secretary of Defense for Personnel.

#### **SEC. 903. MODIFICATION OF RESPONSIBILITIES OF THE UNDER SECRETARY OF DEFENSE FOR POLICY.**

(a) IN GENERAL.—Paragraph (2) of section 134(b) of title 10, United States Code, is amended to read as follows:

“(2) The Under Secretary shall assist the Secretary of Defense in the following:

“(A) Preparing the National Defense Strategy, as required by section 113 of this title.

“(B) Preparing policy guidance for the preparation of campaign and contingency plans by the commanders of the combatant commands, and in reviewing such plans.

“(C) Preparing policy guidance for the development of the global force posture.

“(D) Preparing policy guidance to direct the formulation of program and budget requests by the military departments and other elements of the Department of Defense, and reviewing such requests in the annual planning, programming, and budget process.

“(E) Developing planning scenarios that describe the present and future strategic and operational environments by which to assess joint force capabilities and readiness.

“(F) Developing specific outcomes that the joint force should be ready to achieve and conducting assessments of the readiness of the joint force to achieve such outcomes.

“(G) Devising specific criteria to direct reviews by the Director of Cost Assessment and Program Evaluation of the implementation of the capability and readiness priorities of the Secretary.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on February 1, 2019.

#### **SEC. 904. REPORT ON ALLOCATION OF FORMER RESPONSIBILITIES OF THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.**

Not later than March 1, 2019, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A list of each provision of law, whether within or outside title 10, United States Code, in force as of the date of the report that, as of that date, assigns a duty, responsibility, or other requirement to the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(2) For each duty, responsibility, or other requirement specified in a provision of law listed pursuant to paragraph (1), the allocation of such duty, responsibility, or requirement within the Department of Defense, including—

(A) solely to the Under Secretary of Defense for Research and Engineering;

(B) solely to the Under Secretary of Defense for Acquisition and Sustainment;

(C) on a shared basis between the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Acquisition and Sustainment;

(D) solely to another official or organization of the Department;

(E) on a shared basis between other officials and organizations of the Department; or

(F) not allocated.

#### **SEC. 905. ASSISTANT SECRETARY OF DEFENSE FOR STRATEGY, PLANS, ASSESSMENTS, READINESS, AND CAPABILITIES.**

(a) IN GENERAL.—Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5)(A) One of the Assistant Secretaries is the Assistant Secretary of Defense for Strategy, Plans, Assessments, Readiness and Capabilities.

“(B) The principal duty of the Assistant Secretary shall be to support the Secretary of Defense in developing the National Defense Strategy (as required by section 113 of this title) and related policy guidance for the campaign and contingency plans, force development and defense posture priorities, and readiness objectives required to execute the Strategy.

“(C) Subject to the authority, direction, and control of the Secretary and the Under Secretary of Defense for Policy, the Assistant Secretary shall be responsible for the following:

“(i) In matters relating to strategy and force planning, the following:

“(I) Supporting the Secretary and the Under Secretary in preparing the National Defense Strategy.

“(II) Producing policy guidance to direct the formulation of program and budget requests by the military departments and other elements of the Department, including the Defense Planning Guidance as required by section 113 of this title, and review such program and budget requests.

“(III) Proposing alternative force sizes and structures, joint capabilities and concepts, and roles and missions for the armed forces to inform the development of annual program and budget requests.

“(ii) In matters relating to plans and force posture, the following:

“(I) Supporting the Secretary and the Under Secretary in producing policy guidance to inform the development of campaign and contingency plans by the commanders of the combatant commands, including the Contingency Planning Guidance for Employment of the Force and the Global Defense Posture Report as required by section 113 of this title, and reviewing such plans.

“(II) Advising the Secretary and the Under Secretary on alternative concepts for the employment and posture of the joint force to align with the National Defense Strategy and other approved policy guidance of the Secretary.

“(iii) In matters relating to assessments, the following:

“(I) Developing planning scenarios that describe the present and future strategic and operational environments by which to assess joint force capabilities and readiness.

“(II) Producing detailed assessments at the strategic, campaign, and mission levels (including through war games) to evaluate the present and future capability and readiness of the armed forces to conduct joint military campaigns or competitions that are prioritized in approved policy guidance of the Secretary.

“(III) Devising specific criteria to direct reviews by the Director of Cost Assessment and Program Evaluation of the implementation of the capability and readiness priorities established in approved policy guidance of the Secretary.

“(iv) In matters relating to readiness, the following:

“(I) Describing the strategic, campaign, and mission outcomes that the joint force should be ready to achieve and by which joint force readiness will be assessed, in accordance with approved strategic guidance of the Secretary.

“(II) Conducting assessments of the readiness of the joint force to perform the missions prioritized in the National Defense Strategy and other approved policy guidance of the Secretary, including through the observation of military training and exercises.

“(v) In matters relating to strategic capabilities, developing and supervising policy, program planning and execution, and allocation and use of resources for any strategic capabilities designated by the Under Secretary.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on February 1, 2019.

**SEC. 906. CLARIFICATION OF RESPONSIBILITIES AND DUTIES OF THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE.**

Section 142(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting “(other than with respect to business systems and management)” after “sections 3506(a)(2)”;

(2) in subparagraph (B), by striking “section 11315 of title 40” and inserting “sections 11315 and 11319 of title 40 (other than with respect to business systems and management)”;

(3) in subparagraph (C), by striking “sections 2222, 2223(a), and 2224 of this title” and inserting “sections 2223(a) (other than with respect to business systems and management) and 2224 of this title”.

**SEC. 907. SPECIFICATION OF CERTAIN DUTIES OF THE DEFENSE TECHNICAL INFORMATION CENTER.**

(a) **IN GENERAL.**—In addition to any other duties specified for the Defense Technical Information Center by law, regulation, or Department of Defense directive or instruction, the duties of the Center shall include the following:

(1) To execute the Global Research Watch Program under section 2365 of title 10, United States Code.

(2) To develop and maintain datasets and other data repositories on research and engineering activities being conducted within the Department.

(b) **ACTION PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan of action for the commencement by the Defense Technical Information Center of the duties specified in subsection (a).

**SEC. 908. LIMITATION ON TERMINATION OF, AND TRANSFER OF FUNCTIONS, RESPONSIBILITIES, AND ACTIVITIES OF, THE STRATEGIC CAPABILITIES OFFICE.**

(a) **LIMITATION.**—The Secretary of Defense may not terminate the Strategic Capabilities Office or transfer the functions or responsibilities of such office to another entity or organization until the Secretary—

(1) certifies to the congressional defense committees that the key functions, responsibilities, and activities of the office will be replicated and managed elsewhere after such office has been terminated or its functions, responsibilities, or activities have been transferred;

(2) submits to the congressional defense committees—

(A) a plan to replicate and manage such functions, responsibilities, and activities elsewhere; and

(B) if the Secretary decides that the Strategic Capabilities Office, or subsequent entity, should report to an official other than the Under Secretary for Research and Engineering, a justification for such decision.

(b) **KEY FUNCTIONS.**—The key functions of the office referred to in subsection (a)(1) are the following:

(1) Repurposing existing Government and commercial systems for new technological advantage.

(2) Developing novel concepts of operation that are lower cost, more effective, and more responsive to changing threats than traditional concepts of operation.

(3) Developing joint systems and concepts of operations to meet emerging threats and military requirements based on partnerships with the military services and combatant commanders.

(4) Developing prototypes and new concepts of operations that can inform the development of requirements and the establishment of acquisition programs.

(5) Such other functions as the Secretary considers appropriate.

**SEC. 909. TECHNICAL CORRECTIONS TO DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER AUTHORITY.**

Section 196 of title 10, United States Code, is amended in subsections (c)(1)(B) and (g) by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “Under Secretary of Defense for Research and Engineering”.

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

**SEC. 921. MODIFICATION OF CERTAIN RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO JOINT FORCE CONCEPT DEVELOPMENT.**

Subparagraph (D) of section 153(a)(6) of title 10, United States Code, is amended to read as follows:

“(D) formulating policies for development and experimentation on both urgent and long-term concepts for the joint employment of the armed forces, including establishment of a process within the Joint Staff for—

“(i) analyzing and prioritizing gaps in capabilities that could potentially be addressed by joint concept development using existing or modified joint force capabilities; and

“(ii) ensuring that such joint concepts are tested, assessed and, if appropriate, fielded to support the joint force;”.

**SEC. 922. ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT REVIEW OF UNITED STATES SPECIAL OPERATIONS COMMAND.**

(a) **REVIEW REQUIRED.**—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall, in coordination with the Commander of the United States Special Operations Command, conduct a comprehensive review of the United States Special Operations Command for purposes of ensuring that the institutional and operational capabilities of special operations forces are appropriate to counter anticipated future threats across the spectrum of conflict.

(b) **SCOPE OF REVIEW.**—The review required by subsection (a) shall include, at a minimum, the following:

(1) An assessment of the adequacy of special operations forces doctrine, organization, training, materiel, education, personnel, and facilities to implement the 2018 National Defense Strategy, and recommendations, if any, for modifications for that purpose.

(2) An assessment of the roles and responsibilities of special operations forces as assigned by law, Department of Defense guidance, or other formal designation and recommendations, if any, for additions to or divestitures of such roles or responsibilities.

(3) An assessment of the adequacy of the processes through which the United States Special Operations Command evaluates and prioritizes the requirements at the geographic combatant commands for special operations forces and special operations-unique

capabilities and makes recommendations on the allocation of special operations forces and special operations-unique capabilities to meet such requirements, and recommendations, if any, for modifications of such processes.

(4) Any other matters the Assistant Secretary considers appropriate.

(c) **DEADLINES.**—

(1) **COMPLETION OF REVIEW.**—The review required by subsection (a) shall be completed by not later than 270 days after the date of the enactment of this Act.

(2) **REPORT.**—Not later than 30 days after completion of the review, the Assistant Secretary shall submit to the congressional defense committees a report on the review, including the findings and any recommendations of the Assistant Secretary as a result of the review.

**SEC. 923. QUALIFICATIONS FOR APPOINTMENT AS DEPUTY CHIEF MANAGEMENT OFFICER OF A MILITARY DEPARTMENT.**

(a) **DEPARTMENT OF THE ARMY.**—An individual may not be appointed as Deputy Chief Management Officer of the Department of the Army unless the individual—

(1) has significant experience in business operations or management in the public sector; or

(2) has significant experience managing an enterprise in the private sector.

(b) **DEPARTMENT OF THE NAVY.**—An individual may not be appointed as Deputy Chief Management Officer of the Department of the Navy unless the individual—

(1) has significant experience in business operations or management in the public sector; or

(2) has significant experience managing an enterprise in the private sector.

(c) **DEPARTMENT OF THE AIR FORCE.**—An individual may not be appointed as Deputy Chief Management Officer of the Department of the Air Force unless the individual—

(1) has significant experience in business operations or management in the public sector; or

(2) has significant experience managing an enterprise in the private sector.

**SEC. 924. EXPANSION OF PRINCIPAL DUTIES OF ASSISTANT SECRETARY OF THE NAVY FOR RESEARCH, DEVELOPMENT, AND ACQUISITION.**

Section 5016(b)(4)(A) of title 10, United States Code, is amended by striking “and acquisition matters” and inserting “acquisition, and sustainment (including maintenance) matters”.

**SEC. 925. CROSS-FUNCTIONAL TEAMS IN THE DEPARTMENT OF DEFENSE.**

(a) **ESTABLISHMENT OF CERTAIN TEAMS.**—

(1) **IN GENERAL.**—Among the cross-functional teams established by the Secretary of Defense pursuant to subsection (c) of section 911 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2345; 10 U.S.C. 111 note) in support of the organizational strategy for the Department of Defense required by subsection (a) of that section, the Secretary shall establish a cross-functional team on each matter as follows:

(A) Electronic warfare.

(B) Personnel security.

(C) Close combat lethality.

(2) **ESTABLISHMENT AND ACTIVITIES.**—Each cross-functional team established pursuant to paragraph (1) shall be established in accordance with subsection (c) of section 911 of the National Defense Authorization Act for Fiscal Year 2017, and shall be governed in its activities in accordance with the provisions of such subsection (c).

(3) **DEADLINE FOR ESTABLISHMENT.**—The cross-functional teams required by paragraph (1) shall be established by not later



than 90 days after the date of the enactment of this Act.

**(b) ADDITIONAL CROSS-FUNCTIONAL TEAMS MATTERS.—**

**(1) CRITERIA FOR DISTINGUISHING AMONG CROSS-FUNCTIONAL TEAMS.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall issue criteria that distinguish cross-functional teams under section 911 of the National Defense Authorization Act for Fiscal Year 2017 from other types of cross-functional working groups, committees, integrated product teams, and task forces of the Department.

**(2) PRIMARY RESPONSIBILITY FOR IMPLEMENTATION OF TEAMS.**—The Deputy Secretary of Defense shall establish or designate an office within the Department that shall have primary responsibility for implementing section 911 of the National Defense Authorization Act for Fiscal Year 2017.

**SEC. 926. DEADLINE FOR COMPLETION OF FULL IMPLEMENTATION OF REQUIREMENTS IN CONNECTION WITH ORGANIZATION OF THE DEPARTMENT OF DEFENSE FOR MANAGEMENT OF SPECIAL OPERATIONS FORCES AND SPECIAL OPERATIONS.**

The Secretary of Defense shall ensure that the implementation of section 922 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2354) and the amendments made by that section is fully complete by not later than 90 days after the date of the enactment of this Act.

**Subtitle C—Organization and Management of the Department of Defense Generally**

**SEC. 931. LIMITATION ON AVAILABILITY OF FUNDS FOR MAJOR HEADQUARTERS ACTIVITIES OF THE DEPARTMENT OF DEFENSE.**

**(a) IN GENERAL.**—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following new section:

**“§ 118. Major headquarters activities: limitation on funds available**

“(a) **OVERALL LIMITATION.**—In any fiscal year after fiscal year 2020, the aggregate amount that may be obligated and expended on major headquarters activities may not exceed an amount equal to 1.6 percent of the average amount authorized to be appropriated for the Department of Defense (including for overseas contingency operations) over the 10 fiscal years ending with the preceding fiscal year.

“(b) **LIMITATIONS ON AVAILABILITY FOR PARTICULAR ACTIVITIES.**—Within the amount available for a fiscal year pursuant to subsection (a), amounts shall be available as follows:

“(1) For the Office of the Secretary of Defense, not more than an amount equal to 0.4 percent of the average amount authorized to be appropriated for the Department of Defense (including for overseas contingency operations) over the 10 fiscal years ending with the preceding fiscal year.

“(2) For the major headquarters activities of a military department, not more than an amount equal to 1 percent of the average amount authorized to be appropriated for the Department of Defense (including for overseas contingency operations) for such military department over the 10 fiscal years ending with the preceding fiscal year.

“(c) **DISTRIBUTION OF REMAINING FUNDS.**—Any funds available in a fiscal year for major headquarters activities under subsection (a) after the operation of subsection (b) in connection with such fiscal year may be distributed for availability by the Secretary of Defense among any major headquarters activities other than the Office of the Secretary of Defense.

“(d) **DEFINITIONS.**—In this section:

“(1) The term ‘major headquarters activities’ has the meaning given the term ‘major

Department of Defense headquarters activities’ in section 346(b)(3) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 111 note).

“(2) The term ‘major headquarters activities of a military department’ means the following:

“(A) In the case of the Army, the Office of the Secretary of the Army and the Army Staff.

“(B) In the case of the Navy, the Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and Headquarters, Marine Corps.

“(C) In the case of the Air Force, the Office of the Secretary of the Air Force and the Air Staff.

“(3) The term ‘Office of the Secretary of Defense’ includes the Joint Staff.”

**(b) CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 2 of such title is amended by inserting after the item relating to section 117 the following new item:

“118. Major headquarters activities: limitation on funds available.”

**SEC. 932. RESPONSIBILITY FOR POLICY ON CIVILIAN CASUALTY MATTERS.**

**(a) DESIGNATION OF SENIOR CIVILIAN OFFICIAL.**—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy shall designate a senior civilian official of the Department of Defense at or above the level of Assistant Secretary of Defense to develop, coordinate, and oversee compliance with the policy of the Department relating to civilian casualties resulting from United States military operations.

**(b) RESPONSIBILITIES.**—The senior civilian official designated under subsection (a) shall ensure that the policy referred to in that subsection provides for—

(1) uniform processes and standards across the combatant commands for accurately recording kinetic strikes by the United States military;

(2) the development and dissemination of best practices for reducing the likelihood of civilian casualties from United States military operations;

(3) the development of a publicly available Internet portal for the submittal of allegations of civilian casualties resulting from United States military operations;

(4) uniform processes and standards across the combatant commands for reviewing and investigating allegations of civilian casualties resulting from United States military operations, including the consideration of relevant information from all available sources;

(5) uniform processes and standards across the combatant commands for—

(A) acknowledging the responsibility of the United States military for civilian casualties resulting from United States military operations; and

(B) offering ex gratia payments to civilians who have been injured, or to the families of civilians killed, as a result of United States military operations, as determined to be necessary by the designated senior civilian official;

(6) regular engagement with relevant intergovernmental and nongovernmental organizations; and

(7) public affairs guidance with respect to matters relating to civilian casualties alleged or confirmed to have resulted from United States military operations; and

(8) such other matters with respect to civilian casualties resulting from United States military operations as the designated senior civilian official considers appropriate.

**(c) REPORT.**—Not later than 180 days after the date of the enactment of this Act, the

senior civilian official designated under subsection (a) shall submit to the congressional defense committees a report that describes—

(1) the policy developed by the senior civilian official under that subsection; and

(2) the efforts of the Department to implement such policy.

**SEC. 933. ADDITIONAL MATTERS IN CONNECTION WITH BACKGROUND AND SECURITY INVESTIGATIONS FOR DEPARTMENT OF DEFENSE PERSONNEL.**

**(a) ADDITIONAL MATTER FOR ANNUAL REPORTS.**—Subsection (k)(3) of section 925 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended—

(1) by redesignating subparagraphs (H) through (L) as subparagraphs (I) through (M), respectively; and

(2) by inserting after subparagraph (G) the following new subparagraph (H):

“(H) The number of denials or revocations of a security clearance by each authorized adjudicative agency that occurred separately from a periodic reinvestigation.”

**(b) SENSE OF CONGRESS.**—Such section is further amended—

(1) by redesignating subsection (l) as subsection (m); and

(2) by inserting after subsection (k) the following new subsection (l):

“(l) **SENSE OF CONGRESS.**—It is the sense of Congress that—

“(1) personnel security investigations, and continuous evaluation, form an integral part of the security posture of the Department of Defense; and

“(2) to the extent practicable, the Department should coordinate with the security executive agent to ensure that the results of adjudication decisions, either within initial investigations or reinvestigations, are communicated in a transparent manner to ensure public trust in the adjudication process.”

**SEC. 934. PROGRAM OF EXPEDITED SECURITY CLEARANCES FOR MISSION-CRITICAL POSITIONS.**

**(a) IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall establish a program for the expedited processing of security clearances for mission-critical positions, fulfilled by either Government or contract employees. Under such program, the Security Executive Agent shall complete the processing of applications for security clearances—

(1) at the secret level in 15 or fewer days; and

(2) at the top secret level in 45 days or fewer.

**(b) SECURITY EXECUTIVE AGENT.**—In this section, the term “Security Executive Agent” means the Director of National Intelligence acting as the Security Executive Agent in accordance with Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note).

**SEC. 935. INFORMATION SHARING PROGRAM FOR POSITIONS OF TRUST.**

**(a) PROGRAM REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall establish a program to share between and among Federal Government agencies and industry partners of the Federal Government information regarding individuals applying for and in positions of trust, including derogatory and suitability information.

**(b) PRIVACY SAFEGUARDS.**—The Security Executive Agent shall ensure that the program required by subsection (a) includes such safeguards for privacy as the Security Executive Agent considers appropriate.

**(c) PROVISION OF INFORMATION TO THE PRIVATE SECTOR.**—The Security Executive Agent shall ensure that under the program required by subsection (a) sufficient information is provided to the private sector so that

employers in the private sector can make informed decisions about hiring and retention in positions of trust, while safeguarding personnel privacy.

(d) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to Congress a plan for the implementation of the program required by subsection (a).

(2) CONTENTS.—The plan required by paragraph (1) shall include the following:

(A) Matters that address privacy, security, and human resources processes.

(B) Such recommendations as the Security Executive Agent may have for legislative or administrative action to carry out or improve the program.

(e) SECURITY EXECUTIVE AGENT.—In this section, the term “Security Executive Agent” means the Director of National Intelligence acting as the Security Executive Agent in accordance with Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note).

**SEC. 936. REPORT ON CLEARANCE IN PERSON CONCEPT.**

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to congressional defense and intelligence committees a report on the requirements, feasibility, and advisability of implementing a clearance in person concept as described in subsection (b) for maintaining access to classified information.

(b) CLEARANCE IN PERSON CONCEPT.—

(1) IN GENERAL.—Implementation of a clearance in person concept as described in this subsection would permit an individual who has been granted a national security clearance to maintain eligibility for access to classified information, networks, and facilities after the individual has separated from service to the Federal Government or transferred to a position that no longer requires access to classified information.

(2) RECOGNITION AS CURRENT.—The concept described in paragraph (1) would also ensure that, unless otherwise directed by the Security Executive Agent, the individual's security clearance would be recognized as current, regardless of employment status, with no further need for investigation or revalidation until the individual obtains a position requiring access to classified information.

(c) CONTENTS.—The report required by subsection (a) shall address the following:

(1) Requirements for continuous vetting.

(2) Appropriate safeguards for privacy.

(3) An appropriate funding model.

(4) Fairness to small business concerns and independent contractors.

(d) SECURITY EXECUTIVE AGENT.—In this section, the term “Security Executive Agent” means the Director of National Intelligence acting as the Security Executive Agent in accordance with Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note).

**SEC. 937. STRATEGIC DEFENSE FELLOWS PROGRAM.**

(a) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish within the Department of Defense a civilian fellowship program designed to provide leadership development and the commencement of a career track toward senior leadership in the Department.

(2) DESIGNATION.—The fellowship program shall be known as the “Strategic Defense Fellows Program” (in this section referred to as the “fellows program”).

(b) ELIGIBILITY.—An individual is eligible for participation in the fellows program if the individual—

(1) is a citizen of the United States or a lawful permanent resident of the United

States in the year in which the individual applies for participation in the fellows program; and

(2) either—

(A) possesses a graduate degree from an accredited institution of higher education in the United States that was awarded not later than two years before the date of the acceptance of the individual into the fellows program; or

(B) will be awarded a graduate degree from an accredited institution of higher education in the United States not later than six months after the date of the acceptance of the individual into the fellows program.

(c) APPLICATION.—

(1) APPLICATION REQUIRED.—Each individual seeking to participate in the fellows program shall submit to the Secretary an application therefor at such time and in such manner as the Secretary shall specify.

(2) ELEMENTS.—Each application of an individual under this subsection shall include the following:

(A) Transcripts of educational achievement at the undergraduate and graduate level.

(B) A resume.

(C) Proof of citizenship or lawful permanent residence.

(D) An endorsement from the applicant's graduate institution of higher education.

(E) An academic writing sample.

(F) Letters of recommendation addressing the applicant's character, academic ability, and any extracurricular activities.

(G) A personal statement by the applicant explaining career areas of interest and motivations for service in the Department.

(H) Such other information as the Secretary considers appropriate.

(d) SELECTION.—

(1) IN GENERAL.—Each year, the Secretary shall select participants in the fellows program from among applicants for the fellows program for such year who qualify for participation in the fellows program based on character, commitment to public service, academic achievement, extracurricular activities, and such other qualifications for participation in the fellows program as the Secretary considers appropriate.

(2) NUMBER.—The number of individuals selected to participate in the fellows program in any year may not exceed the numbers as follows:

(A) Ten individuals from each geographic region of the United States as follows:

(i) The Northeast.

(ii) The Southeast.

(iii) The Midwest.

(iv) The Southwest.

(v) The West.

(B) Ten additional individuals.

(3) BACKGROUND INVESTIGATION.—An individual selected to participate in the fellows program may not participate in the program unless the individual successfully undergoes a background investigation applicable to the position to which the individual will be assigned under the fellows program and otherwise meets such requirements applicable to assignment to a sensitive position within the Department that the Secretary considers appropriate.

(e) ASSIGNMENT.—

(1) IN GENERAL.—Each individual who participates in the fellows program shall be assigned to a position in the Office of the Secretary of Defense.

(2) POSITION REQUIREMENTS.—Each Under Secretary of Defense and each Director of a Defense Agency who reports directly to the Secretary shall submit to the Secretary each year the qualifications and skills to be demonstrated by participants in the fellows program to qualify for assignment under this

subsection for service in a position of the office of such Under Secretary or Director.

(3) ASSIGNMENT TO POSITIONS.—The Secretary shall each year assign participants in the fellows program to positions in the offices of the Under Secretaries and Directors described in paragraph (2). In making such assignments, the Secretary shall seek to best match the qualifications and skills of participants in the fellows program with the requirements of positions available for assignment. Each participant so assigned shall serve as a special assistant to the Under Secretary or Director to whom assigned.

(4) TERM.—The term of each assignment under the fellows program shall be one year.

(5) PAY AND BENEFITS.—An individual assigned to a position under the fellows program shall be compensated at the rate of compensation for employees at level GS-10 of the General Schedule, and shall be treated as an employee of the United States during the term of assignment, including for purposes of eligibility for health care benefits and retirement benefits available to employees of the United States.

(6) EDUCATION LOAN REPAYMENT.—To the extent that funds are provided in advance in appropriations Acts, the Secretary may repay any loan of a participant in the fellows program if the loan is described by subparagraph (A), (B), or (C) of section 16301(a)(1) of title 10, United States Code. Any repayment of loans under this paragraph shall be on a first-come, first-served basis.

(f) CAREER DEVELOPMENT.—

(1) IN GENERAL.—The Secretary shall ensure that participants in the fellows program—

(A) receive opportunities and support appropriate for the commencement of a career track within the Department leading toward a future position of senior leadership within the Department, including ongoing mentorship support through appropriate personnel from entities within the Department such as the Defense Business Board and the Defense Innovation Board; and

(B) are provided appropriate opportunities for employment and advancement within the Department upon successful completion of the fellows program.

(2) RESERVATION OF POSITIONS.—In carrying out paragraph (1)(B), the Secretary shall reserve for participants who successfully complete the fellows program not fewer than 30 positions in the excepted service within the Department that are suitable for the commencement of a career track toward senior leadership within the Department. Any position so reserved shall not be subject to or covered by any reduction in headquarters personnel required under any other provision of law.

(3) NONCOMPETITIVE APPOINTMENT.—Upon the successful completion of the assignment of a participant in the fellows program in a position pursuant to subsection (e), the Secretary may, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, appoint the participant to a position reserved pursuant to paragraph (2) if the Secretary determines that such appointment will contribute to the development of highly qualified future senior leaders for the Department.

(4) PUBLICATION OF SELECTION.—The Secretary shall publish on an Internet website of the Department available to the public the names of the individuals selected to participate in the fellows program.

(g) OUTREACH.—The Secretary shall undertake appropriate outreach to inform potential participants in the fellows program of the nature and benefits of participation in the fellows program.

(h) REGULATIONS.—The Secretary shall carry out this section in accordance with

such regulations as the Secretary may prescribe for purposes of this section.

(i) **FUNDING.**—Of the amounts authorized to be appropriated for each fiscal year for the Department of Defense for operation and maintenance, Defense-wide, \$10,000,000 may be available to carry out the fellows program in such fiscal year.

#### Subtitle D—Other Matters

### SEC. 941. ANALYSIS OF DEPARTMENT OF DEFENSE BUSINESS MANAGEMENT AND OPERATIONS DATASETS TO PROMOTE SAVINGS AND EFFICIENCIES.

(a) **IN GENERAL.**—The Chief Management Officer of the Department of Defense shall develop a policy on analysis of Department of Defense datasets on business management and business operations by the public for purposes of accessing data analysis capabilities that would promote savings and efficiencies and otherwise enhance the utility of such datasets to the Department.

(b) **INITIAL DISCHARGE OF POLICY.**—

(1) **IN GENERAL.**—The Chief Management Officer shall commence the discharge of the policy required pursuant to subsection (a) by—

(A) identifying one or more matters—

(i) that are of significance to the Department of Defense;

(ii) that are currently unresolved; and

(iii) whose resolution from a business management or business operations dataset of the Department could benefit from a method or technique of analysis not currently familiar to the Department;

(B) identifying between three and five business management or business operations datasets of the Department not currently available to the public whose evaluation could result in novel data analysis solutions toward management or operations problems of the Department identified by the Chief Management Officer; and

(C) encouraging, whether by competition or other mechanisms, the evaluation of the datasets described in subparagraph (B) by appropriate persons and entities in the public or private sector (including academia).

(2) **PROTECTION OF SECURITY AND CONFIDENTIALITY.**—In providing for the evaluation of datasets pursuant to this subsection, the Chief Management Officer shall take appropriate actions to protect the security and confidentiality of any information contained in the dataset, including through special precautions to ensure that any personally identifiable information is not included and no release of information will adversely affect national security missions.

### SEC. 942. RESEARCH AND DEVELOPMENT TO ADVANCE CAPABILITIES OF THE DEPARTMENT OF DEFENSE IN DATA INTEGRATION AND ADVANCED ANALYTICS IN CONNECTION WITH PERSONNEL SECURITY.

(a) **PLAN REQUIRED.**—The Under Secretary of Defense for Intelligence shall develop a plan on research and development activities to advance the capabilities of the Department of Defense in data integration and advanced analytics in connection with personnel security activities of the Department. The plan shall, to the extent practicable, provide for the leveraging of the capabilities of other government entities, institutions of higher education, and private sector entities with advanced, leading-edge expertise in data integration and analytics applicable to the challenges faced by the Department in connection with personnel security.

(b) **COORDINATION.**—Any activities under the plan may be carried out in coordination with the Defense Digital Service and the Defense Innovation Board.

(c) **BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the

Under Secretary shall provide to the appropriate committees of Congress a briefing on the plan.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

## TITLE X—GENERAL PROVISIONS

### Subtitle A—Financial Matters

#### SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2019 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$4,500,000,000.

(3) **EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.**—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) **LIMITATIONS.**—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **NOTICE TO CONGRESS.**—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

#### SEC. 1002. INCLUSION OF FUNDS FOR AIR FORCE PASS-THROUGH ITEMS IN DEFENSE-WIDE BUDGET FOR THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—In any budget of the President submitted to Congress pursuant to section 1105(a) of title 31, United States Code, for a fiscal year after fiscal year 2019, any funds for an Air Force pass-through item shall be requested in the Defense-wide budget of the Department of Defense rather than the budget of the Air Force.

(b) **AIR FORCE PASS-THROUGH ITEM DEFINED.**—In this section, the term “Air Force pass-through item” means a program, project, or activity for which—

(1) funds would otherwise be requested for the Air Force; and

(2) funds made available for execution will be executed by another department, agency, or element of the Department of Defense.

#### SEC. 1003. REPORT ON SHIFT IN REQUESTS FOR FUNDS FOR DEPARTMENT OF DEFENSE ACTIVITIES FROM FUNDS FOR OVERSEAS CONTINGENCY OPERATIONS TO FUNDS THROUGH THE BASE BUDGET.

(a) **REPORT REQUIRED.**—Not later than 14 days after the submittal to Congress of the budget of the President for fiscal year 2020 pursuant to section 1105 of title 31, United States Code, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on any shift during fiscal year 2020 from requests for funds for Department of Defense activities for overseas contingency operations to requests for funds for such activities for the Department generally (commonly referred to as the “base budget”).

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

(1) A description of the assumptions used by the Department of Defense and the Armed Forces in determining the programs, projects, and activities for which funds were requested for fiscal year 2019 for overseas contingency operations for which funds are requested for fiscal year 2020 for the Department generally, including any changes to the criteria for overseas contingency operations funding requests issued in 2010 and used by the Office of Management and Budget in identifying the programs, projects, and activities for which funds are so requested for fiscal year 2020.

(2) The programs, projects, and activities of the Department for which funds were requested for fiscal year 2019 for overseas contingency operations that are requested in the budget for fiscal year 2020 to be funded for the Department generally, and the amount for such programs, projects, and activities, set forth at the level of detail as follows:

(A) For procurement, by line item.

(B) For research, development, test, and evaluation, by program element (PE) number.

(C) For operation and maintenance, by sub-activity group (SAG).

(D) For military personnel, by sub-activity group.

(E) For revolving and management funds, by sub-activity group.

(F) For military construction, by project.

#### SEC. 1004. RANKING OF AUDITABILITY OF FINANCIAL STATEMENTS OF THE ORGANIZATIONS AND ELEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) **REPORT ON RANKING.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Under Secretary of Defense (Comptroller), submit to the congressional defense committees a report setting forth a ranking of the auditability of the financial statements of the departments, agencies, organizations, and elements of the Department of Defense according to the progress made toward achieving auditability as required by law.

(b) **CRITERIA FOR RANKING.**—The criteria to be used for ranking for purposes of the report under this section shall be—

(1) the criteria developed by the Under Secretary pursuant to section 1104 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) for a similar report under that section;

(2) other criteria developed by the Under Secretary for purposes of the report under this section; or

(3) a combination of the criteria described in paragraphs (1) and (2).

(c) **CONSTRUCTION.**—The report required by this section is in addition to the report required by section 1104 of the National Defense Authorization Act for Fiscal Year 2018.

**SEC. 1005. TRANSPARENCY OF ACCOUNTING FIRMS USED TO SUPPORT DEPARTMENT OF DEFENSE AUDIT.**

The Secretary of Defense shall require any accounting firm under contract or under consideration for a contract or for the renewal of an existing contract with the Department of Defense in support of the audit required under section 3521 of title 31, United States Code, to provide a statement setting forth the details of any disciplinary proceedings with respect to the accounting firm or its associated persons before any entity with the authority to enforce compliance with rules or laws applying to audit services offered by accounting firms.

**Subtitle B—Naval Vessels and Shipyards**

**SEC. 1011. DATE OF LISTING OF VESSELS AS BATTLE FORCE SHIPS IN THE NAVAL VESSEL REGISTER AND OTHER FLEET INVENTORY MEASURES.**

(a) IN GENERAL.—Section 7301 of title 10, United States Code, is amended—

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

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

“(c) LISTING AS BATTLE FORCE SHIP IN NAVAL VESSEL REGISTER.—A covered vessel may not be listed in the Naval Vessel Register or other fleet inventory measures as a battle force ship until the delivery date specified in subsection (a).”

(b) DEFINITIONS.—Such section is further amended by striking subsection (d), as redesignated by subsection (a)(1) of this section, and inserting the following new subsection:

“(d) DEFINITIONS.—In this section:

“(1) The term ‘covered vessel’ means any vessel of the Navy that is under construction or constructed using amounts authorized to be appropriated for the Department of Defense for shipbuilding and conversion, Navy.

“(2) The term ‘battle force ship’ means the following:

“(A) A commissioned United States Ship warship capable of contributing to combat operations.

“(B) A United States Naval Ship that contributes directly to Navy warfighting or support missions.”

**SEC. 1012. ANNUAL REPORTS ON EXAMINATION OF NAVY VESSELS.**

Section 7304 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than March 1 each year, the board designated under subsection (a) shall submit to the congressional defense committees a report setting forth the following:

“(A) An overall narrative summary of the material readiness of Navy ships as compared to established material requirements standards.

“(B) The overall number and types of vessels inspected during the preceding fiscal year.

“(C) For in-service vessels, material readiness trends by inspected functional area as compared to the previous five years.

“(2) FORM.—Each report under this subsection shall be submitted in an unclassified form that is releasable to the public without further redaction.

“(3) TERMINATION.—No report shall be required under this subsection after October 1, 2021.”

**SEC. 1013. LIMITATION ON DURATION OF HOMEPORTING OF CERTAIN VESSELS IN FOREIGN LOCATIONS.**

(a) LIMITATION.—

(1) IN GENERAL.—Chapter 633 of title 10, United States Code, is amended by inserting after section 7310 the following new section:

**“§ 7310a. Homeporting of certain vessels in overseas locations: limitation on duration**

“(a) IN GENERAL.—A vessel specified in subsection (b) that is listed in the Naval Vessel Register may not be homeported in a location other than in the United States or Guam for a period of more than 10 consecutive years.

“(b) SPECIFIED VESSELS.—The vessels specified in this subsection are the following:

“(1) Aircraft carrier.

“(2) Amphibious ship.

“(3) Cruiser.

“(4) Destroyer.

“(5) Frigate.

“(c) WAIVER.—

“(1) IN GENERAL.—The Chief of Naval Operations may waive the applicability of subsection (a) to a ship.

“(2) EFFECTIVENESS CONTINGENT ON REPORT.—A waiver under paragraph (1) with respect to a ship shall go into effect on the date on which the Chief of Naval Operations submits to the congressional defense committees a report on the waiver setting forth the following:

“(A) The ship covered by the waiver.

“(B) The duration of the waiver for such ship

“(C) The justification of the Chief of Naval Operations for the waiver.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 633 of such title is amended by inserting after the item relating to section 7310 the following new item:

“7310a. Homeporting of certain vessels in overseas locations: limitation on duration.”

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2020, and shall apply with respect to the homeporting of vessels after that date, regardless of whether the continuous period of homeporting concerned commenced before that date.

**SEC. 1014. SPECIFIC AUTHORIZATION REQUIREMENT FOR NUCLEAR REFUELING OF AIRCRAFT CARRIERS.**

(a) IN GENERAL.—Chapter 633 of title 10, United States Code, is amended by inserting after section 7314 the following new section:

**“§ 7314a. Nuclear refueling of aircraft carriers: specific authorization required**

“Funds may not be obligated or expended for the procurement of a naval nuclear reactor power unit or associated reactor components for the nuclear refueling of an aircraft carrier unless such refueling is specifically authorized, by ship name and hull number, by statute.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 633 of such title is amended by inserting after the item relating to section 7314 the following new item:

“7314a. Nuclear refueling of aircraft carriers: specific authorization required.”

**SEC. 1015. DISMANTLEMENT AND DISPOSAL OF NUCLEAR-POWERED AIRCRAFT CARRIERS.**

(a) IN GENERAL.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 7320. Nuclear-powered aircraft carriers: dismantlement and disposal**

“(a) IN GENERAL.—Not less than 90 days before the award of a contract for the dismantlement and disposal of a nuclear-powered aircraft carrier, or the provision of funds to a naval shipyard for the dismantlement and disposal of a nuclear-powered aircraft carrier, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth the following:

“(1) A cost and schedule baseline for the dismantlement and disposal approved by the service acquisition executive of the Department of the Navy and the Chief of Naval Operations.

“(2) An independent cost estimate of the dismantlement and disposal prepared by the Office of Cost Analysis and Program Evaluation.

“(3) A description of the regulatory framework applicable to the management of radioactive materials in connection with the dismantlement and disposal, including, in cases in which the Navy intends to have another government entity serve as the regulatory enforcement authority—

“(A) a certification from that entity of its agreement to serve as the regulatory enforcement authority; and

“(B) a description of the legal basis for the authority of that entity to serve as the regulatory enforcement authority.

“(b) SUPPLEMENTAL INFORMATION WITH BUDGETS.—In the materials submitted to Congress by the Secretary of Defense in support of the budget of the President for a fiscal year (as submitted to Congress under section 1105(a) of title 31), the Secretary of the Navy shall include information on each dismantlement and disposal of a nuclear-powered aircraft carrier occurring or planned to occur during the period of the future-years defense program submitted to Congress with that budget. Such information shall include, by ship concerned, the following:

“(1) A summary of activities and significant developments in connection with such dismantlement and disposal.

“(2) If applicable, a detailed description of cost and schedule performance against the baseline for such dismantlement and disposal established pursuant to subsection (a), including a description of and explanation for any variance from such baseline.

“(3) A description of the amounts requested, or intended or estimated to be requested, for such dismantlement and disposal for each of the following:

“(A) Each fiscal year covered by the future-years defense program.

“(B) Any fiscal years before the fiscal years covered by the future-years defense program.

“(C) Any fiscal years after the end of the period of the future-years defense program.

“(c) FUTURE-YEARS DEFENSE PROGRAM DEFINED.—In this section, the term ‘future-years defense program’ means the future-years defense program required by section 221 of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 633 of such title is amended by adding at the end the following new item:

“7320. Nuclear-powered aircraft carriers; dismantlement and disposal.”

**SEC. 1016. NATIONAL DEFENSE SEALIFT FUND.**

Section 2218(f)(3)(C) of title 10, United States Code, is amended by striking “two foreign constructed ships” and inserting “seven foreign constructed ships during the period beginning with fiscal year 2019 and ending with fiscal year 2030”.

**SEC. 1017. LIMITATION ON USE OF FUNDS FOR RETIREMENT OF HOSPITAL SHIPS.**

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Navy may be obligated or expended to retire, prepare to retire, transfer, or place in storage any hospital ship.

(b) WAIVER.—The Secretary of the Navy may waive the limitation in subsection (a) with respect to a hospital ship if the Secretary certifies to the congressional defense committees that the Secretary has—

(1) identified a replacement capability, and the necessary quantity of systems, to meet all hospital ship requirements of the combatant commands that are currently being met by such hospital ship;

(2) achieved initial operational capability of all systems described in paragraph (1); and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability in order to continue to meet or exceed all requirements of the combatant commands that are currently being met by such hospital ship.

#### Subtitle C—Counterterrorism

##### SEC. 1021. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

Section 1033 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

##### SEC. 1022. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

##### SEC. 1023. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

Section 1035 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

##### SEC. 1024. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended inserting “or 2019” after “fiscal year 2018”.

##### SEC. 1025. AUTHORITY TO TRANSFER INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES TEMPORARILY FOR EMERGENCY OR CRITICAL MEDICAL TREATMENT.

(a) TEMPORARY TRANSFER FOR MEDICAL TREATMENT.—Notwithstanding section 1033 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), as amended by section 1021 of this Act, or any similar provision of law enacted after September 30, 2015, the Secretary of Defense may, after consultation with the Secretary of Homeland Security, temporarily transfer an individual detained at Guantanamo to a Department of Defense medical facility in the United States for the sole purpose of providing the individual medical treatment if the Secretary of Defense determines that—

(1) the medical treatment of the individual is necessary to prevent death or imminent significant injury or harm to the health of the individual;

(2) the necessary medical treatment is not available to be provided at United States Naval Station, Guantanamo Bay, Cuba, without incurring excessive and unreasonable costs; and

(3) the Department of Defense has provided for appropriate security measures for the

custody and control of the individual during any period in which the individual is temporarily in the United States under this section.

(b) LIMITATION ON EXERCISE OF AUTHORITY.—The authority of the Secretary of Defense under subsection (a) may be exercised only by the Secretary of Defense or another official of the Department of Defense at the level of Under Secretary of Defense or higher.

(c) CONDITIONS OF TRANSFER.—An individual who is temporarily transferred under the authority in subsection (a) shall—

(1) while in the United States, remain in the custody and control of the Secretary of Defense at all times; and

(2) be returned to United States Naval Station, Guantanamo Bay, Cuba, as soon as feasible after a Department of Defense physician determines, in consultation with the Commander, Joint Task Force-Guantanamo Bay, Cuba, that any necessary follow-up medical care may reasonably be provided the individual at United States Naval Station, Guantanamo Bay.

(d) STATUS WHILE IN UNITED STATES.—An individual who is temporarily transferred under the authority in subsection (a), while in the United States—

(1) shall be deemed at all times and in all respects to be in the uninterrupted custody of the Secretary of Defense, as though the individual remained physically at United States Naval Station, Guantanamo Bay, Cuba;

(2) shall not at any time be subject to, and may not apply for or obtain, or be deemed to enjoy, any right, privilege, status, benefit, or eligibility for any benefit under any provision of the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), or any other law or regulation;

(3) shall not be permitted to avail himself of any right, privilege, or benefit of any law of the United States beyond those available to individuals detained at United States Naval Station, Guantanamo Bay; and

(4) shall not, as a result of such transfer, have a change in any designation that may have attached to that detainee while detained at United States Naval Station, Guantanamo Bay, pursuant to the Authorization for Use of Military Force (Public Law 107-40), as determined in accordance with applicable law and regulations.

(e) NO CAUSE OF ACTION.—Any decision to transfer or not to transfer an individual made under the authority in subsection (a) shall not give rise to any claim or cause of action.

(f) LIMITATION ON JUDICIAL REVIEW.—

(1) LIMITATION.—Except as provided in paragraph (2), no court, justice, or judge shall have jurisdiction to hear or consider any claim or action against the United States or its departments, agencies, officers, employees, or agents arising from or relating to any aspect of the detention, transfer, treatment, or conditions of confinement of an individual transferred under this section.

(2) EXCEPTION FOR HABEAS CORPUS.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to consider an application for writ of habeas corpus seeking release from custody filed by or on behalf of an individual who is in the United States pursuant to a temporary transfer under the authority in subsection (a). Such jurisdiction shall be limited to that required by the Constitution, and relief shall be only as provided in paragraph (3). In such a proceeding the court may not review, halt, or stay the return of the individual who is the object of the application to United States Naval Station, Guantanamo Bay, Cuba, pursuant to subsection (c).

(3) RELIEF.—A court order in a proceeding covered by paragraph (2)—

(A) may not order the release of the individual within the United States; and

(B) shall be limited to an order of release from custody which, when final, the Secretary of Defense shall implement in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 801 note).

(g) NOTIFICATION.—Whenever a temporary transfer of an individual detained at Guantanamo is made under the authority of subsection (a), the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives of the transfer not later than five days after the date on which the transfer is made.

(h) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term “individual detained at Guantanamo” means an individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise detained at United States Naval Station, Guantanamo Bay.

(i) APPLICABILITY.—This section shall apply to an individual temporarily transferred under the authority in subsection (a) regardless of the status of any pending or completed proceeding or detention on the date of the enactment of this Act.

#### Subtitle D—Miscellaneous Authorities and Limitations

##### SEC. 1031. STRATEGIC GUIDANCE DOCUMENTS WITHIN THE DEPARTMENT OF DEFENSE.

Section 113(g) of title 10, United States Code, is amended by striking paragraphs (2) through (4) and inserting the following new paragraphs (2) through (4):

“(2)(A) In implementing the requirement in paragraph (1), the Secretary, with the advice of the Chairman of the Joint Chiefs of Staff, shall each year provide to the officials and officers referred in paragraph (1)(A), and submit to the congressional defense committees, written guidance (to be known as ‘Defense Planning Guidance’) establishing goals, priorities, and objectives, including fiscal constraints, to direct the preparation and review of the program and budget recommendations of all elements of the Department, including—

“(i) the priority military missions of the Department, including the assumed force planning scenarios and constructs;

“(ii) the force size and shape, force posture, defense capabilities, force readiness, infrastructure, organization, personnel, technological innovation, and other elements of the defense program necessary to support the strategy required by paragraph (1);

“(iii) the resource levels projected to be available for the period of time for which such recommendations and proposals are to be effective; and

“(iv) a discussion of any changes in the strategy required by paragraph (1) and assumptions underpinning the strategy, as required by paragraph (1).

“(B) The guidance required by this paragraph shall be produced in February each year in order to support the planning and budget process. The guidance shall be submitted to the congressional defense committees together with the budget of the President (as submitted to Congress pursuant to section 1105(a) of title 31) for the fiscal year

beginning in the year in which such guidance is submitted.

“(3)(A) In implementing the requirement in paragraph (1) and in conjunction with the reporting requirement in section 2687a of this title, the Secretary, with the approval of the President and the advice of the Chairman of the Joint Chiefs of Staff, shall, on the basis provided in subparagraph (E), provide to the officials and officers referred to in paragraph (1)(A), and submit to the congressional defense committees, written guidance (to be known as ‘Contingency Planning Guidance’ or ‘Guidance for Employment of the Force’) on the preparation and review of contingency and campaign plans, including plans for providing support to civil authorities in an incident of national significance or a catastrophic incident, for homeland defense, and for military support to civil authorities.

“(B) The guidance required by this paragraph shall include the following:

“(i) A description of the manner in which limited existing forces and resources shall be prioritized and apportioned to achieve the objectives described in the strategy required by paragraph (1).

“(ii) A description of the relative priority of contingency and campaign plans, specific force levels, and supporting resource levels projected to be available for the period of time for which such plans are to be effective.

“(C) The guidance required by this paragraph shall include the following:

“(i) Prioritized global, regional, and functional policy objectives that the armed forces should plan to achieve, including plans for deliberate and contingency scenarios.

“(ii) Policy and strategic assumptions that should guide military planning, including the role of foreign partners.

“(iii) Guidance on global posture and global force management.

“(iv) Security cooperation priorities.

“(v) Specific guidance on United States and Department nuclear policy.

“(D) The guidance required by this paragraph shall be the primary source document to be used by the Chairman of the Joint Chiefs of Staff in—

“(i) executing the global military integration responsibilities described in section 153 of this title; and

“(ii) developing implementation guidance for the Joint Chiefs of Staff and the commanders of the combatant commands.

“(E) The guidance required by this paragraph shall be produced every two years, or more frequently as needed.

“(F) The guidance required by this paragraph shall be submitted to the congressional defense committees as required by subparagraph (A) in February of each year in which produced, and shall be accompanied by any written implementation documentation produced by the Chairman of the Joint Chiefs of Staff for purposes of such guidance.

“(4)(A) In implementing the requirement in paragraph (1), the Secretary, with the advice of the Chairman of the Joint Chiefs of Staff, shall each year produce, and submit to the congressional defense committee, a report (to be known as the ‘Global Defense Posture Report’) that shall include the following:

“(i) A description of major changes to United States forces, capabilities, and equipment assigned and allocated outside the United States, focused on significant alterations, additions, or reductions to such global defense posture that are required to execute the strategy and plans of the Department.

“(ii) A description of the supporting network of infrastructure, facilities, pre-positioned stocks, and war reserve materiel re-

quired for execution of major contingency plans of the Department.

“(iii) A list of all enduring locations, including main operating bases, forward operating sites, and cooperative security locations.

“(iv) A description of the status of treaty, access, cost-sharing, and status-protection agreements with foreign nations.

“(v) A summary of the priority posture initiatives for each region by the commanders of the combatant commands.

“(vi) For each military department, a summary of the implications for overseas posture of any force structure changes.

“(vii) A description of the costs incurred outside the United States during the preceding fiscal year in connection with operating, maintaining, and supporting United States forces outside the United States for each military department, broken out by country, and whether for operation and maintenance, infrastructure, or transportation.

“(viii) A description of the amount of direct support for the stationing of United States forces provided by each host nation during the preceding fiscal year.

“(B) The report required by this paragraph shall be submitted to the congressional defense committees as required by subparagraph (A) by not later than April 30 each year.

“(C) In this paragraph, the term ‘United States’, when used in a geographic sense, includes the territories and possessions of the United States”.

#### **SEC. 1032. GUIDANCE ON THE ELECTRONIC WARFARE MISSION AREA AND JOINT ELECTROMAGNETIC SPECTRUM OPERATIONS.**

(a) PROCESSES AND PROCEDURES FOR INTEGRATION.—The Secretary of Defense shall—

(1) establish processes and procedures to develop, integrate, and enhance the electronic warfare mission area and the conduct of joint electromagnetic spectrum operations in all domains across the Department of Defense; and

(2) ensure that such processes and procedures provide for integrated defense-wide strategy, planning, and budgeting with respect to the conduct of such operations by the Department, including activities conducted to counter and deter such operations by malign actors.

(b) DESIGNATED SENIOR OFFICIAL.—

(1) IN GENERAL.—The Secretary shall designate a senior official of the Department of Defense (in this section referred to as the “designated senior official”) who shall implement and oversee the processes and procedures established under subsection (a). The designated senior official shall be designated by the Secretary from among individuals serving in the Department at or below the level of Under Secretary of Defense. The designated senior official shall oversee and chair the cross-functional team established pursuant to subsection (c) and the Electronic Warfare Executive Committee established in March 2015.

(2) RESPONSIBILITIES.—The designated senior official shall have, with respect to the implementation and oversight of the processes and procedures established under subsection (a), the following responsibilities:

(A) Development of a strategic framework for the conduct and execution of the electronic warfare mission area and joint electromagnetic spectrum operations by the Department, coordinated across all relevant elements of the Department, including both near-term and long-term guidance for the conduct of such operations.

(B) Oversight of resource management for the development and integration of electronic warfare capabilities of the Department.

(3) ANNUAL CERTIFICATION ON BUDGETING FOR CERTAIN CAPABILITIES.—Each budget for fiscal years 2020 through 2024 submitted by the President to Congress pursuant to section 1105(a) of title 31, United States Code, shall include a certification by the senior designated official, as chair of the Electronic Warfare Executive Committee, whether sufficient funds are requested in such budget for anticipated activities in such fiscal year for each of the following:

(A) The development of an Electromagnetic Battle Management capability for joint electromagnetic spectrum operations.

(B) The establishment and operation of associated Joint Electromagnetic Spectrum Operations cells.

(C) CROSS-FUNCTIONAL TEAM FOR ELECTRONIC WARFARE.—

(1) ESTABLISHMENT REQUIRED.—The Secretary shall, in accordance with section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2345; 10 U.S.C. 111 note), establish a cross-functional team for electronic warfare in order to identify gaps in electronic warfare capabilities and capacities within the Department across personnel, procedural, and equipment areas.

(2) SPECIFIC DUTIES.—The cross-functional team established pursuant to paragraph (1) shall provide recommendations to address gaps identified as described in that paragraph to the senior designated official.

(d) PLANS AND REQUIREMENTS FOR ELECTRONIC WARFARE.—

(1) IN GENERAL.—The Secretary shall require the designated senior official to task the cross-functional team established pursuant to subsection (c) to develop requirements and specific plans for addressing personnel and capability gaps in the electronic warfare mission area, and plans for future warfare in that domain (including a roadmap for the next five years).

(2) UPDATE OF STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the cross-functional team shall—

(A) update the strategy of the Department of Defense titled “The DOD Electronic Warfare Strategy” and dated June 2017 to include the roadmap referred to in paragraph (1); and

(B) submit the updated strategy to the designated senior official for transmittal to the congressional defense committees.

(3) ELEMENTS.—The requirements and plans developed by the cross-functional team pursuant to paragraph (1) shall include the following:

(A) An accounting of the efforts undertaken in support of the strategy referred to in paragraph (2)(A) since its issuance in June 2017.

(B) A description of any updates or changes to the strategy since its issuance, and a description of any anticipated updates or changes to the strategy as a result of the designation of the designated senior official.

(C) An assessment of vulnerabilities identified in the May 2015 Electronic Warfare assessment by the Defense Science Board.

(D) An assessment of the capability of joint forces to conduct joint electromagnetic spectrum operations against near-peer adversaries and any capability or capacity gaps in such capability that need to be addressed, including an assessment of the ability of joint forces to conduct coordinated military operations to exploit, attack, protect, and manage the electromagnetic environment in the Signals Intelligence, Electronic Warfare, and Spectrum Management mission areas.

(E) A review of the roles of offices within the Joint Staff, the Office of the Secretary of Defense, and the combatant commands with primary responsibility for joint electromagnetic spectrum policy and operations.



(F) A description of any assumptions about the roles and contributions of the Department, in coordination with other departments and agencies of the United States Government, with respect to the strategy.

(G) A description of actions, performance metrics, and projected timelines for achieving key capabilities for electronic warfare and joint electromagnetic spectrum operations to correspond to the four thematic goals identified in the strategy and as addressed by the roadmap.

(H) An analysis of any personnel, resourcing, capability, authority, or other gaps to be addressed in order to ensure effective implementation of the strategy across all relevant elements of the Department, including an update on each of the following:

(i) The development of an Electromagnetic Battle Management capability for joint electromagnetic spectrum operations.

(ii) The establishment and operation of Joint Electromagnetic Spectrum Operations cells at critical combatant command locations.

(I) An investment framework and projected timeline for addressing any gaps described by subparagraph (H).

(J) In consultation with the Director of the Defense Intelligence Agency—

(i) a comprehensive assessment of the electronic warfare capabilities of the Russian Federation and People's Republic of China;

(ii) a review of vulnerabilities with respect to electronic systems, such as the Global Positioning System, and in Department-wide abilities to conduct countermeasures in response to electronic warfare attacks; and

(iii) a holistic study of all aspects of the manner in which the Russian Federation and the People's Republic of China develop electronic warfare doctrine, with order of battle across multiple domains, and long-term research trends of each country in connection with such warfare.

(K) Such other matters as the Secretary considers appropriate.

(4) **PERIODIC STATUS REPORTS.**—Not later than 90 days after the requirements and plans required by paragraph (1) are submitted in accordance with paragraph (2), and every 90 days thereafter during the three-year period beginning on the date such plans and requirements are first submitted in accordance with paragraph (2), the designated senior official shall submit to the congressional defense committees a report describing the status of the efforts of the Department in accomplishing the tasks specified in subparagraphs (B) and (G) of paragraph (3).

(e) **TRAINING AND EDUCATION.**—Consistent with the elements under subsection (d)(3) of the plans and requirements required by subsection (d)(1), the cross-functional team established pursuant to subsection (c) shall provide the senior designated official recommendations for programs to provide training and education to such members of the Armed Forces and civilian employees of the Department as the Secretary considers appropriate in order to ensure that such members and employees understand the roles and vulnerabilities associated with electronic warfare and dependence on the electromagnetic spectrum.

**SEC. 1033. LIMITATION ON USE OF FUNDS FOR UNITED STATES SPECIAL OPERATIONS COMMAND GLOBAL MESSAGING AND COUNTER-MESSAGING PLATFORM.**

None of the funds authorized to be appropriated by this Act may be used for United States Special Operations Command's Global Messaging and Counter-Messaging platform until the Secretary of Defense submits to the congressional defense committees a report containing the following elements:

(1) A review of the doctrine, organization, training, materiel, leadership and education,

personnel and facilities applicable to military information support personnel, including, at a minimum—

(A) an assessment of current doctrine, organization, training, materiel, leadership and education, personnel and facilities; and

(B) recommended changes for enhancing the ability of military information support personnel to operate effectively in the current and future information environment.

(2) An implementation plan for the establishment of the platform, including a timeline for achieving initial and full operational capability.

(3) A description of the budget requirements for the platform to reach full operational capability, including an identification and cost of any infrastructure and equipment requirements.

(4) A summary of costs to operate and sustain the platform across the future year's defense plan.

(5) An explanation of the Secretary's guidance to the combatant commands to ensure unity of effort and prevent the proliferation of messaging and counter-messaging platforms.

(6) A detailed description of the processes for deconfliction and, where possible, integration of platform planning and activities with those of relevant departments and agencies of the United States Government, including the Department of State's Global Engagement Center.

(7) An identification of any additional authorities that may be required for achieving full operational capability of the platform.

(8) Any other matters deemed relevant by the Secretary.

**SEC. 1034. SENSE OF CONGRESS ON THE BASING OF KC-46A AIRCRAFT OUTSIDE THE CONTINENTAL UNITED STATES.**

(a) **FINDING.**—Congress finds that the Department of Defense is continuing its process of permanently stationing KC-46A aircraft at installations in the continental United States (CONUS) and forward-basing outside the continental United States (OCONUS).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of the Air Force, as part of the strategic basing process for KC-46A aircraft, should continue to place emphasis on and consider the benefits derived from locations outside the continental United States that—

(1) support day-to-day air refueling operations, operations plans of the combatant commands, and flexibility for contingency operations, and have—

(A) a strategic location that is essential to the defense of the United States and its interests;

(B) receivers for boom or probe-and-drogue training opportunities with joint and international partners; and

(C) sufficient airfield and airspace availability and capacity to meet requirements; and

(2) possess facilities that—

(A) take full advantage of existing infrastructure to provide—

(i) runway, hangars, and aircrew and maintenance operations; and

(ii) sufficient fuels receipt, storage, and distribution capacities for a 5-day peacetime operating stock; and

(B) minimize overall construction and operational costs.

**SEC. 1035. RELINQUISHMENT OF LEGISLATIVE JURISDICTION OF CRIMINAL OFFENSES COMMITTED BY JUVENILES ON MILITARY INSTALLATIONS.**

(a) **IN GENERAL.**—In the case of any military installation or portion of a military installation of which exclusive legislative jurisdiction of criminal offenses committed by juveniles is retained by the United States as of the date of the enactment of this Act, the

Secretary concerned shall seek to relinquish to the State, Commonwealth, territory, or possession concerned legislative jurisdiction of such offenses such that the United States and the State, Commonwealth, territory, or possession, as the case may be, have concurrent legislative jurisdiction of such offenses.

(b) **MANNER OF RELINQUISHMENT.**—Legislative jurisdiction shall be relinquished pursuant to subsection (a) in the manner provided in section 2683(a) of title 10, United States Code.

(c) **DEADLINE.**—The Secretaries concerned shall, to the extent practicable, complete relinquishment of legislative jurisdiction pursuant to subsection (a) by not later than one year after the date of the enactment of this Act.

(d) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 15 months after the date of the enactment of this Act, each Secretary concerned shall submit to Congress a report on the relinquishment of legislative jurisdiction pursuant to subsection (a).

(2) **ELEMENTS.**—The report of a Secretary under this subsection shall include the following:

(A) A list of the installations or portions of installations under the jurisdiction of the Secretary of which exclusive legislative jurisdiction of criminal offenses committed by juveniles is retained by the United States as of the date of the enactment of this Act.

(B) A list of the installations or portions of installations listed pursuant to subparagraph (A) for which legislative jurisdiction was relinquished pursuant to subsection (a) as of the date that is one year after the date of the enactment of this Act.

(C) A list of the installations or portions of installations listed pursuant to subparagraph (A) for which legislative jurisdiction was not relinquished pursuant to subsection (a) as of the date that is one year after the date of the enactment of this Act, and, for each such installation or portion of installation, the reasons why such legislative jurisdiction was not so relinquished.

(e) **SECRETARY CONCERNED DEFINED.**—In this section, the term "Secretary concerned" has the meaning given that term in section 101(a)(9) of title 10, United States Code.

**SEC. 1036. POLICY ON RESPONSE TO JUVENILE-ON-JUVENILE ABUSE COMMITTED ON MILITARY INSTALLATIONS.**

(a) **IN GENERAL.**—The Secretary of Defense shall establish a policy, applicable across the military installations of the Department of Defense (including installations outside the United States), on the response of the Department to allegations of juvenile-on-jvenile abuse on military installations. The policy shall be designed to ensure a consistent, standardized response to such allegations across the Department.

(b) **ELEMENTS.**—The policy required by this section shall provide for the following:

(1) Any report or other allegation of juvenile-on-jvenile abuse on a military installation that is received by the installation commander, a law enforcement organization, a Family Advocacy Program, a child development center, or a Department school operating on the installation or otherwise under Department administration for the installation shall be reviewed by the Family Advocacy Program of the installation.

(2) Personnel of Family Advocacy Programs conducting reviews shall have appropriate training and experience in working with juveniles.

(3) Family Advocacy Programs conducting reviews shall conduct a multi-faceted, multidisciplinary review and recommend treatment, counseling, or other appropriate interventions for complainants and respondents.

(4) Each review shall be conducted—

(A) with full involvement of appropriate authorities and entities, including parents or legal guardians of the juveniles involved (if practicable); and

(B) to the extent practicable, in a manner that protects the sensitive nature of the incident concerned, using language appropriate to the treatment of juveniles in written policies and communication with families.

(5) The requirement for investigation of a report or other allegation shall not be deemed to terminate or alter any otherwise applicable requirement to report or forward the report or allegation to appropriate Federal, State, or local authorities as possible criminal activity.

(6) There shall be established and maintained a centralized database of information on each incident of abuse that is reviewed by a Family Advocacy Program under this section, with—

(A) the information in such database kept strictly confidential; and

(B) because the information involves alleged conduct by juveniles, additional special precautions taken to ensure the information is available only to persons who require access to the information.

(7) There shall be entered into the database, for each substantiated or unsubstantiated incident of abuse, appropriate information on the incident, including—

(A) a description of the allegation;

(B) whether or not the review is completed;

(C) whether or not the incident was subject to an investigation by a law enforcement organization or entity, and the status and results of such investigation; and

(D) whether or not action was taken in response to the incident, and the nature of the action, if any, so taken.

#### Subtitle E—Studies and Reports

#### SEC. 1041. REPORT ON HIGHEST-PRIORITY ROLES AND MISSIONS OF THE DEPARTMENT OF DEFENSE AND THE ARMED FORCES.

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

(1) the National Defense Strategy correctly characterizes the leading strategic challenges facing the United States as the reemergence of great power competition, the erosion of the United States military technological advantage, enduring violent extremism and instability in the broader Middle East and Africa, and continued uncertainty in the United States about the availability of sufficient resources for national defense;

(2) the National Defense Strategy correctly prioritizes the development of a more lethal joint force that is ready to deter and, if necessary, defeat aggression by great power competitors with advanced military capabilities, while conducting counterterrorism operations in a more sustainable manner, together with allies and partners;

(3) the National Defense Strategy, and the implications of the Strategy for the size, structure, shape, roles, missions, and employment of the joint force, was not completed in time to inform fully the budget of the President for national defense for fiscal year 2019;

(4) many Department of Defense programs of record are upgraded replacements of legacy systems that were not premised on the assumption that future conflict could occur in highly-contested environments against militarily advanced near-peer rivals;

(5) considerable growth in the size of the military will not be possible without growth in the budget, because the current future-years defense program assumes that defense spending after fiscal year 2019 will only increase at the rate of inflation, while costs for two of the largest drivers of costs for the De-

partment, namely military personnel and operation and maintenance, continue to grow faster than the rate of inflation;

(6) the Senate strongly supports the pursuit by the Department of budgetary savings through internal reform and efficiencies, but notes that previous attempts to generate additional resources through such mechanisms did not generate resources as planned;

(7) increased force modernization investments must be based on a rigorous reassessment of whether current programs will meet present and future warfighting requirements against near-peer rivals that are making rapid military technological advancements;

(8) the Department must conduct further analytical work in order—

(A) to facilitate the implementation of the National Defense Strategy, as recommended by the Commission on the National Defense Strategy; and

(B) to provide Congress with a more rigorous understanding of, and justification for, future requests for resources to organize, train and equip, and employ the Armed Forces; and

(9) the Senate encourages the Secretary of Defense to refine the National Defense Strategy into more specific operational tasks and force planning scenarios that the joint force must be ready and able to perform in order to facilitate a better understanding of joint force development priorities and the roles and missions of each Armed Force.

(b) REPORT ON ROLES AND MISSIONS.—

(1) REPORT REQUIRED.—Not later than February 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a re-evaluation of the highest priority missions of the Department of Defense, and of the roles of the Armed Forces in the performance of such missions.

(2) GOALS.—The goals of the re-evaluation required for purposes of the report shall be as follows:

(A) To support implementation of the National Defense Strategy.

(B) To optimize the effectiveness of the joint force.

(C) To inform the preparation of future defense program and budget requests by the Secretary, and the consideration of such requests by Congress.

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

(1) A detailed description of the pacing threats for each Armed Force, and for special operations forces, and an assessment of the manner in which such pacing threats determine the primary role of each Armed Force, and special operations forces, including the connection between key operational tasks required by contingency plans.

(2) A specific requirement for the size and composition of each Armed Force, including the following:

(A) The required total end strength and force structure by type for the Army.

(B) The required fleet size of the Navy, identified by class of ships and the corresponding total end strength requirement once that fleet size is achieved.

(C) The required number of operational Air Force squadrons, identified by function and the corresponding total end strength requirement once that number of squadrons is achieved.

(D) The required total end strength and force structure by type for the Marine Corps.

(E) The force sizing construct used to determine the end strength requirements covered by subparagraphs (A) through (D), the year-by-year plan for achieving such requirements, relevant force posture assumptions, and the associated military personnel costs of such plan.

(3) A re-evaluation of the roles of the Armed Forces in performing low-intensity missions, such as counterterrorism and security force assistance, including the following:

(A) An assessment whether the joint force would benefit from having one Armed Force dedicated primarily to low-intensity missions, thereby enabling the other Armed Forces to focus more exclusively on advanced peer competitors.

(B) A detailed description of, and accompanying justification for, the total amount of forces required to perform the security force assistance mission and the planned geographic employment of such forces.

(C) A revalidation of the Army plan to construct six Security Force Assistant Brigades, and an assessment of the impact, if any, of such plan on the capability of the Army to perform its primary roles under the National Defense Strategy.

(D) An assessment whether the security force assistance mission would be better performed by the Marine Corps, and an assessment of the end strength and force composition changes, if any, required for the Marine Corps to assume such mission.

(4) A reassessment of the roles and missions of the total ground forces, both Army and Marine Corps, to execute the National Defense Strategy, including the following:

(A) A detailed description of the allocation of roles for the Army and Marine Corps in deterring and waging war against advanced peer competitors that can complement the activities and investments of each such Armed Force and optimize the capabilities of each such Armed Force.

(B) A detailed description of the appropriate balance and mix of Army force structure, including light infantry, mechanized infantry, armor, air defense, fires, engineers, aviation, signals, and logistics, that is required to perform the roles and missions of the Army against its pacing threats.

(C) A detailed description of the modernized capabilities and concepts to be developed by the Army to contribute to joint force operations against advanced peer competitors, including the manner in which Army aviation will evolve in light of unmanned aerial vehicle technology.

(D) A revalidation of the requirement for ground force modernization efforts, including the Joint Light Tactical Vehicle, Future Vertical Lift, and Mobile Protected Fires, that are not optimized for conflict between the United States and advanced peer competitors.

(E) A detailed description of requirements for Army forces needed to support theater operations.

(5) An assessment, based on operational plans, of the ability of power projection platforms to survive and effectively perform the highest priority operational missions described in the National Defense Strategy, including the following:

(A) An assessment of the feasibility of the current plans and investments by the Navy and Marine Corps to operate and defend their sea bases in contested environments.

(B) An assessment whether amphibious forced entry operations against advanced peer competitors should remain an enduring mission for the joint force considering the stressing operational nature and significant resource requirements of such mission.

(C) An assessment whether a transition from large-deck amphibious ships to small aircraft carriers would result in a more lethal and survivable Marine Corps sea base that could accommodate larger numbers of more diverse strike aircraft.

(D) An assessment of the manner in which an acceleration of development and fielding of longer-range, unmanned, carrier-suitable

strike aircraft could better meet operational requirements and alter the requirement for shorter-range, manned tactical fighter aircraft.

(E) An assessment of the manner in which the emerging technology to operate large numbers of low-cost, autonomous, attributable systems in the air, on and under the sea, on land, and in space could change the manner in which the joint force projects power globally.

(6) An assessment, based on operational plans, of the ability of manned, stealthy, penetrating strike platforms to survive and perform effectively the highest priority operational missions described in the National Defense Strategy, including the following:

(A) An assessment whether anticipated advances in stealth technology and the employment of such technology on existing or developmental systems, such as the F-35 and B-21 aircraft, can be expected to outpace and overmatch adversary capabilities to detect and target such systems.

(B) An assessment of the ability of fourth generation aircraft with advanced sensors and weapons to perform certain missions equally or more effectively than the missions assigned to, or envisioned for, fifth-generation penetrating strike platforms.

(C) An assessment of the manner in which the emerging technology to operate large numbers of low-cost, autonomous, attributable systems in the air, on and under the sea, on land, and in space could obviate or reduce the requirement for penetrating strike platforms.

(7) A re-evaluation of the most effective and efficient means for the joint force to perform the air superiority mission in both contested and uncontested environments, including the following:

(A) An assessment of the ability to achieve air superiority from other domains, including with land-based systems, naval systems, undersea systems, space-based systems, electronic warfare systems, or cyber capabilities.

(B) A validation of the envisioned operational and cost effectiveness of the Penetrating Counter-Air platform, and of the requirement for developing this system as part of the Air Force Next Generation Air Dominance program.

(C) A detailed description of the optimal mix across the joint force of fourth-generation and fifth-generation fighter aircraft, bomber aircraft, and Next Generation Air Dominance systems to fulfill operational demands for air superiority.

(D) A detailed description of the manner in which the joint force will perform the mission of light aerial attack in uncontested environments to support counterterrorism and security force assistance missions, and the mission of countering violent extremism operations, at the lowest cost to the readiness of advanced, multirole combat aircraft.

(E) A determination of what Armed Force, in addition to the Air Force, should have a role in the mission of light air attack in uncontested environments.

(8) A reevaluation of the roles and missions of the joint special operations enterprise, including the following:

(A) A detailed assessment whether the joint special operations enterprise is currently performing too many missions worldwide, and whether any such missions could be performed adequately and more economically by conventional units.

(B) A detailed assessment whether the global allocation of special operations forces, and especially the most capable units, is aligned to the pacing threats and priority missions of the National Defense Strategy.

(C) A detailed description of the changes required to align the joint special operations

enterprise more effectively with the National Defense Strategy.

(9) An assessment of the manner in which increased use of the space domain should revise or reallocate the requirements of the joint force, including the following:

(A) A detailed description of the missions, including joint moving target indication, air battle management, and missile and aircraft tracking and targeting, that could be performed more effectively from space-based platforms due to emerging technology and operational requirements.

(B) An assessment of the manner in which the joint force can take advantage of the development and deployment of disaggregated commercial satellite Internet constellations to replace legacy tactical communications networks and devices and achieve multi-domain command and control more effectively and at lower cost.

(C) An assessment of the manner in which to ensure that the joint force has access to technologies that deliver superior offensive space capabilities and a maneuver advantage to and within the space domain, including reusable launch systems and spacecraft, on-orbit refueling and manufacturing, on-orbit power generation, and exploitation of space minerals and propellants.

(D) A detailed description of the actions to be taken by components of the Department to promote and protect the development of a licit space economy, including the following:

(i) Defense of commercial activities, facilities, and claims.

(ii) Safety of navigation.

(iii) Rescue and recovery.

(iv) Construction and maintenance of public works in Cis-Lunar Space.

(v) Active debris remediation.

(vi) Establishment of an on-orbit national strategic reserve of space minerals and propellants.

(10) A reassessment of the manner in which the joint force will perform the mission of logistics in contested environments, including the following:

(A) A revalidation of the requirement for the KC-46 tanker aircraft, including an assessment of the aerial refueling requirements in contested environments and a greater reliance on distributed systems of systems.

(B) A detailed assessment whether the mission of logistics in contested environments could be better performed by larger numbers of lower-cost, autonomous systems capable of dispersed operations on land, at sea, and in the air.

(C) A detailed assessment whether greater forward stationing of joint force capabilities and personnel would be more operationally effective in performing the contact and blunt missions of the National Defense Strategy.

(d) FORM.—The report required in subsection (b) shall be submitted in classified form, and shall include an unclassified summary.

#### **SEC. 1042. ANNUAL REPORTS BY THE ARMED FORCES ON OUT-YEAR UNCONSTRAINED TOTAL MUNITIONS REQUIREMENTS AND OUT-YEAR INVENTORY NUMBERS.**

(a) REPORTS REQUIRED.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222a the following new section:

#### **“§ 222b. Armed forces: Out-Year Unconstrained Total Munitions Requirements; Out-Year inventory numbers**

“(a) ANNUAL REPORTS.—At the same time each year that the budget for the fiscal year beginning in such year is submitted to Congress pursuant to section 1105(a) of title 31, the chief of staff of each armed force (other than the Coast Guard) shall submit to the

congressional defense committees a report setting forth for such armed force each of the following for such fiscal year, broken out as specified in subsection (b):

“(1) The Out-Year Unconstrained Total Munitions Requirement.

“(2) The Out-Year inventory numbers.

“(b) PRESENTATION.—The Out-Year Unconstrained Total Munitions Requirement and Out-Year inventory numbers for an armed force for a fiscal year pursuant to subsection (a) shall include specific inventory objective requirements for each variant of munitions with respect to each of the following:

“(1) Combat Requirement, broken out by operation plan (OPLAN).

“(2) Current Operation/Forward Presence Requirement.

“(3) Strategic Readiness Requirement.

“(4) Homeland Defense.

“(5) Training and Testing Requirement.

“(6) Total Out-Year Unconstrained Total Munitions Requirement, calculated in accordance with the implementation guidance described in subsection (c).

“(7) Out-year worldwide inventory.

“(c) IMPLEMENTATION GUIDANCE USED.—In submitting information pursuant to subsection (a) for a fiscal year, the chief of staff of each armed force shall describe and explain the munitions requirements process implementation guidance developed by the Under Secretary of Defense for Acquisition and Sustainment and used by such armed force for the munitions requirements process for such armed force for that fiscal year.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘chief of staff’, with respect to the Marine Corps, means the Commandant of the Marine Corps.

“(2) The term ‘Out-Year Unconstrained Total Munitions Requirement’ has the meaning given that term in and for purposes of Department of Defense Instruction 3000.04, or any successor instruction.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 222a the following new item:

“222b. Armed forces: Out-Year Unconstrained Total Munitions Requirements; Out-Year inventory numbers.”.

#### **SEC. 1043. COMPREHENSIVE REVIEW OF OPERATIONAL AND ADMINISTRATIVE CHAINS-OF-COMMAND AND FUNCTIONS OF THE DEPARTMENT OF THE NAVY.**

(a) IN GENERAL.—The Secretary of the Navy shall conduct a comprehensive review of the operational and administrative chains-of-command and functions of the Department of the Navy.

(b) ELEMENTS.—In conducting the review required by subsection (a), the Secretary shall consider options to do each of the following:

(1) Increase visibility of unit-level readiness at senior levels.

(2) Reduce so-called “double-hatting” and “triple-hatting” commanders.

(3) Clarify organizations responsible and accountable for training and certification at the unit, group, and fleet level.

(4) Simplify reporting requirements applicable to commanding officers.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the review required by subsection (a). The report shall include the following:

(A) The results of the review, including any findings of the Secretary as a result of the review.

(B) Any organizational changes in operational or administrative chains-of-command or functions of the Department undertaken or to be undertaken by the Secretary in light of the review.

(C) Any recommendations for legislative or administration action with respect to the operational or administrative chains-of-command or functions of the Department as the Secretary considers appropriate in light of the review.

(2) FORM.—The report under this subsection shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1044. MILITARY AVIATION READINESS REVIEW IN SUPPORT OF THE NATIONAL DEFENSE STRATEGY.**

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on military aviation readiness in support of the National Defense Strategy (NDS).

(b) REVIEW FOR REPORT PURPOSES.—

(1) IN GENERAL.—The report under subsection (a) shall be based on a review conducted for purposes of the report in accordance with this section.

(2) PANEL.—The review shall be conducted by a panel consisting of the following:

(A) The Commander of the Air Combat Command, who shall head the panel.

(B) The Commander of the Army Aviation Branch.

(C) The Chief of Naval Air Forces.

(D) The Deputy Commandant of the Marine Corps for Aviation.

(E) Such other personnel of the Department of Defense as the Secretary considers appropriate.

(c) REVIEW ELEMENTS.—The review required by subsection (b) shall address the following:

(1) An analysis of the career progression of military pilots and non-pilot aviators, including a comparison between military pilot and non-pilot aviators, on the one hand, and other military specialties, on the other hand, with respect to each of the following:

(A) Tours of duty.

(B) Assignment lengths.

(C) Minimum service commitments.

(D) Professional performance evaluation systems.

(E) Statutory and administrative promotion processes.

(2) An analysis of aircrew aviation training for various aircraft platforms, including—

(A) an historical analysis, covering the past 15 years, of first and second assignment total flight hours and model-specific flight hours for military pilots and non-pilot aviators; and

(B) an analysis of the flight hour program in order to determine the appropriate level of required monthly flight hours and sorties to maintain currency (minimum safe level) and proficiency (minimum level to be tactically competent).

(3) An analysis of the effect of recent operational deployments on the ability of military pilots and non-pilot aviators to build and maintain readiness for potential threats from a near-peer adversary, including—

(A) a comparison of rates of simulator usage for military pilots and non-pilot aviators within and not within the pre-deployment training window; and

(B) an assessment of the suitability of training curriculum to address high-end combat operations against a near-peer adversary.

(4) An analysis of aviation squadron size and composition, including—

(A) individual unit-level aircraft allocation;

(B) aviation platform-specific force structure; and

(C) quantity of squadrons within each aviation platform.

(5) An analysis of aviation squadron manning documents on appropriate levels and composition of military pilots, non-pilot aviators, and non-aircrew for each squadron in support of the most current National Defense Strategy, including a consideration of—

(A) appropriate levels and composition of military pilots, non-pilot aviators, and non-aircrew for each squadron in support of such National Defense Strategy;

(B) flight-related workload compared with non-flight related workload for military pilots and non-pilot aviators;

(C) the number of different aircraft platforms to which enlisted maintenance personnel are expected to be assigned throughout a typical career; and

(D) career training milestones for enlisted maintenance personnel, and the effects of such milestones on military aviation readiness.

(6) An analysis of logistics programs in support of military aviation readiness, including—

(A) an evaluation of any shortfalls in logistics programs that serve as contributing factors to both military pilot retention and overall readiness of military aviation units;

(B) an analysis of aircraft parts cannibalization rates;

(C) a determination of average mission capable ratings for aircraft throughout the various stages of the deployment cycle;

(D) an analysis of rates of reassignment of aircraft from non-deploying units to deploying units; and

(E) an identification of individual aircraft communities, if any, with strained supply chains with single-source suppliers.

**SEC. 1045. REPORT ON CAPABILITIES AND CAPACITIES OF ARMORED BRIGADE COMBAT TEAMS.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the capabilities and capacities of Armored Brigade Combat Teams (ABCTs).

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

(1) A description of the total number of Armored Brigade Combat Teams required to support the National Defense Strategy (NDS).

(2) A description of the manner in which the Army plans to equip and field future Armored Brigade Combat Teams.

(3) A description of the total number of mechanized infantry companies required in support of the Armored Brigade Combat Teams.

(4) A description of steps being taken to improve the number and quality of live-fire gunnery exercises executed each year, including improving execution of battalion and brigade-level combined arms live-fire exercises both at home station and at the Combat Training Centers.

(5) A description of training being conducted to train Armored Brigade Combat Teams in combined arms for air defense and to counter unmanned aerial vehicles with organic weapons and tactics.

(6) A plan to improve personnel preparedness by the reduction of non-deployable soldiers and improvements in combat vehicle crew stability and material readiness of key combat systems.

(7) A description of deficiencies in repair parts and number of qualified mechanics, and a plan to correct such deficiencies.

(8) A plan for the modernization of the Armored Brigade Combat Teams.

**SEC. 1046. IMPROVEMENT OF ANNUAL REPORT ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.**

(a) MODIFICATION AND EXPANSION OF ELEMENTS.—Subsection (b) of section 1057 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended—

(1) in paragraph (1), by inserting “, including each specific mission, strike, engagement, raid, or incident,” after “military operations”;

(2) in paragraph (2)(E), by inserting before the period at the end the following: “, including a differentiation between those killed and those injured”;

(3) in paragraph (3), by inserting before the period at the end the following: “, and, when appropriate, makes ex gratia payments to the victims or their families”;

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

(5) by inserting after paragraph (4) the following new paragraph (5):

“(5) Any update or modification to any report under this section during a previous year.”.

(b) SCOPE OF UNCLASSIFIED FORM OF REPORT.—Subsection (d) of such section is amended by adding at the end the following new sentence: “The unclassified form of each report shall, at a minimum, be responsive to each element under subsection (b) of a report under subsection (a), and shall be made available to the public at the same time it is submitted to Congress (unless the Secretary certifies in writing that the publication of such information poses a threat to the national security interests of the United States).”.

**SEC. 1047. REPORT ON DEPARTMENT OF DEFENSE PARTICIPATION IN EXPORT ADMINISTRATION REGULATIONS LICENSE APPLICATION REVIEW PROCESSES.**

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, and every 180 days thereafter until the date that is three years after such date of enactment, the Under Secretary of Defense for Policy shall submit to the congressional defense committees a report on the participation by the Department of Defense in the process for reviewing applications for export licenses under the Export Administration Regulations as a reviewing agency under Executive Order 12981 (50 U.S.C. 4603 note; relating to administration of export controls).

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

(1) The number of applications for export licenses under the Export Administration Regulations reviewed by the Department of Defense in the 180-day period preceding the submission of the report.

(2) The number of instances during that 180-day period in which the Department disagreed with a final determination made with respect to such an application under the review procedures set forth in Executive Order 12981.

(3) A summary of such instances, including—

(A) a summary of the applicants for such licenses and the recipients of items pursuant to such licenses in such instances;

(B) a description of sensitive technologies involved in such instances; and

(C) a description of the rationale of the Department for disagreeing with such determinations.

(4) The number of such applications under review by the Department or undergoing interagency dispute resolution as of the date of the submission of the report.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) EXPORT ADMINISTRATION REGULATIONS DEFINED.—In this section, the term “Export Administration Regulations” means subchapter C of chapter VII of title 15, Code of Federal Regulations.

**SEC. 1048. AUTOMATIC SUNSET FOR FUTURE STATUTORY REPORTING REQUIREMENTS.**

(a) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by inserting after section 480 the following new section:

**“§ 480a. Reports to Congress: termination of indefinite-duration reports after three years**

“(a) IN GENERAL.—Any provision of law enacted on or after the date of enactment of this section that includes an indefinite-duration report requirement shall cease to be effective, with respect to that requirement, three years after the date of the enactment of that provision of law unless that provision of law expressly states that this section is inapplicable to that requirement or that provision of law.

“(b) INDEFINITE-DURATION REPORT REQUIREMENT DEFINED.—In this section, the term ‘indefinite-duration requirement’ means a requirement in any provision of law for the Secretary of Defense (or any other officer or employee of the Department of Defense) to submit to Congress (or any committee of Congress) a periodic report for which the law does not—

“(1) state a specific period of time as the period during which that report is required to be submitted or that provision of law is in effect; or

“(2) state a specific termination date for the requirement to submit the report or for that provision of law.

“(c) PERIODIC REPORT DEFINED.—In this section, the term ‘periodic report’ means a report required to be submitted on an annual, semiannual, or other regular periodic basis.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by inserting after the item relating to section 480 the following new item:

“480a. Reports to Congress: termination of indefinite-duration reports after three years.”

**SEC. 1049. REPEAL OF CERTAIN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS THAT OTHERWISE TERMINATE AS OF DECEMBER 31, 2021.**

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1)(A) Section 229, relating to the display of budget information for programs for combating terrorism, is repealed.

(B) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 229.

(2)(A) Section 231a, relating to budgeting for life-cycle costs of aircraft for the Navy, Army, and Air Force, is repealed.

(B) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 231a.

(3) Section 2276, relating to commercial space launch cooperation, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(4) Section 7310, relating to report on repair of certain vessels in foreign shipyards, is amended by striking subsection (c).

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007.—Section 1017 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2379), relating to obtaining carriage by vessel, is amended—

(1) by striking subsection (e); and

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

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.—Section 1034(d) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 272 note), relating to distribution of chemical and biological agents to non-Federal entities, is amended—

(1) by striking subsection (d); and

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

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 1047(d) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 2366b note), relating to reports on bandwidth requirements for major defense acquisition programs, is amended—

(1) by striking paragraph (2);

(2) by striking “(d) FORMAL REVIEW PROCESS FOR BANDWIDTH REQUIREMENTS .—” and all that follows through “(1) IN GENERAL.—The Secretary” and inserting the following: “(d) FORMAL REVIEW PROCESS FOR BANDWIDTH REQUIREMENTS.—The Secretary”; and

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately.

(e) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Section 1217 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (22 U.S.C. 7513 note), relating to authority to establish a program to develop and carry out infrastructure projects in Afghanistan, is amended—

(1) by striking subsection (i); and

(2) by redesignating subsection (j) as subsection (i).

(f) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Section 1026 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 127 Stat. 3490), relating to availability of funds for retirement of inactivation of Ticonderoga class cruisers or dock landing ships, is amended—

(1) by striking subsection (d); and

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

(g) CONFORMING AMENDMENTS.—Section 1061 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 111 note) is amended—

(1) in subsection (c), by striking paragraphs (14), (16), (41), and (59);

(2) in subsection (d), by striking paragraph (3);

(3) in subsection (g), by striking paragraph (3); and

(4) in subsection (i), by striking paragraphs (15), (18), and (24).

**SEC. 1050. REPORT ON POTENTIAL IMPROVEMENTS TO CERTAIN MILITARY EDUCATIONAL INSTITUTIONS OF THE DEPARTMENT OF DEFENSE.**

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than December 1, 2019, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a review and assessment, obtained by the Secretary for purposes of the report, of the potential effects on the military education provided by the educational institutions of the Department of Defense specified in subsection (b) of the actions described in subsection (c).

(2) CONDUCTING ORGANIZATION.—The review and assessment required for purposes of the report shall be performed by an organization selected by the Secretary from among organizations independent of the Department that have expertise in the analysis of matters in connection with higher education.

(b) EDUCATIONAL INSTITUTIONS OF THE DEPARTMENT OF DEFENSE.—The educational institutions of the Department of Defense specified in this subsection are the following:

(1) The senior level service schools and intermediate level service schools (as such terms are defined in section 2151(b) of title 10, United States Code).

(2) The Air Force Institute of Technology.

(3) The National Defense University.

(4) The Joint Special Operations University.

(5) The Army Armament Graduate School.

(6) Any other military educational institution of the Department specified by the Secretary for purposes of this section.

(c) ACTIONS.—The actions described in this subsection with respect to the educational institutions of the Department of Defense specified in subsection (b) are the following:

(1) Modification of admission and graduation requirements.

(2) Reduction or expansion of degree-granting authority.

(3) Reduction or expansion of the acceptance of research grants.

(4) Reduction of the number of attending students generally.

(5) Reduction of the number of attending students through the sponsoring of education of an increased number of students at non-Department of Defense education institutions of higher education.

(6) Increase in the frequency of curriculum changes to account for emerging subject matters of importance to national defense.

(7) Modification of civilian faculty management practices, including employment practices.

(d) ADDITIONAL ELEMENTS.—In addition to the matters described in subsection (a), the review and report under this section shall also include the following:

(1) A comparison of admission standards and graduation requirements of the educational institutions of the Department of Defense specified in subsection (b) with admission standards and graduation requirements of public and private institutions of higher education that are comparable to the educational institutions of the Department of Defense.

(2) A comparison of the goals and missions of the educational institutions of the Department of Defense specified in subsection (b) with the goals and missions of such public and private institutions of higher education.

(3) Any other matters the Secretary considers appropriate for purposes of this section.

**SEC. 1051. RECRUITING COSTS OF THE ARMED FORCES.**

(a) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the results of a study, conducted by the Secretary for purposes of the briefing, on the costs of the Armed Forces in recruiting for members of the Armed Forces.

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

(1) A description of the recruiting costs of each Armed Force in each of fiscal years 2010 through 2019.

(2) An estimate of the recruiting costs of each Armed Force in each of fiscal years 2020 through 2024.

(3) A description of the factors that contributed significantly to the recruiting costs of the Armed Forces during fiscal years 2010 through 2019.

(4) Any other matters in connection with the recruiting costs of the Armed Forces that the Secretary considers appropriate.

**Subtitle F—Other Matters**

**SEC. 1061. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.**

(a) TRANSFER AUTHORITY.—Notwithstanding section 2215 of title 10, United

States Code, the Secretary of Defense may transfer to the Secretary of State, for use by the United States Agency for International Development, amounts to be used for the Bien Hoa dioxin cleanup in Vietnam.

(b) **LIMITATION ON AMOUNTS.**—Not more than \$15,000,000 may be transferred in each of fiscal years 2019 through 2027 under the authority in subsection (a).

(c) **SOURCE OF FUNDS.**—The Secretary of Defense may transfer funds appropriated to the Department of Defense for “Operation and Maintenance, Defense-wide” under the authority in subsection (a).

(d) **ADDITIONAL TRANSFER AUTHORITY.**—The transfer authority provided under subsection (a) is in addition to any other transfer authority available to the Department of Defense.

**SEC. 1062. IMPROVEMENT OF DATABASE ON EMERGENCY RESPONSE CAPABILITIES.**

(a) **IN GENERAL.**—Section 1406 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2436; 10 U.S.C. 113 note) is amended—

(1) by inserting before “The Secretary” the following: “(a) DATABASE REQUIRED.—”;

(2) in subsection (a), as designated by paragraph (1)—

(A) in paragraph (1)—

(i) by striking “each States’s National Guard, as reported by the States” and inserting “the National Guard of each State and Territory, as reported by the States and Territories”;

(ii) by inserting “and Territories” after “their home States”;

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

“(3) Cyber capabilities of the National Guard identified by the Department as critical for response to domestic natural or man-made disasters.

“(4) Cyber capabilities of the other reserve components of the Armed Forces identified by the Department as critical for response to domestic natural or manmade disasters.”;

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

“(b) **INFORMATION REQUIRED TO KEEP DATABASE CURRENT.**—In maintaining the database required by subsection (a), the Secretary shall identify and revise the information required to be included in the database at least once every two years for purposes of keeping the database current.”.

(b) **ESTABLISHMENT OF DATABASE.**—

(1) **DEADLINE FOR ESTABLISHMENT.**—The Secretary of Defense shall establish the database required by section 1406 of the John Warner National Defense Authorization Act for Fiscal Year 2007, as amended by subsection (a), by not later than one year after the date of the enactment of this Act.

(2) **USE OF EXISTING DATABASE OR SYSTEM FOR CERTAIN CAPABILITIES.**—The Secretary may meet the requirement with respect to the capabilities described in subsection (a)(1) of section 1406 of the John Warner National Defense Authorization Act for Fiscal Year 2007, as so amended, in connection with the database required by that section through use or modification of a current database or tracking system of the Department of Defense if the Secretary determines that such action will—

(A) expedite compliance with the requirement; and

(B) achieve such compliance at a cost not greater than the cost of establishing anew the database otherwise covered by the requirement.

**SEC. 1063. ACCEPTANCE AND DISTRIBUTION BY DEPARTMENT OF DEFENSE OF ASSISTANCE FROM CERTAIN NON-PROFIT ENTITIES IN SUPPORT OF MISSIONS OF DEPLOYED UNITED STATES PERSONNEL AROUND THE WORLD.**

(a) **FINDING.**—The Senate finds that Spirit of America, a privately-funded, nonpartisan, nonprofit organization, acting in partnership with the Department of Defense, has made an important contribution in supporting the missions of deployed United States personnel around the world.

(b) **SENSE OF SENATE.**—It is the sense of the Senate that United States military commanders should, consistent with applicable laws, regulations, and guidance developed consistent with section 1088 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), collaborate with and provide transportation and other logistical support to covered non-Federal entities, including Spirit of America, to advance the military missions of the Armed Forces.

(c) **DISTRIBUTION OF COVERED NON-FEDERAL ENTITY ASSISTANCE ABROAD THROUGH DEPARTMENT OF DEFENSE.**—

(1) **ACCEPTANCE AND COORDINATION OF ASSISTANCE.**—The Department of Defense (including members of the Armed Forces) may, at the discretion of the Secretary of Defense and in accordance with guidance issued by the Secretary and developed in coordination with the Secretary of State and the Administrator of the United States Agency for International Development—

(A) accept from any covered non-Federal entity humanitarian, economic, and other nonlethal assistance funded by private funds in the carrying out of the purposes of such entity; and

(B) respond to requests from covered non-Federal entities for the identification of the needs of local populations abroad for assistance, and coordinate with such entities in the provision and distribution of such assistance, in the carrying out of such purposes.

(2) **DISTRIBUTION OF ASSISTANCE TO LOCAL POPULATIONS.**—In accordance with guidance issued by the Secretary of Defense, and developed in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, members of the Armed Forces abroad may provide to local populations abroad humanitarian, economic, and other nonlethal assistance provided to the Department by a covered non-Federal entity pursuant to this subsection.

(3) **SCOPE OF GUIDANCE.**—The guidance issued pursuant to this subsection shall ensure that any assistance distributed pursuant to this subsection shall be for purposes of supporting the mission or missions of the Department and the Armed Forces for which such assistance is provided by a covered non-Federal entity.

(4) **DOD SUPPORT FOR ENTITY ACTIVITIES.**—In accordance with guidance issued by the Secretary of Defense, the Department, and the Armed Forces may—

(A) provide transportation, lodging, storage, and other logistical support—

(i) to personnel of a covered non-Federal entity (whether in the United States or abroad) who are carrying out the purposes of such entity; and

(ii) in connection with the acceptance and distribution of assistance provided by a covered non-Federal entity; and

(B) use assets of the Department and the Armed Forces in the provision of support described in subparagraph (A).

(d) **COVERED NON-FEDERAL ENTITY DEFINED.**—In this section, the term “covered non-Federal entity” means the following:

(1) Spirit of America, a privately-funded, nonpartisan, nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code.

(2) Any other organization that—

(A) is based in the United States;

(B) has an independent board of directors and is subject to independent financial audits;

(C) is substantially privately-funded;

(D) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code; and

(E) provides international assistance.

**SEC. 1064. UNITED STATES POLICY WITH RESPECT TO FREEDOM OF NAVIGATION AND OVERFLIGHT.**

(a) **DECLARATION OF POLICY.**—It is the policy of the United States to fly, sail, and operate throughout the oceans, seas, and airspace of the world wherever international law allows.

(b) **IMPLEMENTATION OF POLICY.**—In furtherance of the policy set forth in subsection (a), the Secretary of Defense should—

(1) plan and execute a robust series of routine and regular air and naval presence missions throughout the world and throughout the year, including for critical transportation corridors and key routes for global commerce;

(2) in addition to the missions executed pursuant to paragraph (1), execute routine and regular air and maritime freedom of navigation operations throughout the year, in accordance with international law, including the use of expanded military options and maneuvers beyond innocent passage; and

(3) to the maximum extent practicable, execute the missions pursuant to paragraphs (1) and (2) with regional partner countries and allies of the United States.

**SEC. 1065. PROHIBITION OF FUNDS FOR CHINESE LANGUAGE INSTRUCTION PROVIDED BY A CONFUCIUS INSTITUTE.**

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 under this Act may be obligated or expended for Chinese language instruction provided by a Confucius Institute.

(b) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 under this Act may be obligated or expended to support a Chinese language program at an institution of higher education that hosts a Confucius Institute.

(c) **WAIVER.**—The Under Secretary of Defense for Personnel and Readiness may waive the limitation in subsection (b) with respect to a Chinese language program at a specific institution of higher education if the Under Secretary of Defense for Personnel and Readiness—

(1) certifies to the congressional defense committees that—

(A) Confucius Institute employees and instructors will have no affiliation with the program;

(B) Confucius Institute employees and instructors will provide no instruction or support to the program;

(C) Confucius Institute employees and instructors will have no authority or influence with regard to the curriculum and activities of the program; and

(D) the institution has made publicly available all memoranda of understanding, contracts, and other agreements between the institution and the Confucius Institute, or between the institution and any agency of or organization affiliated with the government of the People’s Republic of China; or

(2) certifies to the congressional defense committees that—



(A) the requirements described in subparagraphs (A) through (C) of paragraph (1) have been met; and

(B) the waiver of the limitation in subsection (b) is necessary for national security, and there is no reasonable alternative to issuing the waiver.

(d) **DEFINITIONS.**—

(1) **CHINESE LANGUAGE PROGRAM.**—The term “Chinese language program” means any Department of Defense program designed to provide or support Chinese language instruction, including the National Security Education Program, the Language Flagship program, Project Global Officer, and the Language Training Centers program.

(2) **CONFUCIUS INSTITUTE.**—The term “Confucius Institute” means a Confucius Institute that is operated by the Office of Chinese Languages Council International, also known as Hanban, which is affiliated with the Ministry of Education of the People’s Republic of China.

(3) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

**Subtitle A—Department of Defense Matters**

**SEC. 1101. INAPPLICABILITY OF CERTIFICATION OF EXECUTIVE QUALIFICATIONS BY OFFICE OF PERSONNEL MANAGEMENT FOR INITIAL APPOINTMENTS TO SENIOR EXECUTIVE SERVICE POSITIONS IN DEPARTMENT OF DEFENSE.**

(a) **TEMPORARY INAPPLICABILITY.**—Notwithstanding section 3393(c) of title 5, United States Code, or any regulations implementing that section, and subject to the provisions of this section, the Secretary of Defense may appoint individuals for service in the Senior Executive Service of the Department of Defense without such individuals being subject to the certification of executive qualifications by a qualification review board of the Office of Personnel Management in connection with such appointment otherwise required by that section.

(b) **QUALIFICATIONS OF INDIVIDUALS APPOINTED.**—The Secretary shall ensure that individuals appointed under this section possess the necessary qualifications and experience for the position to which appointed.

(c) **LIMITATION.**—The total number of appointments made under this section in any year may not exceed 50 appointments.

(d) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the committees of Congress and official specified in paragraph (3) a report on the number and type of appointments made under this section as of the date of the report, including—

(A) a description of the qualifications of the individuals appointed; and

(B) data on the time required to appoint the individuals.

(2) **FINAL REPORT.**—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the committees of Congress and official specified in paragraph (3) a report on the use of the authority in this section. The report shall include the following:

(A) The number and type of appointments made under this section during the one-year period ending on the date of the report.

(B) Data on and an assessment whether appointments under the authority in this section reduced the time to hire when compared with the time to hire under the current review system of the Office of Personnel Management.

(C) An assessment of the utility of the appointment authority and process under this section.

(D) An assessment whether the appointments made under this section resulted in higher quality new executives for the Senior Executive Service of the Department when compared with the executives produced under the current review system of the Office of Personnel Management.

(E) Any recommendation for the improvement of the selection and qualification process for the Senior Executive Service of the Department that the Secretary considers necessary in order to attract and hire highly qualified candidates for service in that Senior Executive Service.

(3) **COMMITTEES OF CONGRESS AND OFFICIAL.**—The committees of Congress and official specified in this paragraph are—

(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives; and

(C) the Director of the Office of Personnel Management.

(e) **SUNSET.**—Subsection (a) shall cease to be effective on the date that is two years after the date of the enactment of this Act.

**SEC. 1102. DIRECT HIRE AUTHORITY FOR SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES AND MAJOR RANGE AND TEST FACILITIES BASE FACILITIES FOR RECENT SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS GRADUATES OF MINORITY-SERVING INSTITUTIONS.**

(a) **AUTHORITY TO MAKE DIRECT APPOINTMENTS.**—The director of any facility specified in subsection (b) may appoint any qualified recent graduate of a covered educational institution with a degree in science, technology, engineering, or mathematics to a position at such facility described in subsection (d) without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code.

(b) **FACILITIES.**—A facility specified in this subsection is any facility as follows:

(1) A science and technology reinvention laboratory of the Department of Defense, as designated pursuant to section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note).

(2) A facility of the Major Range and Test Facilities Base of the Department.

(c) **RECENT GRADUATES.**—For purposes of this section, a person is a recent graduate of a covered educational institution if—

(1) the person was awarded a degree by the institution not more than two years before the date of the appointment of the person pursuant to this section; or

(2) in the case of any person who has completed a period of obligated service in a uniformed service of more than four years as of the date the appointment of the person pursuant to this section, the person was awarded a degree by the institution not more than four years before such date of appointment.

(d) **COVERED POSITIONS.**—The positions to which persons may be appointed pursuant to this section at a facility specified in subsection (b) are scientific and engineering positions at the facility.

(e) **DURATION OF APPOINTMENT.**—Any appointment pursuant to this section may be made on a temporary, term, or permanent basis, at the election of the director of the facility making such appointment.

(f) **COVERED EDUCATIONAL INSTITUTION DEFINED.**—In this section, the term “covered educational institution” has the meaning given that term in section 2362(e) of title 10, United States Code.

(g) **SUNSET.**—

(1) **IN GENERAL.**—The authority to make appointments under this section shall expire on the date that is five years after the date of the enactment of this Act.

(2) **CONSTRUCTION.**—Nothing in paragraph (1) shall be construed to terminate an appointment made under this section before the expiration date provided in that paragraph in accordance with the terms of such appointment.

**SEC. 1103. INCLUSION OF STRATEGIC CAPABILITIES OFFICE AND DEFENSE INNOVATION UNIT EXPERIMENTAL OF THE DEPARTMENT OF DEFENSE IN PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.**

(a) **IN GENERAL.**—Subsection (a) of section 1599h of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(4) **STRATEGIC CAPABILITIES OFFICE.**—The Director of the Strategic Capabilities Office may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Office.

“(5) **DIUx.**—The Director of the Defense Innovation Unit Experimental may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Unit.”.

(b) **SCOPE OF APPOINTMENT AUTHORITY.**—Subsection (b)(1) of such section is amended—

(1) in subparagraph (B), by striking “and” at the end; and

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

“(D) in the case of the Strategic Capabilities Office, appoint scientists and engineers to a total of not more than 5 scientific and engineering positions in the Office; and

“(E) in the case of the Defense Innovation Unit Experimental, appoint scientists and engineers to a total of not more than 5 scientific and engineering positions in the Unit.”.

(c) **EXTENSION OF TERMS OF APPOINTMENT.**—Subsection (c)(2) of such section is amended by striking “or the Office of Operational Test and Evaluation” and inserting “the Office of Operational Test and Evaluation, the Strategic Capabilities Office, or the Defense Innovation Unit Experimental”.

**SEC. 1104. ENHANCEMENT OF FLEXIBLE MANAGEMENT AUTHORITIES FOR SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE.**

(a) **ENHANCEMENT OF NONCOMPETITIVE CONVERSIONS OF APPOINTMENTS OF STUDENTS ENROLLED IN SCIENTIFIC AND ENGINEERING PROGRAMS.**—Section 2358a(a)(4) of title 10, United States Code, is amended—

(1) in the paragraph heading, by striking “TO PERMANENT APPOINTMENT” and inserting “OF APPOINTMENTS”; and

(2) by striking “to a permanent appointment” and inserting “to another temporary appointment or to a term or permanent appointment”.

(b) **ENHANCEMENT OF PILOT PROGRAM ON DYNAMIC SHAPING OF WORKFORCE TECHNICAL SKILLS AND EXPERTISE.**—Section 1109(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1028; 10 U.S.C. 2358 note) is amended by striking “to appoint” and all that follows and inserting “to make appointments as follows:

“(i) Appointment of qualified scientific and technical personnel who are not current Department of Defense civilian employees into any scientific or technical position in the

laboratory for a period of more than one year but not more than six years.

“(ii) Appointment of qualified scientific and technical personnel who are Department civilian employees in term appointments into any scientific or technical position in the laboratory for a period of more than one year but not more than six years.”.

**SEC. 1105. INCLUSION OF OFFICE OF SECRETARY OF DEFENSE AMONG COMPONENTS OF THE DEPARTMENT OF DEFENSE COVERED BY DIRECT HIRE AUTHORITY FOR FINANCIAL MANAGEMENT EXPERTS.**

Section 1110(f) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is amended—

(1) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively; and

(2) by inserting before paragraph (2) the following new paragraph (1):

“(1) The Office of the Secretary of Defense.”.

**SEC. 1106. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT THE JOINT SPECIAL OPERATIONS UNIVERSITY.**

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) The Joint Special Operations University.”.

**Subtitle B—Government-Wide Matters**

**SEC. 1121. ALCOHOL TESTING OF CIVIL SERVICE MARINERS OF THE MILITARY SEALIFT COMMAND ASSIGNED TO VESSELS.**

(a) **ALCOHOL TESTING.**—Chapter 643 of title 10, United States Code, is amended by inserting after section 7479 the following new section:

**“§ 7479a. Civil service mariners of Military Sealift Command: alcohol testing**

“The Secretary of the Navy may prescribe regulations establishing a program to conduct on-duty reasonable suspicion alcohol testing and post-accident alcohol testing of civil service mariners of the Military Sealift Command who are assigned to vessels.”.

(b) **RELEASE OF ALCOHOL TEST RESULTS.**—

(1) **IN GENERAL.**—Section 7479 of such title is amended—

(A) in the heading of subsection (a), by inserting “OR ALCOHOL” after “DRUG”; and

(B) by inserting “or alcohol” after “drug” each place it appears.

(2) **HEADING AMENDMENT.**—The heading of such section is amended to read as follows:

**“§ 7479. Civil service mariners of Military Sealift Command: release of drug and alcohol test results to Coast Guard”.**

(c) **TABLE OF SECTIONS AMENDMENT.**—The table of sections at the beginning of chapter 643 of such title is amended by striking the item relating to section 7479 and inserting the following new items:

“7479. Civil service mariners of Military Sealift Command: release of drug and alcohol test results to Coast Guard.

“7479a. Civil service mariners of Military Sealift Command: alcohol testing.”.

**SEC. 1122. EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES AND POST SECONDARY STUDENTS.**

(a) **IN GENERAL.**—Subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

**“§ 3115. Expedited hiring authority for college graduates; competitive service**

“(a) **DEFINITIONS.**—In this section:

“(1) **DIRECTOR.**—The term ‘Director’ means the Director of the Office of Personnel Management.

“(2) **INSTITUTION OF HIGHER EDUCATION.**—The term ‘institution of higher education’

has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

“(b) **APPOINTMENT.**—

“(1) **IN GENERAL.**—The head of an agency may appoint, without regard to any provision of sections 3309 through 3319 and 3330, a qualified individual to a position in the competitive service classified in a professional or administrative occupational category at the GS-11 level, or an equivalent level, or below.

“(2) **RESTRICTIONS.**—An appointment under paragraph (1) shall be made in accordance with regulations prescribed by the Director.

“(c) **QUALIFICATIONS FOR APPOINTMENT.**—The head of an agency may make an appointment under subsection (b) only if the individual being appointed—

“(1) has received a baccalaureate or graduate degree from an institution of higher education;

“(2) applies for the position—

“(A) not later than 2 years after the date on which the individual being appointed received the degree described in paragraph (1); or

“(B) in the case of an individual who has completed a period of not less than 4 years of obligated service in a uniformed service, not later than 2 years after the date of the discharge or release of the individual from that service; and

“(3) meets each minimum qualification standard prescribed by the Director for the position to which the individual is being appointed.

“(d) **PUBLIC NOTICE AND ADVERTISING.**—

“(1) **IN GENERAL.**—The head of an agency making an appointment under subsection (b) shall publicly advertise positions under this section.

“(2) **REQUIREMENTS.**—In carrying out paragraph (1), the head of an agency shall—

“(A) adhere to merit system principles;

“(B) advertise positions in a manner that provides for diverse and qualified applicants; and

“(C) ensure potential applicants have appropriate information relevant to the positions available.

“(e) **LIMITATION ON APPOINTMENTS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the total number of employees that the head of an agency may appoint under this section during a fiscal year may not exceed the number equal to 15 percent of the number of individuals that the agency head appointed during the previous fiscal year to a position in the competitive service classified in a professional or administrative occupational category, at the GS-11 level, or an equivalent level, or below, under a competitive examining procedure.

“(2) **EXCEPTIONS.**—Under a regulation prescribed under subsection (f), the Director may establish a lower limit on the number of individuals that may be appointed under paragraph (1) of this subsection during a fiscal year based on any factor the Director considers appropriate.

“(f) **REGULATIONS.**—Not later than 180 days after the date of enactment of this section, the Director shall issue interim regulations, with an opportunity for comment, for the administration of this section.

“(g) **REPORTING.**—

“(1) **IN GENERAL.**—Not later than September 30 of each of the first 3 fiscal years beginning after the date of enactment of this section, the head of an agency that makes an appointment under this section shall submit a report to—

“(A) Congress that assesses the impact of the use of the authority provided under this section during the fiscal year in which the report is submitted; and

“(B) the Director that contains data that the Director considers necessary for the Di-

rector to assess the impact and effectiveness of the authority described in subparagraph (A).

“(2) **CONTENT.**—The head of an agency shall include in each report under paragraph (1)—

“(A) the total number of individuals appointed by the agency under this section, as well as the number of such individuals who are—

“(i) minorities or members of other underrepresented groups; or

“(ii) veterans;

“(B) recruitment sources;

“(C) the total number of individuals appointed by the agency during the applicable fiscal year to a position in the competitive service classified in a professional or administrative occupational category at the GS-11 level, or an equivalent level, or below; and

“(D) any additional data specified by the Director.

“(h) **SPECIAL PROVISION REGARDING THE DEPARTMENT OF DEFENSE.**—

“(1) **AUTHORITY.**—Nothing in this section shall preclude the Secretary of Defense from exercising any authority to appoint a recent graduate under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute.

“(2) **REGULATIONS.**—Any regulations prescribed by the Director for the administration of this section shall not apply to the Department of Defense during the period ending on the date on which the appointment authority of the Secretary of Defense under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute, terminates.

**“§ 3116. Expedited hiring authority for post-secondary students; competitive service**

“(a) **DEFINITIONS.**—In this section:

“(1) **DIRECTOR.**—The term ‘Director’ means the Director of the Office of Personnel Management.

“(2) **INSTITUTION OF HIGHER EDUCATION.**—The term ‘institution of higher education’ has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

“(3) **STUDENT.**—The term ‘student’ means an individual enrolled or accepted for enrollment in an institution of higher education who is pursuing a baccalaureate or graduate degree on at least a part-time basis as determined by the institution of higher education.

“(b) **APPOINTMENT.**—

“(1) **IN GENERAL.**—The head of an agency may make a time-limited appointment of a student, without regard to any provision of sections 3309 through 3319 and 3330, to a position in the competitive service at the GS-11 level, or an equivalent level, or below for which the student is qualified.

“(2) **RESTRICTIONS.**—An appointment under paragraph (1) shall be made in accordance with regulations prescribed by the Director.

“(c) **PUBLIC NOTICE.**—

“(1) **IN GENERAL.**—The head of an agency making an appointment under subsection (b) shall publicly advertise positions available under this section.

“(2) **REQUIREMENTS.**—In carrying out paragraph (1), the head of an agency shall—

“(A) adhere to merit system principles;

“(B) advertise positions in a manner that provides for diverse and qualified applicants; and

“(C) ensure potential applicants have appropriate information relevant to the positions available.

“(d) **LIMITATION ON APPOINTMENTS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the total number of students that the head of an agency may appoint under this section during a fiscal year may

not exceed the number equal to 15 percent of the number of students that the agency head appointed during the previous fiscal year to a position in the competitive service at the GS-11 level, or an equivalent level, or below.

“(2) EXCEPTIONS.—Under a regulation prescribed under subsection (g), the Director may establish a lower limit on the number of students that may be appointed under paragraph (1) of this subsection during a fiscal year based on any factor the Director considers appropriate.

“(e) CONVERSION.—The head of an agency may, without regard to any provision of chapter 33 or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, convert a student serving in an appointment under subsection (b) to a permanent appointment in the competitive service within the agency without further competition if the student—

“(1) has completed the course of study leading to the baccalaureate or graduate degree;

“(2) has completed not less than 640 hours of current continuous employment in an appointment under subsection (b); and

“(3) meets the qualification standards for the position to which the student will be converted.

“(f) TERMINATION.—The head of an agency shall, without regard to any provision of chapter 35 or 75, terminate the appointment of a student appointed under subsection (b) upon completion of the designated academic course of study unless the student is selected for conversion under subsection (e).

“(g) REGULATIONS.—Not later than 180 days after the date of enactment of this section, the Director shall issue interim regulations, with an opportunity for comment, for the administration of this section.

“(h) REPORTING.—

“(1) IN GENERAL.—Not later than September 30 of each of the first 3 fiscal years beginning after the date of enactment of this section, the head of an agency that makes an appointment under this section shall submit a report to—

“(A) Congress that assesses the impact of the use of the authority provided under this section during the fiscal year in which the report is submitted; and

“(B) the Director that contains data that the Director considers necessary for the Director to assess the impact and effectiveness of the authority described in subparagraph (A).

“(2) CONTENT.—The head of an agency shall include in each report under paragraph (1)—

“(A) the total number of individuals appointed by the agency under this section, as well as the number of such individuals who are—

“(i) minorities or members of other under-represented groups; or

“(ii) veterans;

“(B) recruitment sources;

“(C) the total number of individuals appointed by the agency during the applicable fiscal year to a position in the competitive service at the GS-11 level, or an equivalent level, or below; and

“(D) any additional data specified by the Director.

“(i) SPECIAL PROVISION REGARDING THE DEPARTMENT OF DEFENSE.—

“(1) AUTHORITY.—Nothing in this section shall preclude the Secretary of Defense from exercising any authority to appoint a postsecondary student under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute.

“(2) REGULATIONS.—Any regulations prescribed by the Director for the administration of this section shall not apply to the De-

partment of Defense during the period ending on the date on which the appointment authority of the Secretary of Defense under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute, terminates.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

“3115. Expedited hiring authority for college graduates; competitive service.

“3116. Expedited hiring authority for postsecondary students; competitive service.”.

**SEC. 1123. INCREASE IN MAXIMUM AMOUNT OF VOLUNTARY SEPARATION INCENTIVE PAY AUTHORIZED FOR CIVILIAN EMPLOYEES.**

(a) IN GENERAL.—Section 3523 of title 5, United States Code, is amended—

(1) in subsection (b)(3)(B), by striking “\$25,000” and inserting “\$40,000 (as adjusted in accordance with subsection (c))”; and

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

“(c)(1) On March 1 each year, the dollar amount specified in subsection (b)(3)(B) shall be adjusted by the amount determined by the Secretary of Labor to represent the percentage increase, if any, between the Consumer Price Index (all items; United States city average) published for December of the preceding year and that price index published for the December of the year before the preceding year.

“(2) A percentage increase under paragraph (1) shall be adjusted to the nearest one-tenth of one percent, and an amount determined under paragraph (1) shall be rounded to the nearest multiple of \$1,000 (or, if midway between multiples of \$1,000, to the next higher multiple of \$1,000).”.

(b) DEPARTMENT OF DEFENSE EMPLOYEES.—Section 9902(f)(5) of such title is amended—

(1) in subparagraph (A)(ii), by striking “\$25,000” and inserting “an amount determined by the Secretary, not to exceed \$40,000 (as adjusted under subparagraph (D))”; and

(2) by adding at the end the following:

“(D)(i) On March 1 each year, the dollar amount specified in subparagraph (A)(ii) shall be adjusted by the amount determined by the Secretary of Labor to represent the percentage increase, if any, between the Consumer Price Index (all items; United States city average) published for December of the preceding year and that price index published for the December of the year before the preceding year.

“(ii) A percentage increase under clause (i) shall be adjusted to the nearest one-tenth of one percent, and an amount determined under clause (i) shall be rounded to the nearest multiple of \$1,000 (or, if midway between multiples of \$1,000, to the next higher multiple of \$1,000).”.

**SEC. 1124. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and most recently amended by section 1108 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended by striking “2019” and inserting “2020”.

**SEC. 1125. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.**

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1105 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended by striking “through 2018” and inserting “through 2019”.

**TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

**Subtitle A—Assistance and Training**

**SEC. 1201. CLARIFICATION OF AUTHORITY FOR USE OF ADVISORS AND TRAINERS FOR TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS UNDER DEFENSE INSTITUTION CAPACITY BUILDING AUTHORITIES.**

Section 332(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “assign civilian employees of the Department of Defense and members of the armed forces as advisors and trainers” and inserting “provide advisors or trainers”; and

(2) in paragraph (2)(B)—  
(A) by striking “assigned” each place it appears (other than the last place) and inserting “provided”; and

(B) by striking “assigned advisor or trainer” and inserting “advisor or trainer so provided”; and

(C) by striking “each assignment” and inserting “each provision of such an advisor or trainer”.

**SEC. 1202. MODIFICATION TO DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.**

Section 341(b)(2) of title 10, United States Code, is amended by inserting “assistance” after “any”.

**SEC. 1203. EXPANSION OF REGIONAL DEFENSE COMBATING TERRORISM FELLOWSHIP PROGRAM TO INCLUDE IRREGULAR WARFARE.**

(a) IN GENERAL.—Section 345 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) by striking subsection (a) and inserting the following new subsections (a) and (b):

“(a) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—The Secretary of Defense may carry out a program under which the Secretary may pay any costs associated with the education and training of foreign military officers, ministry of defense officials, or security officials at military or civilian educational institutions, regional centers, conferences, seminars, or other training programs conducted for purposes of regional defense in connection with either of the following:

“(A) Combating terrorism.

“(B) Irregular warfare.

“(2) COVERED COSTS.—Costs for which payment may be made under this section include the costs of transportation and travel and subsistence costs.

“(3) DESIGNATION.—The program authorized by this section shall be known as the ‘Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program’.

“(b) REGULATIONS.—

“(1) IN GENERAL.—The program authorized by subsection (a) shall be carried out under regulations prescribed by the Secretary of Defense.

“(2) ELEMENTS.—The regulations shall ensure that—

“(A) the Secretary of Defense and the Secretary of State—

“(i) jointly develop and plan activities under the program that—

“(I) advance United States security cooperation objectives; and

“(II) support theater security cooperation planning of the combatant commands; and

“(ii) coordinate on the implementation of activities under the program;

“(B) each of the Secretary of Defense and the Secretary of State designates an individual at the lowest appropriate level of the Department of Defense or the Department of State, as applicable, who shall be responsible for program coordination; and

“(C) to the extent practicable, activities under the program are appropriately coordinated with, and do not duplicate or conflict with, activities under International Military Education and Training (IMET) authorities.

“(3) SUBMITTAL TO CONGRESS.—Upon any update of the regulations, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the regulations as so updated, together with a description of the update.”; and

(3) in paragraph (3) of subsection (d), as redesignated by paragraph (1) of this subsection, by striking “in the global war on terrorism”.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

**“§345. Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program”.**

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of such title is amended by striking the item relating to section 345 and inserting the following new item:

“345. Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program.”.

**SEC. 1204. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.**

(a) EXPANSION OF AUTHORITY.—Paragraph (1) of subsection (a) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended to read as follows:

“(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to provide support on a reimbursement basis as follows:

“(A) To the Government of Jordan for purposes of supporting and enhancing efforts of the armed forces of Jordan to increase security and sustain increased security along the border of Jordan with Syria and Iraq.

“(B) To the Government of Lebanon for purposes of supporting and enhancing efforts of the armed forces of Lebanon to increase security and sustain increased security along the border of Lebanon with Syria.

“(C) To the Government of Egypt for purposes of supporting and enhancing efforts of the armed forces of Egypt to increase security and sustain increased security along the border of Egypt with Libya.

“(D) To the Government of Tunisia for purposes of supporting and enhancing efforts of the armed forces of Tunisia to increase security and sustain increased security along the border of Tunisia with Libya.

“(E) To the Government of Oman for purposes of supporting and enhancing efforts of the armed forces of Oman to increase security and sustain increased security along the border of Oman with Yemen.

“(F) To the Government of Pakistan for purposes of supporting and enhancing efforts of the armed forces of Pakistan to increase security and sustain increased security along the border of Pakistan with Afghanistan.”.

(b) CERTIFICATION.—Subsection (d) of such section is amended to read as follows:

“(d) NOTICE AND CERTIFICATION BEFORE EXERCISE.—Not later than 15 days before providing support under the authority of subsection (a) to a country that has not previously received such support, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the specified congressional committees a report that—

“(1) sets forth a full description of the support to be provided, including—

“(A) the purpose of such support;

“(B) the amount of support to be provided; and

“(C) the anticipated duration of the provision of such support; and

“(2) includes a certification that—

“(A) the recipient country has taken demonstrable steps to increase security along the border specified for such country in subsection (a); and

“(B) the provision of such support is in the interest of United States national security.”.

(c) LIMITATION ON REIMBURSEMENT OF PAKISTAN.—Such section is further amended—

(1) by redesignating subsections (e) and (f) as subsections (g) and (h), respectively; and

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

“(e) LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION.—No amount of reimbursement support under subsection (a)(1)(F) is authorized to be disbursed to the Government of Pakistan unless the Secretary of Defense certifies to the congressional defense committees that the following conditions are met:

“(1) The military and security operations of Pakistan pertaining to border security and ancillary activities for which reimbursement is sought have been coordinated with United States military representatives in advance of the execution of such operations and activities.

“(2) The goals and desired outcomes of each such operation or activity have been established and agreed upon in advance by the United States and Pakistan.

“(3) A process exists to verify the achievement of the goals and desired outcomes established in accordance with paragraph (2).

“(4) The Government of Pakistan is making an effort to actively coordinate with the Government of Afghanistan on issues relating to border security on the Afghanistan-Pakistan border.”.

(d) QUARTERLY REPORTS.—Such section is further amended by inserting after subsection (e), as so designated by subsection (c) of this section, the following new subsection (f):

“(f) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal quarter, the Secretary of Defense shall submit to the specified congressional committees a report on reimbursements pursuant to subsection (a) during the preceding fiscal quarter that includes—

“(1) an identification of each country reimbursed;

“(2) the date of each reimbursement;

“(3) a description of any partner nation border security efforts for which reimbursement was provided;

“(4) an assessment of the value of partner nation border security efforts for which reimbursement was provided;

“(5) the total amounts of reimbursement provided to each partner nation in the preceding four fiscal quarters; and

“(6) such other matters as the Secretary considers appropriate.”.

(e) EXTENSION.—Subsection (h) of such section, as so redesignated, is amended by striking “December 31, 2019” and inserting “December 31, 2021”.

**SEC. 1205. LEGAL AND POLICY REVIEW OF ADVISE, ASSIST, AND ACCOMPANY MISSIONS.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy shall, in coordination with the General Counsel of the Department of Defense and the commanders of appropriate combatant commands, submit to the congressional defense committees a report on a review, conducted for purposes of the report, of the legal and policy frameworks associated with advise, assist, and accompany missions by United States military personnel.

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

(1) An analysis of the risks and benefits of United States military personnel conducting advise, assist, and accompany missions with foreign partner forces, and an assessment of the relation of such risks and benefits to United States security objectives.

(2) A review of execute orders in order to ensure that such orders comply with United States law for the employment of United States military personnel and capabilities to advise, assist, and accompany foreign partner forces.

(3) An assessment whether the legal and policy frameworks applicable to advise, assist, and accompany missions by United States military personnel are adequately communicated to and understood at all levels of operational command.

(4) An assessment whether approvals related to advise, assist, and accompany missions are taken at the appropriate level of command.

(5) A definition, and policy guidance, for the appropriate use in execute orders of each of the following:

(A) Advise

(B) Assist.

(C) Accompany.

(D) Collective self defense.

(E) Last point of cover and conceal.

(6) Any other matters the Under Secretary considers appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1206. TECHNICAL CORRECTIONS RELATING TO DEFENSE SECURITY COOPERATION STATUTORY REORGANIZATION.**

(a) CHAPTER REFERENCES.—The following provisions of law are amended by striking “chapter 15” and inserting “chapter 13”:

(1) Section 886(a)(5) of the Homeland Security Act of 2002 (6 U.S.C. 466(a)(5)).

(2) Section 332(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982(a)(1)).

(3) Section 101(a)(13)(B) of title 10, United States Code.

(4) Section 115(i)(6) of title 10, United States Code.

(5) Section 12304(c)(1) of title 10, United States Code.

(6) Section 484C(c)(3)(C)(v)) of the Higher Education Act of 1965 (20 U.S.C. 1091c(c)(3)(C)(v)).

(b) SECTION REFERENCES.—

(1) Title 10, United States Code, is amended—

(A) in section 386(c)(1), by striking “Sections 311, 321, 331, 332, 333,” and inserting “Sections 246, 251, 252, 253, 321,”; and

(B) in section 10541(b)(9), in the matter preceding subparagraph (A), by striking “sections 331, 332, 333,” and inserting “sections 251, 252, 253.”.

(2) Section 484C(c)(3)(C)(i) of the Higher Education Act of 1965 (20 U.S.C. 1091c(c)(3)(C)(i)) is amended by striking “section 331, 332,” and inserting “section 251, 252.”.

**SEC. 1207. NAVAL SMALL CRAFT INSTRUCTION AND TECHNICAL TRAINING SCHOOL.**

(a) SCHOOL AUTHORIZED.—

(1) IN GENERAL.—Subchapter V of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section:

**“§351. Naval Small Craft Instruction and Technical Training School**

“(a) IN GENERAL.—The Secretary of Defense may operate an education and training facility known as the ‘Naval Small Craft Instruction and Technical Training School’ (in this section referred to as the ‘School’).

“(b) DESIGNATION OF EXECUTIVE AGENT.—The Secretary of Defense shall designate the Secretary of a military department as the Department of Defense executive agent for carrying out the responsibilities of the Secretary of Defense under this section.

“(c) PURPOSE.—The purpose of the School shall be to provide to the military and other security forces of one or more friendly foreign countries education and training to increase professionalism, readiness, and respect for human rights through—

“(1) formal courses of instruction; and

“(2) mobile training teams for—

“(A) the operation, employment, maintenance, and logistics of specialized equipment;

“(B) participation in—

“(i) joint exercises; or

“(ii) coalition or international military operations; and

“(C) improved interoperability between—

“(i) the armed forces; and

“(ii) the military and other security forces of the one or more friendly foreign countries.

“(d) PERSONNEL ELIGIBLE TO RECEIVE EDUCATION AND TRAINING.—

“(1) LIMITATION.—The Secretary of Defense may not provide education or training at the School to any personnel of a country that is prohibited from receiving such education or training under any other provision of law.

“(2) CONSULTATION IN SELECTION.—The Secretary of Defense shall consult with the Secretary of State in the selection of foreign personnel to be provided education and training at the School.

“(e) FIXED COSTS.—The fixed costs of operation and maintenance of the School in a fiscal year may be paid from amounts made available for such fiscal year for operation and maintenance of the Department of Defense.

“(f) ANNUAL REPORT.—Not later than March 15 each year, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a detailed report on the activities and operating costs of the School during the preceding fiscal year.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of such title is amended by adding at the end the following new item:

“351. Naval Small Craft Instruction and Technical Training School.”.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth the following:

(1) The budget requirements for the operation and sustainment of the Naval Small Craft Instruction and Technical Training School authorized by section 351 of title 10, United States Code (as added by subsection (a)), during the period of the future-years defense program submitted to Congress in fiscal year 2019, including—

(A) a description of the budget requirements relating to the School for—

(i) Major Force Program-2; and

(ii) Major Force Program-11; and

(B) an identification of any other source of funding for the School.

(2) The anticipated requirements for facilities for the School.

(3) An identification of the Secretary of a military department designated by the Secretary of Defense as executive agent for the School under subsection (b) of such section.

(4) The anticipated military construction and facilities renovation requirements for the School during such period.

(5) Any other matter relating to the School that the Secretary of Defense considers appropriate.

(c) LIMITATION ON USE OF FUNDS.—

(1) IN GENERAL.—Nothing in section 351 of title 10, United States Code (as so added), may be construed as authorizing the use of funds appropriated for the Department of Defense for any purpose described in paragraph (2) unless specifically authorized by an Act of Congress other than that section or this Act.

(2) PURPOSES.—The purposes described in this paragraph are the following:

(A) The operation of a facility other than the Naval Small Craft Instruction and Technical Training School that is in operation as of the date of the enactment of this Act for the provision of education and training authorized to be provided by the School.

(B) The construction or expansion of any facility of the School.

**Subtitle B—Matters Relating to Afghanistan and Pakistan****SEC. 1211. AFGHANISTAN SECURITY FORCES FUND.**

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2019 shall be subject to the conditions contained in—

(1) subsections (b) through (f) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428), as most recently amended by section 1521(d)(2)(A) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2577); and

(2) section 1521(d)(1) of the National Defense Authorization Act for Fiscal Year 2017.

(b) USE OF FUNDS.—Section 1513(b)(1) of the National Defense Authorization Act for Fiscal Year 2008 is amended by striking “security forces of Afghanistan” and inserting “security forces of the Ministry of Defense and the Ministry of the Interior of the Government of the Islamic Republic of Afghanistan”.

(c) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts authorized to be appropriated for the Afghanistan Security Forces Fund by this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that such equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the Government of the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to the acceptance of

such equipment by the Secretary. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary shall submit to the congressional defense committees a report describing the equipment accepted during the period covered by such report under the following:

(i) This subsection.

(ii) Section 1521(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2575).

(iii) Section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1088).

(iv) Section 1532(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3613).

(v) Section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 938; 10 U.S.C. 2302 note).

(B) ELEMENTS.—Each report under subparagraph (A) shall include a list of all equipment that was accepted during the period covered by such report and treated as stocks of the Department of Defense and copies of the determinations made under paragraph (2), as required by paragraph (3).

(d) SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2019, it is the goal that \$25,000,000, but in no event less than \$10,000,000, shall be used for—

(A) the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces; and

(B) the recruitment, training, and contracting of female security personnel for future elections.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit women into the Afghan National Defense and Security Forces, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units; and

(G) security provisions for high-profile female police and military officers.

(e) ASSESSMENT OF AFGHANISTAN PROGRESS ON SECURITY OBJECTIVES.—

(1) **ASSESSMENT REQUIRED.**—Not later than May 1, 2019, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate an assessment describing the progress of the Government of the Islamic Republic of Afghanistan toward meeting shared security objectives. In conducting such assessment, the Secretary of Defense shall consider each of the following:

(A) The extent to which the Government of Afghanistan has taken steps toward increased accountability and reducing corruption within the Ministries of Defense and Interior.

(B) The extent to which the capability and capacity of the Afghan National Defense and Security Forces have improved as a result of Afghanistan Security Forces Fund investment, including through training.

(C) The extent to which the Afghan National Defense and Security Forces have been able to increase pressure on the Taliban, al-Qaeda, the Haqqani network, and other terrorist organizations, including by re-taking territory, defending territory, and disrupting attacks.

(D) Whether or not the Government of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to security forces charged with fighting the Taliban and other terrorist organizations.

(E) The extent to which the Government of Afghanistan has designated the appropriate staff, prioritized the development of relevant processes, and provided or requested the allocation of resources necessary to support a peace and reconciliation process in Afghanistan.

(F) Such other factors as the Secretaries consider appropriate.

(2) **WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.**—

(A) **IN GENERAL.**—If the Secretary of Defense determines, in coordination with the Secretary of State, pursuant to the assessment under paragraph (1) that the Government of Afghanistan has made insufficient progress, the Secretary of Defense may withhold assistance for the Afghan National Defense and Security Forces until such time as the Secretary determines sufficient progress has been made.

(B) **NOTICE TO CONGRESS.**—If the Secretary of Defense withholds assistance under subparagraph (A), the Secretary shall, in coordination with the Secretary of State, provide notice to Congress not later than 30 days after making the decision to withhold such assistance.

**SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.**

(a) **EXTENSION.**—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended—

(1) in the matter preceding paragraph (1), by striking “October 1, 2017, and ending on December 31, 2018” and inserting “October 1, 2018, and ending on December 31, 2019”; and

(2) by amending paragraph (2) to read as follows:

“(2) Pakistan for certain activities meant to enhance the security situation in the Afghanistan-Pakistan border region pursuant to section 1226 of the National Defense Au-

thorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note), as amended by the John S. McCain National Defense Authorization Act for Fiscal Year 2019.”.

(b) **MODIFICATION TO LIMITATIONS.**—Subsection (d) of such section is amended—

(1) in paragraph (1)—

(A) in the first sentence—

(i) by striking “October 1, 2017, and ending on December 31, 2018” and inserting “October 1, 2018, and ending on December 31, 2019”; and

(ii) by striking “\$900,000,000” and inserting “\$350,000,000”; and

(B) by striking the second sentence; and

(2) by striking paragraph (3).

(c) **REPEAL OF PROVISION RELATING TO REIMBURSEMENT TO PAKISTAN FOR SECURITY ENHANCEMENT ACTIVITIES.**—Such section is further amended—

(1) by striking subsection (e); and

(2) by redesignating subsections (f) through (h) as subsections (e) through (g), respectively.

(d) **NOTICE TO CONGRESS.**—Paragraph (1) of subsection (e) of such section, as redesignated by subsection (c) of this section, is amended by striking the second sentence.

**SEC. 1213. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.**

(a) **EXTENSION.**—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1992), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 115-91), is further amended by striking “December 31, 2018” and inserting “December 31, 2019”.

(b) **EXCESS DEFENSE ARTICLES.**—Subsection (1)(2) of such section, as so amended, is further amended by striking “December 31, 2018” each place it appears and inserting “December 31, 2019”.

**SEC. 1214. MODIFICATION OF REPORTING REQUIREMENTS FOR SPECIAL IMMIGRANT VISAS FOR AFGHAN ALLIES PROGRAM.**

Section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in subsection (b)—

(A) by striking paragraph (10);

(B) by redesignating paragraphs (11) through (16) as paragraphs (10) through (15), respectively;

(C) in paragraph (11)(A), as so redesignated, by striking “the National Defense Authorization Act for Fiscal Year 2014” and inserting “the John S. McCain National Defense Authorization Act for Fiscal Year 2019”; and

(D) in paragraph (12), as so redesignated, by striking “paragraph (12)(B)” and inserting “paragraph (11)(B)”; and

(E) in paragraph (13), as so redesignated, in the matter preceding subparagraph (A), by striking “a report to the” and all that follows through “House of Representatives” and inserting “a report to the appropriate committees of Congress”; and

(2) by striking subsection (c); and

(3) by redesignating subsection (d) as subsection (c).

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

**SEC. 1221. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.**

(a) **EXTENSION.**—Subsection (a) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3558), as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended by striking “December 31, 2019” and inserting “December 31, 2020”.

(b) **FUNDING.**—Subsection (g) of such section 1236, as most recently so amended, is further amended—

(1) by striking “for the Department of Defense for Overseas Contingency Operations for fiscal year 2018” and inserting “for the Department of Defense for Overseas Contingency Operations for fiscal year 2019”; and

(2) by striking “\$1,269,000,000” and inserting “\$850,000,000”.

(c) **LIMITATION OF USE OF FISCAL YEAR 2019 FUNDS.**—Of the amounts authorized to be appropriated for fiscal year 2019 by this Act for activities under the authority in section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, as amended by this section, not more than \$450,000,000 may be obligated or expended for such activities until the date on which the Secretary of Defense has submitted to the congressional defense committees each of the following:

(1) The report on the United States strategy in Iraq required by the joint explanatory statement of the committee of the conference accompanying Conference Report 115-404.

(2) A report setting forth the following:

(A) An explanation of the purpose of a continuing United States military presence in Iraq, including—

(i) an explanation of the national security objectives of the United States with respect to Iraq;

(ii) a detailed description of—

(I) the size of a continuing United States military presence in Iraq; and

(II) the roles and missions associated with a continuing United States military presence in Iraq; and

(iii) a delineation of the responsibilities in connection with a continuing United States military presence in Iraq of—

(I) the Combined Joint Task Force Operation Inherent Resolve (or a successor task force);

(II) the Office of Security Cooperation in Iraq; and

(III) other United States embassy-based military personnel.

(B) An identification of the specific units of the Iraqi Security Forces to receive training and equipment or other support in fiscal year 2019.

(C) A plan for ensuring that any vehicles and equipment provided to the Iraqi Security Forces pursuant to that authority are maintained in subsequent fiscal years using funds of Iraq.

(D) An estimate, by fiscal year, of the funding anticipated to be required for support of the Iraqi Security Forces pursuant to that authority during the five fiscal years beginning with fiscal year 2020.

(E) A detailed plan for the obligation and expenditure of the funds requested for fiscal year 2019 for the Department of Defense for Operational Sustainment of the Iraqi Security Forces.

(F) A plan for the transition to the Government of Iraq of responsibility for funding for Operational Sustainment of the Iraqi Security Forces for fiscal years after fiscal year 2019.

(G) A description of any actions carried out under this paragraph.

**SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.**

(a) **EXTENSION.**—Section 1209(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3559), as most recently amended by section 1221(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2485), is further amended by striking



“December 31, 2018” and inserting “December 31, 2019”.

(b) **LIMITATION ON USE OF FUNDS IN GENERAL.**—

(1) **LIMITATION.**—None of the funds authorized to be appropriated for fiscal year 2019 for the Department of Defense may be obligated or expended for activities under the authority in section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, as amended by subsection (a), until the later of the following:

(A) The date on which the President submits the report on United States strategy in Syria required by section 1221 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(B) The date that is 30 days after the date on which the Secretary of Defense submits the report described in paragraph (2).

(2) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) A detailed description of the internal security forces of the vetted Syrian opposition to be trained and equipped under such authority, including a description of their geographic locations, demographic profiles, political affiliations, current capabilities, and relation to the objectives under the authority in section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, as amended by subsection (a).

(B) A detailed description of planned capabilities, including categories of equipment, intended to be provided to the elements of the vetted Syrian opposition under such authority.

(C) A description of the planned level of engagement by United States forces with the elements of the vetted Syrian opposition after such elements of the vetted Syrian opposition have been trained and equipped under such authority, including the oversight of equipment provided under such authority and the activities conducted by such vetted Syrian opposition forces.

(D) An explanation of the processes and mechanisms for local commanders of the vetted Syrian opposition to exercise command and control of the elements of the vetted Syrian opposition after such elements of the vetted Syrian opposition have been trained and equipped under such authority.

(E) An explanation of complementary local governance and other stabilization activities in areas in which elements of the local internal security forces trained and equipped under such authority will be operating and the relation of such local governance and other stabilization activities to the oversight of such security forces.

(c) **ADDITIONAL LIMITATIONS ON USE OF FUNDS DURING FISCAL YEAR 2019.**—

(1) **CERTIFICATIONS IN CONNECTION WITH USE OF FUNDS.**—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter, the Secretary shall submit to the congressional defense committees a written certification on the following:

(A) Whether, during the 120-day period ending on the date of the certification, demonstrable progress was made—

(i) to retake control of territory in Syria from the Islamic State of Iraq and Syria (ISIS); or

(ii) to stabilize areas in Syria formerly held by the Islamic State of Iraq and Syria.

(B) Whether, during such period, the vetted Syrian opposition tasked with conducting local security operations that United States forces are training and equipping under the authority in section 1209 of the Carl Levin and Howard P. “Buck” McKeon National De-

fense Authorization Act for Fiscal Year 2015, as amended by subsection (a), were demographically representative of the local communities and serve local governance bodies that are similarly representative of the local communities.

(C) Whether, during such period, the Department of Defense took actions to mitigate any pause in offensive operations against the Islamic State of Iraq and Syria through the training, equipping, and assistance of the vetted Syrian opposition.

(D) Whether, during such period, support provided under the authority referred to in subparagraph (B) was consistent with United States standards regarding respect for human rights, rule of law, and support for stable and equitable governance.

(E) Whether, during such period, members of the vetted Syrian opposition receiving support under the authority referred to in subparagraph (B) continued to demonstrate respect for human rights and rule of law, violations of human rights and rule of law by such members were appropriately investigated, and the individuals responsible for such violations were appropriately held accountable.

(2) **LIMITATION.**—If the Secretary does not make a certification by the deadline for submittal required for the certification under paragraph (1), or is unable in the certification to certify each of the matters specified in that paragraph, no support may be provided to the vetted Syrian opposition under the authority in section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, as amended by subsection (a), during the period that—

(A) begins on the deadline for submittal of the certification (if the certification is not made) or the date of the certification (if the certification does not certify each of the matters), as applicable; and

(B) ends on the date on which a certification is submitted under paragraph (1) that certifies each of the matters.

**SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.**

(a) **EXTENSION OF AUTHORITY.**—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended by striking “fiscal year 2018” and inserting “fiscal year 2019”.

(b) **AMOUNT AVAILABLE.**—

(1) **IN GENERAL.**—Such section is further amended—

(A) in subsection (c), by striking “fiscal year 2018 may not exceed \$42,000,000” and inserting “fiscal year 2019 may not exceed \$45,300,000”; and

(B) in subsection (d), by striking “fiscal year 2018” and inserting “fiscal year 2019”.

(2) **LIMITATION OF USE OF FISCAL YEAR 2019 FUNDS PENDING REPORTS.**—Of the amount available for fiscal year 2019 for section 1215 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, not more than an amount equal to 25 percent of such amount may be obligated or expended for the Office of Security Cooperation in Iraq until 30 days after the later of—

(A) the date on which the report on the United States strategy on Iraq required by the joint explanatory statement of the committee of the conference accompanying Conference Report 115–404 is submitted to the congressional defense committees; and

(B) the date on which the report required under subsection (c) is submitted to the appropriate committees of Congress.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act,

the Secretary of Defense, in cooperation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the Office of Security Cooperation in Iraq.

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

(A) A description of the enduring planned size and missions of the Office of Security Cooperation in Iraq after the cessation of major combat operations against the Islamic State of Iraq and Syria.

(B) A description of the relationship between the Office of Security Cooperation in Iraq and any planned enduring presence of other United States forces in Iraq.

(C) A detailed description of any activity to be conducted by the Office of Security Cooperation in Iraq in fiscal year 2019.

(D) A plan and timeline for the normalization of the Office of Security Cooperation in Iraq to conform to other offices of security cooperation, including the transition of funding from the Department of Defense to the Department of State by the beginning of fiscal year 2020.

(E) Such other matters with respect to the Office of Security Cooperation in Iraq as the Secretary of Defense and the Secretary of State consider appropriate.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1224. SYRIA STUDY GROUP.**

(a) **ESTABLISHMENT.**—There is established a working group to be known as the “Syria Study Group” (in this section referred to as the “Group”).

(b) **PURPOSE.**—The purpose of the Group is to examine and make recommendations on the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(c) **COMPOSITION.**—

(1) **MEMBERSHIP.**—The Group shall be composed of 12 members, who shall be appointed as follows:

(A) One member appointed by the chair of the Committee on Armed Services of the Senate.

(B) One member appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) One member appointed by the chair of the Committee on Foreign Relations of the Senate.

(D) One member appointed by the ranking minority member of the Committee on Foreign Relations of the Senate.

(E) One member appointed by the chair of the Committee on Armed Services of the House of Representatives.

(F) One member appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(G) One member appointed by the chair of the Committee on Foreign Affairs of the House of Representatives.

(H) One member appointed by the ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(I) One member appointed by the majority leader of the Senate.

(J) One member appointed by the minority leader of the Senate.

(K) One member appointed by the Speaker of the House of Representatives.

(L) One member appointed by the minority leader of the House of Representatives.

(2) **CO-CHAIRS.**—

(A) Of the members of the Group, one co-chair shall be jointly designated by—

(i) the chairs of the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(ii) the chairs of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives;

(iii) the majority leader of the Senate; and

(iv) the Speaker of the House of Representatives.

(B) Of the members of the Group, one co-chair shall be jointly designated by—

(i) the ranking minority members of the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(ii) the ranking minority members of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives;

(iii) the minority leader of the Senate; and

(iv) the minority leader of the House of Representatives.

(3) PERIOD OF APPOINTMENT.—A member shall be appointed for the life of the Group.

(4) VACANCIES.—Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—The Group shall conduct a review on the current United States military and diplomatic strategy with respect to the conflict in Syria that includes a review of current United States objectives in Syria and the desired end state in Syria.

(2) ASSESSMENT AND RECOMMENDATIONS.—The Group shall—

(A) conduct a comprehensive assessment of the current situation in Syria, the impact of such situation on neighboring countries, the resulting regional and geopolitical threats to the United States, and current military, diplomatic, and political efforts to achieve a stable Syria; and

(B) develop recommendations on the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(e) COOPERATION OF UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—The Group shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of State, and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group under subsection (d).

(2) LIAISON.—The Secretary of Defense, the Secretary of State, and the Director of National Intelligence shall each designate at least one officer or employee of the Department of Defense, the Department of State, and the Office of the Director of National Intelligence, respectively, to serve as a liaison to the Group.

(3) FACILITATION.—The United States Institute of Peace shall take appropriate actions to facilitate the Group in the discharge of the duties of the Group under this section.

(f) REPORTS.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than June 30, 2019, the Group shall submit to the President, the Secretary of Defense, the Committee on Armed Services and the Committee on Foreign Relations of the Senate, the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, the majority and minority leaders of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives a report that sets forth the findings, conclusions, and recommendations of the Group under this section.

(B) ELEMENTS.—The report required by subparagraph (A) shall include each of the following:

(i) An assessment of the current security, political, humanitarian, and economic situations in Syria.

(ii) An assessment of the current participation and objectives of the various external actors in Syria.

(iii) An assessment of the consequences of continued conflict in Syria.

(iv) Recommendations for a resolution to the conflict in Syria, including—

(I) options for a gradual political transition to a post-Assad Syria; and

(II) actions necessary for reconciliation.

(v) A roadmap for a United States and coalition strategy to reestablish security and governance in Syria, including recommendations for the synchronization of stabilization, development, counterterrorism, and reconstruction efforts.

(vi) Any other matter with respect to the conflict in Syria that the Group considers to be appropriate.

(2) INTERIM REPORT.—Not later than February 1, 2019, the Group shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate, the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, the majority and minority leaders of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives a report that describes the status of the review and assessment under subsection (d) and any interim recommendations developed by the Group as of the date of the briefing.

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

(g) TERMINATION.—The Group shall terminate on the date that is 180 days after the date on which the Group submits the report required by subsection (f)(1).

#### SEC. 1225. MODIFICATION OF ANNUAL REPORT ON MILITARY POWER OF IRAN.

Section 1245(b) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 113 note) is amended—

(1) in paragraph (3)(B), by inserting “the Houthis,” after “Hamas,”; and

(2) in paragraph (7)—

(A) by inserting “the Russian Federation,” after “Pakistan,”; and

(B) by inserting “trafficking or” before “development”.

#### Subtitle D—Matters Relating to Europe and the Russian Federation

#### SEC. 1231. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) EXTENSION.—Subsection (a) of section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2488), as amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended in the matter preceding paragraph (1) by striking “fiscal year 2017 or 2018” and inserting “fiscal year 2017, 2018, or 2019”.

(b) RULE OF CONSTRUCTION.—Such section is further amended—

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

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

“(e) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to limit bilateral military-to-military dialogue between the United States and the Russian Federation for the purpose of reducing the risk of conflict.”.

#### SEC. 1232. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the limitation in subsection (a) if the Secretary of Defense—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notification of the waiver.

#### SEC. 1233. EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1068), as most recently amended by section 1234 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “for fiscal year 2018 pursuant to subsection (f)(3)” and inserting “for fiscal year 2019 pursuant to subsection (f)(4)”; and

(B) in paragraph (3), by striking “fiscal year 2018” and inserting “fiscal year 2019”;

(2) in subsection (f), by adding at the end the following new paragraph:

“(4) For fiscal year 2019, \$200,000,000.”; and

(3) in subsection (h), by striking “December 31, 2020” and inserting “December 31, 2021”.

#### SEC. 1234. SENSE OF SENATE ON RELOCATION OF JOINT INTELLIGENCE ANALYSIS COMPLEX.

It is the sense of the Senate that, in consideration of any future plans regarding the relocation of the Joint Intelligence Analysis Complex of the United States European Command, the Secretary of Defense should maintain its geographic location within the United Kingdom and its collocation with the North Atlantic Treaty Organization (NATO) Intelligence Fusion Center.

#### SEC. 1235. SENSE OF SENATE ON ENHANCING DETERRENCE AGAINST RUSSIAN AGGRESSION IN EUROPE.

(a) STATEMENT OF POLICY.—To protect the national security of the United States, it is the policy of the United States to pursue an integrated approach to strengthening the defense of allies and partners in Europe as part of a broader, long-term strategy backed by all elements of United States national power to deter and, if necessary, defeat Russian aggression.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that in order to strengthen the defense of allies and partners in Europe, the Secretary of Defense, in coordination with the Secretary of State and in consultation with the commander of United States European Command, should—

(1) prioritize the need for additional United States Army forward presence in Europe, especially increased forward-stationed combat enablers to enhance United States Army capability and capacity in areas such as—

(A) long-range fires;

(B) air and missile defense;

(C) combat engineering;

(D) logistics and sustainment;

(E) warfighting headquarters elements; and

(F) electronic warfare;

(2) conduct a review of the balance of United States Army presence in Europe between rotationally deployed and forward-stationed forces, including an examination of transitioning the rotational presence of a United States Army armored brigade combat team (ABCT) in Europe to a forward-stationed ABCT, with consideration of—

(A) the opportunity to more effectively signal the enduring commitment of the United States—

(i) to assure allies and partners in Europe; and

(ii) to deter Russian aggression;

(B) the significant recurring fiscal costs of rotating heavy, equipment-intensive units;

(C) the family readiness impacts of lengthy heel-to-toe rotational deployments;

(D) the potential advantages of interoperability and cultural proficiency that can be achieved by forward-stationed forces that have knowledge of local rules, regulations, culture, customs, geography, and counter-part military units and officials;

(E) the potential tradeoffs between—

(i) the training readiness and high operational tempo of rotational units; and

(ii) the higher manning rates of forward-stationed forces; and

(F) the benefits of National Training Center rotations for rotationally deployed units as compared to maximized use of United States Army training areas in Europe, including the Joint Multinational Readiness Center in Germany, by forward-stationed units in Europe;

(3) consider options for mitigating personnel impacts of heel-to-toe rotations of United States forces in Europe, including designation of Operation Atlantic Resolve as a named operation;

(4) examine the merit and feasibility of maintaining a continuous and enduring presence of at least one United States Army company in Estonia, Latvia, and Lithuania;

(5) examine the merit and feasibility of increasing the presence of United States special operations forces in Estonia, Latvia, and Lithuania to deter aggression, promote interoperability, build resilience through training activities focused on countering unconventional warfare strategies, and enable the North Atlantic Treaty Organization (NATO) to take collective action if required;

(6) examine the merit and feasibility of prepositioning certain equipment and ammunition in Estonia, Latvia, and Lithuania;

(7) continue rotational deployments of United States forces to Romania and Bulgaria while taking full advantage of the training opportunities available at military locations such as Camp Mihail Kogalniceanu in Romania and Novo Selo Training Area in Bulgaria;

(8) examine the implications of Russian military activity in the Arctic region for United States military capability, capacity, and force posture;

(9) conduct exercises focused on demonstrating the capability to flow United States forces from the continental United States and surge forces from central to eastern Europe in a nonpermissive environment—

(A) to test and improve strategic and operational logistics and transportation capabilities;

(B) to identify capability gaps, capacity shortfalls, or other limiting factors in the execution of operational plans; and

(C) to identify appropriate corrective action;

(10) consider incorporating cyber protection teams, to the extent practicable, with rotational forces in Europe with a focus on training United States and allied forces to operate against adversary cyber, electronic

warfare, and information operations capabilities;

(11) support robust security assistance for Ukraine, including defensive lethal assistance, while promoting necessary defense institutional reforms;

(12) support robust security assistance for Georgia, including defensive lethal assistance, to strengthen the defense capabilities and readiness of Georgia, and improve interoperability with NATO forces;

(13) promote enhanced military-to-military engagement between the United States and the militaries of the countries of the Western Balkans to promote interoperability with NATO, civilian control of the military, procurement reforms, and regional security cooperation;

(14) develop and implement a comprehensive security cooperation strategy that rationalizes and prioritizes support for allies and partners in Europe, including Estonia, Latvia, Lithuania, Poland, Romania, Bulgaria, Ukraine, Moldova, and Georgia;

(15) consider the merit and feasibility of a defense lending initiative to support allies and partners in Europe, especially allies and partners that are most vulnerable to Russian aggression, to supplement and fill gaps in existing United States security assistance and arms sales mechanisms; and

(16) in NATO or through other multilateral formats—

(A) promote reforms to accelerate the speed of decision and deployability within NATO, including delegation to the Secretary General and the Supreme Allied Commander Europe (SACEUR) of the authority to deploy the Very High Readiness Joint Task Force to any location within the territory of NATO allies in response to a security crisis;

(B) promote a more robust NATO defense planning process that—

(i) defines clear, stable chains-of-command responsible for the execution of graduated response plans;

(ii) generates realistic military requirements; and

(iii) provides a basis for assigning allies specific responsibilities as force providers in contingency plans;

(C) pursue planning agreements with allies and partners in Europe on rules of engagement and arrangements for command and control, access, transit, and support in crisis situations, which occur prior to an invocation of Article 5 of the Washington Treaty by the North Atlantic Council;

(D) promote operational readiness of major combat units as a key element of alliance burden sharing alongside spending commitments made at the 2014 Wales Summit, including through—

(i) the establishment of 30-day readiness targets for NATO kinetic air squadrons, major naval combatants, and mechanized maneuver battalions;

(ii) emphasis on allies maintaining fully manned units, improving readiness of key logistics units, increasing lift capacity, and maintaining sufficient stocks of equipment and munitions; and

(iii) the conduct of NATO exercises with a focus on rapid mobilization and deployment of allied forces;

(E) explore transitioning the Baltic air policing mission of NATO to a Baltic air defense mission that would—

(i) be fully integrated with the Integrated Air and Missile Defense of NATO and other regional short- and medium-range air defense systems; and

(ii) include the participation of NATO and regional partners such as Sweden and Finland; and

(F) support multilateral efforts to improve maritime domain awareness in the Baltic Sea, including—

(i) integrating subsurface sensors and anti-submarine warfare platforms of NATO and other regional partners into a shared maritime domain awareness framework;

(ii) coordinating the development, procurement, and employment of aerial, surface, and subsurface unmanned vehicles as well as mobile air surveillance radars;

(iii) expanding the scope of Sea Surveillance Cooperation Baltic Sea (SUCBAS) information sharing to include sensitive or classified data with the goal of creating a common operating picture; and

(iv) encouraging civil-military collaboration on maritime domain awareness;

(G) promote alignment of the Permanent Structured Cooperation, European Defense Fund, and Coordinated Annual Review on Defense of the European Union (EU) with the NATO defense planning process;

(H) support NATO-EU cooperation to ensure that—

(i) EU capability development is coherent, complementary, and interoperable with NATO;

(ii) EU-generated capabilities are available to NATO; and

(iii) EU defense activities are conducted with appropriate transparency and participation of non-EU states;

(I) support coordinated NATO and EU actions on expediting or waiving diplomatic clearances for the movement of United States and allied forces during contingencies;

(J) support cooperative investment frameworks that promote increased military mobility in Europe;

(K) explore enhancing the role of NATO Force Integration Units to more centrally coordinate exercises and training by de-conflicting training engagements, identifying opportunities for combined activities, and ensuring exercise design and delivery are responsive to the dynamic security environment;

(L) support cooperative efforts to improve the cyber resiliency of commercial systems in Europe, especially port and rail infrastructure essential for military mobility;

(M) support NATO procurement and training efforts to expand the use of secure and interoperable communications at the operational level, especially in the militaries of Estonia, Latvia, Lithuania, Poland, Romania, and Bulgaria;

(N) expand cooperation and joint planning with allies and partners on intelligence, surveillance, and reconnaissance (ISR), including—

(i) exercises related to border security and crisis command and control; and

(ii) electronic warfare, anti-air, and anti-surface capabilities;

(O) promote efforts to improve the capability and readiness of NATO Standing Maritime Groups;

(P) encourage regular review and update of the Alliance Maritime Strategy of NATO to reflect the changing military balance in the Black Sea with a particular focus on ISR, cyber, electronic warfare, and anti-submarine warfare capabilities as well as defense of ports, airfields, military bases, and other critical infrastructure;

(Q) explore increasing the frequency, scale, and scope of NATO and other multilateral exercises in the Black Sea with the participation of Ukraine and Georgia;

(R) promote integration of United States Marines in Norway with the United Kingdom-led Joint Expeditionary Force to increase multilateral cooperation and interoperability between NATO and regional partners such as Sweden and Finland;

(S) affirm support for the Open Door policy of NATO, including the eventual membership of Georgia in NATO; and

(T) promote the contribution of sufficient resources by NATO allies for the Substantial NATO-Georgia Package, and encourage NATO allies to make full use of the NATO-Georgian Joint Training and Evaluation Center.

**SEC. 1236. TECHNICAL AMENDMENTS RELATED TO NATO SUPPORT AND PROCUREMENT ORGANIZATION AND RELATED NATO AGREEMENTS.**

(a) TITLE 10, UNITED STATES CODE.—Section 2350d of title 10, United States Code, is amended—

(1) by striking “NATO Support Organization” each place it appears and inserting “NATO Support and Procurement Organization”;

(2) by striking “Support Partnership Agreement” each place it appears and inserting “Support or Procurement Partnership Agreement”; and

(3) in subsection (a)(1), by striking “Support Partnership Agreements” and inserting “Support or Procurement Partnership Agreements”.

(b) ARMS EXPORT CONTROL ACT.—Section 21(e)(3) of the Arms Export Control Act (22 U.S.C. 2761(e)(3)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking “North Atlantic Treaty Organization (NATO) Support Organization” and inserting “North Atlantic Treaty Organization (NATO) Support and Procurement Organization”; and

(B) in clause (i), by striking “support partnership agreement” and inserting “support or procurement partnership agreement”; and

(2) in subparagraph (C)(i), in the matter preceding subclause (I)—

(A) by striking “‘weapon system partnership agreement’” and inserting “‘support or procurement partnership agreement’”; and

(B) by striking “North Atlantic Treaty Organization (NATO) Support Organization” and inserting “North Atlantic Treaty Organization (NATO) Support and Procurement Organization”.

**SEC. 1237. REPORT ON SECURITY COOPERATION BETWEEN THE RUSSIAN FEDERATION AND CUBA, NICARAGUA, AND VENEZUELA.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the appropriate committees of Congress a report on security cooperation between the Russian Federation and each of the countries specified in subsection (b).

(b) COUNTRIES.—The countries specified in this subsection are as follows:

(1) Cuba.

(2) Nicaragua.

(3) Venezuela.

(c) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of bilateral security cooperation between the Russian Federation and each country specified in subsection (b) that includes each of the following:

(A) A list of Russian weapon systems or other military hardware or technology valued at not less than \$1,000,000 provided to or purchased by such country since January 1, 2007.

(B) A description of the participation of the security forces of such country in training or exercises with the security forces of the Russian Federation since January 1, 2007.

(C) A description of any security cooperation agreement between the Russian Federation and such country.

(D) A description of any military or intelligence infrastructure, facilities, and assets developed by the Russian Federation in each such country and any associated agreements

or understandings between the Russian Federation and such country.

(2) An assessment of security cooperation, specifically in an advisory role, among the countries specified in subsection (b).

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**SEC. 1238. SENSE OF SENATE ON COUNTERING RUSSIAN MALIGN INFLUENCE.**

It is the sense of the Senate that the Secretary of Defense and the Secretary of State should—

(1) urgently prioritize the completion of a comprehensive strategy to counter Russian malign influence; and

(2) submit to Congress the report required by section 1239A(d) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

**Subtitle E—Matters Relating to the Indo-Pacific Region**

**SEC. 1241. REDESIGNATION, EXPANSION, AND EXTENSION OF SOUTHEAST ASIA MARITIME SECURITY INITIATIVE.**

(a) REDESIGNATION AS INDO-PACIFIC MARITIME SECURITY INITIATIVE.—

(1) IN GENERAL.—Subsection (a)(2) of section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended by striking “the ‘Southeast Asia Maritime Security Initiative’” and inserting “the ‘Indo-Pacific Maritime Security Initiative’”.

(2) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

**“SEC. 1263. INDO-PACIFIC MARITIME SECURITY INITIATIVE.”**

(b) EXPANSION.—

(1) EXPANSION OF REGION TO RECEIVE ASSISTANCE AND TRAINING.—Subsection (a)(1) of such section is amended by inserting “and the Indian Ocean” after “South China Sea” in the matter preceding subparagraph (A).

(2) RECIPIENT COUNTRIES OF ASSISTANCE AND TRAINING GENERALLY.—Subsection (b) of such section is amended—

(A) in paragraph (2), by striking the comma at the end and inserting a period; and

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

“(6) Bangladesh.

“(7) Sri Lanka.”.

(3) COUNTRIES ELIGIBLE FOR PAYMENT OF CERTAIN INCREMENTAL EXPENSES.—Subsection (e)(2) of such section is amended by adding at the end the following new subparagraph:

“(D) India.”.

(c) EXTENSION.—Subsection (h) of such section is amended by striking “September 30, 2020” and inserting “December 31, 2025”.

**SEC. 1242. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.**

Section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended—

(1) by redesignating paragraphs (6) through (16) and (17) through (23) as paragraphs (7) through (17) and (19) through (25), respectively;

(2) by inserting after paragraph (5) the following new paragraph (6):

“(6) China’s overseas military basing and logistics infrastructure.”;

(3) in paragraph (8), as so redesignated, by striking “including technology transfers and espionage” in the first sentence and inserting “including investment, industrial espionage, cybertheft, academia, and other means of technology transfer”;

(4) by inserting after paragraph (17), as so redesignated, the following new paragraph (18):

“(18) An assessment of relations between China and the Russian Federation with respect to security and military matters.”; and

(5) by adding at the end the following new paragraphs:

“(26) The relationship between Chinese overseas investment, including initiatives such as the Belt and Road Initiative, and Chinese security and military strategy objectives.

“(27) Efforts by China to influence the media, cultural institutions, business, and academic and policy communities of the United States to be more favorable to its security and military strategy and objectives.

“(28) Efforts by China to monitor and influence, in support of its security and military strategy and objectives, the following:

“(A) Chinese citizens in the United States.

“(B) United States citizens of Chinese descent.”.

**SEC. 1243. SENSE OF SENATE ON TAIWAN.**

It is the sense of the Senate that—

(1) the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the “Six Assurances” are both cornerstones of United States relations with Taiwan;

(2) the United States should strengthen defense and security cooperation with Taiwan to support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain a sufficient self-defense capability;

(3) the United States should strongly support the acquisition by Taiwan of defensive weapons through foreign military sales, direct commercial sales, and industrial cooperation, with a particular emphasis on asymmetric warfare and undersea warfare capabilities, consistent with the Taiwan Relations Act;

(4) the United States should improve the predictability of arms sales to Taiwan by ensuring timely review of and response to requests of Taiwan for defense articles and defense services;

(5) the Secretary of Defense should promote Department of Defense policies concerning exchanges that enhance the security of Taiwan, including—

(A) United States participation in appropriate Taiwan exercises, such as the annual Han Kuang exercise;

(B) Taiwan participation in appropriate United States exercises; and

(C) exchanges between senior defense officials and general officers of the United States and Taiwan consistent with the Taiwan Travel Act (Public Law 115-135);

(6) the United States and Taiwan should expand cooperation in humanitarian assistance and disaster relief; and

(7) the Secretary of Defense should consider supporting the visit of a United States hospital ship to Taiwan as part of the annual “Pacific Partnership” mission in order to improve disaster response planning and preparedness as well as to strengthen cooperation between the United States and Taiwan.

**SEC. 1244. REDESIGNATION AND MODIFICATION OF SENSE OF CONGRESS AND INITIATIVE FOR THE INDO-ASIA-PACIFIC REGION.**

(a) REDESIGNATION.—

(1) IN GENERAL.—Section 1251 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking “Indo-Asia-Pacific” each place it appears and inserting “Indo-Pacific”.

(2) HEADING AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

**“SEC. 1251. SENSE OF CONGRESS AND INITIATIVE FOR THE INDO-PACIFIC REGION.”**

(B) SUBSECTION HEADINGS.—Such section is further amended in the headings of subsections (b) and (f) by striking “INDO-ASIA-PACIFIC” and inserting “INDO-PACIFIC”.

(b) MODIFICATION OF INITIATIVE.—Such section is further amended—

(1) in subsection (c)—

(A) by striking paragraphs (1) through (4) and inserting the following new paragraphs (1) through (4):

“(1) Activities to increase the rotational and forward presence, improve the capabilities, and enhance the posture of the United States Armed Forces in the Indo-Pacific region—

“(A) consistent with the National Defense Strategy; and

“(B) to the extent required to minimize the risk of execution of the contingency plans of the Department of Defense.

“(2) Activities to improve military and defense infrastructure, logistics, and assured access in the Indo-Pacific region to enhance the responsiveness, survivability, and operational resilience of the United States Armed Forces in the Indo-Pacific region.

“(3) Activities to enhance the storage and pre-positioning in the Indo-Pacific region of equipment and munitions of the United States Armed Forces.

“(4) Bilateral and multilateral military training and exercises with allies and partner nations in the Indo-Pacific region.”; and

(B) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “security capacity” and all that follows through “of allies” in subparagraph (B) and inserting “security capacity of allies”; and

(ii) by redesignating clauses (i) through (v) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(2) in subsection (d), by striking “only”; and

(3) by amending subsection (e) to read as follows:

“(e) FIVE-YEAR PLAN FOR THE INDO-PACIFIC STABILITY INITIATIVE.—

“(1) PLAN REQUIRED.—

“(A) IN GENERAL.—Not later than March 1, 2019, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command, shall submit to the congressional defense committees a future years plan on activities and resources of the Initiative.

“(B) APPLICABILITY.—The plan shall apply to the Initiative with respect to fiscal year 2020 and at least the four succeeding fiscal years.

“(2) ELEMENTS.—The plan required under paragraph (1) shall include each of the following:

“(A) A description of the objectives of the Initiative.

“(B) A description of the manner in which such objectives support implementation of the National Defense Strategy and reduce the risk of execution of the contingency plans of the Department of Defense by improving the operational resilience of United States forces in the Indo-Pacific region.

“(C) An assessment of the resource requirements to achieve such objectives.

“(D) An assessment of any additional rotational or permanently stationed United States forces in the Indo-Pacific region required to achieve such objectives.

“(E) An assessment of the logistics requirements, including force enablers, equipment, supplies, storage, and maintenance, to achieve such objectives.

“(F) An identification and assessment of required infrastructure investments to achieve such objectives, including potential infrastructure investments by host countries and new construction or upgrades of existing sites that would be funded by the United States.

“(G) An assessment of any new agreements, or changes to existing agreements, with other countries for assured access required to achieve such objectives.

“(H) An assessment of security cooperation investments required to achieve such objectives.

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

**SEC. 1245. PROHIBITION ON PARTICIPATION OF THE PEOPLE'S REPUBLIC OF CHINA IN RIM OF THE PACIFIC (RIMPAC) NAVAL EXERCISES.**

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

(1) the pace and militarization by the Government of the People's Republic of China of land reclamation activities in the South China Sea is destabilizing the security of United States allies and partners and threatening United States core interests;

(2) these activities of the Government of the People's Republic of China adversarially threaten the maritime security of the United States and our allies and partners;

(3) no country that acts adversarially should be invited to multilateral exercises; and

(4) the involvement of the Government of the People's Republic of China in multilateral exercises should undergo reevaluation until such behavior changes.

(b) CONDITIONS FOR FUTURE PARTICIPATION IN RIMPAC.—The Secretary of Defense shall not enable or facilitate the participation of the People's Republic of China in any Rim of the Pacific (RIMPAC) naval exercise unless the Secretary certifies to the congressional defense committees that China has—

(1) ceased all land reclamation activities in the South China Sea;

(2) removed all weapons from its land reclamation sites; and

(3) established a consistent four-year track record of taking actions toward stabilizing the region.

**SEC. 1246. ASSESSMENT OF AND REPORT ON GEOPOLITICAL CONDITIONS IN THE INDO-PACIFIC REGION.**

(a) ASSESSMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall select and enter into an agreement with an entity independent of the Department of Defense to conduct an assessment of the geopolitical conditions in the Indo-Pacific region that are necessary for the successful implementation of the National Defense Strategy.

(2) MATTERS TO BE INCLUDED.—The assessment required by paragraph (1) shall include a determination of the geopolitical conditions in the Indo-Pacific region, including any change in economic and political relations, that are necessary to support United States military requirements for forward defense, extensive forward basing, and alliance formation and strengthening in such region.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the independent entity selected under subsection (a) shall submit to the appropriate committees of Congress a report on the results of the assessment conducted under that subsection.

(c) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary shall provide the independent entity selected under subsection (a) with timely access to appropriate information, data, resources, and analyses necessary for

the independent entity to conduct the assessment required by that subsection in a thorough and independent manner.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1247. SENSE OF SENATE ON UNITED STATES-INDIA DEFENSE RELATIONSHIP.**

It is the sense the Senate that the United States should strengthen and enhance its major defense partnership with India and work toward mutual security objectives by—

(1) expanding engagement in multilateral frameworks, including the Quadrilateral Dialogue between the United States, India, Japan, and Australia, to promote regional security and defend shared values and common interests in the rules-based order;

(2) exploring additional steps to implement the “major defense partner” designation to better facilitate military interoperability, information sharing, and appropriate technology transfers;

(3) designating the responsible individual within the Department of Defense to facilitate the major defense partnership with India, as required by section 1292(a)(1)(B) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2559);

(4) pursuing strategic initiatives to help develop India's defense capabilities, including maritime security capabilities;

(5) improving cooperation on and coordination of humanitarian and disaster relief responses;

(6) conducting additional joint exercises with India in the Persian Gulf, the Indian Ocean region, and the Western Pacific; and

(7) furthering cooperative efforts to promote security and stability in Afghanistan.

**SEC. 1248. SENSE OF SENATE ON STRATEGIC IMPORTANCE OF MAINTAINING COMMITMENTS UNDER COMPACTS OF FREE ASSOCIATION.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau are sovereign countries in free association with the United States under the Compacts of Free Association (in this section referred to as the “Compacts”), which provide for the exclusive right of the United States Armed Forces to operate in the areas covered by the Compacts.

(2) Such exclusive right allows the United States to curtail the potential expansion of foreign militaries into areas covered by the Compacts.

(3) Under the Compacts, eligible citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau may—

(A) reside, work, and study in the United States without a visa; and

(B) serve in the United States Armed Forces.

(4) An estimated ¼ of the populations of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau has relocated to the United States.

(5) Under the Compacts, the Federal Government is required to provide assistance to any affected jurisdiction in the United States to defray costs incurred by the affected jurisdiction for health, educational, social, or public safety services, or for infrastructure relating to such services, due to the residence in the affected jurisdiction of

citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

(b) SENSE OF SENATE.—It is the sense of the Senate that maintaining the commitments of the United States under the Compacts is of vital strategic importance to the national security interests of the United States.

**SEC. 1249. SENSE OF SENATE ON UNITED STATES MILITARY FORCES ON THE KOREAN PENINSULA.**

(a) FINDINGS.—The Senate makes the following findings:

(1) On June 25, 1950, the Democratic People's Republic of Korea (DPRK), under the rule of Kim Il-sung, the grandfather of Kim Jong-un, launched a surprise attack against forces from the Republic of Korea (South Korea) and small contingent of United States forces, thus beginning the Korean War.

(2) In June and July of 1950, the United Nations Security Council adopted Resolutions 82, 83, and 84 calling for the Democratic People's Republic of Korea to cease hostilities and withdraw, to recommend that United Nations member nations provide forces to repel the Democratic People's Republic of Korea attack, and stating any forces provided should be unified under the command of the United States, respectively.

(3) Fighting as part of a 1,000,000-strong, 22-nation United Nations force, 36,574 members of the United States Armed Forces and 137,899 members of the South Korean military lost their lives during the three years of armed hostilities and brutal conflict in the Korean War.

(4) On July 27, 1953, the Democratic People's Republic of Korea, Chinese People's Volunteers, and the United Nations signed an armistice agreement ceasing all hostilities in Korea and establishing the Demilitarized Zone (DMZ).

(5) Since 1953, lawfully-deployed United States and United Nations forces have remained alongside their South Korean counterparts, continuing to protect and defend South Korea and deter aggression from the Democratic People's Republic of Korea.

(6) As a lasting testament the blood and treasure lost during the Korean War and the strong and unwavering alliance built from the ashes of the conflict, the Korean War Memorial in Washington, District of Columbia, and the War Memorial of Korea in Seoul, South Korea, prominently display the following inscription: "Our Nation honors her Sons and Daughters who answered the call to defend a Country they never knew and a people they never met."

(7) The United States maintains a robust, well-trained, and ready force of approximately 28,500 members of the Armed Forces in South Korea, and the presence of the members of the Armed Forces in South Korea demonstrates the continued resolve and support of the United States for the enduring United States-South Korean Alliance.

(8) On December 22, 2017, Kim Jong-un stated, "The rapid development of [North Korea's] nuclear force is now exerting big influence on the world political structure and strategic environment."

(9) On January 1, 2018, Kim Jong-un stated "The entire United States is within range of our nuclear weapons, and a nuclear button is always on my desk. This is reality, not a threat. This year we should focus on mass producing nuclear warheads and ballistic missiles for operational deployment."

(10) Despite 11 standalone United Nations Security Council resolutions against the nuclear and ballistic missile programs of the Democratic People's Republic of Korea, 8 of which passed during the rule of Kim Jong-un, the Democratic People's Republic of Korea has continued to illegally and unlaw-

fully pursue a long-range, nuclear capability meant to hold hostage the United States and threaten the security of the neighbors of the Democratic People's Republic of Korea.

(11) The 2017 National Security Strategy (NSS) states—

(A) "Our alliance and friendship with South Korea, forged by the trials of history, is stronger than ever";

(B) "Allies and partners magnify our power . . . [and] together with our allies, partners, and aspiring partners, the United States will pursue cooperation with reciprocity"; and

(C) with respect to priority actions in the Indo-Pacific region, "We will redouble our commitment to established alliances and partnerships, while expanding and deepening relationships with new partners that share respect for sovereignty . . . and the rule of law."

(12) Secretary of Defense James Mattis stated, "Winston Churchill noted that the only thing harder than fighting with allies is fighting without them. History proves that we are stronger when we stand united with others. Accordingly, our military will be designed, trained, and ready to fight alongside allies."

(13) The 2018 National Defense Strategy (NDS) states, "Mutually beneficial alliances and partnerships are crucial to our strategy, providing a durable, asymmetric strategic advantage that no competitor or rival can match . . . [and the United States] will strengthen and evolve our alliances and partnerships into an extended network capable of deterring or decisively acting to meet the shared challenges of our time."

(14) The unclassified summary of 2018 NDS, an 11-page document, mentions the term "allies" or "alliances" over 50 times.

(15) The 2018 NDS states, "China is a strategic competitor using predatory economics to intimidate its neighbors . . . [and] it is increasingly clear that China . . . want[s] to shape a world consistent with their authoritarian model—gaining veto authority over other nations' economic, diplomatic, and security decisions."

(16) Foreign policy experts have long contended that the first priority of the People's Republic of China on the Korean Peninsula is to ensure that the Democratic People's Republic of Korea remains a buffer between China and the democratic South Korea and the United States forces deployed on the Korean Peninsula.

(17) China continues to provide the Democratic People's Republic of Korea with most of its food and energy supplies and, until recently, accounted for approximately 90 percent of the total trade volume of the Democratic People's Republic of Korea.

(18) On June 30, 2017, President Donald Trump stated, "Our goal is peace, stability and prosperity for the region. But the United States will defend itself, always will defend itself, always, and we will always defend our allies. As part of that commitment, we are working together to ensure fair burden sharing and support of the United States military presence in Republic of Korea."

(19) South Korea already pays for approximately 50 percent of the total nonpersonal costs of the 28,500 United States members of the Armed Forces on the Korean Peninsula, amounting to \$887,500,000 in 2018.

(20) President Moon Jae-in has committed to increasing the defense spending of South Korea during his term from the current level 2.4 percent of the gross domestic product to 2.9 percent of the gross domestic product.

(21) News reports published in early May 2018 have stated that President Trump asked the Secretary of Defense to provide him with options for removing United States troops from the Korean Peninsula.

(22) National Security Advisor John Bolton responded, "The President has not asked the Pentagon to provide options for reducing American forces stationed in South Korea."

(23) A spokesman for the Secretary stated, "The president has not asked the Pentagon to provide options for reducing American forces stationed in South Korea. The Department of Defense's mission in South Korea remains the same, and our force posture has not changed. The Department of Defense remains committed to supporting the maximum pressure campaign, developing and maintaining military options for the President, and reinforcing our ironclad security commitment with our allies. We all remain committed to complete, verifiable, and irreversible denuclearization of the Korean Peninsula."

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

(1) South Korea is a close friend and ally of the United States, and the United States-South Korea alliance is the linchpin of peace and security in the Indo-Pacific region;

(2) the presence of United States military forces on the Korean Peninsula and across the Indo-Pacific region continues to play a critical role in safeguarding the peaceful and stable rules-based international order that benefits all countries;

(3) South Korea has contributed heavily to its own defense and to the defense of the United States Armed Forces in South Korea, including by providing \$10,000,000,000 of the \$10,800,000,000 Camp Humphreys project, which is 93 percent of the funding, to build and relocate United States military forces to a new base in South Korea;

(4) United States military forces, pursuant to international law, are lawfully deployed on the Korean Peninsula;

(5) the nuclear and ballistic missile programs of the Democratic People's Republic of Korea are clear and consistent violations of international law;

(6) the long-stated strategic objective of authoritarian states such as the People's Republic of China, the Russian Federation, and the Democratic People's Republic of Korea has been the significant removal of United States military forces from the Korean Peninsula;

(7) the maximum pressure campaign of the Trump Administration, including an increase in economic sanctions and diplomatic measures with United States allies and regional partners, has worked to bring Kim Jong-un to the negotiation table; and

(8) the significant removal of United States military forces from the Korean Peninsula is a non-negotiable item as it relates to the complete, verifiable, and irreversible denuclearization of the Democratic People's Republic of Korea.

**Subtitle F—Reports**

**SEC. 1251. REPORT ON MILITARY AND COERCIVE ACTIVITIES OF THE PEOPLE'S REPUBLIC OF CHINA IN SOUTH CHINA SEA.**

(a) IN GENERAL.—Except as provided in subsection (d), immediately after the commencement of any significant reclamation or militarization activity by the People's Republic of China in the South China Sea, including any significant military deployment or operation or infrastructure construction, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees, and release to the public, a report on the military and coercive activities of China in the South China Sea in connection with such activity.

(b) ELEMENTS OF REPORT TO PUBLIC.—Each report on a significant reclamation or militarization activity under subsection (a) shall



include a short narrative on, and one or more corresponding images of, such significant reclamation or militarization activity.

(c) FORM.—

(1) SUBMITTAL TO CONGRESS.—Any report under subsection (a) that is submitted to the congressional defense committees shall be submitted in unclassified form, but may include a classified annex.

(2) RELEASE TO PUBLIC.—If a report under subsection (a) is released to the public, such report shall be so released in unclassified form.

(d) WAIVER.—

(1) RELEASE OF REPORT TO PUBLIC.—The Secretary of Defense may waive the requirement in subsection (a) for the release to the public of a report on a significant reclamation or militarization activity if the Secretary determines that the release to the public of a report on such activity under that subsection in the form required by subsection (c)(2) would have an adverse effect on the national security interests of the United States.

(2) NOTICE TO CONGRESS.—If the Secretary issues a waiver under paragraph (1) with respect to a report on an activity, not later than 48 hours after the Secretary issues such waiver, the Secretary shall submit to the congressional defense committees written notice of, and justification for, such waiver.

**SEC. 1252. REPORT ON TERRORIST USE OF HUMAN SHIELDS.**

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall provide a report on the use of human shields by terrorist groups to protect otherwise lawful targets from attack.

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

(1) A description of the lessons learned from the United States and its allies and partners in addressing the use of human shields by terrorist organizations such as Hamas, Hezbollah, the Islamic State of Iraq and Syria, Al Qaeda, and any other organization as determined by the Secretary of Defense.

(2) A description of a specific plan and actions being taken by the Department of Defense to incorporate the lessons learned as identified in paragraph (1) into Department of Defense operating guidance, relevant capabilities, and tactics, techniques, and procedures to deter, counter, and address the challenge posed by the use of human shields and hold accountable terrorist organizations for the use of human shields.

(c) SUBMITTAL OF THE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress the report required in subsection (a).

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

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives.

**SEC. 1253. REPORT ON ARCTIC STRATEGIES.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall submit to the congressional defense committees a report on the strategy of the Army, the Navy and the Marine Corps, and

the Air Force, respectively, for the Arctic region.

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

(1) A description of the specific means by which each Armed Force, including regular components, the National Guard, and the Reserves, will—

(A) enhance the capability of the Armed Forces to defend the homeland and exercise sovereignty;

(B) strengthen deterrence at home and abroad;

(C) strengthen alliances and partnerships;

(D) preserve freedom of the seas in the Arctic;

(E) engage public, private, and international partners to improve domain awareness in the Arctic;

(F) develop Department of Defense Arctic infrastructure and capabilities consistent with changing conditions and needs;

(G) provide support to civil authorities, as directed;

(H) partner with other departments, agencies, and countries to support human and environmental security; and

(I) support international institutions that promote regional cooperation and the rule of law.

(2) An analysis of the role of each Armed Force in the operational and contingency plans for the protection of United States national security interests in the Arctic region, including strategic national assets, United States citizens, territory, freedom of navigation, and economic and trade interests in the Arctic region, weighed against the missions described in the Arctic strategy.

(3) A detailed description of near-term and long-term training, capability, and resource gaps that must be addressed to fully execute each mission described in the Arctic strategy against an increasing threat environment.

(4) A description of the Armed Force-specific infrastructure that may be needed to continue to accomplish each mission described in the Arctic strategy against an increasing threat environment, including a cost estimate and potential construction timeline for such infrastructure.

(5) A description, by Armed Force, of the current and projected Arctic capabilities of the Russian Federation and the People's Republic of China, and an analysis of current and future United States capabilities that are required to comply with—

(A) each mission described in the Arctic strategy; and

(B) the strategic objectives in the National Defense Strategy.

(6) With respect to each Armed Force—

(A) an assessment of the level of cooperation between each Armed Force and other departments and agencies of the United States Government (including the Department of Homeland Security and the National Security Agency), State and local governments, and Tribal entities; and

(B) a plan for increased cooperation between the Armed Forces and such departments, agencies, and entities.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1254. REPORT ON PERMANENT STATIONING OF A UNITED STATES ARMY BRIGADE COMBAT TEAM IN THE REPUBLIC OF POLAND.**

(a) IN GENERAL.—Not later than March 1, 2019, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees a report on the feasibility and advisability of permanently stationing a United States Army brigade combat team in the Republic of Poland.

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

(1) An assessment whether a permanently stationed United States Army brigade combat team in Poland would enhance deterrence against Russian aggression in Eastern Europe.

(2) An assessment of the actions the Russian Federation may take in response to a United States decision to permanently station such a brigade combat team in Poland.

(3) An assessment of the international political considerations of permanently stationing such a brigade combat team in Poland, including within the North Atlantic Treaty Organization (NATO).

(4) An assessment whether such a brigade combat team in Poland would support implementation of the National Defense Strategy.

(5) A description and assessment of the manner in which such a brigade combat team in Poland may affect the ability of the Joint Force to execute Department of Defense contingency plans in Europe.

(6) A description and assessment of the manner in which such a brigade combat team in Poland would affect the ability of the Joint Force to respond to a crisis inside the territory of a North Atlantic Treaty Organization ally that occurs prior to the invocation of Article 5 of the Washington Treaty by the North Atlantic Council.

(7) An identification and assessment of—

(A) potential locations in Poland for stationing such a brigade combat team;

(B) the logistics requirements, including force enablers, equipment, supplies, storage, and maintenance, that would be required to support such a brigade combat team in Poland;

(C) infrastructure investments by the United States and Poland, including new construction or upgrades of existing sites, that would be required to support such a brigade combat team in Poland;

(D) any new agreements, or changes to existing agreements, between the United States and Poland that would be required for such a brigade combat team in Poland;

(E) any changes to the posture or capabilities of the Joint Force in Europe that would be required to support such a brigade combat team in Poland; and

(F) the timeline required to achieve the permanent stationing of such a brigade combat team in Poland.

(8) An assessment of the willingness and ability of the Government of Poland to provide host nation support for such a brigade combat team.

(9) An assessment of whether future growth in United States Army end strength may be used to source additional forces for such a brigade combat team in Poland.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1255. REPORTS ON NUCLEAR CAPABILITIES OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.**

(a) BASELINE REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate committees of Congress a report on the status of the nuclear program of the Democratic People's Republic of Korea to establish a baseline of progress for negotiations with the Democratic People's Republic of Korea with respect to denuclearization.

(b) ELEMENTS.—The report required by subsection (a) shall include the following, to the extent known or suspected:

(1) A description of the location, quantity, capability, and operational status of the nuclear weapons of the Democratic People's Republic of Korea.

(2) A description of the location of nuclear research, development, production, and testing facilities of the Democratic People's Republic of Korea, including covert facilities.

(3) A description of the location, quantity, capability, and operational status of the ballistic missiles of the Democratic People's Republic of Korea.

(4) A description of the location of the ballistic missile manufacturing and assembly facilities of the Democratic People's Republic of Korea.

(5) An assessment of any intelligence gaps with respect to the information required by this subsection and verification or inspection measures that may fill such gaps.

(c) **UPDATES.**—

(1) **IN GENERAL.**—In the case of an agreement between the United States and the Democratic People's Republic of Korea, not later than 60 days after the date on which the agreement is reached, and every 90 days thereafter, the report required by subsection (a) shall be augmented by a written update.

(2) **ELEMENTS.**—Each written update under paragraph (1) shall include the following for the preceding 90-day period:

(A) A description of the number of nuclear weapons and ballistic missiles verifiably dismantled, destroyed, rendered permanently unusable, or transferred out of the Democratic People's Republic of Korea.

(B) An identification of the location of nuclear research, development, production, and testing facilities in the Democratic People's Republic of Korea identified and verifiably dismantled, destroyed, or rendered permanently unusable.

(C) An identification of the location of ballistic missile manufacturing and assembly facilities in the Democratic People's Republic of Korea verifiably dismantled, destroyed, or rendered permanently unusable.

(D) A description of the number of nuclear weapons and ballistic missiles that remain in or under the control of the Democratic People's Republic of Korea.

(E) An assessment of the progress made in extending the breakout period required for the Democratic People's Republic of Korea to reconstitute its nuclear weapons program and build a nuclear weapon, as such progress relates to the information required by subparagraphs (A) through (D).

(d) **VERIFICATION ASSESSMENT REPORT.**—Not later than 180 days after the date on which the report required by subsection (a) is submitted, and every 180 days thereafter, the written update required under paragraph (1) of subsection (c) shall include, in addition to the information required by subparagraphs (A) through (E) of that subsection, the following for the preceding 180-day period:

(1) An assessment of the establishment of safeguards, other control mechanisms, and other assurances secured from the Democratic People's Republic of Korea to ensure the activities of the Democratic People's Republic of Korea permitted under any agreement will not be used to further any nuclear-related military or nuclear explosive purpose, including research on or development of a nuclear explosive device.

(2) An assessment of the capacity of the United States or an international organization, including the International Atomic Energy Agency, to effectively access and investigate suspicious sites in the Democratic People's Republic of Korea or allegations of covert nuclear-related activities, including storage sites for nuclear weapons.

(e) **SUNSET.**—The section shall cease to be effective on the date that is three years after the date of the enactment of this Act.

(f) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**SEC. 1256. REPORT ON UNITED STATES MILITARY TRAINING OPPORTUNITIES WITH ALLIES AND PARTNERS IN THE INDO-PACIFIC REGION.**

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

(1) the Secretary of Defense, as part of strategic initiatives, should continue to place emphasis on and consider the benefits of United States military training exercises with allies in the Indo-Pacific region;

(2) the Indo-Pacific region is—

(A) a strategically important region; and

(B) critical to the interests of the United States;

(3) the relationship between the United States and allies and partners in the Indo-Pacific region is essential for ensuring peace and security in the region;

(4) interoperability between the United States and allies in the Indo-Pacific region increases readiness and regional contingency response time;

(5) the United States should focus on expanding training with other allied nations and partners in the Indo-Pacific region;

(6) the United States, working within our framework of alliances and partnerships, should seek to build the capacity and capability of our allies and partners in the Indo-Pacific region and to expand interoperability with them; and

(7) the United States and its partners in the Indo-Pacific region should continue to work together to build the forces, infrastructure, relationships, and training needed to respond to search and rescue and humanitarian assistance needed in the whole of catastrophic natural disasters.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on future United States military training opportunities with allied and partner countries in the Indo-Pacific region.

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

(A) A detailed description of—

(i) current United States military exercises involving United States partners and allies in the Indo-Pacific region;

(ii) the manner in which such exercises are intended to improve the capability and capacity of such partners and allies; and

(iii) the interoperability of such partners and allies with the United States Armed Forces.

(B) An analysis of the potential to expand the size, scope, or makeup of such exercises to include—

(i) additional forces and units of current participants;

(ii) additional capabilities or training; and

(iii) other allies and partners in the Indo-Pacific region and other regions.

(C) An identification of new United States military exercises that may be initiated in the Indo-Pacific region with—

(i) security treaty allies such as Japan, South Korea, Australia, the Philippines, and Thailand;

(ii) growing partners such as India, Indonesia, Malaysia, Mongolia, New Zealand, Singapore, Sri Lanka, and Vietnam;

(iii) existing multilateral frameworks, such as the Association of Southeast Asian Nations (ASEAN);

(iv) allies and partners outside the Indo-Pacific region; and

(v) potential new allies or partners.

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

**Subtitle G—Other Matters**

**SEC. 1261. MODIFICATION OF AUTHORITIES RELATING TO ACQUISITION AND CROSS-SERVICING AGREEMENTS.**

(a) **PROHIBITIONS.**—Section 2342 of title 10, United States Code, is amended—

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

(2) by inserting after subsection (c) the following new subsections (d) and (e):

“(d) The Secretary of Defense may not use an agreement with any government of an organization described in subsection (a)(1) to facilitate the transfer of logistic support, supplies, and services to any country or organization with which the Secretary has not signed an agreement described in subsection (a)(2).

“(e) An agreement described in subsection (a)(2) may not provide or otherwise constitute a commitment for the introduction of the armed forces into hostilities.”

(b) **ANNUAL REPORTS.**—Such section is further amended by adding at the end the following new subsection:

“(g) Not later than January 15 each year, the Secretary shall submit to the appropriate committees of Congress a report on acquisition and cross-servicing activities that sets forth, in detail, the following:

“(1) A list of agreements in effect pursuant to subsection (a)(1) during the preceding fiscal year.

“(2) The date on which each agreement listed under paragraph (1) was signed, and, in the case of an agreement with a country that is not a member of the North Atlantic Treaty Organization, the date on which the Secretary notified Congress pursuant to subsection (b)(2) of the designation of such country under subsection (a).

“(3) The total dollar amount and major categories of logistic support, supplies, and services provided during the preceding fiscal year under each such agreement.

“(4) The total dollar amount and major categories of reciprocal provisions of logistic support, supplies, and services received under each such agreement.

“(5) With respect to the calendar year during which the report is submitted, an assessment of the following:

“(A) The anticipated logistic support, supplies, and services requirements of the United States.

“(B) The anticipated requirements of other countries for United States logistic support, supplies, and services.”

(c) **DEFINITIONS.**—Such section is further amended—

(1) in subsection (b)(2), by striking “the Committee on Armed Services” the first place it appears and all that follows through “the House of Representatives” and inserting “the appropriate committees of Congress”; and

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

“(h) In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

“(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.”

**SEC. 1262. EXTENSION OF AUTHORITY FOR TRANSFER OF AMOUNTS FOR GLOBAL ENGAGEMENT CENTER.**

Section 1287(e)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2546; 22 U.S.C. 2656 note) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

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

“(C) for fiscal year 2019 are less than \$80,000,000, the Secretary of Defense is authorized to transfer, from amounts authorized to be appropriated by an Act authorizing funds for the Department of Defense for fiscal year 2019, to the Secretary of State an amount, not to exceed \$60,000,000, to be available to carry out the functions of the Center for fiscal year 2019.”.

**SEC. 1263. SENSE OF SENATE ON PURCHASE BY TURKEY OF S-400 AIR DEFENSE SYSTEM.**

It is the sense of the Senate that if the Republic of Turkey purchases the S-400 air defense system from the Russian Federation—

(1) such purchase would constitute a significant transaction within the meaning of section 231(a) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115-44; 22 U.S.C. 9525(a)); and

(2) the President should faithfully execute that Act by imposing and applying sanctions under section 235 of that Act (22 U.S.C. 9529) with respect to any individual or entity determined to have engaged in such significant transaction as if such person were a sanctioned person for purposes of such section 235.

**SEC. 1264. DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.**

(a) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State and in consultation with the Administrator of the United States Agency for International Development and the Director of the Office of Management and Budget, provide support for the stabilization activities of other Federal agencies specified under subsection (c).

(b) DESIGNATION OF FOREIGN AREAS.—

(1) IN GENERAL.—Amounts authorized to be provided pursuant to this section shall be available only for support for stabilization activities—

(A) in a country specified in paragraph (2); and

(B) that the Secretary of Defense, with the concurrence of the Secretary of State, has determined are in the national security interest of the United States.

(2) SPECIFIED COUNTRIES.—The countries specified in this paragraph are as follows:

- (A) Iraq.
- (B) Syria.
- (C) Afghanistan.
- (D) Somalia.

(c) SUPPORT TO OTHER AGENCIES.—

(1) IN GENERAL.—Support may be provided for stabilization activities under subsection (a) to the Department of State, the United States Agency for International Development, or other Federal agencies, on a reimbursable or nonreimbursable basis.

(2) TYPE OF SUPPORT.—Support under subsection (a) may consist of—

(A) logistic support, supplies, and services; and

(B) equipment.

(d) REQUIREMENT FOR A STABILIZATION STRATEGY.—

(1) LIMITATION.—With respect to any country specified in subsection (b)(2), no amount of support may be provided under subsection (a) until 15 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate committees of Congress a detailed report setting forth a stabilization strategy for such country.

(2) ELEMENTS OF DETERMINATION.—The stabilization strategy required by paragraph (1) shall set forth the following:

(A) The United States interests in conducting stabilization activities in the country specified in subsection (b)(2).

(B) The key foreign partners and actors in such country.

(C) The desired end states and objectives of the United States stabilization activities in such country.

(D) The Department of Defense support intended to be provided for the stabilization activities of other Federal agencies under section (a).

(E) Any mechanism for civil-military coordination regarding support for stabilization activities.

(F) The mechanisms for monitoring and evaluating the effectiveness of Department of Defense support for United States stabilization activities in the area.

(e) REQUIREMENT FOR GUIDANCE.—No amount of support may be provided under subsection (a) until 30 days after the date on which the Secretary of Defense submits to the appropriate committees of Congress written guidance for the design, implementation, monitoring, and evaluation of support provided under that subsection.

(f) REPORT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate committees of Congress on an annual basis a report that includes the following:

(1) The identification of each foreign area within countries specified in subparagraph (b)(2) for which support to stabilization has occurred.

(2) The total amount spent by the Department of Defense, broken out by recipient Federal agency and activity.

(3) An assessment of the contribution of each activity toward greater stability.

(4) An articulation of any plans for continued Department of Defense support to stabilization in the specified foreign area in order to maintain or improve stability.

(5) Other matters as the Secretary considers to be appropriate.

(g) USE OF FUNDS.—

(1) SOURCE OF FUNDS.—Amounts for activities carried out under this section in a fiscal year shall be derived only from amounts authorized to be appropriated for such fiscal year for the Department of Defense for Operation and Maintenance, Defense-wide.

(2) LIMITATION.—Not more than \$25,000,000 in each fiscal year is authorized to be used to provide support under this section.

(h) EXPIRATION.—The authority provided under this section may not be exercised after September 30, 2020.

(i) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES.—The term “logistic support, supplies, and services” has the meaning given the term in section 2350(1) of title 10 United States Code.

**SEC. 1265. ENHANCEMENT OF U.S.-ISRAEL DEFENSE COOPERATION.**

(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108-287; 118 Stat. 1011) is amended by striking “after September 30, 2018” and inserting “after September 30, 2023”.

(b) JOINT ASSESSMENT OF QUANTITY OF PRECISION GUIDED MUNITIONS FOR USE BY ISRAEL.—

(1) IN GENERAL.—The President, acting through the Secretary of State and the Secretary of Defense, is authorized to conduct a joint assessment with the Government of Israel with respect to the matters described in paragraph (2).

(2) MATTERS DESCRIBED.—The matters described in this paragraph are the following:

(A) The quantity and type of precision guided munitions that are necessary for Israel to combat Hezbollah in the event of a sustained armed confrontation between Israel and Hezbollah.

(B) The quantity and type of precision guided munitions that are necessary for Israel in the event of a sustained armed confrontation with other armed groups and terrorist organizations such as Hamas.

(C) The resources the Government of Israel plans to dedicate to acquire such precision guided munitions.

(D) United States planning to assist Israel to prepare for sustained armed confrontations described in this subsection as well as the ability of the United States to resupply Israel in the event of confrontations described in subparagraphs (A) and (B), if any.

(3) REPORT.—

(A) IN GENERAL.—Not later than 15 days after the date on which the joint assessment authorized under paragraph (1) is completed, the President shall submit to the appropriate congressional committees a report that contains the joint assessment.

(B) FORM.—The report required under subparagraph (A) shall be submitted in classified form, but may contain an unclassified summary.

(C) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term “appropriate congressional committees” means—

(i) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(ii) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(c) MODIFICATION OF RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.—

(1) REQUIREMENT TO ESTABLISH PROCEDURES.—Section 806(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note; Public Law 107-314) is amended—

(A) in paragraph (1)(C), by striking “; and”;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

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

“(3) urgently needed to support production of precision guided munitions—

“(A) for the United States to meet requirements; or

“(B) to assist an ally of the United States under direct missile threat from—

“(i) an organization the Secretary of State has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

“(ii) a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.”.

(2) PRESCRIPTION OF PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe procedures for the rapid acquisition and deployment of supplies and

associated support services for purposes described in paragraph (3) of section 806(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as added by paragraph (1)(C).

**SEC. 1266. CERTIFICATIONS REGARDING ACTIONS BY SAUDI ARABIA IN YEMEN.**

(a) RESTRICTION.—

(1) IN GENERAL.—Subject to paragraph (2), if the Secretary of State is unable under subsection (c) or (d) to certify that the Government of Saudi Arabia is undertaking the effort, measures, and actions described in paragraphs (1), (2), (3), and (4) of subsection (c), no Federal funds may be obligated or expended after the deadline for the applicable certification to provide authorized in-flight refueling pursuant to section 2342 of title 10, United States Code, or other applicable statutory authority, of Saudi or Saudi-led coalition non-United States aircraft conducting missions in Yemen, other than missions related to—

(A) al Qaeda, al Qaeda in the Arabian Peninsula (AQAP), or the Islamic State in Iraq and Syria (ISIS);

(B) countering the transport, assembly, or employment of ballistic missiles or components in Yemen;

(C) helping coalition aircraft return safely to base in emergency situations;

(D) force protection of United States aircraft, ships, or personnel; or

(E) freedom of navigation for United States military and international commerce.

(2) WAIVER.—The Secretary may waive the restriction in paragraph (1) with respect to a particular certification if the Secretary—

(A) certifies to the appropriate committees of Congress that the waiver is in the national security interests of the United States; and

(B) submits to the appropriate committees of Congress a report, in written and unclassified form, setting forth—

(i) the effort in subsection (c)(1), measures in subsection (c)(2), or actions in subsections (c)(3) or (c)(4), or combination thereof, about which the Secretary is unable to make the certification;

(ii) a detailed explanation why the Secretary is unable to make the certification about such effort, measures, or actions;

(iii) a description of the actions the Secretary is taking to encourage the Government of Saudi Arabia to undertake such effort, measures, or actions; and

(iv) a detailed justification for the waiver.

(b) REPORTING REQUIREMENT.—Not later than 30 days after the date of the enactment of this Act, the President or the President's designee shall provide a briefing to the appropriate committees of Congress including, at a minimum—

(1) a description of Saudi Arabia and the United Arab Emirates' military and political objectives in Yemen and whether United States assistance to the Saudi-led coalition has resulted in significant progress towards meeting those objectives;

(2) a description of efforts by the Government of Saudi Arabia to avoid disproportionate harm to civilians and civilian objects in Yemen, and an assessment of whether United States assistance to the Saudi-led coalition has led to a demonstrable decrease in civilians killed or injured by Saudi-led airstrikes and damage to civilian infrastructure;

(3) an assessment of the United Nations Verification and Inspection Mechanism (UNVIM) in Yemen and an assessment of the need for existing secondary inspection and clearance processes and transshipment requirements on humanitarian and commercial vessels that have been cleared by UNVIM;

(4) a description of the sources of external support for the Houthi forces, including financial assistance, weapons transfers, operational planning, training, and advisory assistance;

(5) an assessment of the applicability of United States and international sanctions to Houthi forces that have committed grave human rights abuses, obstructed international aid, and launched ballistic missiles into Saudi territory, and an assessment of the applicability of United States and international sanctions to individuals or entities providing the Houthi forces with material support; and

(6) an assessment of the effect of the Saudi-led coalition's military operations in Yemen on the efforts of the United States to defeat al Qaeda in the Arabian Peninsula and the Islamic State of Iraq and the Levant.

(c) INITIAL CERTIFICATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a certification indicating whether the Government of Saudi Arabia is undertaking—

(1) an urgent and good faith effort to support diplomatic efforts to end the civil war in Yemen;

(2) appropriate measures to alleviate the humanitarian crisis in Yemen by increasing access for Yemenis to food, fuel, medicine, and medical evacuation, including through the appropriate use of Yemen's Red Sea ports, including the port of Hudaydah, the airport in Sana'a, and external border crossings with Saudi Arabia;

(3) appropriate actions to reduce any unnecessary delays to shipments associated with secondary inspection and clearance processes other than the United Nations Verification and Inspections Mechanism (UNVIM); and

(4) demonstrable actions to reduce the risk of harm to civilians and civilian infrastructure resulting from its military operations in Yemen, including by—

(A) complying with applicable agreements and laws regulating defense articles purchased or transferred from the United States; and

(B) taking appropriate steps to avoid disproportionate harm to civilians and civilian infrastructure.

(d) SUBSEQUENT CERTIFICATIONS.—Not later than 180 and 360 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a certification indicating whether the Government of Saudi Arabia is undertaking the effort, measures, and actions described in paragraphs (1), (2), (3), and (4) of subsection (c).

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as authorizing the use of military force.

(f) FORM OF CERTIFICATIONS.—The certifications required under subsections (c) and (d) shall be written, detailed, and submitted in unclassified form.

(g) STRATEGY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and the Administrator of the United States Agency for International Development, shall submit to the appropriate committees of Congress an unclassified report listing United States objectives in Yemen and detailing a strategy to accomplish those objectives. The report shall be unclassified but may include a classified annex.

(h) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

**SEC. 1267. SENSE OF SENATE ON SUPPORT FOR G5 SAHEL JOINT FORCE COUNTRIES.**

It is the sense of the Senate that the United States should—

(1) work with partners and allies to disrupt violent extremist organizations in the Sahel region that threaten United States security interests;

(2) enhance cooperation with G5 Sahel Joint Force countries, which are—

(A) Burkina Faso;

(B) Mali;

(C) Mauritania;

(D) Niger; and

(E) Chad;

(3) continue to support the efforts of each G5 Sahel Joint Force country—

(A) to improve security along the respective borders of each country through the cooperation and deployment of joint patrols to interdict the cross-border flows of illicit trafficking and violent extremist groups;

(B) to address underlying sources of instability in each country through a whole-of-government approach; and

(C) to build and sustain in each country—

(i) an effective, accountable government;

(ii) a capable and professional military; and

(iii) a healthy economy; and

(4) ensure that any assistance of the United States to a G5 Sahel Joint Force country is undertaken as a whole-of-government effort that balances all instruments of United States national power.

**SEC. 1268. SENSE OF CONGRESS ON BROADENING AND EXPANDING STRATEGIC PARTNERSHIPS AND ALLIES.**

It is the sense of Congress that—

(1) the United States is an ally-rich country and our potential competitors, such as Russia, China, and North Korea, are ally-poor countries;

(2) United States allies and partners are critical to defending peace and prosperity throughout the world;

(3) the rules-based international order supported by the United States and its allies has ensured, and will continue to promote, an international system that benefits all nations;

(4) throughout the world, the United States will continue to foster relationships with countries with like minds and beliefs;

(5) as the United States manages multiple strategic challenges, the enduring strength of the United States remains in alliances such as the North Atlantic Treaty Organization, the Rio Treaty, and mutual defense treaties with Japan, the Republic of Korea, Australia, the Philippines, and Thailand;

(6) the resolve of the United States remains as strong as ever to forge new alliances and partnerships with countries in order to jointly to work with one another on shared challenges in Europe, the Indo-Pacific and throughout the world;

(7) the United States will continue to invest in critical capabilities, build a force posture that decreases the vulnerabilities of the United States and increases resiliency, all of which will help reassure the allies and partners of the United States;

(8) the United States will encourage allies and partners to be full and cooperative partners in their own defense and the defense of the free and open international order; and

(9) the United States will continue to deepen and expand alliances, especially in the Indo-Pacific, and will take no ally for granted.

**SEC. 1269. REMOVAL OF TURKEY FROM THE F-35 PROGRAM.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Government of the Republic of Turkey continues to unlawfully and wrongfully detain Andrew Brunson, a United States citizen, and continues to deny Mr. Brunson due process rights consistent with international norms.

(2) The Government of the Republic of Turkey has wrongly charged Andrew Brunson with belonging to a terrorist organization and engaging in terrorist activities.

(3) The Government of the Republic of Turkey, including the senior leadership of the government, bears direct responsibility for the health and safety of Andrew Brunson while he remains in the custody of the Government of the Republic of Turkey.

(4) Congress will not tolerate any foreign government's efforts to use United States citizens for political leverage.

(5) President Erdogan, along with other senior officials of the Government of the Republic of Turkey, have publicly and repeatedly stated the intention of the Government of the Republic of Turkey to purchase the S-400 system from Russia, an act that is sanctionable under current United States law.

(6) Any effort by the Government of the Republic of Turkey to further enhance their relationship with Russia will degrade the general security of the NATO alliance, and NATO member countries, and degrade interoperability of the alliance.

(b) REPORT.—The Secretary of Defense shall submit to the appropriate congressional committees a plan to remove the Government of the Republic of Turkey from participation in the F-35 program, to include industrial and military aspects of the program. The plan shall include:

(1) steps required to unwind industrial participation of Turkish industry in the manufacturing and assembly of the F-35 program;

(2) costs associated with replacing tooling and other manufacturing materials held by Turkish industry;

(3) timelines associated with the removal of the Government of the Republic of Turkey and Turkish industry from participation in the F-35 program, so as to cause the least impact on the remaining international program partners; and

(4) steps required to prohibit the transfer of any F-35 aircraft currently owned and operated, by the Government of the Republic of Turkey, from the territory of the United States.

(c) LIMITATION ON THE TRANSFER OF THE F-35 TO TURKEY.—The Department of Defense may not transfer the title for any F-35 aircraft to the Government of the Republic of Turkey, until such time as the report identified in subsection (b) has been submitted.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1270. INCREASE IN MINIMUM AMOUNT OF OBLIGATIONS FROM THE SPECIAL DEFENSE ACQUISITION FUND FOR PRECISION GUIDED MUNITIONS.**

(a) INCREASE.—Section 114(c)(3) of title 10, United States Code, is amended by striking “20 percent” and inserting “25 percent”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2018, and shall apply with respect to fiscal years beginning on and after that date.

**TITLE XIII—COOPERATIVE THREAT REDUCTION****SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.**

(a) FISCAL YEAR 2019 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—In this title, the term “fiscal year 2019 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2019, 2020, and 2021.

**SEC. 1302. FUNDING ALLOCATIONS.**

Of the \$335,240,000 authorized to be appropriated to the Department of Defense for fiscal year 2019 in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$2,823,000.

(2) For chemical weapons destruction, \$5,446,000.

(3) For global nuclear security, \$29,001,000.

(4) For cooperative biological engagement, \$197,585,000.

(5) For proliferation prevention, \$74,937,000.

(6) For activities designated as Other Assessments/Administrative Costs, \$25,448,000.

**TITLE XIV—OTHER AUTHORIZATIONS****Subtitle A—Military Programs****SEC. 1401. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

**SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

**SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

**SEC. 1404. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise pro-

vided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

**SEC. 1405. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

**Subtitle B—National Defense Stockpile****SEC. 1411. CONSOLIDATION OF REPORTING REQUIREMENTS UNDER THE STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.**

Section 11 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-2) is amended—

(1) in subsection (a), by striking “January 15 of” and inserting “February 15”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “Not later” and all that follows through “report containing” and inserting “Each report under subsection (a) shall also include”; and

(B) in paragraph (2)—

(i) by striking “Each such report” in the first sentence and inserting “Each report under subsection (a) with respect to matters covered by this subsection”; and

(ii) by striking “Each such report” in the second sentence and inserting “Each report under subsection (a) with respect to such matters”.

**Subtitle C—Armed Forces Retirement Home****SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.**

There is hereby authorized to be appropriated for fiscal year 2019 from the Armed Forces Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces Retirement Home.

**SEC. 1422. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT THE ARMED FORCES RETIREMENT HOME.**

Section 1512 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 412) is amended to read as follows:

**“SEC. 1512. RESIDENTS OF RETIREMENT HOME.**

“(a) PERSONS ELIGIBLE TO BE RESIDENTS.—Except as provided in subsection (b), the following persons who served as members of the Armed Forces, at least one-half of whose service was not active commissioned service (other than as a warrant officer or limited-duty officer), are eligible to become residents of the Retirement Home:

“(1) Persons who are 60 years of age or over and were discharged or released from service in the Armed Forces after 20 or more years of active service.

“(2) Persons who are determined under rules prescribed by the Chief Operating Officer to be suffering from a service-connected disability incurred in the line of duty in the Armed Forces.

“(3) Persons who served in a war theater during a time of war declared by Congress or were eligible for hostile fire special pay under section 310 or 351 of title 37, United States Code, and who are determined under rules prescribed by the Chief Operating Officer to be suffering from injuries, disease, or disability.

“(4) Persons who served in a women's component of the Armed Forces before June 12, 1948, and are determined under rules prescribed by the Chief Operating Officer to be eligible for admission because of compelling personal circumstances.

“(b) PERSONS INELIGIBLE TO BE RESIDENTS.—The following persons are ineligible to become a resident of the Retirement Home:

“(1) A person who—

“(A) has been convicted of a felony; or

“(B) was discharged or released from service in the Armed Forces under other than honorable conditions.

“(2) A person with substance abuse or mental health problems, except upon a judgment and satisfactory determination by the Chief Operating Officer that—

“(A) the person has been evaluated by a qualified health professional selected by the Retirement Home;

“(B) the Retirement Home can accommodate the person's condition; and

“(C) the person agrees to such conditions of residency as the Retirement Home may require.

“(c) **ACCEPTANCE.**—To apply for acceptance as a resident of a facility of the Retirement Home, a person eligible to be a resident shall submit to the Administrator of that facility an application in such form and containing such information as the Chief Operating Officer may require.

“(d) **PRIORITIES FOR ACCEPTANCE.**—The Chief Operating Officer shall establish a system of priorities for the acceptance of residents so that the most deserving applicants will be accepted whenever the number of eligible applicants is greater than the Retirement Home can accommodate.

“(e) **SPOUSES OF RESIDENTS.**—

“(1) **AUTHORITY TO ADMIT.**—Except as otherwise established pursuant to subsection (d), the spouse of a person accepted as a resident of a facility of the Retirement Home may be admitted to that facility if the spouse—

“(A) is a covered beneficiary within the meaning of section 1072(5) of title 10, United States Code;

“(B) is not ineligible to become a resident as provided in subsection (b); and

“(C) submits an application for admittance in accordance with subsection (c).

“(2) **TREATMENT AS RESIDENT.**—A spouse admitted in accordance with paragraph (1) shall be a resident of the Retirement Home consistent with this Act, except as the Chief Operating Officer may otherwise provide.”

**SEC. 1423. OVERSIGHT OF HEALTH CARE PROVIDED TO RESIDENTS OF THE ARMED FORCES RETIREMENT HOME.**

Section 1513A(c) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 413a(c)) is amended—

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

“(1) Facilitate and monitor the timely availability to residents of the Retirement Home such medical, mental health, and dental care services as such residents may require at locations other than the Retirement Home.”; and

(2) in paragraph (2), by striking “Ensure” and inserting “Monitor”.

**SEC. 1424. MODIFICATION OF AUTHORITY ON ACCEPTANCE OF GIFTS FOR THE ARMED FORCES RETIREMENT HOME.**

Paragraph (1) of section 1515(f) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 415(f)) is amended to read as follows:

“(1) The Chief Operating Officer may accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property, or any income therefrom or other interest therein, for the benefit of the Retirement Home.”

**SEC. 1425. RELIEF FOR RESIDENTS OF THE ARMED FORCES RETIREMENT HOME IMPACTED BY INCREASE IN FEES.**

(a) **PROHIBITION ON REMOVAL FOR INABILITY TO PAY FEE INCREASE.**—A resident of the Armed Forces Retirement Home as of September 30, 2018, may not be removed or re-

leased from the Retirement Home after that date based solely upon the inability of the resident to pay the amount of any increase in fees applicable to residents of the Retirement Home that takes effect on October 1, 2018.

(b) **OTHER RELIEF.**—The Chief Operating Officer of the Armed Forces Retirement Home shall take all actions practicable to accommodate residents of the Retirement Home who are impacted by the fee structure applicable to residents of the Retirement Home that takes effect on October 1, 2018, including through hardship relief, additional deductions from gross income, and other appropriate actions.

**SEC. 1426. LIMITATION ON APPLICABILITY OF FEE INCREASE FOR RESIDENTS OF THE ARMED FORCES RETIREMENT HOME.**

In the case of an individual who was a resident of the Armed Forces Retirement Home as of April 9, 2018, the increase in fees pursuant to the increase in fees for residents of the Home scheduled to take effect on October 1, 2018, may not exceed an amount equal to 50 percent of the fees payable by such individual as such a resident as of April 9, 2018.

**Subtitle D—Other Matters**

**SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.**

(a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, \$113,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) **USE OF TRANSFERRED FUNDS.**—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

**SEC. 1432. ECONOMIC AND EFFICIENT OPERATION OF WORKING CAPITAL FUND ACTIVITIES.**

Section 2208(e) of title 10, United States Code, is amended—

(1) by inserting “(1)” after “(e)”;

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

“(2) The accomplishment of the most economical and efficient organization and operation of working capital fund activities for the purposes of paragraph (1) shall include actions toward the following:

“(A) The implementation of a workload plan that optimizes the efficiency of the workforce operating within a working capital fund activity and reduces the rate structure.

“(B) Encouraging a working capital fund activity to perform reimbursable work for other entities to sustain the efficient use of the workforce.

“(C) Determining the appropriate leadership level for approving work from outside entities to maximize efficiency.”

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

**Subtitle A—Authorizations of Appropriations**

**SEC. 1501. PURPOSE.**

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2019 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

**SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for the Department of Defense for overseas contingency operations in such amounts as may be designated as provided in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)).

**SEC. 1503. PROCUREMENT.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

**SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

**SEC. 1505. OPERATION AND MAINTENANCE.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

**SEC. 1506. MILITARY PERSONNEL.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

**SEC. 1507. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

**SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

**SEC. 1509. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

**SEC. 1510. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.



**Subtitle B—Financial Matters****SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

**SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2019 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$3,500,000,000.

(b) **TERMS AND CONDITIONS.**—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) **ADDITIONAL AUTHORITY.**—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

**Subtitle C—Other Matters****SEC. 1531. JOINT IMPROVISED-THREAT DEFEAT ORGANIZATION.**

(a) **USE AND TRANSFER OF FUNDS.**—

(1) **IN GENERAL.**—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to amounts made available for fiscal year 2019 for the Department of Defense for the Joint Improvised-Threat Defeat Organization.

(2) **REFERENCES TO JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.**—In the application of paragraph (1) to the use of funds described in that paragraph in fiscal year 2019, any reference in the subsections referred to in that paragraph to the Joint Improvised Explosive Device Defeat Fund shall be deemed to be a reference to the Joint Improvised-Threat Defeat Organization.

(b) **INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS.**—

(1) **AVAILABILITY OF FUNDS.**—Of the amounts authorized to be appropriated for fiscal year 2019 for the Department of Defense by this Act for the Joint Improvised-Threat Defeat Organization, \$15,000,000 may be made available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide training, equipment, supplies, and services to ministries and other entities of foreign governments that the Secretary of Defense has identified as critical for countering the flow of improvised explosive device precursor chemicals.

(2) **PROVISION THROUGH OTHER UNITED STATES AGENCIES.**—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer amounts made available under paragraph (1) to such department or agency for the provision by such department or agency of training, equipment, supplies, and services to ministries and other entities of foreign governments as described in that paragraph.

(3) **NOTICE TO CONGRESS.**—None of the funds made available under paragraph (1) may be

obligated or expended to supply training, equipment, supplies, or services to a foreign country before the date that is 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, has submitted to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notice that includes each of the following:

(A) The name of the foreign country for which training, equipment, supplies, or services are proposed to be supplied.

(B) A description of the training, equipment, supplies, and services to be provided to such foreign country using such funds.

(C) A detailed description of the amounts proposed to be obligated or expended to supply such training, equipment, supplies, or services, including—

(i) any amounts proposed to be obligated or expended to support the participation of a department or agency of the United States Government other than the Department of Defense; and

(ii) a description of the training, equipment, supplies, or services proposed to be supplied.

(D) An evaluation of the effectiveness of the efforts of such foreign country to counter the flow of improvised explosive device precursor chemicals.

(E) An overall plan for countering the flow of precursor chemicals in such foreign country.

(4) **EXPIRATION.**—The authority provided by this subsection expires on December 31, 2019.

**TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS****Subtitle A—Space Activities****SEC. 1601. MODIFICATIONS TO SPACE RAPID CAPABILITIES OFFICE.**

Section 2273a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “joint”;

(2) in subsection (b), in the first sentence, by striking “Department of Defense Executive Agent for Space” and inserting “Secretary of the Air Force”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting “; and”;

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

“(3) to rapidly develop and field new classified space capabilities.”; and

(4) by striking subsections (d) through (g) and inserting the following new subsections (d) through (f):

“(d) **ACQUISITION AUTHORITY.**—The acquisition activities of the Office shall be subject to the following:

“(1) The Secretary of the Air Force shall designate the acquisition executive of the Office, who shall provide streamlined acquisition authority for any project of the Office.

“(2) The Joint Capabilities Integration and Development System process shall not apply to any acquisition by the Office.

“(3) The Joint Force Space Component of the United States Strategic Command shall establish, validate, and prioritize program requirements.

“(e) **REQUIRED PROGRAM ELEMENT.**—

“(1) The Secretary of the Air Force shall ensure, within budget program elements for space programs, that—

“(A) there are separate, dedicated program elements for unclassified and classified activities relating to space rapid capabilities; and

“(B) the Office executes the responsibilities of the Office through those program elements.

“(2) The Office shall manage the program elements required by paragraph (1).

“(f) **BOARD OF DIRECTORS.**—The Secretary of the Air Force shall establish for the Office a Board of Directors (to be known as the ‘Space Rapid Capabilities Board of Directors’) to provide coordination, oversight, and approval of projects for the Office.”.

**SEC. 1602. SPACE WARFIGHTING POLICY AND REVIEW OF SPACE CAPABILITIES.**

(a) **SPACE WARFIGHTING POLICY.**—Not later than March 29, 2019, the Secretary of Defense shall develop a space warfighting policy.

(b) **REVIEW OF SPACE CAPABILITIES.**—

(1) **IN GENERAL.**—The Secretary shall conduct a review relating to the national security space enterprise that evaluates the following:

(A) The resiliency of the national security space enterprise with respect to a conflict.

(B) The ability of the national security space enterprise to attribute an attack on a space system in a timely manner.

(C) The ability of the United States—

(i) to resolve a conflict in space; and

(ii) to determine the material means by which such conflict may be resolved.

(D) The ability of the national security space enterprise—

(i) to defend against aggressive behavior in space at all levels of conflict;

(ii) to defeat any adversary that demonstrates aggressive behavior in space at all levels of conflict;

(iii) to deter aggressive behavior in space at all levels of conflict; and

(iv) to develop a declassification strategy, if required to demonstrate deterrence.

(E) The effectiveness and efficiency of the national security space enterprise to rapidly research, develop, acquire, and deploy space capabilities and capacities—

(i) to deter and defend United States national security space assets; and

(ii) to respond to any new threat to such space assets.

(F) The current organizational structure of the national security space enterprise with respect to roles, responsibilities, and authorities.

(G) Any emerging space threat the Secretary expects the United States to confront during the 10-year period beginning on the date of the enactment of this Act.

(H) Such other matters as the Secretary considers appropriate.

(2) **REPORT.**—

(A) **IN GENERAL.**—Not later than March 29, 2019, the Secretary shall submit to the congressional defense committees a report on the findings of the review under paragraph (1).

(B) **FORM.**—The report under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1603. REPORT ON ENHANCEMENTS TO THE GLOBAL POSITIONING SYSTEM OPERATIONAL CONTROL SEGMENT.**

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that identifies whether the current Global Positioning System Operational Control Segment (OCS) can be incrementally improved to achieve capabilities similar to the Next Generation Operational Control Segment (OCX) used to operate the Global Positioning System III.

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

(1) A cybersecurity review of both OCS and OCX to determine the specific cybersecurity improvements needed to operate the system through 2030, including—

(A) the cybersecurity improvements to OCS needed to match the cybersecurity capabilities that OCX is intended to provide;

(B) any additional OCS cybersecurity protections needed beyond those OCS is intended to provide; and

(C) any additional OCS cybersecurity protections needed beyond those for which OCS is currently contracted.

(2) An incremental development plan for OCS, including—

(A) the number of additional incremental upgrades needed to achieve capabilities similar to OCS, including a discussion of—

- (i) any additional capabilities needed;
- (ii) the specific capabilities in each upgrade;
- (iii) the duration of each upgrade; and
- (iv) a full schedule to complete all upgrades;

(B) the estimated cost for each incremental OCS upgrade; and

(C) the total estimated cost across fiscal years for all OCS upgrades to achieve capabilities similar to OCS and any additional capabilities.

(3) The date by which the Department of Defense would have to begin contracting for each incremental OCS upgrade to ensure availability of OCS for the Global Positioning System III.

(4) A comparison of current improvements to OCS that are underway, and additional OCS incremental improvements described under paragraph 2, to the program of record OCS capabilities, including—

(A) the acquisition and sustainment cost by fiscal year through fiscal year 2030 for OCS and OCS;

(B) a comparison schedule between OCS (including incremental improvements described under paragraph 2) and OCS that identifies the delivery dates and capability delivered; and

(C) the cost and schedule required to provide OCS with any additional needed capabilities that are now required and not currently in the program of record.

#### **SEC. 1604. STREAMLINE OF COMMERCIAL SPACE LAUNCH OPERATIONS.**

Section 1617 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-92; 129 Stat. 1106; 51 U.S.C. 50918 note) is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

“(2) STREAMLINING.—

“(A) IN GENERAL.—With respect to any licensed activity under chapter 509 of title 51, United States Code, the Secretary of Defense may not impose any requirement on a licensee or transferee that is duplicative of, or overlaps in intent with, any requirement imposed by the Secretary of Transportation under that chapter.

“(B) WAIVER.—The Secretary of Defense may waive the limitation under subparagraph (A) if the Secretary determines that imposing a requirement described in that subparagraph is necessary to avoid negative consequences for the national security space program.”; and

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

“(d) EFFECT OF LAW.—Nothing in this section limits the ability of the Secretary of Defense to consult with the Secretary of Transportation with respect to requirements and approvals under chapter 509 of title 51, United States Code.”.

#### **SEC. 1605. REUSABLE LAUNCH VEHICLES.**

(a) REUSABILITY.—The Evolved Expendable Launch Vehicle Program shall be designated as the “National Security Space Launch Program”.

(b) REFERENCE TO EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.—Any reference in

any law, regulation, guidance, instruction, map, document, record, or other paper of the United States to the Evolved Expendable Launch Vehicle Program shall be deemed to be a reference to the National Security Space Launch Program.

(c) POLICY.—In carrying out the policy set forth in section 2273 of title 10, United States Code, the Secretary of Defense shall pursue a strategy that includes fully or partially reusable launch systems.

(d) CERTIFICATION STRATEGY.—The Secretary shall continue to develop a process to evaluate and certify launch vehicles using previously flown components or systems for national security space launch.

(e) REPORTING REQUIREMENT.—Not less than 60 days before the date on which a solicitation for procurement of space launch services is issued, the Secretary shall submit to the congressional defense committees a report that sets forth—

(1) a determination with respect to whether launch vehicles using previously flown components, or systems or with components or systems that are intended to be reused, that could otherwise meet mission requirements are eligible for award; and

(2) in the case of a determination that such launch vehicles shall not be eligible for award, a justification with respect to the reason for ineligibility.

#### **SEC. 1606. REVIEW OF AND REPORT ON ACTIVITIES OF INTERNATIONAL SPACE STATION.**

(a) IN GENERAL.—Not later than March 1, 2019, the Secretary of Defense shall—

(1) in coordination with the Administrator of the National Aeronautics and Space Administration, complete a review of each program, activity, and future technology research project of the Department of Defense being carried out on the International Space Station as of that date; and

(2) submit to the appropriate committees of Congress a report that describes the results of the review under paragraph (1).

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Science, Space, and Technology of the House of Representatives.

#### **Subtitle B—Defense Intelligence and Intelligence-related Activities**

#### **SEC. 1611. FRAMEWORK ON GOVERNANCE, MISSION MANAGEMENT, RESOURCING, AND EFFECTIVE OVERSIGHT OF DEPARTMENT OF DEFENSE COMBAT SUPPORT AGENCIES THAT ARE ALSO ELEMENTS OF THE INTELLIGENCE COMMUNITY.**

(a) FRAMEWORK REQUIRED.—

(1) IN GENERAL.—In accordance with section 105 of the National Security Act of 1947 (50 U.S.C. 3038), section 193 of title 10, United States Code, and section 1018 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 50 U.S.C. 3023 note), the Secretary of Defense shall develop and codify in policy a framework and supporting processes within the Department of Defense to help ensure that the missions, roles, and functions of the Combat Support Agencies (CSA) of the Department of Defense that are also elements of the intelligence community (IC), and other intelligence components of the Department, are appropriately balanced and resourced.

(2) SCOPE.—The framework shall include a consistent, repeatable process for regular reevaluation of the responsibilities and resource profiles of the elements described in paragraph (1) for purposes of preventing im-

balances in priorities, insufficient or misaligned resources, and mission creep.

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

(1) A lexicon of relevant terms used by the Department of Defense to ensure consistent definitions are used in determinations about the balance described in subsection (a)(1), which lexicon shall reconcile and codify jointly-used definitions.

(2) A reevaluation of the intelligence components of the Department, including the Joint Intelligence Centers and Joint Intelligence Operations Centers within the combatant commands, in order to determine which components should be formally designated as part of the intelligence community and any components not so designated conform to relevant tradecraft standards.

(3) A repeatable Department process for evaluating the addition, transfer, or elimination of defense intelligence missions, roles, and functions, currently or to be performed by elements described in subsection (a)(1), which process shall include the following:

(A) A justification for any proposed addition, transfer, or elimination of a mission, role, or function.

(B) The identification of the elements in the Federal Government, if any, that currently perform the mission, role, or function concerned.

(C) For any proposed addition of a mission, role, or function, an assessment of the most appropriate element of the Department to assume it, taking into account current resource profiles, scope of existing responsibilities, primary customers, and infrastructure necessary to support the addition.

(D) For any proposed addition of transfer of a mission, role, or function—

(i) a determination of the appropriate resource profile for such mission, role, or function; and

(ii) the identification, in writing, for the Department elements concerned of the resources anticipated to be needed and source of such resources within the future-years defense program in effect at the time of the proposed addition or transfer.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the appropriate committees of Congress a briefing on the framework required by subsection (a).

(d) POLICY.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the policy that codifies the framework required by subsection (a).

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

#### **Subtitle C—Cyberspace-related Matters**

#### **PART I—CYBERSPACE GENERALLY**

#### **SEC. 1621. POLICY OF THE UNITED STATES ON CYBERSPACE, CYBERSECURITY, CYBER WARFARE, AND CYBER DETERRENCE.**

(a) IN GENERAL.—It shall be the policy of the United States, with respect to matters pertaining to cyberspace, cybersecurity, and cyber warfare, that the United States should employ all instruments of national power, including the use of offensive cyber capabilities, to deter if possible, and respond when necessary, to any and all cyber attacks or

other malicious cyber activities that target United States interests with the intent to—

(1) cause casualties among United States persons or persons of our allies;

(2) significantly disrupt the normal functioning of United States democratic society or government (including attacks against critical infrastructure that could damage systems used to provide key services to the public or government);

(3) threaten the command and control of the United States Armed Forces, the freedom of maneuver of the United States Armed Forces, or the industrial base or other infrastructure on which the United States Armed Forces rely to defend United States interests and commitments; or

(4) achieve an effect, whether individually or in aggregate, comparable to an armed attack or imperil a vital interest of the United States.

(b) **RESPONSE OPTIONS.**—In carrying out the policy set forth in subsection (a), the United States shall plan, develop, and demonstrate response options to address the full range of potential cyber attacks on United States interests that could be conducted by potential adversaries of the United States.

(c) **DENIAL OPTIONS.**—In carrying out the policy set forth in subsection (a) through response options developed pursuant to subsection (b), the United States shall, to the greatest extent practicable, prioritize the defensibility and resiliency against cyber attacks and malicious cyber activities described in subsection (a) of infrastructure critical to the political integrity, economic security, and national security of the United States.

(d) **COST-IMPOSITION OPTIONS.**—In carrying out the policy set forth in subsection (a) through response options developed pursuant to subsection (b), the United States shall develop and demonstrate, or otherwise make known to adversaries of the existence of, cyber capabilities to impose costs on any foreign power targeting the United States or United States persons with a cyber attack or malicious cyber activity described in subsection (a).

(e) **MULTI-PRONG RESPONSE.**—In carrying out the policy set forth in subsection (a) through response options developed pursuant to subsection (b), the United States shall—

(1) devote immediate and sustained attention to boosting the cyber resilience of critical United States strike systems (including cyber, nuclear, and non-nuclear systems) in order to ensure the United States can credibly threaten to impose unacceptable costs in response to even the most sophisticated large-scale cyber attack;

(2) develop offensive cyber capabilities and specific plans and strategies to put at risk targets most valued by adversaries of the United States and their key decision makers;

(3) enhance attribution capabilities to reduce the time required to positively attribute an attack with high confidence; and

(4) develop intelligence and offensive cyber capabilities to detect, disrupt, and potentially expose malicious cyber activities.

(f) **POLICIES RELATING TO OFFENSIVE CYBER CAPABILITIES AND SOVEREIGNTY.**—It is the policy of the United States that, when a cyber attack or malicious cyber activity transits or otherwise relies upon the networks or infrastructure of a third country—

(1) the United States shall, to the greatest extent practicable, notify and encourage the government of that country to take action to eliminate the threat; and

(2) if the government is unable or unwilling to take action, the United States reserves the right to act unilaterally (with the consent of that government if possible, but without such consent if necessary).

(g) **AUTHORITY OF SECRETARY OF DEFENSE.**—

(1) **IN GENERAL.**—The Secretary of Defense has the authority to develop, prepare, coordinate, and, when appropriately authorized to do so, conduct military cyber operations in response to cyber attacks and malicious cyber activities described in subsection (a) that are carried out against the United States or United States persons by a foreign power.

(2) **DELEGATION OF ADDITIONAL AUTHORITIES.**—The Secretary may delegate to the Commander of the United States Cyber Command such authorities of the Secretaries of the military departments, including authorities relating to manning, training, and equipping, that the Secretary considers appropriate.

(3) **USE OF DELEGATED AUTHORITIES.**—The use by the Commander of the United States Cyber Command of any authority delegated to the Commander pursuant to this subsection shall be subject to the authority, direction, and control of the Secretary.

(4) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to limit the authority of the President or Congress to authorize the use of military force.

(h) **FOREIGN POWER DEFINED.**—In this section, the term “foreign power” has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

**SEC. 1622. AFFIRMING THE AUTHORITY OF THE SECRETARY OF DEFENSE TO CONDUCT MILITARY ACTIVITIES AND OPERATIONS IN CYBERSPACE.**

Section 130g of title 10, United States Code, is amended—

(1) by striking “The Secretary” and inserting the following:

“(a) **IN GENERAL.**—The Secretary”;

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

“(b) **AFFIRMATION OF AUTHORITY.**—(1) Congress affirms that the Secretary of Defense may conduct military activities or operations in cyberspace, including clandestine military activities or operations in cyberspace, to defend the United States and allies and interests of the United States, including in response to malicious cyber activity carried out against the United States or a United States person by a foreign power.

“(2) Congress affirms that the authority referred to in paragraph (1) includes the conduct of military activities or operations in cyberspace short of war and in areas outside of named areas of conflict for the purpose of preparation of the environment, influence, force protection, and deterrence of hostilities, or counterterrorism operations involving the armed forces of the United States.

“(c) **CLANDESTINE ACTIVITIES OR OPERATIONS.**—A clandestine military activity or operation in cyberspace shall be considered a traditional military activity for the purposes of section 503(e)(2) of the National Security Act of 1947 (50 U.S.C. 3093(e)(2)).

“(d) **CONGRESSIONAL OVERSIGHT.**—The Secretary shall brief the congressional defense committees about any military activities or operations in cyberspace, including clandestine military activities or operations in cyberspace, occurring during the previous quarter during the quarterly briefing required by section 484 of this title.

“(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit the authority of the Secretary to conduct military activities or operations in cyberspace, including clandestine activities or operations in cyberspace, or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541–1548), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or reporting of sensitive military cyber activities or operations required by section 130j of this title.

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

“(1) The term ‘clandestine military activity or operation in cyberspace’ means a military activity or operation carried out in cyberspace, or associated preparatory actions, authorized by the President or the Secretary that—

“(A) is marked by, held in, or conducted with secrecy, where the intent is that the activity or operation will not be apparent or acknowledged publicly; and

“(B) is to be carried out—

“(i) as part of a military operation plan approved by the President or the Secretary in anticipation of hostilities or as directed by the President or the Secretary against—

“(I) adversaries (as defined by the National Security Strategy); or

“(II) other emergent national security threats;

“(ii) to deter, safeguard, or defend against attacks or malicious cyber activities against the United States or Department of Defense information, networks, systems, installations, facilities, or other assets; or

“(iii) in support of other information related capabilities such as military deception and psychological operations.

“(2) The term ‘foreign power’ has the meaning given such term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

“(3) The term ‘United States person’ has the meaning given such term in such section.”; and

(3) in subsection (a), as designated by paragraph (1), by striking “(as)” and all that follows through “(i)”.

**SEC. 1623. ACTIVE DEFENSE AND SURVEILLANCE AGAINST RUSSIAN FEDERATION ATTACKS IN CYBERSPACE.**

(a) **AUTHORITY TO DISRUPT, DEFEAT, AND DETER CYBER ATTACKS.**—

(1) **IN GENERAL.**—In the event that the National Command Authority determines that the Russian Federation is conducting an active, systematic, and ongoing campaign of attacks against the government or people of the United States in cyberspace, the National Command Authority may authorize the Commander of the United States Cyber Command, acting through the Cyber Mission Forces assigned to the United States Cyber Command, to take appropriate and proportional action in cyberspace to disrupt, defeat, and deter such attacks under the authority and policy of the Secretary of Defense to conduct cyber operations and information operations as traditional military activities.

(2) **NOTIFICATION AND REPORTING.**—

(A) **NOTIFICATION OF OPERATIONS.**—IN exercising the authority provided in paragraph (1), the Secretary shall provide notices to the congressional defense committees in accordance with section 130(f) of title 10, United States Code.

(B) **QUARTERLY REPORTS BY COMMANDER OF THE UNITED STATES CYBER COMMAND.**—

(i) **IN GENERAL.**—In any fiscal year in which the Commander of the United States Cyber Command carries out an action under paragraph (1), the Secretary of Defense shall, not less frequently than quarterly, submit to the congressional defense committees a report on the actions of the Commander under such paragraph in such fiscal year.

(ii) **MANNER OF REPORTING.**—Reports submitted under clause (i) shall be submitted in a manner that is consistent with the recurring quarterly report required by section 484 of title 10, United States Code.

(b) **SURVEILLANCE.**—

(1) **IN GENERAL.**—The Secretary of Defense, acting through the Commander of the United States Cyber Command and the cyber mission forces of such command, may conduct surveillance in networks outside the United

States of personnel and organizations engaged at the behest or in support of the Russian Federation in—

(A) stealing and releasing confidential information from United States persons or supporting organizations who are campaigning for public office;

(B) generating and planting information and narratives, including the purchase of advertisements, in social and other media intended to mislead, sharpen social and political conflicts, or otherwise manipulate perceptions and opinions of the people of the United States;

(C) creating networks of subverted computers and associated false accounts on social media platforms for the purpose of spreading and amplifying the impact of information and narratives intended to mislead, sharpen social and political conflicts, or otherwise manipulate perceptions and opinions of the people of the United States; and

(D) developing or using cyber capabilities—

(i) to disable, disrupt, or destroy critical infrastructure of the United States; or

(ii) to cause—

(I) casualties among United States persons or persons of allies of the United States;

(II) significant damage to private or public property;

(III) significant economic disruption;

(IV) an effect, whether individually or in aggregate, comparable to that of an armed attack or one that imperils a vital national security interest of the United States; or

(V) significant disruption of the normal functioning of United States democratic society or government, including attacks against or incidents involving critical infrastructure that could damage systems used to provide key services to the public or government.

(2) PRIVATE SECTOR COOPERATION.—

(A) IN GENERAL.—The Secretary shall make arrangements, directly or through other government organizations, with private sector media representatives and organizations, including social media companies, on a voluntary basis, using the results of the surveillance under paragraph (1) to assist in the identification of such malicious individuals and organizations and associated false or counterfeit accounts created on social media platforms.

(B) SECURITY CLEARANCES.—In carrying out subparagraph (A), the Secretary may grant such security clearances to individuals of media organizations as the Secretary considers necessary and appropriate to share evidence that supports the Secretary's conclusions regarding the individuals and organizations engaged in the activities described in paragraph (1).

(C) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) a report on—

(1) the scope and intensity of the Russian Federation's information operations and attacks through cyberspace against the government or people of the United States observed by the cyber mission forces of the United States Cyber Command and the National Security Agency;

(2) adjustments of the Department of Defense in the response directed or recommended by the Secretary with respect to such operations and attacks; and

(3) whether the authorities under subsections (a) and (b) should be expanded to include other foreign powers, such as the Islamic Republic of Iran and the People's Republic of China.

## SEC. 1624. REORGANIZATION AND CONSOLIDATION OF CERTAIN CYBER PROVISIONS.

(a) IN GENERAL.—Part I of subtitle A of title 10, United States Code, is amended—

(1) by transferring sections 130g, 130j, and 130k to chapter 19; and

(2) in chapter 19, by redesignating sections 130g, 130j, and 130k, as transferred by subparagraph (A), as sections 394, 395, and 396, respectively.

(b) CONFORMING AMENDMENT.—Section 108(m) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1507(m)) is amended by striking “under section 130g” and inserting “under section 394”.

(c) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 3 of title 10, United States Code, is amended by striking the items relating to sections 130g, 130j, and 130k.

(2) The table of sections at the beginning of chapter 19 of such title is amended by adding at the end the following new items:

“394. Authorities concerning military cyber operations.

“395. Notification requirements for sensitive military cyber operations.

“396. Notification requirements for cyber weapons.”

## SEC. 1625. DESIGNATION OF OFFICIAL FOR MATTERS RELATING TO INTEGRATING CYBERSECURITY AND INDUSTRIAL CONTROL SYSTEMS WITHIN THE DEPARTMENT OF DEFENSE.

(a) DESIGNATION OF INTEGRATING OFFICIAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall designate one official to be responsible for matters relating to integrating cybersecurity and industrial control systems within the Department of Defense.

(b) RESPONSIBILITIES.—The official designated pursuant to subsection (a) shall be responsible for matters described in such subsection at all levels of command, from the Department to the facility using industrial control systems, including developing Department-wide certification standards for integration of industrial control systems and taking into consideration frameworks set forth by the National Institute of Standards and Technology for the cybersecurity of such systems.

## SEC. 1626. ASSISTANCE FOR SMALL MANUFACTURERS IN THE DEFENSE INDUSTRIAL SUPPLY CHAIN ON MATTERS RELATING TO CYBERSECURITY.

(a) DISSEMINATION OF CYBERSECURITY RESOURCES.—

(1) IN GENERAL.—The Under Secretary of Defense for Research and Engineering, in consultation with the Director of the National Institute of Standards and Technology, shall take such actions as may be necessary to enhance awareness of cybersecurity threats among small manufacturers in the defense industrial supply chain.

(2) PRIORITY.—The Under Secretary of Defense for Research and Engineering shall prioritize efforts to increase awareness to help reduce cybersecurity risks faced by small manufacturers described in paragraph (1).

(3) SECTOR FOCUS.—The Under Secretary of Defense for Research and Engineering shall carry out this subsection with a focus on such industry sectors as the Under Secretary considers critical.

(4) OUTREACH EVENTS.—Under paragraph (1), the Under Secretary of Defense for Research and Engineering shall conduct outreach to support activities consistent with this section. Such outreach may include live events with a physical presence and outreach conducted through Internet websites.

(b) VOLUNTARY CYBERSECURITY SELF-ASSESSMENTS.—The Under Secretary of Defense

for Research and Engineering shall develop mechanisms to provide assistance to help small manufacturers conduct voluntary self-assessments in order to understand operating environments, cybersecurity requirements, and existing vulnerabilities, including through the Mentor Protégé Program, small business programs, and engagements with defense laboratories and test ranges.

(c) TRANSFER OF RESEARCH FINDINGS AND EXPERTISE.—

(1) IN GENERAL.—The Under Secretary of Defense for Research and Engineering shall promote the transfer of appropriate technology and techniques developed in the Department of Defense to small manufacturers throughout the United States to implement security measures that are adequate to protect covered defense information, including controlled unclassified information.

(2) COORDINATION WITH OTHER FEDERAL EXPERTISE AND CAPABILITIES.—The Under Secretary of Defense for Research and Engineering shall coordinate efforts, when appropriate, with the expertise and capabilities that exist in Federal agencies and federally sponsored laboratories.

(3) AGREEMENTS.—In carrying out this subsection, the Under Secretary of Defense for Research and Engineering may enter into agreements with private industry, institutes of higher education, or a State, United States territory, local, or tribal government to ensure breadth and depth of coverage to the United States defense industrial base and to leverage resources.

(d) DEFENSE ACQUISITION WORKFORCE CYBER TRAINING PROGRAM.—The Secretary of Defense shall establish a cyber counseling certification program, or approve a similar existing program, to certify small business professionals and other relevant acquisition staff within the Department of Defense to provide cyber planning assistance to small manufacturers in the defense industrial supply chain.

(e) AUTHORITIES.—In executing this program, the Secretary may use the following authorities:

(1) The Manufacturing Technology Program established under section 2521 of title 10, United States Code.

(2) The Centers for Science, Technology, and Engineering Partnership program under section 2368 of title 10, United States Code.

(3) The Manufacturing Engineering Education Program established under section 2196 of title 10, United States Code.

(4) The Small Business Innovation Research program.

(5) The mentor-protégé program.

(6) Other legal authorities as the Secretary deems necessary for the effective and efficient execution of the program.

(f) DEFINITIONS.—In this section:

(1) RESOURCES.—The term “resources” means guidelines, tools, best practices, standards, methodologies, and other ways of providing information.

(2) SMALL BUSINESS CONCERN.—The term “small business concern” means a small business concern as that term is used in section 3 of the Small Business Act (15 U.S.C. 632).

(3) SMALL MANUFACTURER.—The term “small manufacturer” means a small business concern that is a manufacturer.

(4) STATE.—The term “State” means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

## SEC. 1627. MODIFICATION OF ACQUISITION AUTHORITY OF THE COMMANDER OF THE UNITED STATES CYBER COMMAND.

(a) MODIFICATION OF LIMITATION ON USE OF CYBER OPERATIONS PROCUREMENT FUND.—

Subsection (e) of section 807 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 2224 note) is amended—

(1) by striking “\$75,000,000” and inserting “\$250,000,000”; and

(2) by striking “2021” and inserting “2025”.

(b) **EXTENSION ON SUNSET.**—Subsection (i)(1) of such section is amended by striking “September 30, 2021” and inserting “September 30, 2025”.

**SEC. 1628. EMAIL AND INTERNET WEBSITE SECURITY AND AUTHENTICATION.**

(a) **IMPLEMENTATION OF PLAN REQUIRED.**—Except as provided by subsection (b), the Secretary of Defense shall develop and implement the plan outlined in Binding Operational Directive 18-01, issued by the Secretary of Homeland Security on October 16, 2017, relating to email security and authentication and Internet website security, according to the schedule established by the Binding Operational Directive for the rest of the Executive Branch beginning with the date of enactment of this Act.

(b) **ELEMENTS.**—The actions required of the Secretary of Defense under subsection (a) include the following:

(1) The adoption of the START Transport Layer Security (STARTTLS) protocol for encryption.

(2) Enforcement of Sender Policy Framework (SPF), Domain Keys Identified Mail (DKIM), and Domain-based Message Authentication, Reporting, and Conformance (DMARC) for email authentication.

(3) Implementation of Hypertext Transfer Protocol Strict Transport Security (HSTS).

(c) **WAIVER.**—The Secretary may waive the requirements of subsection (a) if the Secretary submits to the congressional defense committees a certification that existing or planned security measures for the Department of Defense either meet or exceed the information security requirements of Binding Operational Directive 18-01.

(d) **FUTURE BINDING OPERATIONAL DIRECTIVES.**—The Chief Information Officer of the Department of Defense shall notify the congressional defense committees within 180 days of the issuance by the Secretary of Homeland Security after the date of the enactment of this Act of any Binding Operational Directive for cybersecurity whether the Department of Defense will comply with the Directive or how the Department of Defense plans to meet or exceed the security objectives of the Directive.

**SEC. 1629. MATTERS PERTAINING TO THE SHARKSEER CYBERSECURITY PROGRAM.**

(a) **TRANSFER OF PROGRAM.**—Not later than March 1, 2019, the Secretary of Defense shall transfer the Sharkseer cybersecurity program from the National Security Agency to the Defense Information Systems Agency, including all associated funding and, as the Secretary considers necessary, personnel.

(b) **LIMITATION ON FUNDING FOR THE INFORMATION SYSTEMS SECURITY PROGRAM.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 or any subsequent fiscal year for research, development, test, and evaluation for the Information Systems Security Program for the National Security Agency, not more than 90 percent may be obligated or expended unless the Principal Cyber Advisor certifies to the congressional defense committees that the operations and maintenance funding for the Sharkseer program for fiscal year 2019 and the subsequent fiscal years of the current Future Years Defense Program are available or programmed.

(c) **SHARKSEER BREAK AND INSPECT CAPABILITY.**—

(1) **IN GENERAL.**—The Secretary of Defense shall ensure that the decryption capability

described in section 1636 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) is provided by the break and inspect subsystem of the Sharkseer cybersecurity program, unless the Principal Cyber Advisor notifies the congressional defense committees on or before the date that is 90 days after the date of the enactment of this Act that a superior enterprise solution will be operational before October 1, 2019.

(2) **INTEGRATION OF CAPABILITY.**—The Secretary shall take such actions as are necessary to integrate the break and inspect subsystem of the Sharkseer cybersecurity program with the Department of Defense public key infrastructure.

(d) **VISIBILITY TO ENDPOINTS.**—The Secretary shall take such actions as are necessary to enable, by October 1, 2020, the Sharkseer cybersecurity program and computer network defense service providers to instantly and automatically determine the specific identity and location of computer hosts and other endpoints that received or sent malware detected by the Sharkseer cybersecurity program or other network perimeter defenses.

(e) **SANDBOX AS A SERVICE.**—The Secretary shall use the Sharkseer cybersecurity program sandbox-as-a-service capability as an enterprise solution and terminate all other such projects, unless the Principal Cyber Advisor notifies the congressional defense committees on or before the date that is 90 days after the date of the enactment of this Act that a superior enterprise solution will be operational before October 1, 2019.

(f) **AUTHORIZATION OF APPROPRIATIONS FOR BANDWIDTH EXPANSION.**—There is authorized to be appropriated \$20,000,000 for procurement, defense-wide, for the Defense Information Systems Agency to increase the bandwidth of the Sharkseer cybersecurity program to match the bandwidth of communications entering the Internet access points of the Department of Defense.

**SEC. 1630. PILOT PROGRAM ON MODELING AND SIMULATION IN SUPPORT OF MILITARY HOMELAND DEFENSE OPERATIONS IN CONNECTION WITH CYBER ATTACKS ON CRITICAL INFRASTRUCTURE.**

(a) **PILOT PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—The Assistant Secretary of Defense for Homeland Defense and Global Security shall carry out a pilot program that uses the results of research exercises of local government, industry, and military responses to combined natural disasters and cyber attacks on critical infrastructure in order to identify and develop means of improving such responses to such combined disasters and attacks.

(2) **DISCHARGE.**—The Assistant Secretary shall carry out the pilot program through the United States Northern Command and the United States Cyber Command.

(3) **RESEARCH EXERCISES.**—The pilot program shall be based on lessons learned from the so-called “Jack Voltaic” research exercises conducted by the Army Cyber Institute, industry partners of the Institute, and New York, New York, and Houston, Texas.

(b) **PURPOSE.**—The purpose of the pilot program shall be to accomplish the following:

(1) The development and demonstration of risk analysis methodologies, and the application of commercial simulation and modeling capabilities, based on artificial intelligence and hyperscale cloud computing technologies, for use by the Federal Governments, States, and localities, as applicable—

(A) to assess defense critical infrastructure vulnerabilities and interdependencies to improve military resiliency;

(B) to determine the likely effectiveness of attacks described in subsection (a)(1), and

countermeasures, tactics, and tools supporting responsive military homeland defense operations;

(C) to train personnel in incident response; and

(D) to conduct exercises and test scenarios; and

(E) to foster collaboration and learning between and among departments and agencies of the Federal Government, State and local governments, and private entities responsible for critical infrastructure.

(2) The development and demonstration of the foundations for establishing and maintaining a program of record for a shared high-fidelity, interactive, affordable, cloud-based modeling and simulation of critical infrastructure systems and incident response capabilities that can simulate complex cyber and physical attacks and disruptions on individual and multiple sectors on national, regional, State, and local scales.

(c) **REPORT.**—

(1) **IN GENERAL.**—At the same time the budget of the President for fiscal year 2020 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the Assistant Secretary shall, in consultation with the Secretary of Homeland Security, submit to the congressional defense committees a report on the pilot program.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of the results of the exercises described in subsection (a)(3) and any other exercises conducted as part of the pilot program as of the date of the report.

(B) A list of the cybersecurity units of the National Guard and Reserves, and a description and assessment of the progress of the Assistant Secretary and the National Governors’ Association in promoting multi-State mutual assistance compacts to share resources with respect to combined natural disaster and cyber attacks described in subsection (a)(1) as well as an assessment of how the National Guard’s ability to operate under dual jurisdictions and their existing relationships at the State and local level could be used in these types of events.

(C) A description of the risk analysis methodologies and modeling and simulation capabilities developed and demonstrated pursuant to the pilot program, and an assessment of the potential for future growth of commercial technology in support of the homeland defense mission of the Department of Defense.

(D) Such recommendations as the Secretary considers appropriate regarding the establishment of a program of record for the Department on further development and sustainment of risk analysis methodologies and advanced, large-scale modeling and simulation on critical infrastructure and cyber warfare.

(E) Lessons learned from the use of novel risk analysis methodologies and large-scale modeling and simulation carried out under the pilot program regarding vulnerabilities, required capabilities, and reconfigured force structure, coordination practices, and policy.

(F) Planned steps for implementing the lessons described in subparagraph (E).

(d) **FUNDING.**—Of the amounts authorized to be appropriated for fiscal year 2019 by section 201 for research, development, test, and evaluation for the Army and available for Advanced Concepts and Simulation (Program Element (62308A)), \$10,000,000 may be available for the pilot program.

**SEC. 1631. SECURITY PRODUCT INTEGRATION FRAMEWORK.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Department of Defense requires a standard, enterprise-wide, security product integration framework (SPIF) that provides

a machine-to-machine data exchange architecture and protocol to achieve interoperability and automated orchestration and coordinated action between and among cybersecurity services, devices, appliances, agents, applications, tools, and command and control centers.

(2) Information security products and services need to be engineered to consume and act on information, direction, and cues from other security elements on a network through this framework.

(3) A security product integration framework should ideally be non-proprietary or designed as a modular open system.

(4) A security integration framework is essential to achieve the speed, scale, and agility of response required for cyber warfare, and to reduce the cost and time needed to integrate new products and services into the existing security environment.

(b) **DEMONSTRATION PROGRAM.**—The Principal Cyber Adviser, the Chief Information Officer, and the Commander of the United States Cyber Command shall select a network or network segment and associated computer network defense service provider to conduct a demonstration and evaluation of one or more existing security product integration frameworks, including modifying network security systems to enable such systems to ingest, publish, subscribe, tip and cue, and request information or services from each other.

#### **SEC. 1632. REPORT ON ENHANCEMENT OF SOFTWARE SECURITY FOR CRITICAL SYSTEMS.**

(a) **REPORT REQUIRED.**—Not later than March 1, 2019, the Principal Cyber Adviser to the Secretary of Defense and the Chief Information Officer of the Department of Defense shall jointly submit to the congressional defense committees a report on a study, based on the authorities specified in subsection (b), on the costs, benefits, technical merits, and other merits of applying the technology described in subsection (c) to the vulnerability assessment and remediation of the following:

(1) Nuclear systems and nuclear command and control.

(2) A critical subset of conventional power projection capabilities.

(3) Cyber command and control.

(4) Other defense critical infrastructure

(b) **BASIS FOR CONDUCT OF STUDY.**—The study required for purposes of subsection (a) shall be conducted pursuant to the following:

(1) Section 1640 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

(2) Section 1650 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 2224 note).

(3) Section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1118).

(c) **TECHNOLOGIES.**—The technologies described in this subsection are the following:

(1) Technology developed and used by Combat Support Agencies of the Department of Defense to discover flaws and weaknesses in software code by inputting immense quantities of pseudo-random data (commonly referred to as “fuzz”) to identify inputs that cause the software to fail.

(2) Cloud-based software fuzzing-as-a-service to continuously test the security of Department of Defense software repositories at large scale.

(3) Formal programming and protocol language for software code development and other methods and tools developed under the High Assurance Cyber Military Systems program of the Defense Advanced Research Projects Agency.

(4) The binary analysis and symbolic execution software security tools developed under the Cyber Grand Challenge of the Defense Advanced Research Projects Agency.

#### **SEC. 1633. COMPLY TO CONNECT AND CYBERSECURITY SCORECARD.**

(a) **LIMITATION.**—After October 1, 2019, no funds may be obligated or expended to prepare the cybersecurity scorecard for the Secretary of Defense unless the Department of Defense is implementing a funded capability to meet the requirements—

(1) established by the Chief Information Officer and the Commander of United States Cyber Command pursuant to section 1653 of the National Defense Authorization for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 2224 note); and

(2) set forth in the Information Security Continuous Monitoring Strategy, the Comply-to-Connect Strategy, the Enterprise Patch Management Service Strategy and Concept of Operations, and the User Activity Monitoring Strategy.

(b) **REPORT.**—Not later than January 10, 2019, the Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees a report comparing the current capabilities of the Department of Defense to—

(1) the requirements described in subsection (a); and

(2) the capabilities deployed by the Department of Homeland Security and the General Services Administration under the Continuous Diagnostics and Mitigation program across the non-Department of Defense departments and agencies of the Federal Government.

(c) **RISK THRESHOLDS.**—The Chief Information Officer of the Department of Defense, in coordination with the Principal Cyber Adviser, the Director of Operations of the Joint Staff, and the Commander of United States Cyber Command, shall establish risk thresholds for systems and network operations that, when exceeded, would trigger heightened security measures, such as enhanced monitoring and access policy changes.

(d) **ENTERPRISE GOVERNANCE, RISK, AND COMPLIANCE PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer and the Principal Cyber Adviser shall develop a plan to implement an enterprise governance, risk, and compliance platform and process to maintain current status of all information and operational technology assets, vulnerabilities, threats, and mitigations.

#### **SEC. 1634. CYBERSPACE SOLARIUM COMMISSION.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established a commission to develop a consensus on a strategic approach to protecting the crucial advantages of the United States in cyberspace against the attempts of adversaries to erode such advantages.

(2) **DESIGNATION.**—The commission established under paragraph (1) shall be known as the “Cyberspace Solarium Commission” (in this section the “Commission”).

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—(A) Subject to subparagraph (B), the Commission shall be composed of 13 members, as follows:

(i) The Principal Deputy Director of National Intelligence.

(ii) The Deputy Secretary of Homeland Security.

(iii) The Deputy Secretary of Defense.

(iv) Three members appointed by the majority leader of the Senate, in consultation with the Chairman of the Committee on Armed Services of the Senate, one of whom shall be a member of the Senate and two of whom shall not be.

(v) Two members appointed by the minority leader of the Senate, in consultation with the Ranking Member of the Committee on Armed Services of the Senate, one of whom shall be a member of the Senate and one of whom shall not be.

(vi) Three members appointed by the Speaker of the House of Representatives, in consultation with the Chairman of the Committee on Armed Services of the House of Representatives, one of whom shall be a member of the House of Representatives and two of whom shall not be.

(vii) Two members appointed by the minority leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Armed Services of the House of Representatives, one of whom shall be a member of the House of Representatives and one of whom shall not be.

(B)(i) The members of the Commission who are not members of Congress and who are appointed under clauses (iv) through (vii) of subparagraph (A) shall be individuals who are nationally recognized for expertise, knowledge, or experience in—

(I) cyber strategy or national-level strategies to combat long-term adversaries;

(II) cyber technology and innovation;

(III) use of intelligence information by national policymakers and military leaders; or

(IV) the implementation, funding, or oversight of the national security policies of the United States.

(ii) An official who appoints members of the Commission may not appoint an individual as a member of the Commission if, in the judgment of the official, such individual possesses any personal or financial interest in the discharge of any of the duties of the Commission.

(iii) All members of the Commission described in clause (i) shall possess an appropriate security clearance in accordance with applicable provisions of law concerning the handling of classified information.

(2) **CO-CHAIRS.**—(A) The Commission shall have two co-chairs, selected from among the members of the Commission.

(B) One co-chair of the Commission shall be a member of the Democratic Party, and one co-chair shall be a member of the Republican Party.

(C) The individuals who serve as the co-chairs of the Commission shall be jointly agreed upon by the President, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives.

(c) **APPOINTMENT; INITIAL MEETING.**—

(1) **APPOINTMENT.**—Members of the Commission shall be appointed not later than 45 days after the date of the enactment of this Act.

(2) **INITIAL MEETING.**—The Commission shall hold its initial meeting on or before the date that is 60 days after the date of the enactment of this Act.

(d) **MEETINGS; QUORUM; VACANCIES.**—

(1) **IN GENERAL.**—After its initial meeting, the Commission shall meet upon the call of the co-chairs of the Commission.

(2) **QUORUM.**—Seven members of the Commission shall constitute a quorum for purposes of conducting business, except that two members of the Commission shall constitute a quorum for purposes of receiving testimony.

(3) **VACANCIES.**—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(4) **QUORUM WITH VACANCIES.**—If vacancies in the Commission occur on any day after 45 days after the date of the enactment of this Act, a quorum shall consist of a majority of the members of the Commission as of such day.

(e) **ACTIONS OF COMMISSION.**—

(1) **IN GENERAL.**—The Commission shall act by resolution agreed to by a majority of the members of the Commission voting and present.



(2) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission under this title. The actions of any such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(3) DELEGATION.—Any member, agent, or staff of the Commission may, if authorized by the co-chairs of the Commission, take any action which the Commission is authorized to take pursuant to this title.

(f) DUTIES.—The duties of the Commission are as follows:

(1) To weigh the costs and benefits of various strategic options to reach the goal of protecting the advantages described in subsection (a)(1), including the political system of the United States, the national security industrial sector of the United States, and the innovation base of the United States. The options to be assessed should include deterrence, norms-based regimes, and cyber persistence.

(2) To review adversarial strategies and intentions, current programs for the protection of advantages described in subsection (a)(1), and the capabilities of the Federal Government to understand if and how adversaries are currently being deterred or thwarted in their aims and ambitions.

(3) To evaluate the current allocation of resources for understanding adversarial strategies and intentions and protecting the advantages described in subsection (a)(1).

(4) In weighing the options for protecting advantages as described in subsection (a)(1), to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government.

(g) POWERS OF COMMISSION.—

(1) IN GENERAL.—(A) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this section—

(i) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths; and

(ii) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member considers necessary.

(B) Subpoenas may be issued under subparagraph (A)(ii) under the signature of the co-chairs of the Commission, and may be served by any person designated by such co-chairs.

(C) The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of a witness to comply with any subpoena or to testify when summoned under authority of this section.

(2) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in advance in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(3) INFORMATION FROM FEDERAL AGENCIES.—(A) The Commission may secure directly from any executive department, agency, bureau, board, commission, office, independent establishment, or instrumentality of the Government information, suggestions, estimates, and statistics for the purposes of this title.

(B) Each such department, agency, bureau, board, commission, office, establishment, or instrumentality shall, to the extent author-

ized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request of the co-chairs of the Commission.

(C) The Commission shall handle and protect all classified information provided to it under this section in accordance with applicable statutes and regulations.

(4) ASSISTANCE FROM FEDERAL AGENCIES.—(A) The Secretary of Defense shall provide to the Commission, on a nonreimbursable basis, such administrative services, funds, staff, facilities, and other support services as are necessary for the performance of the Commission's duties under this title.

(B) The Director of National Intelligence may provide the Commission, on a nonreimbursable basis, with such administrative services, staff, and other support services as the Commission may request.

(C) In addition to the assistance set forth in paragraphs (1) and (2), other departments and agencies of the United States may provide the Commission such services, funds, facilities, staff, and other support as such departments and agencies consider advisable and as may be authorized by law.

(D) The Commission shall receive the full and timely cooperation of any official, department, or agency of the United States Government whose assistance is necessary for the fulfillment of the duties of the Commission under this title, including the provision of full and current briefings and analyses.

(5) PROHIBITION ON WITHHOLDING INFORMATION.—No department or agency of the Government may withhold information from the Commission on the grounds that providing the information to the Commission would constitute the unauthorized disclosure of classified information or information relating to intelligence sources or methods.

(6) POSTAL SERVICES.—The Commission may use the United States postal services in the same manner and under the same conditions as the departments and agencies of the United States.

(7) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property in carrying out its duties under this title.

(h) STAFF OF COMMISSION.—

(1) IN GENERAL.—(A) The co-chairs of the Commission, in accordance with rules agreed upon by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of such title.

(B) Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(C) All staff of the Commission shall possess a security clearance in accordance with applicable laws and regulations concerning the handling of classified information.

(2) CONSULTANT SERVICES.—(A) The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of such title.

(B) All experts and consultants employed by the Commission shall possess a security clearance in accordance with applicable laws and regulations concerning the handling of classified information.

(i) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION.—(A) Except as provided in paragraph (2), each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission under this title.

(B) Members of the Commission who are officers or employees of the United States or Members of Congress shall receive no additional pay by reason of their service on the Commission.

(2) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

(j) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—

(1) IN GENERAL.—(A) The Director of National Intelligence shall assume responsibility for the handling and disposition of any information related to the national security of the United States that is received, considered, or used by the Commission under this title.

(B) Any information related to the national security of the United States that is provided to the Commission by a congressional intelligence committees or the congressional armed services committees may not be further provided or released without the approval of the chairman of such committees.

(2) ACCESS AFTER TERMINATION OF COMMISSION.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (k)(2), only the members and designated staff of the congressional intelligence committees, the Director of National Intelligence (and the designees of the Director), and such other officials of the executive branch as the President may designate shall have access to information related to the national security of the United States that is received, considered, or used by the Commission.

(k) FINAL REPORT; TERMINATION.—

(1) FINAL REPORT.—Not later than September 1, 2019, the Commission shall submit to the congressional defense committees, the congressional intelligence committees, the Director of National Intelligence, and the Secretary of Defense, and the Secretary of Homeland Security a final report on the findings of the Commission.

(2) TERMINATION.—(A) The Commission, and all the authorities of this section, shall terminate at the end of the 120-day period beginning on the date on which the final report under paragraph (1) is submitted to the congressional defense and intelligence committees.

(B) The Commission may use the 120-day period referred to in paragraph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report referred to in that paragraph and disseminating the report.

(1) ASSESSMENTS OF FINAL REPORT.—Not later than 60 days after receipt of the final report under subsection (k)(1), the Director of National Intelligence and the Secretary of

Defense shall each submit to the congressional intelligence committees and the congressional defense committees an assessment by the Director or the Secretary, as the case may be, of the final report. Each assessment shall include such comments on the findings and recommendations contained in the final report as the Director or Secretary, as the case may be, considers appropriate.

(m) **INAPPLICABILITY OF CERTAIN ADMINISTRATIVE PROVISIONS.**—

(1) **FEDERAL ADVISORY COMMITTEE ACT.**—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Commission under this section.

(2) **FREEDOM OF INFORMATION ACT.**—The provisions of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), shall not apply to the activities, records, and proceedings of the Commission under this section.

(n) **FUNDING.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$4,000,000 to carry out this section.

(2) **AVAILABILITY IN GENERAL.**—Subject to paragraph (1), the Secretary of Defense shall make available to the Commission such amounts as the Commission may require for purposes of the activities of the Commission under this section.

(3) **DURATION OF AVAILABILITY.**—Amounts made available to the Commission under paragraph (2) shall remain available until expended.

(o) **CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.**—In this section, the term “congressional intelligence committees” means—

(1) the Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 1635. PROGRAM TO ESTABLISH CYBER INSTITUTES AT INSTITUTIONS OF HIGHER LEARNING.**

(a) **PROGRAM AUTHORIZED.**—The Secretary of Defense may carry out a program to establish a Cyber Institute at institutions of higher learning selected under subsection (b) for purposes of accelerating and focusing the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and the Department of Defense, including such leaders of the reserve components.

(b) **SELECTED INSTITUTIONS OF HIGHER LEARNING.**—

(1) **IN GENERAL.**—The Secretary of Defense shall select institutions of higher learning for purposes of the program established under subsection (a) from among institutions of higher learning that have a Reserve Officers' Training Corps program.

(2) **CONSIDERATION OF SENIOR MILITARY COLLEGES.**—In selecting institutions of higher learning under paragraph (1), the Secretary shall consider the senior military colleges with Reserve Officers' Training Corps programs.

(c) **ELEMENTS.**—Each institute established under the program authorized by subsection (a) shall include the following:

(1) Programs to provide future military and civilian leaders of the Armed Forces or the Department of Defense who possess cyber operational expertise from beginning through advanced skill levels. Such programs shall include instruction and practical experiences that lead to recognized certifications and degrees in the cyber field.

(2) Programs of targeted strategic foreign language proficiency training for such future leaders that—

(A) are designed to significantly enhance critical cyber operational capabilities; and

(B) are tailored to current and anticipated readiness requirements.

(3) Programs related to mathematical foundations of cryptography and courses in cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

(4) Programs related to data science and courses in data science theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

(5) Programs designed to develop early interest and cyber talent through summer programs, dual enrollment opportunities for cyber, strategic language, data science, and cryptography related courses.

(6) Training and education programs to expand the pool of qualified cyber instructors necessary to support cyber education in regional school systems.

(d) **PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.**—Any institute established under the program authorized by subsection (a) may enter into a partnership with one or more components of the Armed Forces, active or reserve, or any agency of the Department of Defense to facilitate the development of critical cyber skills for students who may pursue a military career.

(e) **PARTNERSHIPS.**—Any institute established under the program authorized by subsection (a) may enter into a partnership with one or more local educational agencies to facilitate the development of critical cyber skills.

(f) **SENIOR MILITARY COLLEGES DEFINED.**—The term “senior military colleges” has the meaning given such term in section 2111a(f) of title 10, United States Code.

**SEC. 1636. ESTABLISHMENT OF CYBERSECURITY FOR DEFENSE INDUSTRIAL BASE MANUFACTURING ACTIVITY.**

(a) **ESTABLISHMENT.**—

(1) **AUTHORITY.**—The Secretary of Defense may, in consultation with the Director of the National Institute of Standards and Technology, establish an activity to assess and strengthen the cybersecurity resiliency of the defense industrial base of the United States.

(2) **DESIGNATION.**—The activity that may be established under paragraph (1) shall be known as the “Cybersecurity for Defense Industrial Base Manufacturing Activity”.

(b) **ACTIVITIES.**—If the Secretary of Defense exercises the authority under subsection (a), the Secretary shall utilize the activity to explore ways to increase the cybersecurity resiliency of the defense industrial supply chain. Such exploration may include the following:

(1) Developing cybersecurity test capabilities to support identifying and reducing security vulnerabilities (as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) in defense industrial base manufacturing processes.

(2) Developing in-person and online training to help small defense industrial base manufacturers improve their cybersecurity.

(3) Ensuring that cybersecurity for defense industrial base manufacturing is included in Department of Defense research and development roadmaps and threat assessments.

(4) Aggregating, developing, and disseminating capabilities to address cybersecurity threats that can be provided to and adopted by defense industrial base manufacturers of all sizes.

**PART II—MITIGATION OF RISKS POSED BY PROVIDERS OF INFORMATION TECHNOLOGY WITH OBLIGATIONS TO FOREIGN GOVERNMENTS**

**SEC. 1637. DEFINITIONS.**

In this part:

(1) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Homeland Security of the House of Representatives.

(2) **INFORMATION TECHNOLOGY.**—The term “information technology” has the meaning given such term in section 11101 of title 40, United States Code.

(3) **NATIONAL SECURITY SYSTEM.**—The term “national security system” has the meaning given such term in section 3552(b) of title 44, United States Code.

**SEC. 1638. IDENTIFICATION OF COUNTRIES OF CONCERN REGARDING CYBERSECURITY.**

(a) **IDENTIFICATION OF COUNTRIES OF CONCERN.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall create a prioritized list of countries of concern regarding cybersecurity based on information relating to the following:

(1) A foreign government's engagement in acts of violence against personnel of the United States or coalition forces.

(2) A foreign government's willingness and record of providing financing, logistics, training or intelligence to other persons, countries or entities posing a force protection or cybersecurity risk to the personnel, financial systems, critical infrastructure, or information systems of the United States or coalition forces.

(3) A foreign government's engagement in foreign intelligence activities against the United States.

(4) A foreign government's direct or indirect participation in transnational organized crime or criminal activity.

(5) A foreign government's ability and intent to conduct operations to affect the supply chain of the United States Government.

(b) **REPORT TO CONGRESS.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress the list created pursuant to subsection (a) and any accompanying analysis that contributed to the creation of the list.

**SEC. 1639. MITIGATION OF RISKS TO NATIONAL SECURITY POSED BY PROVIDERS OF INFORMATION TECHNOLOGY PRODUCTS AND SERVICES WHO HAVE OBLIGATIONS TO FOREIGN GOVERNMENTS.**

(a) **DISCLOSURE REQUIRED.**—The Department of Defense may not use a product, service, or system relating to information or operational technology, cybersecurity, an industrial control system, a weapons system, or computer antivirus provided by a person unless that person discloses to the Secretary of Defense the following:

(1) Whether the person has allowed a foreign government to review or access the code of a product, system, or service custom-developed for the Department, or is under any obligation to allow a foreign person or government to review or access the code of a product, system, or service custom-developed for the Department as a condition of entering into an agreement for sale or other transaction with a foreign government or with a foreign person on behalf of such a government.

(2) Whether the person has allowed a foreign government listed in section 1638(a) to review or access the source code of a product, system, or service that the Department is using or intends to use, or is under any obligation to allow a foreign person or government to review or access the source code of

a product, system, or service that the Department is using or intends to use as a condition of entering into an agreement for sale or other transaction with a foreign government or with a foreign person on behalf of such a government.

(3) In a case in which the person is a United States person or an affiliate of a United States person, whether or not the person holds or has sought a license pursuant to the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, or successor regulations, for information technology products, components, software, or services that contain code custom-developed for the product, system, or service the Department is using or intends to use.

(b) POST PROCUREMENT.—Procurement contracts for covered products or systems shall include a clause requiring the information contained in subsection (a) be disclosed during the period of the contract if an entity becomes aware of information requiring disclosure as per that section, including any mitigation measures taken or anticipated.

(c) MITIGATION OF RISKS.—

(1) IN GENERAL.—If, after reviewing a disclosure made by a person under subsection (a), the Secretary determines that the disclosure relating to a product, system, or service entails a risk to the national security infrastructure or data of the United States, or any national security system under the control of the Department, the Secretary shall take such measures as the Secretary considers appropriate to mitigate such risks, including, as the Secretary considers appropriate, by conditioning any agreement for the use, procurement, or acquisition of the product, system, or service on the inclusion of enforceable conditions or requirements that would mitigate such risks.

(2) THIRD-PARTY TESTING STANDARD.—Not later than two years after the date of the enactment of this Act the Secretary shall develop such third-party testing standard as the Secretary considers acceptable for commercial off the shelf (COTS) products, systems, or services to use when dealing with foreign governments.

(d) EXEMPTION OF DISCLOSURES FROM FREEDOM OF INFORMATION ACT.—A disclosure under subsection (a) shall not be subject to section 552 of title 5, United States Code (commonly referred to as the “Freedom of Information Act”), or any other similar provision of Federal or State law requiring the disclosure of information to the public.

**SEC. 1640. ESTABLISHMENT OF REGISTRY OF DISCLOSURES.**

(a) ESTABLISHMENT OF REGISTRY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) establish within the operational capabilities of the Committee for National Security Systems (CNSS) or within such other agency as the Secretary considers appropriate a registry containing the information disclosed under section 1639; and

(2) upon request, make such information available to any agency conducting a procurement pursuant to the Federal Acquisition Regulations or the Defense Federal Acquisition Regulations.

(b) EXEMPTION OF REGISTRY FROM FREEDOM OF INFORMATION ACT.—The contents of the registry established under subsection (a)(1) shall not be subject to section 552 of title 5, United States Code (commonly referred to as the “Freedom of Information Act”), or any other similar provision of Federal or State law requiring the disclosure of information to the public.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter, the Secretary of Defense shall submit to the appropriate committees of Congress a report detailing the number, scope, product classifications, and mitigation agreements related to each product, system, and service for which a disclosure is made under section 1639(a).

**Subtitle D—Nuclear Forces**

**SEC. 1641. OVERSIGHT AND MANAGEMENT OF THE COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM FOR THE NATIONAL LEADERSHIP OF THE UNITED STATES.**

(a) DESIGNATION OF RESPONSIBLE INDIVIDUAL.—

(1) IN GENERAL.—The Secretary of Defense shall designate a single individual to be responsible for oversight and strategic portfolio management of the command, control, and communications system for the national leadership of the United States (as defined in section 171a of title 10, United States Code), including—

(A) nuclear command, control, and communications;

(B) senior leadership communications systems;

(C) integrated tactical warning and attack assessment systems, processes, and enablers; and

(D) continuity of government functions for which the Department of Defense is responsible.

(2) AUTHORITIES.—Subject to the authority and direction of the Secretary, the individual designated under paragraph (1) shall have the authority to direct the Secretaries of the military departments and officials in the Office of the Secretary of Defense with respect to matters described in paragraph (1), including—

(A) playing a significant and directive role in the decision processes for all annual and multi-year planning, programming, budgeting, and execution decisions, including the authority to realign the elements of the budgets and budget requests of the military departments that relate to the matters described in paragraph (1);

(B) ensuring that the military departments comply with the standards of the Federal Government and the Department of Defense with respect to matters described in paragraph (1); and

(C) any other authorities that the Secretary of Defense considers necessary.

(3) CHAIRPERSON OF COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.—The individual designated under paragraph (1) shall serve as the Chairperson of the Council on Oversight of the National Leadership Command, Control, and Communications System established under section 171a of title 10, United States Code.

(4) STAFF.—The individual designated under paragraph (1) shall have sufficient dedicated full-time personnel to carry out the responsibilities of that individual under this subsection and as Chairperson of the Council on Oversight of the National Leadership Command, Control, and Communications System.

(b) MODIFICATIONS TO COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.—

(1) MEMBERSHIP.—Subsection (b) of section 171a of title 10, United States Code, is amended—

(A) in paragraph (2), by striking “, Technology, and Logistics” and inserting “and Sustainment”;

(B) by redesignating paragraphs (3) through (7) as paragraphs (4) through (8), respectively; and

(C) by inserting after paragraph (2) the following new paragraph (3):

“(3) The Under Secretary of Defense for Research and Engineering.”

(2) CHAIRPERSON.—Subsection (c) of such section is amended to read as follows:

“(c) CHAIRPERSON.—The Chairperson of the Council (in this section referred to as the ‘Chairperson’) shall be the individual designated by the Secretary of Defense under section 1641(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 as responsible for oversight and strategic portfolio management of the command, control, and communications system for the national leadership of the United States.”

(3) RESPONSIBILITIES.—Subsection (d) of such section is amended—

(A) in paragraph (1), by striking “oversight” and inserting “coordination”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “oversight” and inserting “coordination”;

(ii) in subparagraph (B), by striking “mitigation” and inserting “recommendations for mitigation actions”;

(iii) by striking subparagraphs (C) and (D) and inserting the following new subparagraph (C):

“(C) Making recommendations to the Chairperson with respect to resource prioritization.”; and

(iv) by redesignating subparagraph (E) as subparagraph (D).

(4) ANNUAL REPORTS.—Subsection (e) of such section is amended, in the matter preceding paragraph (1), by striking “the Council shall” and inserting “the Chairperson shall”.

(5) COLLECTION OF ASSESSMENTS ON CERTAIN THREATS.—Subsection (f) of such section is amended by striking “The Council shall” and inserting “The Chairperson shall, in consultation with the Council.”

(6) BUDGET AND FUNDING MATTERS.—Subsection (g) of such section is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “the Chairman of the Joint Chiefs of Staff” and inserting “the Chairperson”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the Chairman of the Joint Chiefs of Staff” and inserting “the Chairperson”; and

(ii) by striking “the Chairman” each place it appears and inserting “the Chairperson”; and

(C) in paragraph (3), by striking “the Council shall” and inserting “the Chairperson shall”.

(7) REPORTS ON SPACE ARCHITECTURE DEVELOPMENT.—Subsection (i)(1) of such section is amended by striking “the Under Secretary of Defense for Acquisitions, Technology, and Logistics” and inserting “the Chairperson”.

(8) NOTIFICATION OF REDUCTION OF CERTAIN WARNING TIME.—Subsection (j)(2) of such section is amended—

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

(i) in the first sentence, by striking “the Council” and inserting “the Chairperson, in consultation with the Council.”; and

(ii) in the second sentence, by striking “the Council” and inserting “the Chairperson”; and

(B) in subparagraph (C), by striking “the Council” and inserting “the Chairperson”.

(9) STATUS OF ACQUISITION PROGRAMS.—Subsection (k) of such section is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “the

co-chairs of the Council, acting through the senior steering group of the Council,” and inserting “the Chairperson”; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “the co-chairs of the Council” and inserting “the Chairperson”.

**SEC. 1642. MODIFICATION TO REQUIREMENT FOR CONVENTIONAL LONG-RANGE STANDOFF WEAPON.**

(a) IN GENERAL.—Section 217(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 706) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(2) in paragraph (2)—

(A) by striking “the Secretary may” and inserting the following: “the Secretary—“(A) may”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(B) shall begin procurement and fielding of a follow-on air-launched cruise missile to the AGM-86 for conventional missions not more than five years after the successful completion of initial operational test and evaluation for such a missile for nuclear missions.”.

(b) STATEMENT OF POLICY.—It is the policy of the United States to design and procure the long-range standoff weapon to provide a nuclear cruise missile capability to replace the AGM-86 as part of the modernization of the nuclear triad.

**SEC. 1643. EXCHANGE PROGRAM FOR NUCLEAR WEAPONS PROGRAM EMPLOYEES.**

(a) PROGRAM AUTHORIZED.—The Chairman of the Nuclear Weapons Council established under section 179 of title 10, United States Code, and the Administrator for Nuclear Security, shall jointly establish an exchange program under which—

(1) the Chairman shall arrange for the temporary assignment of civilian and military personnel working on nuclear weapons policy, production, and force structure issues in the Office of the Secretary of Defense, the Joint Staff, the Navy, or the Air Force to the Office of the Deputy Administrator for Defense Programs in the National Nuclear Security Administration; and

(2) the Administrator shall arrange for the temporary assignment of civilian personnel working on programs related to nuclear weapons in the Office of the Deputy Administrator for Defense Programs to the elements of the Department of Defense specified in paragraph (1).

(b) PURPOSES.—The purposes of the exchange program established under subsection (a) are—

(1) to familiarize personnel from the Department of Defense and the National Nuclear Security Administration with the equities, priorities, processes, culture, and employees of the other agency;

(2) for participants in the exchange program to return the expertise gained through their exchanges to their original agencies at the conclusion of their exchanges; and

(3) to improve communication between and integration of the agencies that support the formation and oversight of nuclear weapons policy through lasting relationships across the chain of command.

(c) PARTICIPANTS.—

(1) NUMBER OF PARTICIPANTS.—The Chairman and the Administrator shall each select not fewer than 5 and not more than 10 participants per year for participation in the exchange program established under subsection (a). The Chairman and the Administrator may determine how many participants to se-

lect under this paragraph without regard to the number of participants selected from the other agency.

(2) CRITERIA FOR SELECTION.—

(A) IN GENERAL.—The Chairman and the Administrator shall select participants for the exchange program established under subsection (a) from among mid-career employees and based on—

(i) the qualifications and desire to participate in the program of the employee; and

(ii) the technical needs and capacities of the Department of Defense and the National Nuclear Security Administration, as applicable.

(B) DEPARTMENT OF DEFENSE.—In selecting participants from the Department of Defense for the exchange program established under subsection (a), the Chairman shall ensure that there is a mix of military personnel and civilian employees of the Department.

(d) TERMS.—Exchanges pursuant to the exchange program established under subsection (a) shall be for terms of one to two years, as determined and negotiated by the Chairman and the Administrator. Such terms may begin and end on a rolling basis.

(e) GUIDANCE AND IMPLEMENTATION.—

(1) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Chairman and the Administrator shall jointly develop and submit to the congressional defense committees interim guidance on the form and contours of the exchange program established under subsection (a).

(2) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Chairman and the Administrator shall implement the guidance developed under paragraph (1).

**SEC. 1644. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.**

(a) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2019 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in division D, \$9,841,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3651).

(b) COVERED PARTS DEFINED.—In this section, the term “covered parts” means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

**SEC. 1645. PLAN TO TRAIN OFFICERS IN NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS.**

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of the Air Force, the Secretary of the Navy, and the Chairman of the Joint Chiefs of Staff, develop a plan to train, educate, manage, and track officers of the Armed Forces in nuclear command, control, and communications.

(b) ELEMENTS.—The plan required by subsection (a) shall address—

(1) manpower requirements at various grades;

(2) desired career paths and promotion timing; and

(3) any other matters the Secretary of Defense considers relevant to develop a mature cadre of officers with nuclear command, control, and communications expertise.

(c) SUBMISSION OF PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit the plan required by subsection (a) to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(d) IMPLEMENTATION.—The plan required by subsection (a) shall be implemented not later than 18 months after the date of the enactment of this Act.

**SEC. 1646. PLAN FOR ALIGNMENT OF ACQUISITION OF WARHEAD LIFE EXTENSION PROGRAMS AND DELIVERY VEHICLES FOR SUCH WARHEADS.**

Not later than February 15, 2019, the Chairman of the Nuclear Weapons Council established under section 179 of title 10, United States Code, shall submit to the congressional defense committees a plan containing a proposal for better aligning the acquisition of warhead life extension programs by the National Nuclear Security Administration with the acquisition of the planned delivery vehicles for such warheads by the Department of Defense.

**SEC. 1647. EXTENSION OF ANNUAL REPORT ON PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.**

Section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576), as most recently amended by section 1665 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended in subsection (a)(1) by striking “2019” and inserting “2024”.

**SEC. 1648. PROHIBITION ON USE OF FUNDS FOR ACTIVITIES TO MODIFY UNITED STATES AIRCRAFT TO IMPLEMENT OPEN SKIES TREATY.**

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for research, development, test, and engineering or aircraft procurement, Air Force, for the digital visual imaging system may be obligated or expended to carry out any activities to modify any United States aircraft for purposes of implementing the Open Skies Treaty until—

(1) the Secretary of Defense submits to the appropriate congressional committees the certification described in paragraph (2) of section 1235(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91); and

(2) the President submits to the appropriate congressional committees the certification described in paragraph (3) of such section.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) OPEN SKIES TREATY.—The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

**SEC. 1649. SENSE OF SENATE ON NUCLEAR POSTURE REVIEW.**

(a) FINDINGS.—Congress makes the following findings:

(1) Secretary of Defense James Mattis said in his opening statement before the Committee on Armed Services of the House of Representatives on February 6, 2018, “Maintaining an effective nuclear deterrent is much less expensive than fighting a war that we were unable to deter.”.

(2) In the same statement, Secretary Mattis said, “Recapitalizing the nuclear weapons complex of laboratories and plants is also long past due . . . Due to consistent underfunding, significant and sustained investments will be required over the coming

decade to ensure that the National Nuclear Security Administration will be able to deliver at the rate needed to support nuclear deterrence into the 2030s and beyond.”.

(3) Former Secretary of Defense Ash Carter recently wrote that “it is essential to recapitalize the nuclear Triad, because it is the bedrock of deterrence. During the past 25 years, the United States has made no major new investments in its nuclear forces, yet other countries have conducted vigorous buildups. This history does not support the contention that U.S. investments fuel the nuclear programs of others. My views are reflected in the latest Nuclear Posture Review.”.

(4) Former Under Secretary of Defense for Policy Jim Miller recently wrote, “Secretary of Defense Jim Mattis’s 2018 Nuclear Posture Review offers continuity with past U.S. policy and plans, including those in the 2010 NPR. It deserves broad bipartisan support.”.

(5) The Foreign Minister of Japan, Taro Kono, said in a statement on February 3, 2018, “Japan highly appreciates the latest NPR which clearly articulates the U.S. resolve to ensure the effectiveness of its deterrence and its commitment to providing extended deterrence to its allies including Japan, in light of the international security environment which has been rapidly worsened since the release of the previous 2010 NPR, in particular, by continued development of North Korea’s nuclear and missile programs.”.

(6) In testimony before the Committee on Armed Services of the Senate on April 30, 2018, Secretary of Defense Jim Mattis said, “Modernizing the nation’s nuclear deterrent delivery systems and our nuclear command and control is the [Department of Defense’s] top priority.”.

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

(1) the 2018 Nuclear Posture Review is a measured and appropriate response to the current security environment, taking into account the developments in other nuclear weapons states such as the People’s Republic of China and the Russian Federation and the return to great power competition as identified by two successive Secretaries of Defense and outlined in the 2018 National Defense Strategy;

(2) Congress should fully fund the complete nuclear modernization program of the Department of Defense, including the Columbia-class submarine, the Ground-Based Strategic Deterrent, the B-21 long-range bomber, the Long-Range Stand-Off weapon, the re-engineing of the B-52H bomber, and dual-capable aircraft;

(3) the Department of Defense should organize itself appropriately to engineer, acquire, and operate nuclear command, control, and communications systems that are secure, reliable, and modernized;

(4) Congress should fully fund the National Nuclear Security Administration component of the nuclear modernization program, including—

(A) the existing warhead life extension programs and major alterations, including the W76-2 warhead modification program and the W80-4 life extension program; and

(B) the recapitalization of infrastructure for production and processing of plutonium pits, uranium, tritium, lithium, and trusted strategic radiation-hardened microelectronics;

(5) in order to execute the programs described in this subsection in the timely fashion required by the Nuclear Posture Review, the National Nuclear Security Administration must balance workload, improve management of large programs, and better inte-

grate its acquisition programs with those of the Department of Defense;

(6) the United States maintains a steadfast commitment to the policy of extended deterrence in Europe and East Asia, and the nuclear modernization program will ensure that commitment remains credible;

(7) the United States should continue to honor long-held arms control, nonproliferation, and nuclear security commitments, and should seek to increase transparency and predictability through strategic dialogue, risk-reduction communication channels, and the sharing of best practices;

(8) when complied with by all parties, effective nuclear nonproliferation and arms control measures and agreements can support the security of the United States and countries that are allies or partners of the United States by—

(A) controlling the spread of nuclear materials, technology, and expertise;

(B) decreasing the risk of misperception and miscalculation; and

(C) avoiding destabilizing nuclear arms competition; and

(9) the United States should continue to affirm its commitments to arms control efforts that advance the security of the United States and countries that are allies or partners of the United States, and are verifiable and enforceable, including the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly known as the “New START Treaty”), which is in effect through February 2021, and with mutual agreement may be extended for up to five years.

#### Subtitle E—Missile Defense Programs

##### SEC. 1651. EXTENSION OF PROHIBITION RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

Section 130h(e) of title 10, United States Code, is amended by striking “January 1, 2019” and inserting “January 1, 2021”.

##### SEC. 1652. MULTIYEAR PROCUREMENT AUTHORITY FOR STANDARD MISSILE-3 IB GUIDED MISSILES.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of Defense may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of Standard Missile-3 Block IB guided missiles.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts for advance procurement associated with the missiles for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) COST ANALYSIS REQUIREMENT.—The Secretary may not exercise the authority provided under subsection (a) or (b) until the Secretary submits to the congressional defense committees the report and confirmation required under subparagraphs (A) and (B), respectively, of section 2306b(i)(2) of title 10, United States Code.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations for that purpose for such later fiscal year.

##### SEC. 1653. EXTENSION OF REQUIREMENT FOR REPORTS ON UNFUNDED PRIORITIES OF MISSILE DEFENSE AGENCY.

Section 1696 of the National Defense Authorization Act for Fiscal Year 2017 (130 Stat. 2638; Public Law 114-328) is amended—

(1) in subsection (a)—

(A) by striking “Not later than” and inserting “Each year, not later than”

(B) by striking “for each of fiscal years 2018 and 2019”; and

(2) in subsection (c), by striking “the budget if” and all that follows through the period at the end and inserting “the budget if additional resources had been available for the budget to fund the program, activity, or mission requirement.”.

##### SEC. 1654. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI CO-OPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than \$70,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition and Sustainment shall jointly submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement; and

(ii) an assessment detailing any risks relating to the implementation of such agreement.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID’S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2019 for procurement, Defense-wide, and available for the Missile Defense Agency not more than \$50,000,000 may be provided to the Government of Israel to procure the David’s Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David’s Sling Weapon System;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(C) the level of co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States

industry for the David's Sling Weapon System is not less than 50 percent.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2019 for procurement, Defense-wide, and available for the Missile Defense Agency not more than \$80,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—Except as provided by paragraph (3), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreements for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(3) WAIVER.—The Under Secretary may waive the certification required by paragraph (2) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has received sufficient data from the Government of Israel to demonstrate—

(A) the funds specified in paragraph (1) are provided to Israel solely for funding the procurement of long-lead components and critical hardware in accordance with a production plan, including a funding profile detailing Israeli contributions for production, including long-lead production, of the Arrow 3 Upper Tier Interceptor Program;

(B) such long-lead components have successfully completed knowledge points, technical milestones, and production readiness reviews; and

(C) the long-lead procurement will be conducted in a manner that maximizes co-production in the United States without incurring nonrecurring engineering activity or cost other than such activity or cost required for suppliers of the United States to start or restart production in the United States.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certifications under paragraph (2) of subsection (b) and paragraph (2) of subsection (c) by not later than 60 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1655. METRICS FOR EVALUATING EFFECTIVENESS OF INTEGRATED BALLISTIC MISSILE DEFENSE SYSTEM AGAINST OPERATIONALLY REALISTIC BALLISTIC MISSILE ATTACKS.**

(a) DEVELOPMENT OF METRICS REQUIRED.—The Director of the Missile Defense Agency shall, in coordination with the Director of Operational Test and Evaluation, the Director of the Ballistic Missile Defense System Operational Test Agency, the Commander of the Joint Forces Combatant Command-Integrated Missile Defense, the service acquisition executives (as defined in section 101 of title 10, United States Code), and the commanders of the combatant commands, develop operationally relevant metrics for evaluating the effectiveness of the integrated Ballistic Missile Defense System (BMDS) and its components and elements against operationally realistic ballistic missile attacks into areas defended by United States combatant commands.

(b) INCORPORATION OF METRICS INTO ANNUAL REPORTS.—Beginning in February 2019, the Director of the Missile Defense Agency shall incorporate the metrics developed under subsection (a) into the annual reports of the Director to the congressional defense committees, including an assessment of progress against such metrics on the acquisition baseline of the Missile Defense Agency.

(c) LIMITATION.—Of the funds authorized to be appropriated for fiscal year 2019 by this Act and available for the Command and Control, Battle Management and Communications (C2BMC) program, not more than 50 percent may be obligated or expended until the Director develops the metrics required by subsection (a).

**SEC. 1656. MODIFICATION OF REQUIREMENT RELATING TO TRANSITION OF BALLISTIC MISSILE DEFENSE PROGRAMS TO MILITARY DEPARTMENTS.**

Section 1676(b)(2) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by inserting “or equivalent approval” before the period at the end.

**SEC. 1657. SENSE OF THE SENATE ON ACCELERATION OF MISSILE DEFENSE CAPABILITIES.**

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

(1) accelerate the fielding, if technically feasible, of the planned additional 20 ground-based interceptors with Redesigned Kill Vehicles (RKV) at Missile Field 4 at Fort Greely, Alaska, and to mate the Redesigned Kill Vehicles with the newest booster technology;

(2) weigh the rapid growth in missile and nuclear threats against the cost and risk of accelerating the Redesigned Kill Vehicle and the Multi-Object Kill Vehicle development and deployment;

(3) ensure, prior to its operational deployment, that the Redesigned Kill Vehicle has demonstrated the ability to accomplish its intended mission through a successful, operationally realistic flight test;

(4) rapidly develop and deploy a persistent, space-based sensor architecture to ensure our missile defenses are more effective against ballistic missile threats and more responsive to new and emergent threats from hypersonic and cruise missiles;

(5) pursue innovative concepts for existing technologies, such as a missile defense role for the F-35 aircraft; and

(6) invest in advanced technologies, such as boost-phase warning, tracking, and intercept.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on ways the Missile Defense Agency can accelerate the construction of Missile Field 4 at Fort Greely, Alaska, as well as the deployment of 20 ground-based interceptors with Redesigned Kill Vehicles (RKV) at such missile field, by at least one year.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A threat-based description of the benefits and risks of accelerating the construction and deployment referred to in paragraph (1).

(B) A description of the technical and acquisition risks and potential effects on the reliability of the Redesigned Kill Vehicle if deployment is accelerated as described in paragraph (1).

(C) A description of the cost implications of accelerating the construction and deployment referred to in paragraph (1).

(D) A description of the effect such acceleration would have on the Redesigned Kill Vehicle flight test schedule and the overall Integrated Master Test Plan.

(E) A description of the effect that the acceleration described in paragraph (1) would have on re-tipping currently deployed exoatmospheric kill vehicles with the Redesigned Kill Vehicle.

(F) A description of how such acceleration would align with the deployment of the long range discrimination radar and the homeland defense radar-Hawaii.

(G) A cost-benefit analysis and a feasibility assessment for construction of a fifth missile field at Fort Greely, Alaska.

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

**SEC. 1658. INTEGRATED AIR AND MISSILE DEFENSE FOR EVOLVING THEATER MISSILE THREATS.**

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

(1) the United States should utilize regional missile defense assets to counter and deter against cruise, short-to-medium-range ballistic, and hypersonic missile threats;

(2) the United States should continue to rapidly work toward the interoperability of all United States missile defense systems for a more effective layered defense; and

(3) the United States Army should increase its attention, focus, and resources developing an integrated air-and-missile defense architecture to protect both land and air forces from cruise, short-to-medium-range ballistic, and hypersonic missile threats.

(b) REPORT.—



(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, if consistent with the direction or recommendations of the Missile Defense Review that commenced in 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the Department's plan for the creation of a fully interoperable and integrated air and missile defense architecture.

(2) ELEMENTS.—Elements of the report required by paragraph (1) are as follows:

(A) An intelligence assessment of cruise, short-to-medium-range ballistic, and hypersonic missile threats to the United States and its deployed forces.

(B) An examination of current United States capabilities to defeat the threats included in the report required by subparagraph (A) and an analysis of the existing capability and resource gaps.

(C) An analysis of the level of integration and interoperability of United States missile defense systems and the future requirements needed to become fully integrated and interoperable to defeat the threats included in the report required by subparagraph (A).

(D) A description of the current state of survivability of United States missile defense systems against the full spectrum of air and missile threats from near-peer threats and any planned efforts to increase survivability.

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

#### **SEC. 1659. ACCELERATION OF HYPERSONIC MISSILE DEFENSE PROGRAM.**

(a) ACCELERATION OF PROGRAM.—The Director of the Missile Defense Agency shall accelerate the hypersonic missile defense program of the Missile Defense Agency.

(b) DEPLOYMENT.—The Director shall deploy such program in conjunction with a persistent space-based missile defense sensor program.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report on how hypersonic missile defense can be accelerated to meet emerging hypersonic threats.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) An estimate of the cost of such acceleration.

(B) The technical requirements and acquisition plan needed for the Director to develop and deploy a hypersonic missile defense program.

(C) A testing campaign plan that accelerates the delivery of hypersonic defense systems to the warfighter.

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

#### **SEC. 1660. SENSE OF THE SENATE ON ALLIED PARTNERSHIPS FOR MISSILE DEFENSE.**

It is the sense of the Senate that—

(1) the United States should seek additional opportunities, at the tactical, operational, and strategic levels, to provide missile defense capabilities, doctrine, interoperability, and planning to allies and trusted partners of the United States;

(2) an expedited foreign military sales arrangement would be beneficial in delivering such missile defenses to allies and trusted partners; and

(3) it is important to continue to work with allies and trusted partners, such as Israel, to learn from their experience deploying successful missile defense technologies.

#### **SEC. 1660A. SENSE OF THE SENATE ON RESULTS OF TESTS CARRIED OUT BY MISSILE DEFENSE AGENCY.**

It is the sense of the Senate that—

(1) tests carried out by the Missile Defense Agency, which do not achieve an intercept or the main objective, should not be considered failures;

(2) the Missile Defense Agency—in an effort to deliver capabilities at the speed of relevance—should recognize the learning value of individual advancements made by all test events, rather than viewing any total outcome as an indication of the reliability of entire missile defense systems;

(3) the Missile Defense Agency should, as part of its test program, continue to build an independently accredited modeling and simulation element to better inform missile defense performance assessments and test criteria; and

(4) the Missile Defense Agency should continue to pursue an increasingly rigorous testing regime, in coordination with the Office of the Director, Operational Test and Evaluation, to more rapidly deliver capabilities to the warfighter as the threat evolves.

#### **SEC. 1660B. SENSE OF THE SENATE ON DISCRIMINATION FOR MISSILE DEFENSE.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that prioritizing discrimination capabilities to improve missile defense effectiveness against current and future threats is critically important.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the following:

(A) Needed discrimination improvements within the missile defense architecture.

(B) The Missile Defense Agency's plan to rapidly field advanced discrimination capabilities.

(C) An analysis of efforts to address discrimination challenges against emerging adversary threats, including hypersonic and cruise missiles.

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

#### **SEC. 1660C. DEVELOPMENT AND DEPLOYMENT OF PERSISTENT SPACE-BASED SENSOR ARCHITECTURE.**

(a) DISSOCIATION WITH BALLISTIC MISSILE DEFENSE REVIEW.—Subsection (a) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking “If consistent” and all that follows through “develop” and inserting “Not later than December 31, 2018, the Director of the Missile Defense Agency shall, in coordination with the Secretary of the Air Force and the Director of the Defense Advanced Research Projects Agency, commence developing”.

(b) DEPLOYMENT DEADLINE.—Such subsection is further amended—

(1) by striking “(A) IN GENERAL.—” and inserting the following:

“(a) DEVELOPMENT AND DEPLOYMENT.—

“(1) DEVELOPMENT.—”;

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

“(2) DEPLOYMENT.—The Director of the Missile Defense Agency shall ensure that the sensor architecture developed under paragraph (1) is deployed on or before December 31, 2022.”.

(c) COMPATIBILITY WITH EFFORTS OF DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.—Such section is amended—

(1) by redesignating subsections (e) and (f) as subsection (f) and (g), respectively; and

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

“(e) COMPATIBILITY WITH EFFORTS OF DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.—The Director shall ensure that the sensor architecture developed under subsection (a) is compatible with efforts of the Defense

Advanced Research Projects Agency relating to space-based sensors for missile defense.”.

(d) REPORT ON PROGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, Secretary of Defense shall submit to the congressional defense committees a report on the progress of all efforts being made by the Missile Defense Agency, the Defense Advanced Research Projects Agency, and the Air Force relating to space-based sensing and tracking capabilities for missile defense and how each of such organizations will work together to avoid duplication of efforts.

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

#### **SEC. 1660D. MODIFICATION OF REQUIREMENT TO DEVELOP A SPACE-BASED BALLISTIC MISSILE INTERCEPT LAYER.**

(a) DISSOCIATION WITH BALLISTIC MISSILE DEFENSE REVIEW.—Subsection (a) of section 1688 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended, in the matter before paragraph (1), by striking “If consistent” and all that follows through “the Director” and inserting “The Director”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking “If the Director carries out subsection (a), not later” and inserting “Not later”.

#### **Subtitle F—Other Matters**

#### **SEC. 1661. ASSESSMENT OF ELECTRONIC WARFARE CAPABILITIES OF RUSSIA AND CHINA.**

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) country-wide assessments of the electronic warfare capabilities of the Russian Federation and the People's Republic of China.

(b) CONTENTS.—The assessments submitted under subsection (a) shall include, for the countries concerned, the following:

(1) The electronic warfare doctrine.

(2) The order of battle on land, sea, air, space, and cyberspace.

(3) The current status of expected direction of technology and research over the next 10 years.

#### **SEC. 1662. BUDGET EXHIBIT ON SUPPORT PROVIDED TO ENTITIES OUTSIDE DEPARTMENT OF DEFENSE.**

(a) IN GENERAL.—The Under Secretary of Defense (Comptroller) shall include in the budget justification materials submitted to Congress in support of the Department of Defense budget for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a single budget exhibit containing relevant details pertaining to support provided by the Department of Defense to the Executive Office of the President related to senior leader communications and continuity of government programs.

(b) INCLUSIONS.—The budget exhibit required by subsection (a) shall include—

(1) support provided by the White House Military Office, the White House Communications Agency, special mission area activities of the Defense Information Systems Agency, and other relevant programs; and

(2) specific appropriation and line numbers where appropriate.

(c) FORM.—The budget exhibit required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1663. DEVELOPMENT OF ELECTROMAGNETIC BATTLE MANAGEMENT CAPABILITY FOR JOINT ELECTROMAGNETIC OPERATIONS.**

(a) DESIGNATION OF EXECUTIVE AGENT.—Not later than 180 days after the date of the enactment of this Act, the Electronic Warfare Executive Committee shall designate a military service with the responsibility for acting as executive agent for the development of an Electromagnetic Battle Management capability for joint electromagnetic operations.

(b) CERTIFICATION REQUIREMENT.—Along with the budget for each fiscal year submitted by the President pursuant to section 1105(a) of title 31, United States Code, the Secretary of Defense shall include a certification from the Electronic Warfare Executive Committee whether sufficient funds have been budgeted for the development of an Electromagnetic Battle Management capability for joint electromagnetic operations.

**TITLE XVII—COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES**

**SEC. 1701. SHORT TITLE.**

This title may be cited as the “Foreign Investment Risk Review Modernization Act of 2018”.

**SEC. 1702. SENSE OF CONGRESS.**

(a) IN GENERAL.—It is the sense of Congress that—

(1) foreign investment provides substantial economic benefits to the United States, including the promotion of economic growth, productivity, competitiveness, and job creation, and the majority of foreign investment transactions pose little or no risk to the national security of the United States, especially when those investments are truly passive in nature;

(2) maintaining the commitment of the United States to open and fair investment policy also encourages other countries to reciprocate and helps open new foreign markets for United States businesses and their products;

(3) it should continue to be the policy of the United States to enthusiastically welcome and support foreign investment, consistent with the protection of national security;

(4) at the same time, the national security landscape has shifted in recent years, and so has the nature of the investments that pose the greatest potential risk to national security, which warrants a modernization of the processes and authorities of the Committee on Foreign Investment in the United States and of the United States export control system;

(5) the Committee on Foreign Investment in the United States plays a critical role in protecting the national security of the United States, and, therefore, it is essential that the member agencies of the Committee are adequately resourced and able to hire appropriately qualified individuals in a timely manner, and that those individuals’ security clearances are processed as a high priority;

(6) the President should conduct a more robust international outreach effort to urge and help allies and partners of the United States to establish processes that parallel the Committee on Foreign Investment in the United States to screen foreign investments for national security risks and to facilitate coordination;

(7) the President should lead a collaborative effort with allies and partners of the United States to strengthen the multilateral export control regime to more effectively address the unprecedented industrial policies of certain countries of special concern, including aggressive efforts to acquire United States technology, and the blending of civil and military programs;

(8) any penalties imposed by the United States Government with respect to an individual or entity pursuant to a determination that the individual or entity has violated sanctions imposed by the United States or the export control laws of the United States should not be reversed for reasons unrelated to the national security of the United States; and

(9) the Committee on Foreign Investment in the United States should continue to review transactions for the purpose of protecting national security and should not consider issues of national interest absent a national security nexus.

(b) SENSE OF CONGRESS ON CONSIDERATION OF COVERED TRANSACTIONS.—It is the sense of Congress that, when considering national security risks, the Committee on Foreign Investment in the United States may consider—

(1) whether a transaction involves a country of special concern that has a demonstrated or declared strategic goal of acquiring a type of critical technology or critical infrastructure that would affect United States technological and industrial leadership in areas related to national security;

(2) the potential national security-related effects of the cumulative market share of or a pattern of recent transactions in any one type of infrastructure, energy asset, critical material, or critical technology by foreign persons;

(3) whether any foreign person that would acquire an interest in a United States business or its assets as a result of a transaction has a history of complying with United States laws and regulations;

(4) the extent to which a transaction is likely to expose, either directly or indirectly, personally identifiable information, genetic information, or other sensitive data of United States citizens to access by a foreign government or foreign person that may exploit that information in a manner that threatens national security; and

(5) whether a transaction is likely to have the effect of exacerbating or creating new cybersecurity vulnerabilities in the United States or is likely to result in a foreign government gaining a significant new capability to engage in malicious cyber-enabled activities against the United States, including such activities designed to affect the outcome of any election for Federal office.

**SEC. 1703. DEFINITIONS.**

Section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)) is amended to read as follows:

“(a) DEFINITIONS.—In this section:

“(1) ACCESS.—The term ‘access’ means the ability and opportunity to obtain information, subject to regulations prescribed by the Committee.

“(2) COMMITTEE; CHAIRPERSON.—The terms ‘Committee’ and ‘chairperson’ mean the Committee on Foreign Investment in the United States and the chairperson thereof, respectively.

“(3) CONTROL.—The term ‘control’ means the power to determine, direct, or decide important matters affecting an entity, subject to regulations prescribed by the Committee.

“(4) COUNTRY OF SPECIAL CONCERN.—

“(A) IN GENERAL.—The term ‘country of special concern’ means a country that poses a significant threat to the national security interests of the United States.

“(B) RULE OF CONSTRUCTION.—This paragraph shall not be construed to require the Committee to maintain a list of countries of special concern.

“(5) COVERED TRANSACTION.—

“(A) IN GENERAL.—Except as otherwise provided, the term ‘covered transaction’ means—

“(i) any transaction described in subparagraph (B)(i); and

“(ii) any transaction described in clauses (ii) through (v) of subparagraph (B) that is proposed, pending, or completed on or after the effective date specified in section 1732(b)(1)(A) of the Foreign Investment Risk Review Modernization Act of 2018.

“(B) TRANSACTIONS DESCRIBED.—A transaction described in this subparagraph is any of the following:

“(i) Any merger, acquisition, or takeover that is proposed or pending after August 23, 1988, by or with any foreign person that could result in foreign control of any United States business.

“(ii) Subject to subparagraph (C), the purchase or lease by a foreign person of, or a concession offered to a foreign person with respect to, private or public real estate that—

“(I) is located in the United States;

“(II)(aa) is, is located at, or will function as part of, a land, air, or maritime port; or

“(bb)(AA) is in close proximity to a United States military installation or another facility or property of the United States Government that is sensitive for reasons relating to national security;

“(BB) could reasonably provide the foreign person the ability to collect information on activities being conducted at such an installation, facility, or property; or

“(CC) could otherwise expose national security activities at such an installation, facility, or property to the risk of foreign surveillance; and

“(III) meets such other criteria as the Committee prescribes by regulation, as long as such criteria do not expand the categories of real estate to which this clause applies beyond the categories described in subclause (II).

“(iii) Any other investment (other than a passive investment) by a foreign person in any United States critical technology company or United States critical infrastructure company that is unaffiliated with the foreign person, subject to regulations prescribed under subparagraph (C).

“(iv) Any change in the rights that a foreign person has with respect to a United States business in which the foreign person has an investment, if that change could result in—

“(I) foreign control of the United States business; or

“(II) an investment described in clause (iii).

“(v) Any other transaction, transfer, agreement, or arrangement the structure of which is designed or intended to evade or circumvent the application of this section, subject to regulations prescribed by the Committee.

“(C) FURTHER DEFINITION THROUGH REGULATIONS.—

“(i) EXCEPTION FOR CERTAIN REAL ESTATE TRANSACTIONS.—A real estate purchase or lease described in subparagraph (B)(ii) does not include a lease or purchase of—

“(I) a single ‘housing unit’, as defined by the Census Bureau; or

“(II) real estate in ‘urbanized areas’, as defined by the Census Bureau in the most recent census, except as otherwise prescribed by the Committee in regulations in consultation with the Secretary of Defense.

“(ii) CERTAIN OTHER INVESTMENT.—The Committee shall prescribe regulations further defining covered transactions described in subparagraph (B)(iii) by reference to the technology, sector, subsector, transaction type, or other characteristics of such transactions.

“(iii) EXEMPTION FOR TRANSACTIONS FROM IDENTIFIED COUNTRIES.—

“(I) IN GENERAL.—The Committee shall, by regulation, define circumstances and procedures under which a transaction otherwise described in clause (ii) or (iii) of subparagraph (B) is excluded from the definition of ‘covered transaction’ if each foreign person that is a party to the transaction, and each foreign person with ownership or control over a party to the transaction, is from (as determined by the Committee pursuant to regulations prescribed by the Committee), a country or part of a country identified by the Committee for purposes of this clause based on factors established by the Committee, such as—

“(aa) whether, in the sole judgment of the Committee, the process of the country for reviewing the national security effects of foreign investment and associated international cooperation effectively safeguards national security interests the country shares with the United States;

“(bb) whether the country is a member country of the North Atlantic Treaty Organization or is designated as a major non-NATO ally pursuant to section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k);

“(cc) whether the country adheres to non-proliferation control regimes, including treaties and multilateral supply guidelines, which shall be informed by sources such as the annual report on ‘Adherence to and Compliance with Arms Control, Nonproliferation and Disarmament Agreements and Commitments’ required by section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a);

“(dd) whether excluding transactions by foreign persons from the country advances the national security objectives of the United States; and

“(ee) any other factors that the Committee determines to be appropriate.

“(II) RECURRING ASSESSMENT OF IDENTIFIED COUNTRIES.—The Committee shall reconsider on a regular basis the identification of countries and parts of countries under subclause (I).

“(iv) EXCEPTION FOR AIR CARRIERS.—For purposes of subparagraph (B)(iii), the term ‘other investment’ does not include an investment involving an air carrier, as defined in section 40102(a)(2) of title 49, United States Code, that holds a certificate issued under section 41102 of that title.

“(v) TRANSFERS OF CERTAIN ASSETS PURSUANT TO BANKRUPTCY PROCEEDINGS OR OTHER DEFAULTS.—The Committee shall prescribe regulations to clarify that the term ‘covered transaction’ includes any transaction described in subparagraph (B) that arises pursuant to a bankruptcy proceeding or other form of default on debt.

“(D) PASSIVE INVESTMENT DEFINED.—

“(i) IN GENERAL.—For purposes of subparagraph (B)(iii), the term ‘passive investment’ means an investment, direct or indirect, by a foreign person in a United States critical infrastructure company or United States critical technology company that meets the following criteria:

“(I) The investment is not described in subparagraph (B)(i).

“(II) The investment does not afford the foreign person—

“(aa) access to any material nonpublic technical information in the possession of the United States critical infrastructure company or United States critical technology company;

“(bb) membership or observer rights on the board of directors or equivalent governing body of the United States critical infrastructure company or United States critical technology company or the right to nominate an individual to a position on the board of directors or equivalent governing body; or

“(cc) any involvement, other than through voting of shares, in substantive decision-making relating to the management, governance, or operation of the United States critical infrastructure company or United States critical technology company.

“(III) The foreign person does not have a material parallel strategic partnership or other material financial relationship, as described in regulations prescribed by the Committee, with the United States critical infrastructure company or United States critical technology company.

“(IV) Such other criteria as the Committee may prescribe by regulation, which shall be consistent with the criteria specified in subclauses (I), (II), and (III).

“(ii) MATERIAL NONPUBLIC TECHNICAL INFORMATION DEFINED.—For purposes of clause (i)(II)(aa), the term ‘material nonpublic technical information’ has the meaning given that term in regulations prescribed by the Committee, except that the term does not include financial information regarding the performance of a United States critical infrastructure company or United States critical technology company.

“(iii) EFFECT OF LEVEL OF OWNERSHIP INTEREST.—

“(I) IN GENERAL.—A determination of whether an investment is a passive investment under clause (i) shall be made without regard to how low the level of ownership interest a foreign person would hold or acquire in a United States critical infrastructure company or United States critical technology company would be as a result of the investment.

“(II) REGULATIONS.—

“(aa) IN GENERAL.—The Committee may prescribe regulations specifying that any investment (other than an investment described in item (bb)) greater than a certain level or amount shall not be considered a passive investment under clause (i).

“(bb) INVESTMENT DESCRIBED.—An investment described in this item is an investment—

“(AA) by a foreign person in a United States critical infrastructure company or United States critical technology company through an investment fund;

“(BB) that does not result in the foreign person’s control of the United States critical technology or United States critical infrastructure company; and

“(CC) that otherwise meets the requirements of clauses (i) and (iv), as applicable.

“(iv) SPECIFIC CLARIFICATION FOR INVESTMENT FUNDS.—

“(I) TREATMENT OF CERTAIN INVESTMENTS AS PASSIVE INVESTMENTS.—Notwithstanding clause (i)(II)(bb) and subject to regulations prescribed by the Committee, an indirect investment by a foreign person in a United States critical infrastructure company or United States critical technology company through an investment fund that affords the foreign person (or a designee of the foreign person) membership as a limited partner on an advisory board or a committee of the fund shall be considered a passive investment if—

“(aa) the fund is managed exclusively by a general partner, a managing member, or an equivalent;

“(bb) the general partner, managing member, or equivalent is not a foreign person;

“(cc) the advisory board or committee does not have the ability to approve, disapprove, or otherwise control—

“(AA) investment decisions of the fund; or

“(BB) decisions made by the general partner, managing member, or equivalent related to entities in which the fund is invested;

“(dd) the foreign person does not otherwise have the ability to control the fund, including the authority—

“(AA) to approve, disapprove, or otherwise control investment decisions of the fund;

“(BB) to approve, disapprove, or otherwise control decisions made by the general partner, managing member, or equivalent related to entities in which the fund is invested; or

“(CC) to unilaterally dismiss, prevent the dismissal of, select, or determine the compensation of the general partner, managing member, or equivalent; and

“(ee) the investment otherwise meets the requirements of this subparagraph.

“(II) TREATMENT OF CERTAIN WAIVERS.—

“(aa) IN GENERAL.—For the purposes of items (cc) and (dd) of subclause (I) and except as provided in item (bb), a waiver of a potential conflict of interest, a waiver of an allocation limitation, or a similar activity, applicable to a transaction pursuant to the terms of an agreement governing an investment fund shall not be considered to constitute control of investment decisions of the fund or decisions relating to entities in which the fund is invested.

“(bb) EXCEPTION.—The Committee may prescribe regulations providing for exceptions to item (aa) for extraordinary circumstances.

“(v) REGULATIONS.—The Committee shall prescribe regulations providing guidance on the types of transactions that the Committee considers to be passive investment.

“(E) UNITED STATES CRITICAL INFRASTRUCTURE COMPANY DEFINED.—For purposes of this paragraph, the term ‘United States critical infrastructure company’ means a United States business that is, owns, operates, or primarily provides services to, an entity or entities that operate within a critical infrastructure sector or subsector, as defined by regulations prescribed by the Committee.

“(F) UNITED STATES CRITICAL TECHNOLOGY COMPANY DEFINED.—For purposes of this paragraph, the term ‘United States critical technology company’ means a United States business that produces, designs, tests, manufactures, or develops one or more critical technologies, or a subset of such technologies, as defined by regulations prescribed by the Committee.

“(6) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means, subject to regulations prescribed by the Committee, systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems or assets would have a debilitating impact on national security.

“(7) CRITICAL MATERIALS.—The term ‘critical materials’ means physical materials essential to national security, subject to regulations prescribed by the Committee.

“(8) CRITICAL TECHNOLOGIES.—

“(A) IN GENERAL.—The term ‘critical technologies’ means technology, components, or technology items that are essential or could be essential to national security, identified for purposes of this section pursuant to regulations prescribed by the Committee.

“(B) INCLUSION OF CERTAIN ITEMS.—The term ‘critical technologies’ includes the following:

“(i) Defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations.

“(ii) Items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of

title 15, Code of Federal Regulations, and controlled—

“(I) pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or

“(II) for reasons relating to regional stability or surreptitious listening.

“(iii) Specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities).

“(iv) Nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal Regulations (relating to export and import of nuclear equipment and material).

“(v) Select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code.

“(vi) Emerging and foundational technologies identified pursuant to section 1725(a) of the Foreign Investment Risk Review Modernization Act of 2018.

“(9) FOREIGN GOVERNMENT-CONTROLLED TRANSACTION.—The term ‘foreign government-controlled transaction’ means any covered transaction that could result in the control of any United States business by a foreign government or an entity controlled by or acting on behalf of a foreign government.

“(10) FOREIGN PERSON.—

“(A) IN GENERAL.—The term ‘foreign person’ means—

“(i) any foreign national, foreign government, or foreign entity; or

“(ii) any entity over which control is exercised or exercisable by a foreign national, foreign government, or foreign entity.

“(B) FOREIGN ENTITY DEFINED.—

“(i) IN GENERAL.—For purposes of subparagraph (A) and except as provided in clause (ii), the term ‘foreign entity’ means any branch, partnership, group or subgroup, association, estate, trust, corporation or division of a corporation, or organization organized under the laws of a foreign country if—

“(I) the principal place of business of the entity is outside the United States; or

“(II) the equity securities of the entity are primarily traded on one or more foreign exchanges.

“(ii) EXCEPTION.—For purposes of subparagraph (A), the term ‘foreign entity’ does not include an entity that demonstrates to the Committee that a majority of the equity interest in the entity is ultimately owned by United States nationals.

“(11) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

“(12) INVESTMENT.—The term ‘investment’ means the acquisition of equity interest, including contingent equity interest, as further defined in regulations prescribed by the Committee.

“(13) LEAD AGENCY.—The term ‘lead agency’ means the agency or agencies designated as the lead agency or agencies pursuant to subsection (k)(5).

“(14) NATIONAL SECURITY.—The term ‘national security’ shall be construed so as to include those issues relating to ‘homeland security’, including its application to critical infrastructure.

“(15) PARTY.—The term ‘party’ has the meaning given that term in regulations prescribed by the Committee.

“(16) UNITED STATES.—The term ‘United States’ means the several States, the District of Columbia, and any territory or possession of the United States.

“(17) UNITED STATES BUSINESS.—The term ‘United States business’ means a person engaged in interstate commerce in the United States.”.

#### SEC. 1704. ACCEPTANCE OF WRITTEN NOTICES.

Section 721(b)(1)(C)(i) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)(i)) is amended—

(1) by striking “Any party” and inserting the following:

“(I) IN GENERAL.—Any party”; and

(2) by adding at the end the following:

“(II) COMMENTS AND ACCEPTANCE.—

“(aa) IN GENERAL.—Subject to item (cc), the Committee shall provide comments on a draft or final written notice or accept a final written notice submitted under subclause (I) with respect to a covered transaction not later than the date that is 10 business days after the date of submission of the draft or final notice.

“(bb) COMPLETENESS.—If the Committee determines that a draft or final written notice described in item (aa) is not complete, the Committee shall notify the party or parties to the transaction in writing that the notice is not complete and provide an explanation of all material respects in which the notice is incomplete.

“(cc) STIPULATIONS REQUIRED.—The timing requirement under item (aa) shall apply only in a case in which the parties stipulate under clause (vi) that the transaction is a covered transaction.”.

#### SEC. 1705. INCLUSION OF PARTNERSHIP AND SIDE AGREEMENTS IN NOTICE.

Section 721(b)(1)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)) is amended by adding at the end the following:

“(iv) INCLUSION OF PARTNERSHIP AND SIDE AGREEMENTS.—A written notice submitted under clause (i) by a party to a covered transaction shall include a copy of any partnership agreements, integration agreements, or other side agreements relating to the transaction, including any such agreements relating to the transfer of intellectual property, as specified in regulations prescribed by the Committee.”.

#### SEC. 1706. DECLARATIONS FOR CERTAIN COVERED TRANSACTIONS.

Section 721(b)(1)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)), as amended by section 1705, is further amended by adding at the end the following:

“(v) DECLARATIONS FOR CERTAIN COVERED TRANSACTIONS.—

“(I) IN GENERAL.—A party to any covered transaction may submit to the Committee a declaration with basic information regarding the transaction instead of a written notice under clause (i).

“(II) REGULATIONS.—The Committee shall prescribe regulations establishing requirements for declarations submitted under this clause. In prescribing such regulations, the Committee shall ensure that such declarations are submitted as abbreviated notifications that would not generally exceed 5 pages in length.

“(III) COMMITTEE RESPONSE TO DECLARATION.—

“(aa) IN GENERAL.—Upon receiving a declaration under this clause with respect to a covered transaction, the Committee may, at the discretion of the Committee—

“(AA) request that the parties to the transaction file a written notice under clause (i);

“(BB) inform the parties to the transaction that the Committee is not able to complete action under this section with respect to the transaction on the basis of the declaration and that the parties may file a written notice under clause (i) to seek written notification from the Committee that the Committee has completed all action

under this section with respect to the transaction;

“(CC) initiate a unilateral review of the transaction under subparagraph (D); or

“(DD) notify the parties in writing that the Committee has completed all action under this section with respect to the transaction.

“(bb) TIMING.—The Committee shall take action under item (aa) not later than 30 days after receiving a declaration under this clause.

“(cc) RULE OF CONSTRUCTION.—Nothing in this subclause (other than item (aa)(CC)) shall be construed to affect the authority of the President or the Committee to take any action authorized by this section with respect to a covered transaction.

“(IV) MANDATORY DECLARATIONS.—

“(aa) REGULATIONS.—The Committee shall prescribe regulations specifying the types of covered transactions for which the Committee requires a declaration under this subclause.

“(bb) CERTAIN COVERED TRANSACTIONS WITH FOREIGN GOVERNMENT INTERESTS.—

“(AA) IN GENERAL.—Except as provided in subitem (BB), the parties to a covered transaction shall submit a declaration described in subclause (I) with respect to the transaction if the transaction involves an investment that results in the acquisition, directly or indirectly, of a substantial interest in a United States critical infrastructure company or United States critical technology company by a foreign person in which a foreign government has, directly or indirectly, a substantial interest.

“(BB) EXCEPTION.—The submission of a declaration described in subclause (I) shall not be required with respect to a transaction described in subitem (AA) if each foreign person that is a party to the transaction, and each foreign person with ownership or control over a party to the transaction, is from a country or part of a country identified by the Committee under subsection (a)(5)(C)(iii).

“(CC) SUBSTANTIAL INTEREST DEFINED.—In this item, the term ‘substantial interest’ has the meaning given that term in regulations which the Committee shall prescribe. In developing those regulations, the Committee shall consider the means by which a foreign government could influence the actions of a foreign person, including through board membership, ownership interest, or shareholder rights. An interest that is a passive investment (as defined in subsection (a)(5)(D)) or that is less than a 10 percent voting interest shall not be considered a substantial interest.

“(cc) OTHER DECLARATIONS REQUIRED BY COMMITTEE.—The Committee shall require the submission of a declaration described in subclause (I) with respect to any covered transaction identified under regulations prescribed by the Committee for purposes of this item, at the discretion of the Committee and based on appropriate factors, such as—

“(AA) the technology, industry, economic sector, or economic subsector in which the United States business that is a party to the transaction trades or of which it is a part;

“(BB) the difficulty of remedying the harm to national security that may result from completion of the transaction;

“(CC) the difficulty of obtaining information on the type of covered transaction through other means; and

“(DD) the difficulty of obtaining information on the ultimate ownership of the foreign person that is a party to the transaction.

“(dd) EXCEPTION.—The submission of a declaration described in subclause (I) shall not be required pursuant to this subclause with

respect to an investment by an investment fund if—

“(AA) the fund is managed exclusively by a general partner, a managing member, or an equivalent;

“(BB) the general partner, managing member, or equivalent is not a foreign person; and

“(CC) the investment fund satisfies, with respect to any foreign person with membership as a limited partner on an advisory board or a committee of the fund, the criteria specified in items (cc) and (dd) of subsection (a)(5)(D)(iv).

“(ee) SUBMISSION OF WRITTEN NOTICE AS AN ALTERNATIVE.—Parties to a covered transaction for which a declaration is required under this subclause may instead elect to submit a written notice under clause (i).

“(ff) TIMING OF SUBMISSION.—

“(AA) IN GENERAL.—A declaration required to be submitted with respect to a covered transaction by this subclause shall be submitted not later than 45 days before the completion of the transaction.

“(BB) WRITTEN NOTICE.—If, pursuant to item (ee), the parties to a covered transaction elect to submit a written notice under clause (i) instead of a declaration under this subclause, the written notice shall be filed not later than 90 days before the completion of the transaction.

“(gg) PENALTIES.—The Committee may impose a penalty pursuant to subsection (h)(3) with respect to a party that fails to comply with this subclause.”

#### SEC. 1707. STIPULATIONS REGARDING TRANSACTIONS.

Section 721(b)(1)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)), as amended by section 1706, is further amended by adding at the end the following:

“(vi) STIPULATIONS REGARDING TRANSACTIONS.—

“(I) IN GENERAL.—In a written notice submitted under clause (i) or a declaration submitted under clause (v) with respect to a transaction, a party to the transaction may—

“(aa) stipulate that the transaction is a covered transaction; and

“(bb) if the party stipulates that the transaction is a covered transaction under item (aa), stipulate that the transaction is a foreign government-controlled transaction.

“(II) BASIS FOR STIPULATION.—A written notice submitted under clause (i) or a declaration submitted under clause (v) that includes a stipulation under subclause (I) shall include a description of the basis for the stipulation.”

#### SEC. 1708. AUTHORITY FOR UNILATERAL INITIATION OF REVIEWS.

Section 721(b)(1) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(2) in subparagraph (D)—

(A) in the matter preceding clause (i), by striking “subparagraph (F)” and inserting “subparagraph (G)”;

(B) in clause (i), by inserting “(other than a covered transaction described in subparagraph (E))” after “any covered transaction”;

(C) by striking clause (ii) and inserting the following:

“(ii) any covered transaction described in subparagraph (E), if any party to the transaction submitted false or misleading material information to the Committee in connection with the Committee’s consideration of the transaction or omitted material information, including material documents, from information submitted to the Committee; or”;

(D) in clause (iii)—

(i) in the matter preceding subclause (I), by striking “any covered transaction that has previously been reviewed or investigated under this section,” and inserting “any covered transaction described in subparagraph (E)”;

(ii) in subclause (I), by striking “intentionally”;

(iii) in subclause (II), by striking “an intentional” and inserting “a”;

(iv) in subclause (III), by inserting “adequate and appropriate” before “remedies or enforcement tools”;

(3) by inserting after subparagraph (D) the following:

“(E) COVERED TRANSACTIONS DESCRIBED.—A covered transaction is described in this subparagraph if—

“(i) the Committee has informed the parties to the transaction in writing that the Committee has completed all action under this section with respect to the transaction; or

“(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.”

#### SEC. 1709. TIMING FOR REVIEWS AND INVESTIGATIONS.

Section 721(b) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)), as amended by section 1708, is further amended—

(1) in paragraph (1)(F), by striking “30” and inserting “45”;

(2) in paragraph (2), by striking subparagraph (C) and inserting the following:

“(C) TIMING.—

“(i) IN GENERAL.—Except as provided in clause (ii), any investigation under subparagraph (A) shall be completed before the end of the 45-day period beginning on the date on which the investigation commenced.

“(ii) EXTENSION FOR EXTRAORDINARY CIRCUMSTANCES.—

“(I) IN GENERAL.—In extraordinary circumstances (as defined by the Committee in regulations), the chairperson may, at the request of the head of the lead agency, extend an investigation under subparagraph (A) for one 30-day period.

“(II) NONDELEGATION.—The authority of the chairperson and the head of the lead agency referred to in subclause (I) may not be delegated to any person other than the Deputy Secretary of the Treasury or the deputy head (or equivalent thereof) of the lead agency, as the case may be.

“(III) NOTIFICATION TO PARTIES.—If the Committee extends the deadline under subclause (I) with respect to a covered transaction, the Committee shall notify the parties to the transaction of the extension.”;

(3) by adding at the end the following:

“(8) TOLLING OF DEADLINES DURING LAPSE IN APPROPRIATIONS.—Any deadline or time limitation under this subsection shall be tolled during a lapse in appropriations.”

#### SEC. 1710. MONITORING OF NON-NOTIFIED AND NON-DECLARED TRANSACTIONS.

Section 721(b)(1) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)), as amended by sections 1708 and 1709, is further amended by adding at the end the following:

“(H) MONITORING OF NON-NOTIFIED AND NON-DECLARED TRANSACTIONS.—The Committee shall establish a mechanism to identify covered transactions for which—

“(i) a notice under clause (i) of subparagraph (C) or a declaration under clause (v) of that subparagraph is not submitted to the Committee; and

“(ii) information is reasonably available.”

#### SEC. 1711. SUBMISSION OF CERTIFICATIONS TO CONGRESS.

Section 721(b)(3)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(3)(C)) is amended—

(1) in clause (iii)—

(A) in subclause (II), by inserting “and the Select Committee on Intelligence” after “Urban Affairs”; and

(B) in subclause (IV), by inserting “and the Permanent Select Committee on Intelligence” after “Financial Services”;

(2) in clause (iv), by striking subclause (II) and inserting the following:

“(II) DELEGATION OF CERTIFICATIONS.—

“(aa) IN GENERAL.—Subject to item (bb), the chairperson, in consultation with the Committee, may determine the level of official to whom the signature requirement under subclause (I) for the chairperson and the head of the lead agency may be delegated. The level of official to whom the signature requirement may be delegated may differ based on any factor relating to a transaction that the chairperson, in consultation with the Committee, deems appropriate, including the type or value of the transaction.

“(bb) LIMITATION ON DELEGATION WITH RESPECT TO CERTAIN TRANSACTIONS.—The signature requirement under subclause (I) may be delegated not below the level of the Assistant Secretary of the Treasury or an equivalent official of the lead agency in the case of a covered transaction—

“(AA) assessed by the Director of National Intelligence under paragraph (4) as more likely than not to threaten the national security of the United States;

“(BB) with respect to which the Committee conducts an investigation under paragraph (2); or

“(CC) with respect to which a request is made by an official at the Deputy Assistant Secretary or Assistant Secretary level of an agency or department represented on the Committee, or an equivalent thereof, that the transaction be reviewed by the Assistant Secretary of the Treasury and an equivalent official of the lead agency.

“(cc) LIMITATION ON DELEGATION WITH RESPECT TO OTHER TRANSACTIONS.—In the case of any covered transaction not described in item (bb), the signature requirement under subclause (I) may be delegated not below the level of a Deputy Assistant Secretary of the Treasury or an equivalent official of the lead agency.”;

(3) by adding at the end the following:

“(v) AUTHORITY TO CONSOLIDATE DOCUMENTS.—Instead of transmitting a separate certified notice or certified report under subparagraph (A) or (B) with respect to each covered transaction, the Committee may, on a monthly basis, transmit such notices and reports in a consolidated document to the Members of Congress specified in clause (iii).”

#### SEC. 1712. ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.

Section 721(b)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(4)) is amended—

(1) by striking subparagraph (A) and inserting the following:

“(A) ANALYSIS REQUIRED.—

“(i) IN GENERAL.—Except as provided in subparagraph (B), the Director of National Intelligence shall expeditiously carry out a thorough analysis of any threat to the national security of the United States posed by any covered transaction, which shall include the identification of any recognized gaps in the collection of intelligence relevant to the analysis.

“(ii) VIEWS OF INTELLIGENCE COMMUNITY.—The Director shall seek and incorporate into the analysis required by clause (i) the views of all affected or appropriate agencies of the intelligence community with respect to the transaction.

“(iii) UPDATES.—At the request of the lead agency, the Director shall update the analysis conducted under clause (i) with respect to a covered transaction with respect to

which an agreement was entered into under subsection (1)(3)(A).

“(iv) **INDEPENDENCE AND OBJECTIVITY.**—The Committee shall ensure that its processes under this section preserve the ability of the Director to conduct analysis under clause (i) that is independent, objective, and consistent with all applicable directives, policies, and analytic tradecraft standards of the intelligence community.”;

(2) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively;

(3) by inserting after subparagraph (A) the following:

“(B) **BASIC THREAT INFORMATION.**—

“(i) **IN GENERAL.**—The Director of National Intelligence may provide the Committee with basic information regarding any threat to the national security of the United States posed by a covered transaction described in clause (i) instead of conducting the analysis required by subparagraph (A).

“(ii) **COVERED TRANSACTION DESCRIBED.**—A covered transaction is described in this clause if—

“(I) the transaction is described in subsection (a)(5)(B)(ii);

“(II) the Director of National Intelligence has completed an analysis pursuant to subparagraph (A) involving each foreign person that is a party to the transaction during the 12 months preceding the review or investigation of the transaction under this section; or

“(III) the transaction otherwise meets criteria agreed upon by the Committee and the Director for purposes of this subparagraph.”;

(4) in subparagraph (C), as redesignated by paragraph (2), by striking “20” and inserting “30”; and

(5) by adding at the end the following:

“(F) **ASSESSMENT OF OPERATIONAL IMPACT.**—The Director may provide to the Committee an assessment, separate from the analyses under subparagraphs (A) and (B), of any operational impact of a covered transaction on the intelligence community and a description of any actions that have been or will be taken to mitigate any such impact.

“(G) **SUBMISSION TO CONGRESS.**—The Committee shall submit the analysis required by subparagraph (A) with respect to a covered transaction to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives upon the conclusion of action under this section (other than compliance plans under subsection (1)(6)) with respect to the transaction.”.

#### SEC. 1713. INFORMATION SHARING.

Section 721(c) of the Defense Production Act of 1950 (50 U.S.C. 4565(c)) is amended—

(1) by striking “Any information” and inserting the following:

“(1) **IN GENERAL.**—Except as provided in paragraph (2), any information”;

(2) by striking “, except as may be relevant” and all that follows and inserting a period; and

(3) by adding at the end the following:

“(2) **EXCEPTIONS.**—Paragraph (1) shall not prohibit the disclosure of the following:

“(A) Information relevant to any administrative or judicial action or proceeding.

“(B) Information to Congress or any duly authorized committee or subcommittee of Congress.

“(C) Information to any domestic or foreign governmental entity, under the direction of the chairperson, to the extent necessary for national security purposes and pursuant to appropriate confidentiality and classification arrangements.

“(D) Information that the parties have consented to be disclosed to third parties.

“(3) **COOPERATION WITH ALLIES AND PARTNERS.**—

“(A) **IN GENERAL.**—The chairperson, in consultation with other members of the Committee, should establish a formal process for the exchange of information under paragraph (2)(C) with governments of countries that are allies or partners of the United States, in the discretion of the chairperson, to protect the national security of the United States and those countries.

“(B) **REQUIREMENTS.**—The process established under subparagraph (A) should, in the discretion of the chairperson—

“(i) be designed to facilitate the harmonization of action with respect to trends in investment and technology that could pose risks to the national security of the United States and countries that are allies or partners of the United States;

“(ii) provide for the sharing of information with respect to specific technologies and entities acquiring such technologies as appropriate to ensure national security; and

“(iii) include consultations and meetings with representatives of the governments of such countries on a recurring basis.”.

#### SEC. 1714. ACTION BY THE PRESIDENT.

(a) **IN GENERAL.**—Section 721(d) of the Defense Production Act of 1950 (50 U.S.C. 4565(d)) is amended—

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

“(1) **IN GENERAL.**—Subject to paragraph (4), the President may, with respect to a covered transaction that threatens to impair the national security of the United States, take such action for such time as the President considers appropriate to suspend or prohibit the transaction or to require divestment.”; and

(2) in paragraph (2), by striking “not later than 15 days” and all that follows and inserting the following: “with respect to a covered transaction not later than 15 days after the earlier of—

“(A) the date on which the investigation of the transaction under subsection (b) is completed; or

“(B) the date on which the Committee otherwise refers the transaction to the President under subsection (1)(2).”.

(b) **CIVIL PENALTIES.**—Section 721(h)(3)(A) of the Defense Production Act of 1950 (50 U.S.C. 4565(h)(3)(A)) is amended by striking “including any mitigation” and all that follows through “subsection (1)” and inserting “including any mitigation agreement entered into, conditions imposed, or order issued pursuant to this section”.

#### SEC. 1715. JUDICIAL REVIEW.

Section 721(e) of the Defense Production Act of 1950 (50 U.S.C. 4565(e)) is amended—

(1) by striking “The actions” and inserting the following:

“(1) **IN GENERAL.**—The actions”; and

(2) by adding at the end the following:

“(2) **CIVIL ACTIONS.**—A civil action challenging an action or finding of the Committee under this section may be brought only in the United States Court of Appeals for the District of Columbia Circuit.

“(3) **PROCEDURES FOR REVIEW OF PRIVILEGED INFORMATION.**—If a civil action challenging an action or finding of the Committee under this section is brought, and the court determines that protected information in the administrative record, including classified, sensitive law enforcement, sensitive security, or other information subject to privilege or protections under any provision of law, is necessary to resolve the challenge, that information shall be submitted ex parte and in camera to the court and the court shall maintain that information under seal.

“(4) **APPLICABILITY OF USE OF INFORMATION PROVISIONS.**—The use of information provisions of sections 106, 305, 405, and 706 of the Foreign Intelligence Surveillance Act of 1978

(50 U.S.C. 1806, 1825, 1845, and 1881e) shall not apply in a civil action brought under this subsection.”.

#### SEC. 1716. MEMBERSHIP AND STAFF OF COMMITTEE.

(a) **HIRING AUTHORITY.**—Section 721(k) of the Defense Production Act of 1950 (50 U.S.C. 4565(k)) is amended by striking paragraph (4) and inserting the following:

“(4) **HIRING AUTHORITY.**—

“(A) **SENIOR OFFICIALS.**—

“(i) **IN GENERAL.**—Each member of the Committee shall designate an Assistant Secretary, or an equivalent official, who is appointed by the President, by and with the advice and consent of the Senate, to carry out such duties related to the Committee as the member of the Committee may delegate.

“(ii) **DEPARTMENT OF THE TREASURY.**—In addition to officials of the Department of the Treasury authorized under section 301 of title 31, United States Code, or any other provision of law, there are authorized at the Department of the Treasury, to carry out such duties related to the Committee as the Secretary of the Treasury may delegate, consistent with this section and reflecting the expanded authorities of the Committee and the role of the Department of the Treasury in implementing those authorities under the amendments made by the Foreign Investment Risk Review Modernization Act of 2018, the following:

“(I) One official, who is appointed by the President, by and with the advice and consent of the Senate, who shall be compensated at a rate not to exceed the rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

“(II) One official, who is appointed by the President, by and with the advice and consent of the Senate, who shall be compensated at a rate not to exceed the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(B) **SPECIAL HIRING AUTHORITY.**—The heads of the departments and agencies represented on the Committee may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, candidates directly to positions in the competitive service (as defined in section 2102 of that title) in their respective departments and agencies to administer this section.”.

(b) **PROCEDURES FOR RECUSAL OF MEMBERS OF COMMITTEE FOR CONFLICTS OF INTEREST.**—Not later than 90 days after the date of the enactment of this Act, the Committee on Foreign Investment in the United States shall—

(1) establish procedures for the recusal of any member of the Committee that has a conflict of interest with respect to a covered transaction (as defined in section 721 of the Defense Production Act of 1950, as amended by section 1703);

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report describing those procedures; and

(3) brief the committees specified in paragraph (1) on the report required by paragraph (2).

#### SEC. 1717. ACTIONS BY THE COMMITTEE TO ADDRESS NATIONAL SECURITY RISKS.

Section 721(l) of the Defense Production Act of 1950 (50 U.S.C. 4565(l)) is amended—

(1) in the subsection heading, by striking “MITIGATION, TRACKING, AND POSTCONSUMMATION MONITORING AND ENFORCEMENT” and inserting “ACTIONS BY THE COMMITTEE TO ADDRESS NATIONAL SECURITY RISKS”;



(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (3), (5), and (6), respectively;

(3) by inserting before paragraph (3), as redesignated by paragraph (2), the following:

“(1) **SUSPENSION OF TRANSACTIONS.**—The Committee, acting through the chairperson, may suspend a proposed or pending covered transaction that may pose a risk to the national security of the United States for such time as the covered transaction is under review or investigation under subsection (b).”

“(2) **REFERRAL TO PRESIDENT.**—The Committee may, at any time during the review or investigation of a covered transaction under subsection (b), complete the action of the Committee with respect to the transaction and refer the transaction to the President for action pursuant to subsection (d).”;

(4) in paragraph (3), as redesignated by paragraph (2)—

(A) in subparagraph (A)—

(i) in the subparagraph heading, by striking “IN GENERAL” and inserting “AGREEMENTS AND CONDITIONS”;

(ii) by striking “The Committee” and inserting the following:

“(i) **IN GENERAL.**—The Committee”;

(iii) by striking “threat” and inserting “risk”; and

(iv) by adding at the end the following:

“(ii) **ABANDONMENT OF TRANSACTIONS.**—If a party to a covered transaction has voluntarily chosen to abandon the transaction, the Committee or lead agency, as the case may be, may negotiate, enter into or impose, and enforce any agreement or condition with any party to the covered transaction for purposes of effectuating such abandonment and mitigating any risk to the national security of the United States that arises as a result of the covered transaction.

“(iii) **AGREEMENTS AND CONDITIONS RELATING TO COMPLETED TRANSACTIONS.**—The Committee or lead agency, as the case may be, may negotiate, enter into or impose, and enforce any agreement or condition with any party to a completed covered transaction in order to mitigate any interim risk to the national security of the United States that may arise as a result of the covered transaction until such time that the Committee has completed action pursuant to subsection (b) or the President has taken action pursuant to subsection (d) with respect to the transaction.”; and

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

“(B) **LIMITATIONS.**—An agreement may not be entered into or condition imposed under subparagraph (A) with respect to a covered transaction unless the Committee determines that the agreement or condition resolves the national security concerns posed by the transaction, taking into consideration whether the agreement or condition is reasonably calculated to—

“(i) be effective;

“(ii) allow for compliance with the terms of the agreement or condition in an appropriately verifiable way; and

“(iii) enable effective monitoring of compliance with and enforcement of the terms of the agreement or condition.

“(C) **JURISDICTION.**—The provisions of section 706(b) shall apply to any mitigation agreement entered into or condition imposed under subparagraph (A).”;

(5) by inserting after paragraph (3), as redesignated by paragraph (2), the following:

“(4) **RISK-BASED ANALYSIS REQUIRED.**—

“(A) **IN GENERAL.**—Any determination of the Committee to suspend a covered transaction under paragraph (1), to refer a covered transaction to the President under paragraph (2), or to negotiate, enter into or impose, or enforce any agreement or condition under paragraph (3)(A) with respect to a cov-

ered transaction, shall be based on a risk-based analysis, conducted by the Committee, of the effects on the national security of the United States of the covered transaction, which shall include an assessment of the threat, vulnerabilities, and consequences to national security related to the transaction.

“(B) **ACTIONS OF MEMBERS OF THE COMMITTEE.**—

“(i) **IN GENERAL.**—Any member of the Committee who concludes that a covered transaction poses an unresolved national security concern shall recommend to the Committee that the Committee suspend the transaction under paragraph (1), refer the transaction to the President under paragraph (2), or negotiate, enter into or impose, or enforce any agreement or condition under paragraph (3)(A) with respect to the transaction. In making that recommendation, the member shall propose or contribute to the risk-based analysis required by subparagraph (A).

“(ii) **FAILURE TO REACH CONSENSUS.**—If the Committee fails to reach consensus with respect to a recommendation under clause (i) regarding a covered transaction, the members of the Committee who support an alternative recommendation shall produce—

“(I) a written statement justifying the alternative recommendation; and

“(II) as appropriate, a risk-based analysis that supports the alternative recommendation.

“(C) **DEFINITIONS.**—For purposes of subparagraph (A), the terms ‘threat’, ‘vulnerabilities’, and ‘consequences to national security’ shall have the meanings given those terms by the Committee by regulation.”;

(6) in paragraph (5)(B), as redesignated by paragraph (2), by striking “(as defined in the National Security Act of 1947)”;

(7) in paragraph (6), as redesignated by paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “paragraph (1)” and inserting “paragraph (3)”; and

(ii) by striking the second sentence and inserting the following: “The lead agency may, at its discretion, seek and receive the assistance of other departments or agencies in carrying out the purposes of this paragraph.”;

(B) in subparagraph (B)—

(i) by striking “DESIGNATED AGENCY” and all that follows through “The lead agency in connection” and inserting “DESIGNATED AGENCY.—The lead agency in connection”;

(ii) by striking clause (ii); and

(iii) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, 2 ems to the left; and

(C) by adding at the end the following:

“(C) **COMPLIANCE PLANS.**—

“(i) **IN GENERAL.**—In the case of a covered transaction with respect to which an agreement is entered into under paragraph (3)(A), the Committee or lead agency, as the case may be, shall formulate, adhere to, and keep updated a plan for monitoring compliance with the agreement.

“(ii) **ELEMENTS.**—Each plan required by clause (i) with respect to an agreement entered into under paragraph (3)(A) shall include an explanation of—

“(I) which member of the Committee will have primary responsibility for monitoring compliance with the agreement;

“(II) how compliance with the agreement will be monitored;

“(III) how frequently compliance reviews will be conducted;

“(IV) whether an independent entity will be utilized under subparagraph (E) to conduct compliance reviews; and

“(V) what actions will be taken if the parties fail to cooperate regarding monitoring compliance with the agreement.

“(D) **EFFECT OF LACK OF COMPLIANCE.**—If, at any time after a mitigation agreement or condition is entered into or imposed under paragraph (3)(A), the Committee or lead agency, as the case may be, determines that a party or parties to the agreement or condition are not in compliance with the terms of the agreement or condition, the Committee or lead agency may, in addition to the authority of the Committee to impose penalties pursuant to subsection (h)(3) and to unilaterally initiate a review of any covered transaction under subsection (b)(1)(D)(iii)—

“(i) negotiate a plan of action for the party or parties to remediate the lack of compliance, with failure to abide by the plan or otherwise remediate the lack of compliance serving as the basis for the Committee to find a material breach of the agreement or condition;

“(ii) require that the party or parties submit a written notice under clause (i) of subsection (b)(1)(C) or a declaration under clause (v) of that subsection with respect to a covered transaction initiated after the date of the determination of noncompliance and before the date that is 5 years after the date of the determination to the Committee to initiate a review of the transaction under subsection (b); or

“(iii) seek injunctive relief.

“(E) **USE OF INDEPENDENT ENTITIES TO MONITOR COMPLIANCE.**—If the parties to an agreement entered into under paragraph (3)(A) enter into a contract with an independent entity from outside the United States Government for the purpose of monitoring compliance with the agreement, the Committee shall take such action as is necessary to prevent a conflict of interest from arising by ensuring that the independent entity owes no fiduciary duty to the parties.

“(F) **SUCCESSORS AND ASSIGNS.**—Any agreement or condition entered into or imposed under paragraph (3)(A) shall be considered binding on all successors and assigns unless and until the agreement or condition terminates on its own terms or is otherwise terminated by the Committee in its sole discretion.

“(G) **ADDITIONAL COMPLIANCE MEASURES.**—Subject to subparagraphs (A) through (F), the Committee shall develop and agree upon methods for evaluating compliance with any agreement entered into or condition imposed with respect to a covered transaction that will allow the Committee to adequately ensure compliance without unnecessarily diverting Committee resources from assessing any new covered transaction for which a written notice under clause (i) of subsection (b)(1)(C) or declaration under clause (v) of that subsection has been filed, and if necessary, reaching a mitigation agreement with or imposing a condition on a party to such covered transaction or any covered transaction for which a review has been reopened for any reason.”.

#### **SEC. 1718. MODIFICATION OF ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS.**

(a) **MODIFICATION OF ANNUAL REPORT.**—Section 721(m) of the Defense Production Act of 1950 (50 U.S.C. 4565(m)) is amended—

(1) in paragraph (2)—

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

“(A) A list of all notices filed and all reviews or investigations of covered transactions completed during the period, with—

“(i) a description of the outcome of each review or investigation, including whether an agreement was entered into or condition was imposed under subsection (1)(3)(A) with respect to the transaction being reviewed or investigated, and whether the President took any action under this section with respect to that transaction;

“(ii) basic information on each party to each such transaction;

“(iii) the nature of the business activities or products of the United States business with which the transaction was entered into or intended to be entered into; and

“(iv) information about any withdrawal from the process.”; and

(B) by adding at the end the following:

“(G) Statistics on compliance plans conducted and actions taken by the Committee under subsection (1)(6), including subparagraph (D) of that subsection, during that period, a general assessment of the compliance of parties with agreements entered into and conditions imposed under subsection (1)(3)(A) that are in effect during that period, including a description of any actions taken by the Committee to impose penalties or initiate a unilateral review pursuant to subsection (b)(1)(D)(iii), and any recommendations for improving the enforcement of such agreements and conditions.

“(H) Cumulative and, as appropriate, trend information on the number of declarations filed under subsection (b)(1)(C)(v), the actions taken by the Committee in response to those declarations, the business sectors involved in those declarations, and the countries involved in those declarations.

“(I) A description of—

“(i) the methods used by the Committee to monitor non-notified and non-declared transactions under subsection (b)(1)(H);

“(ii) potential methods to improve such monitoring and the resources required to do so; and

“(iii) the number of transactions identified through the mechanism established under that subsection during the reporting period and the number of such transactions flagged for further review.”;

(2) in paragraph (3)—

(A) by striking “CRITICAL TECHNOLOGIES” and all that follows through “In order to assist” and inserting “CRITICAL TECHNOLOGIES.—In order to assist”;

(B) by striking subparagraph (B); and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the left; and

(3) by adding at the end the following:

“(4) FORM OF REPORT.—

“(A) IN GENERAL.—All appropriate portions of the annual report under paragraph (1) may be classified. An unclassified version of the report, as appropriate, consistent with safeguarding national security and privacy, shall be made available to the public.

“(B) INCLUSIONS IN UNCLASSIFIED VERSION.—The unclassified version of the report required under paragraph (1) shall include, with respect to covered transactions for the reporting period—

“(i) the number of notices submitted under subsection (b)(1)(C)(i);

“(ii) the number of declarations submitted under subsection (b)(1)(C)(v) and the number of such declarations that were required under subclause (IV) of that subsection;

“(iii) the number of declarations submitted under subsection (b)(1)(C)(v) for which the Committee required resubmission as notices under subsection (b)(1)(C)(i);

“(iv) the average number of days that elapsed between submission of a declaration under subsection (b)(1)(C)(v) and the acceptance of the declaration by the Committee;

“(v) information on the time it took the Committee to provide comments on, or to accept, notices submitted under subsection (b)(1)(C)(i), including—

“(I) the average number of business days that elapsed between the date of submission of a draft notice and the date on which the Committee provided written comments on the draft notice;

“(II) the average number of business days that elapsed between the date of submission of a final notice and the date on which the Committee accepted or provided written comments on the final notice; and

“(III) if the average number of business days for a response by the Committee reported under subclause (I) or (II) exceeded 10 business days—

“(aa) an explanation of the causes of such delays, including whether such delays are caused by resource shortages, unusual fluctuations in the volume of notices, transaction characteristics, or other factors; and

“(bb) an explanation of the steps that the Committee anticipates taking to mitigate the causes of such delays and otherwise to improve the ability of the Committee to provide comments on, or to accept, notices within 10 business days;

“(vi) the number of reviews or investigations conducted under subsection (b);

“(vii) the number of investigations that were subject to an extension under subsection (b)(2)(C)(ii);

“(viii) information on the duration of those reviews and investigations, including the average number of days required to complete those reviews and investigations;

“(ix) the number of notices submitted under subsection (b)(1)(C)(i) and declarations submitted under subsection (b)(1)(C)(v) that were rejected by the Committee;

“(x) the number of such notices and declarations that were withdrawn by a party to the covered transaction;

“(xi) the number of such withdrawals that were followed by the submission of a subsequent such notice or declaration relating to a substantially similar covered transaction; and

“(xii) such other specific, cumulative, or trend information that the Committee determines is advisable to provide for an assessment of the time required for reviews and investigations of covered transactions under this section.”.

(b) REPORT ON CHINESE INVESTMENT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and every 2 years thereafter through 2026, the Secretary of Commerce shall submit to Congress and the Committee on Foreign Investment in the United States a report on foreign direct investment transactions made by entities of the People's Republic of China in the United States.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) Total foreign direct investment from the People's Republic of China in the United States, including total foreign direct investment disaggregated by ultimate beneficial owner.

(B) A breakdown of investments from the People's Republic of China in the United States by value using the following categories:

(i) Less than \$50,000,000.

(ii) Greater than or equal to \$50,000,000 and less than \$100,000,000.

(iii) Greater than or equal to \$100,000,000 and less than \$1,000,000,000.

(iv) Greater than or equal to \$1,000,000,000 and less than \$2,000,000,000.

(v) Greater than or equal to \$2,000,000,000 and less than \$5,000,000,000.

(vi) Greater than or equal to \$5,000,000,000.

(C) A breakdown of investments from the People's Republic of China in the United States by 2-digit North American Industry Classification System code.

(D) A breakdown of investments from the People's Republic of China in the United States by investment type, using the following categories:

(i) Businesses established.

(ii) Businesses acquired.

(E) A breakdown of investments from the People's Republic of China in the United States by government and non-government investments, including volume, sector, and type of investment within each category.

(F) A list of companies incorporated in the United States purchased through government investment by the People's Republic of China.

(G) The number of United States affiliates of entities under the jurisdiction of the People's Republic of China, the total employees at those affiliates, and the valuation for any publicly traded United States affiliate of such an entity.

(H) An analysis of patterns in the investments described in subparagraphs (A) through (F), including in volume, type, and sector, and the extent to which those patterns of investments align with the objectives outlined by the Government of the People's Republic of China in its Made in China 2025 plan, including a comparative analysis of investments from the People's Republic of China in the United States and all foreign direct investment in the United States.

(I) An identification of any limitations on the ability of the Secretary of Commerce to collect comprehensive information that is reasonably and lawfully available about foreign investment in the United States from the People's Republic of China on a timeline necessary to complete reports every 2 years as required by paragraph (1), including—

(i) an identification of any discrepancies between government and private sector estimates of investments from the People's Republic of China in the United States;

(ii) a description of the different methodologies or data collection methods, including by private sector entities, used to measure foreign investment that may result in different estimates; and

(iii) recommendations for enhancing the ability of the Secretary of Commerce to improve data collection of information about foreign investment in the United States from the People's Republic of China.

(3) EXTENSION OF DEADLINE.—If, as a result of a limitation identified under paragraph (2)(I), the Secretary of Commerce determines that the Secretary will be unable to submit a report at the time required by paragraph (1), the Secretary may request additional time to complete the report.

(c) REPORT ON CERTAIN INVESTMENTS BY STATE-OWNED OR STATE-CONTROLLED ENTITIES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, an appropriate member or members of the Committee on Foreign Investment in the United States shall, in coordination with the chairperson of the Committee, submit to Congress a report assessing—

(A) national security threats related to investments in the United States by state-owned or state-controlled entities in the manufacture or assembly of rolling stock or other assets for use in freight rail, public transportation, or intercity passenger rail systems, including the construction of new facilities;

(B) how the number and types of such investments could affect any such threats; and

(C) the authority and ability of the Committee to respond to such threats.

(2) CONSULTATION.—The member or members of the Committee on Foreign Investment in the United States preparing the report required by paragraph (1) shall consult with the Secretary of Transportation and the head of any agency that is not represented on the Committee that has significant technical expertise related to the assessments required by paragraph (1).

**SEC. 1719. CERTIFICATION OF NOTICES AND INFORMATION.**

Section 721(n) of the Defense Production Act of 1950 (50 U.S.C. 4565(n)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking “Each notice” and inserting the following:

“(1) IN GENERAL.—Each notice”;

(3) by striking “paragraph (3)(B)” and inserting “paragraph (6)(B)”;

(4) by striking “paragraph (1)(A)” and inserting “paragraph (3)(A)”;

(5) by adding at the end the following:

“(2) EFFECT OF FAILURE TO SUBMIT.—The Committee may not complete a review under this section of a covered transaction and may recommend to the President that the President suspend or prohibit the transaction or require divestment under subsection (d) if the Committee determines that a party to the transaction has—

“(A) failed to submit a statement required by paragraph (1); or

“(B) included false or misleading information in a notice or information described in paragraph (1) or omitted material information from such notice or information.

“(3) APPLICABILITY OF LAW ON FRAUD AND FALSE STATEMENTS.—The Committee shall prescribe regulations expressly providing for the application of section 1001 of title 18, United States Code, to all information provided to the Committee under this section by any party to a covered transaction.”.

**SEC. 1720. IMPLEMENTATION PLANS.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the chairperson of the Committee on Foreign Investment in the United States and the Secretary of Commerce shall, in consultation with the appropriate members of the Committee—

(1) develop plans to implement this title; and

(2) submit to the appropriate congressional committees a report on the plans developed under paragraph (1), which shall include a description of—

(A) the timeline and process to implement the provisions of, and amendments made by, this title;

(B) any additional staff necessary to implement the plans; and

(C) the resources required to effectively implement the plans.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

(2) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.

**SEC. 1721. ASSESSMENT OF NEED FOR ADDITIONAL RESOURCES FOR COMMITTEE.**

The President shall—

(1) determine whether and to what extent the expansion of the responsibilities of the Committee on Foreign Investment in the United States pursuant to the amendments made by this title necessitates additional resources for the Committee and the departments and agencies represented on the Committee to perform their functions under section 721 of the Defense Production Act of 1950, as amended by this title; and

(2) if the President determines that additional resources are necessary, include in the budget of the President for fiscal year 2019 and each fiscal year thereafter submitted to Congress under section 1105(a) of title 31,

United States Code, a request for such additional resources.

**SEC. 1722. FUNDING.**

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended by adding at the end the following:

“(o) FUNDING.—

“(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund, to be known as the ‘Committee on Foreign Investment in the United States Fund’ (in this subsection referred to as the ‘Fund’), to be administered by the chairperson.

“(2) APPROPRIATION OF FUNDS FOR THE COMMITTEE.—There are authorized to be appropriated to the Fund such sums as may be necessary to perform the functions of the Committee.

“(3) FILING FEES.—

“(A) IN GENERAL.—The Committee may assess and collect a fee in an amount determined by the Committee in regulations, to the extent provided in advance in appropriations Acts, without regard to section 9701 of title 31, United States Code, and subject to subparagraph (B), with respect to each covered transaction for which a written notice is submitted to the Committee under subsection (b)(1)(C)(i). The total amount of fees collected under this paragraph may not exceed the costs of administering this section.

“(B) DETERMINATION OF AMOUNT OF FEE.—

“(i) IN GENERAL.—In determining the amount of the fee to be assessed under subparagraph (A) with respect to a covered transaction, the Committee shall base the amount of the fee on the value of the transaction, taking into consideration—

“(I) the effect of the fee on small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632));

“(II) the expenses of the Committee associated with conducting activities under this section;

“(III) the effect of the fee on foreign investment; and

“(IV) such other matters as the Committee considers appropriate.

“(ii) PRIORITIZATION FEE.—The Committee may establish a fee or fee scale to prioritize the timing of the response of the Committee to a draft or final written notice during the period before the Committee accepts the final written notice under subsection (b)(1)(C)(i), in the event that the Committee is unable to respond during the time required by subclause (II) of that subsection because of an unusually large influx of notices, or for other reasons.

“(iii) UPDATES.—The Committee shall periodically reconsider and adjust the amount of the fee to be assessed under subparagraph (A) with respect to a covered transaction to ensure that the amount of the fee does not exceed the costs of administering this section and otherwise remains appropriate.

“(C) DEPOSIT AND AVAILABILITY OF FEES.—Notwithstanding section 3302 of title 31, United States Code, fees collected under subparagraph (A) shall—

“(i) be deposited into the Fund solely for use in carrying out activities under this section;

“(ii) to the extent and in the amounts provided in advance in appropriations Acts, be available to the chairperson;

“(iii) remain available until expended; and

“(iv) be in addition to any appropriations made available to the members of the Committee.

“(4) TRANSFER OF FUNDS.—To the extent provided in advance in appropriations Acts, the chairperson may transfer any amounts in the Fund to any other department or agency represented on the Committee for the purpose of addressing emerging needs in car-

rying out activities under this section. Amounts so transferred shall be in addition to any other amounts available to that department or agency for that purpose.”.

**SEC. 1723. CENTRALIZATION OF CERTAIN COMMITTEE FUNCTIONS.**

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), as amended by section 1722, is further amended by adding at the end the following:

“(p) CENTRALIZATION OF CERTAIN COMMITTEE FUNCTIONS.—

“(1) IN GENERAL.—The chairperson, in consultation with the Committee, may centralize certain functions of the Committee within the Department of the Treasury for the purpose of enhancing interagency coordination and collaboration in carrying out the functions of the Committee under this section.

“(2) FUNCTIONS.—Functions that may be centralized under paragraph (1) include monitoring non-notified and non-declared transactions pursuant to subsection (b)(1)(H), and other functions as determined by the chairperson and the Committee.

“(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the authority of any department or agency represented on the Committee to represent its own interests before the Committee.”.

**SEC. 1724. CONFORMING AMENDMENTS.**

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), as amended by this title, is further amended—

(1) in subsection (b)—

(A) in paragraph (1)(D)(iii)(I), by striking “subsection (1)(1)(A)” and inserting “subsection (1)(3)(A)”;

(B) in paragraph (2)(B)(i)(I), by striking “that threat” and inserting “the risk”;

(2) in subsection (d)(4)(A), by striking “the foreign interest exercising control” and inserting “a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction”; and

(3) in subsection (j), by striking “merger, acquisition, or takeover” and inserting “transaction”.

**SEC. 1725. REQUIREMENTS TO IDENTIFY AND CONTROL THE EXPORT OF EMERGING AND FOUNDATIONAL TECHNOLOGIES.**

(a) IDENTIFICATION OF TECHNOLOGIES.—

(1) IN GENERAL.—The President shall establish and, in coordination with the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of State, and the heads of other Federal agencies as appropriate, lead, a regular, ongoing interagency process to identify emerging and foundational technologies that—

(A) are essential to the national security of the United States; and

(B) are not critical technologies described in clauses (i) through (v) of section 721(a)(8)(B) of the Defense Production Act of 1950, as amended by section 1703.

(2) PROCESS.—The interagency process established under subsection (a) shall—

(A) be informed by multiple sources of information, including—

(i) publicly available information;

(ii) classified information, including relevant information provided by the Director of National Intelligence;

(iii) information relating to reviews and investigations of transactions by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565); and

(iv) information provided by the advisory committees established by the Secretary of Commerce to advise the Under Secretary of

Commerce for Industry and Security on controls under the Export Administration Regulations, including the Emerging Technology and Research Advisory Committee;

(B) take into account—

(i) the development of emerging and foundational technologies in foreign countries;

(ii) the effect export controls imposed pursuant to this section may have on the development of such technologies in the United States; and

(iii) the effectiveness of export controls imposed pursuant to this section on limiting the proliferation of emerging and foundational technologies to foreign countries; and

(C) include a notice and comment period.

(b) COMMERCE CONTROLS.—

(1) IN GENERAL.—The Secretary of Commerce shall establish appropriate controls under the Export Administration Regulations on the export, reexport, or in-country transfer of technology identified pursuant to subsection (a), including by prescribing additional regulations.

(2) LEVELS OF CONTROL.—

(A) IN GENERAL.—The Secretary of Commerce may, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other Federal agencies, as appropriate, specify the level of control to apply under paragraph (1) with respect to the export of technology described in that paragraph, including a requirement for a license or other authorization for the export, reexport, or in-country transfer of that technology.

(B) CONSIDERATIONS.—In determining under subparagraph (A) the level of control appropriate for technology described in paragraph (1), the Secretary of Commerce shall take into account—

(i) lists of countries to which exports from the United States are restricted; and

(ii) the potential end uses and end users of the technology.

(C) MINIMUM REQUIREMENTS.—At a minimum, except as provided by paragraph (4), the Secretary of Commerce shall require a license for the export, reexport, or in-country transfer of technology described in paragraph (1) to or in a country subject to an embargo, including an arms embargo, imposed by the United States.

(3) REVIEW OF LICENSE APPLICATIONS.—

(A) PROCEDURES.—The procedures set forth in Executive Order 12981 (50 U.S.C. 4603 note; relating to administration of export controls) or a successor order shall apply to the review of an application for a license or other authorization for the export, reexport, or in-country transfer of technology described in paragraph (1).

(B) CONSIDERATION OF INFORMATION RELATING TO NATIONAL SECURITY.—In reviewing an application for a license or other authorization for the export, reexport, or in-country transfer of technology described in paragraph (1), the Secretary of Commerce shall take into account information provided by the Director of National Intelligence regarding any threat to the national security of the United States posed by the proposed export, reexport, or transfer. The Director of National Intelligence shall provide such information on the request of the Secretary of Commerce.

(C) DISCLOSURES RELATING TO COLLABORATIVE ARRANGEMENTS.—In the case of an application for a license or other authorization for the export, reexport, or in-country transfer of technology described in paragraph (1) submitted by or on behalf of a joint venture, joint development agreement, or similar collaborative arrangement, the Secretary of Commerce may require the applicant to identify, in addition to any foreign person

participating in the arrangement, any foreign person with significant ownership interest in a foreign person participating in the arrangement.

(4) EXCEPTIONS.—

(A) MANDATORY EXCEPTIONS.—The Secretary of Commerce may not control under this subsection the export of any technology—

(i) described in section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)); or

(ii) if the regulation of the export of that technology is prohibited under any other provision of law.

(B) REGULATORY EXCEPTIONS.—In prescribing regulations under paragraph (1), the Secretary of Commerce may include regulatory exceptions to the requirements of that paragraph.

(C) ADDITIONAL EXCEPTIONS.—The Secretary of Commerce shall not be required to impose under paragraph (1) a requirement for a license or other authorization with respect to the export, reexport, or in-country transfer of technology described in paragraph (1) pursuant to any of the following transactions:

(i) The sale or license of a finished item and the provision of associated technology if the United States person that is a party to the transaction generally makes the finished item and associated technology available to its customers, distributors, or resellers.

(ii) The sale or license to a customer of a product and the provision of integration services or similar services if the United States person that is a party to the transaction generally makes such services available to its customers.

(iii) The transfer of equipment and the provision of associated technology to operate the equipment if the transfer could not result in the foreign person using the equipment to produce critical technologies (as defined in section 721(a) of the Defense Production Act of 1950, as amended by section 1703).

(iv) The procurement by the United States person that is a party to the transaction of goods or services, including manufacturing services, from a foreign person that is a party to the transaction, if the foreign person has no rights to exploit any technology contributed by the United States person other than to supply the procured goods or services.

(v) Any contribution and associated support by a United States person that is a party to the transaction to an industry organization related to a standard or specification, whether in development or declared, including any license of or commitment to license intellectual property in compliance with the rules of any standards organization (as defined by the Secretary by regulation).

(c) MULTILATERAL CONTROLS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce and the Secretary of Defense, and the heads of other Federal agencies, as appropriate, may propose that any technology identified pursuant to subsection (a) be added to the list of technologies controlled by the relevant multilateral export control regimes.

(2) ITEMS ON COMMERCE CONTROL LIST OR UNITED STATES MUNITIONS LIST.—

(A) IN GENERAL.—If the Secretary of State proposes to a multilateral export control regime under paragraph (1) to add a technology identified pursuant to subsection (a) to the control list of that regime and that regime does not add that technology to the control list during the 3-year period beginning on the date of the proposal, the applicable agency head may determine whether national security concerns warrant the continuation of

unilateral export controls with respect to that technology.

(B) APPLICABLE AGENCY HEAD DEFINED.—In this paragraph, the term “applicable agency head” means—

(i) in the case of technology listed on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations, the Secretary of Commerce, in consultation with the Secretary of Defense and the Secretary of State; and

(ii) in the case of technology listed on the United States Munitions List set forth in part 121 of title 22, Code of Federal Regulations, the Secretary of State, in consultation with the Secretary of Defense and the heads of other Federal agencies, as appropriate.

(d) REPORT TO COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—Not less frequently than every 180 days, the Secretary of Commerce, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other Federal agencies, as appropriate, shall submit to the Committee on Foreign Investment in the United States a report on the results of actions taken pursuant to this section.

(e) REPORT TO CONGRESS.—Not less frequently than every 180 days, the Secretary of Commerce, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other Federal agencies, as appropriate, shall submit a report on the results of actions taken pursuant to this section, including actions taken pursuant to subsections (a), (b), and (c), to—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) MODIFICATIONS TO EMERGING TECHNOLOGY AND RESEARCH ADVISORY COMMITTEE.—

(1) IN GENERAL.—The Secretary of Commerce shall revise the objectives of the Emerging Technology and Research Advisory Committee, established by the Secretary under the Export Administration Regulations, to include advising the interagency process established under subsection (a) with respect to emerging and foundational technologies.

(2) DUTIES.—The Secretary—

(A) shall revise the duties of the Emerging Technology and Research Advisory Committee to include identifying emerging and foundational technologies that may be developed over a period of 5 years or 10 years; and

(B) may revise the duties of the Advisory Committee to include identifying trends in—

(i) the ownership by foreign persons and foreign governments of such technologies;

(ii) the types of transactions related to such technologies engaged in by foreign persons and foreign governments;

(iii) the blending of private and government investment in such technologies; and

(iv) efforts to obfuscate ownership of such technologies or to otherwise circumvent the controls established under this section.

(3) MEETINGS.—

(A) FREQUENCY.—The Emerging Technology and Research Advisory Committee should meet not less frequently than every 120 days.

(B) ATTENDANCE.—A representative from each agency participating in the interagency process established under subsection (a) should be in attendance at each meeting of the Emerging Technology and Research Advisory Committee.

(4) **CLASSIFIED INFORMATION.**—Not fewer than half of the members of the Emerging Technology and Research Advisory Committee should hold sufficient security clearances such that classified information, including classified information described in clauses (ii) and (iii) of subsection (a)(2)(A), from the interagency process established under subsection (a) can be shared with those members to inform the advice provided by the Advisory Committee.

(5) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—Subsections (a)(1), (a)(3), and (b) of section 10 and sections 11, 13, and 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Emerging Technology and Research Advisory Committee.

(6) **REPORT.**—The Emerging Technology and Research Advisory Committee shall include the findings of the Advisory Committee under this subsection in the annual report to Congress required by section 14 of the Export Administration Act of 1979 (50 U.S.C. 4616) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(g) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to alter or limit—

(1) the authority of the President or the Secretary of State to designate items as defense articles and defense services for the purposes of the Arms Export Control Act (22 U.S.C. 2751 et seq.) or to otherwise regulate such items; or

(2) the authority of the President under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3201 et seq.), the Energy Reorganization Act of 1974 (42 U.S.C. 5801 et seq.), or the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) or any other provision of law relating to the control of exports.

(h) **DEFINITIONS.**—In this section:

(1) **EXPORT ADMINISTRATION REGULATIONS.**—The term “Export Administration Regulations” means subchapter C of chapter VII of title 15, Code of Federal Regulations.

(2) **IN-COUNTRY TRANSFER.**—The term “in-country transfer” has the meaning given to the term in the Export Administration Regulations.

(3) **REEXPORT.**—The term “reexport” has the meaning given to the term in the Export Administration Regulations.

(4) **UNITED STATES PERSON.**—The term “United States person” means any person subject to the jurisdiction of the United States.

#### **SEC. 1726. EXPORT CONTROL ENFORCEMENT AUTHORITY.**

(a) **AUTHORITIES.**—In order to enforce the provisions of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, issued under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (pursuant to which the President has continued in effect authorities granted under the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.)), the President shall delegate to the Secretary of Commerce, in addition to existing authorities, the authority to authorize any law enforcement officer of the Department of Commerce to conduct investigations (including undercover investigations) in the United States and in other countries when permitted under such countries' laws using all applicable laws of the United States.

(b) **BEST PRACTICE GUIDELINES.**—The Secretary of Commerce, in consultation with the heads of appropriate Federal agencies, may publish and update best practices guide-

lines to assist persons in developing and implementing, on a voluntary basis, effective export control programs in compliance with the Export Administration Regulations.

(c) **CONFIDENTIALITY OF INFORMATION.**—

(1) **EXEMPTIONS FROM DISCLOSURE.**—

(A) **IN GENERAL.**—Information obtained under the Export Administration Act of 1979 (50 U.S.C. 2601 et seq.) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) may be withheld from disclosure only to the extent permitted by statute, except that information described in subparagraph (B) shall be withheld from public disclosure and shall not be subject to disclosure under section 552(b)(3) of title 5, United States Code, unless the release of such information is determined by the Secretary to be in the national interest.

(B) **INFORMATION DESCRIBED.**—Information described in this subparagraph is information submitted or obtained in connection with an application for a license or other authorization to export, reexport, or transfer items or engage in other activities, a record-keeping or reporting requirement, enforcement activity, or other operations under the Export Administration Act of 1979, including—

(i) the license application, license, or other authorization itself;

(ii) classification or advisory opinion requests, and any response to such a request;

(iii) license determinations and information pertaining to such determinations;

(iv) information or evidence obtained in the course of any investigation; and

(v) information obtained or furnished in connection with any international agreement, treaty, or other obligation.

(2) **INFORMATION TO CONGRESS AND GAO.**—

(A) **IN GENERAL.**—Nothing in this section shall be construed as authorizing the withholding of information from Congress or the Comptroller General of the United States.

(B) **AVAILABILITY TO CONGRESS.**—

(i) **IN GENERAL.**—Information obtained at any time under any provision of the Export Administration Act of 1979 or the Export Administration Regulations, including reports or license applications required under any such provision, shall be made available to a committee or subcommittee of Congress of appropriate jurisdiction, upon the request of the chairman or ranking member of the committee or subcommittee.

(ii) **PROHIBITION ON FURTHER DISCLOSURE.**—No committee or subcommittee referred to in clause (i), or member thereof, may disclose any information made available under clause (i) that is submitted on a confidential basis unless the full committee determines that the withholding of that information is contrary to the national interest.

(C) **AVAILABILITY TO GAO.**—

(i) **IN GENERAL.**—Information described in subparagraph (B)(i) shall be subject to the limitations contained in section 716 of title 31, United States Code.

(ii) **PROHIBITION ON FURTHER DISCLOSURE.**—An officer or employee of the Government Accountability Office may not disclose, except to Congress in accordance with this paragraph, any information described in subparagraph (B)(i) that is submitted on a confidential basis or from which any individual can be identified.

(3) **INFORMATION SHARING.**—

(A) **EXCHANGE OF INFORMATION.**—The heads of departments, agencies, and offices with enforcement authorities under the Export Administration Act of 1979, consistent with protection of law enforcement and its sources and methods, shall exchange any licensing and enforcement information with one another that is necessary to facilitate enforcement efforts under this section, and

shall consult on a regular basis with one another and with the heads of other departments, agencies, and offices that obtain information subject to this paragraph, in order to facilitate the exchange of such information.

(B) **PROVISION OF INFORMATION BY FEDERAL OFFICIALS.**—Any Federal official who obtains information that is relevant to the enforcement of the Export Administration Act of 1979, including information pertaining to any investigation, shall furnish such information to each appropriate department, agency, or office with enforcement responsibilities under this section to the extent consistent with the protection of intelligence, counterintelligence, and law enforcement sources, methods, and activities.

(C) **EXCEPTIONS.**—The provisions of this paragraph shall not apply to information subject to the restrictions set forth in section 9 of title 13, United States Code. Return information, as defined in section 6103(b) of the Internal Revenue Code of 1986, may be disclosed only as authorized by that section.

(D) **INFORMATION SHARING WITH FEDERAL AGENCIES.**—Licensing or enforcement information obtained under the Export Administration Act of 1979 may be shared with heads of departments, agencies, and offices that do not have enforcement authorities under that Act on a case-by-case basis, at the discretion of the Secretary of Commerce. Such information may be shared only when the Secretary makes a determination that the sharing of the information is in the national interest.

#### **SEC. 1727. PROHIBITION ON MODIFICATION OF CIVIL PENALTIES UNDER EXPORT CONTROL AND SANCTIONS LAWS.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Executive Office of the President may not modify any civil penalty, including a denial order, implemented by the Government of the United States with respect to a Chinese telecommunications company pursuant to a determination that the company has violated an export control or sanctions law of the United States until the date that is 30 days after the President certifies to the appropriate congressional committees that the company—

(1) has not, for a period of one year, conducted activities in violation of the laws of the United States; and

(2) is fully cooperating with investigations into the activities of the company conducted by the Government of the United States, if any.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

#### **SEC. 1728. UNDER SECRETARY OF COMMERCE FOR INDUSTRY AND SECURITY.**

(a) **IN GENERAL.**—On and after the date of the enactment of this Act, any reference in the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) or any other law or regulation to the Under Secretary of Commerce for Export Administration shall be deemed to be a reference to the Under Secretary of Commerce for Industry and Security.

(b) **TITLE 5.**—Section 5314 of title 5, United States Code, is amended by striking “Under Secretary of Commerce for Export Administration” and inserting “Under Secretary of Commerce for Industry and Security”.

(c) **CONTINUATION IN OFFICE.**—The individual serving as Under Secretary of Commerce for Export Administration on the day

before the date of the enactment of this Act may serve as the Under Secretary of Commerce for Industry and Security on and after that date without the need for renomination or reappointment.

**SEC. 1729. LIMITATION ON CANCELLATION OF DESIGNATION OF SECRETARY OF THE AIR FORCE AS DEPARTMENT OF DEFENSE EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.**

(a) **LIMITATION ON CANCELLATION OF DESIGNATION.**—The Secretary of Defense may not implement the decision, issued on July 1, 2017, to cancel the designation, under Department of Defense Directive 4400.01E, entitled “Defense Production Act Programs” and dated October 12, 2001, of the Secretary of the Air Force as the Department of Defense Executive Agent for the program carried out under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) until the date specified in subsection (c).

(b) **DESIGNATION.**—The Secretary of the Air Force shall continue to serve as the sole and exclusive Department of Defense Executive Agent for the program described in subsection (a) until the date specified in subsection (c).

(c) **DATE SPECIFIED.**—The date specified in this subsection is the date of the enactment of a joint resolution or an Act approving the implementation of the decision described in subsection (a).

**SEC. 1730. REVIEW OF AND REPORT ON CERTAIN DEFENSE TECHNOLOGIES CRITICAL TO THE UNITED STATES MAINTAINING SUPERIOR MILITARY CAPABILITIES.**

(a) **REVIEW REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence, in consultation with the Air Force Research Laboratory, the Defense Advanced Projects Research Agency, and such other appropriate research entities as the Secretary and the Director may identify, shall—

(1) jointly carry out and complete a review of key national security technology capability advantages, competitions, and gaps between the United States and “near peer” nations;

(2) develop a definition of “near peer nation” for purposes of paragraph (1); and

(3) submit to the appropriate congressional committees a report on the findings of the Secretary and the Director with respect to the review conducted under paragraph (1).

(b) **ELEMENTS.**—The review conducted under paragraph (1) of subsection (a), and the report required by paragraph (3) of that subsection, shall identify, at a minimum, the following:

(1) Key United States industries and research and development activities expected to be critical to maintaining a national security technology capability if, during the 5-year period beginning on the date of the enactment of this Act, the Secretary and the Director anticipate that—

(A) a United States industrial base shortfall will exist; and

(B) United States industry will be unable to or otherwise will not provide the needed capacity in a timely manner without financial assistance from the United States Government through existing statutory authorities specifically intended for that purpose, including assistance provided under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) and other appropriate authorities.

(2) Key areas in which the United States currently enjoys a technological advantage.

(3) Key areas in which the United States no longer enjoys a technological advantage.

(4) Sectors of the defense industrial base in which the United States lacks adequate pro-

ductive capacity to meet critical national defense needs.

(5) Priority areas for which appropriate statutory industrial base incentives should be applied as the most cost-effective, expedient, and practical alternative for meeting the technology or defense industrial base needs identified under this subsection, including—

(A) sustainment of critical production and supply chain capabilities;

(B) commercialization of research and development investments;

(C) scaling of emerging technologies; and

(D) other areas as determined by the Secretary and the Director.

(6) Priority funding recommendations with respect to key areas that the Secretary, in consultation with the Director, determines are—

(A) critical to the United States maintaining superior military capabilities, especially with respect to potential peer and near peer military or economic competitors, during the 5-year period beginning on the date of the enactment of this Act; and

(B) suitable for long-term investment from funds made available under title III of the Defense Production Act of 1950 and other appropriate statutory authorities.

(c) **FORM OF REPORT.**—The report required by subsection (a)(3) shall be submitted in unclassified form, but may include a classified annex.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing and Urban Affairs, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 1731. BRIEFING ON INFORMATION FROM TRANSACTIONS REVIEWED BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES RELATING TO FOREIGN EFFORTS TO INFLUENCE DEMOCRATIC INSTITUTIONS AND PROCESSES.**

Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury (or a designee of the Secretary) shall provide a briefing to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on—

(1) transactions reviewed by the Committee on Foreign Investment in the United States during the 5-year period preceding the briefing that the Committee determined would have allowed foreign persons to inappropriately influence democratic institutions and processes within the United States and in other countries; and

(2) the disposition of such reviews, including any steps taken by the Committee to address the risk of allowing foreign persons to influence such institutions and processes.

**SEC. 1732. EFFECTIVE DATE.**

(a) **IMMEDIATE APPLICABILITY OF CERTAIN PROVISIONS.**—The following shall take effect on the date of the enactment of this Act and apply with respect to any covered transaction the review or investigation of which is initiated under section 721 of the Defense Production Act of 1950 on or after such date of enactment:

(1) Sections 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1716, 1717, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, and 1729 and the amendments made by those sections.

(2) Section 1712 and the amendments made by that section (except for clause (iii) of sec-

tion 721(b)(4)(A) of the Defense Production Act of 1950, as added by section 1712).

(3) Paragraphs (1), (2), (3), (4), (5)(A)(i), (5)(B)(i), (5)(B)(iv)(I), (5)(B)(v), (5)(C)(v), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), and (17) of subsection (a) of section 721 of the Defense Production Act of 1950, as amended by section 1703.

(4) Section 721(m)(4) of the Defense Production Act of 1950, as amended by section 1718 (except for clauses (ii), (iii), (iv), and (v) of subparagraph (B) of that section).

(b) **DELAYED APPLICABILITY OF CERTAIN PROVISIONS.**—

(1) **IN GENERAL.**—Any provision of or amendment made by this title not specified in subsection (a) shall—

(A) take effect on the date that is 30 days after publication in the Federal Register of a determination by the chairperson of the Committee on Foreign Investment in the United States that the regulations, organizational structure, personnel, and other resources necessary to administer the new provisions are in place; and

(B) apply with respect to any covered transaction the review or investigation of which is initiated under section 721 of the Defense Production Act of 1950 on or after the date described in subparagraph (A).

(2) **NONDELEGATION OF DETERMINATION.**—The determination of the chairperson of the Committee on Foreign Investment in the United States under paragraph (1)(A) may not be delegated.

(c) **AUTHORIZATION FOR PILOT PROGRAMS.**—

(1) **IN GENERAL.**—Beginning on the date of the enactment of this Act and ending on the date described in subsection (b)(1)(A), the Committee on Foreign Investment in the United States may, at its discretion, conduct one or more pilot programs to implement any authority provided pursuant to any provision of or amendment made by this title not specified in subsection (a).

(2) **PUBLICATION IN FEDERAL REGISTER.**—A pilot program may not commence until the date that is 30 days after publication in the Federal Register of a determination by the chairperson of the Committee of the scope of and procedures for the pilot program. That determination may not be delegated.

**SEC. 1733. SEVERABILITY.**

If any provision of this title or an amendment made by this title, or the application of such a provision or amendment to any person or circumstance, is held to be invalid, the application of that provision or amendment to other persons or circumstances and the remainder of the provisions of this title and the amendments made by this title, shall not be affected thereby.

**DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2019”.

**SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.**

(a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.**—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024.

(b) **EXCEPTION.**—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family



housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

- (1) October 1, 2023; or
- (2) the date of the enactment of an Act authorizing funds for fiscal year 2024 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

- (1) October 1, 2018; or
- (2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section

2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alabama .....	Anniston Army Depot .....	*\$5,200,000
California .....	Fort Irwin .....	\$29,000,000
Colorado .....	Fort Carson .....	\$77,000,000
Georgia .....	Fort Gordon .....	\$99,000,000
Hawaii .....	Wheeler Army Airfield .....	\$50,000,000
Indiana .....	Crane Army Ammunition Activity .....	\$16,000,000
Kentucky .....	Fort Campbell .....	\$50,000,000
	Fort Knox .....	\$26,000,000
New Jersey .....	Picatinny Arsenal .....	\$41,000,000
New Mexico .....	White Sands Missile Range .....	\$40,000,000
New York .....	West Point Military Reservation .....	\$160,000,000
North Carolina .....	Fort Bragg .....	\$10,000,000
South Carolina .....	Fort Jackson .....	\$52,000,000
Texas .....	Fort Bliss .....	\$24,000,000
	Fort Hood .....	\$9,600,000
Virginia .....	Arlington National Cemetery Southern Expansion .....	\$30,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Germany .....	East Camp Grafenwoehr .....	\$31,000,000
Honduras .....	Soto Cano Air Base .....	\$21,000,000
Korea .....	Camp Tango .....	\$17,500,000
Kuwait .....	Camp Arifjan .....	\$44,000,000

SEC. 2102. FAMILY HOUSING.

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

2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family hous-

ing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation or Location	Units	Amount
Italy .....	Vicenza .....	Family Housing New Construction.	\$95,134,000
Korea .....	Camp Walker .....	Family Housing Replacement Construction.	\$68,000,000
Puerto Rico .....	Fort Buchanan .....	Family Housing Replacement Construction.	\$26,000,000
Wisconsin .....	Fort McCoy .....	Family Housing New Construction.	\$6,200,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and

construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$18,326,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction,

land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section

2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2104. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of

Public Law 113–291; 128 Stat. 3669), the authorization set forth in the table in subsection (b), as provided in section 2101 of that Act (128 Stat. 3670), shall remain in effect until October 1, 2019, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2020, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2015 Project Authorizations

State/Country	Installation or Location	Project	Amount
California .....	Military Ocean Terminal, Concord.	Access Control Point .....	\$9,900,000
Japan .....	Kadena Air Base .....	Missile Magazine .....	\$10,600,000

**SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2016 PROJECT.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of

Public Law 114–92; 129 Stat. 1145) the authorization set forth in the table in subsection (b), as provided in section 2101 of that Act (129 Stat. 1146), shall remain in effect until October 1, 2023, or the date of the enactment

of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2016 Project Authorization

Virginia .....	Arlington Cemetery (DAR) .....	\$60,000,000
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**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 au-

thorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction

projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona .....	Camp Navajo .....	\$14,800,000
California .....	Camp Pendleton .....	\$199,630,000
	Coronado .....	\$77,780,000
	Lemoore .....	\$112,690,000
	Miramar .....	\$31,980,000
	Point Mugu .....	\$22,150,000
	San Diego .....	\$156,540,000
	San Nicolas Island .....	\$31,010,000
	Seal Beach .....	\$139,630,000
District of Columbia .....	Naval Observatory .....	\$115,600,000
Florida .....	Mayport .....	\$111,460,000
	Naval Air Station Whiting Field .....	\$10,000,000
Georgia .....	Marine Corps Logistics Base Albany .....	\$31,900,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$45,000,000
	Kaneohe Bay .....	\$66,100,000
	Pearl City .....	\$78,320,000
Maine .....	Kittery .....	\$149,685,000
Mississippi .....	Naval Construction Battalion Center .....	\$22,300,000
North Carolina .....	Cherry Point Marine Corps Air Station .....	\$240,830,000
	Camp Lejeune .....	\$51,300,000
Pennsylvania .....	Philadelphia .....	\$71,050,000
South Carolina .....	Beaufort .....	\$15,817,000
	Parris Island .....	\$35,190,000
Utah .....	Hill Air Force Base .....	\$105,520,000
Virginia .....	Portsmouth .....	\$26,120,000
	Quantico .....	\$13,100,000
Washington .....	Bangor .....	\$88,960,000
	Whidbey Island .....	\$27,380,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section

2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601,

the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations

outside the United States, and in the amounts, set forth in the following table:

### Navy: Outside the United States

Country	Installation or Location	Amount
Bahamas .....	Andros Island .....	\$31,050,000
Bahrain Island .....	SW Asia .....	\$26,340,000
Cuba .....	Guantanamo Bay .....	\$85,000,000
Germany .....	Panzer Kaserne .....	\$43,950,000
Guam .....	Joint Region Marianas .....	\$279,657,000
Japan .....	Kadena Air Base .....	\$9,049,000

#### SEC. 2202. FAMILY HOUSING.

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

2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family hous-

ing units (including land acquisition and supporting facilities) at the installation or location, in the number of units, and in the amount set forth in the following table:

### Navy: Family Housing

State	Installation or Location	Units	Amount
Guam .....	Joint Region Marianas .....	Replace Andersen Housing PH III.	\$83,441,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,502,000.

#### SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing

military family housing units in an amount not to exceed \$16,638,000.

#### SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under

subsection (a), as specified in the funding table in section 4601.

### TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

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

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

### Air Force: Inside the United States

State	Installation or Location	Amount
Alaska .....	Eielson Air Force Base .....	\$63,800,000
Arizona .....	Davis-Monthan Air Force Base .....	\$15,000,000
	Luke Air Force Base .....	\$40,000,000
Florida .....	Eglin Air Force Base .....	\$62,863,000
	MacDill Air Force Base .....	\$3,100,000
Maryland .....	Joint Base Andrews .....	\$50,000,000
Massachusetts .....	Hanscom Air Force Base .....	\$225,000,000
Nebraska .....	Offutt Air Force Base .....	\$9,500,000
Nevada .....	Creech Air Force Base .....	\$59,000,000
	Nellis Air Force Base .....	\$5,900,000
New Mexico .....	Holloman Air Force Base .....	\$85,000,000
	Kirtland Air Force Base .....	\$7,000,000
New York .....	Rome Lab .....	\$14,200,000
North Dakota .....	Minot Air Force Base .....	\$66,000,000
Ohio .....	Wright-Patterson Air Force Base .....	\$116,100,000
Oklahoma .....	Altus Air Force Base .....	\$12,000,000
	Tinker Air Force Base .....	\$166,000,000
South Carolina .....	Shaw Air Force Base .....	\$53,000,000
Utah .....	Hill Air Force Base .....	\$26,000,000
Washington .....	White Bluff .....	\$14,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2304(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601,

the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or lo-

cations outside the United States, and in the amount, set forth in the following table:

### Air Force: Outside the United States

Country	Installation or Location	Amount
Guam .....	Joint Region Marianas .....	\$9,800,000
Mariana Islands-Tinian .....	Tinian .....	\$50,700,000
Qatar .....	Al Udeid .....	\$70,400,000
United Kingdom .....	RAF Lakenheath .....	\$148,467,000
Worldwide Classified .....	Classified Location .....	\$18,000,000

#### SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$3,199,000.

#### SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$75,247,000.

#### SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

#### SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN PHASED PROJECT AUTHORIZED IN FISCAL YEARS 2015, 2016, AND 2017.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3679) for Royal Air Force Croughton, for JIAC Consolidation Phase 1, the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92; 129 Stat. 1153) for Croughton Royal Air Force, for JIAC Consolidation Phase 2, and the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2697) for Royal Air Force Croughton, for JIAC Consolidation Phase 3, the location shall be United Kingdom, Unspecified.

#### SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2696) for Joint Base San Antonio, Texas, for construction of a basic military training recruit dormitory, the Secretary of the Air Force may construct a 26,537 square meter dormitory in the amount of \$92,300,000.

#### SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1825) for the United States Air Force Academy, Colorado, for construction of a cyberworks facility, the Secretary of the Air Force may construct a facility of up to 4,462 square meters that includes two real prop-

erty gifts of construction of 929 and 465 square meters if such gift is accepted by the Secretary in accordance with section 2601 of title 10, United States Code.

#### SEC. 2308. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) PROJECT AUTHORIZATIONS.—The Secretary of the Air Force may carry out military construction projects to construct—

(1) a 6,702 square meter Joint Simulation Environment Facility at Edwards Air Force Base, California, in the amount of \$43,000,000;

(2) a 4,833 square meter Cyberspace Test Facility at Eglin Air Force Base, Florida, in the amount of \$38,000,000; and

(3) a 4,735 square meter Joint Simulation Environment Facility at Nellis Air Force Base, Nevada, in the amount of \$30,000,000.

(b) USE OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.—As provided for in the Defense Laboratory Modernization Pilot Program authorized by section 2803 of the Military Construction Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1169), the Secretary may use funds available for research, development, test, and evaluation for the projects described in subsection (a).

### TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

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

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

### Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska .....	Clear Air Force Station .....	\$174,000,000
	Fort Greely .....	\$8,000,000
	Joint Base Elmendorf-Richardson .....	\$14,000,000
Arkansas .....	Little Rock Air Force Base .....	\$14,000,000
California .....	Camp Pendleton .....	\$12,596,000
	Coronado .....	\$71,088,000
	Defense Distribution Depot-Tracy .....	\$18,800,000
Colorado .....	Fort Carson .....	\$24,297,000
CONUS Classified .....	Classified Location .....	\$49,222,000
Kentucky .....	Fort Campbell .....	\$82,298,000
Maine .....	Kittery .....	\$11,600,000
Maryland .....	Fort Meade .....	\$805,000,000
Missouri .....	St. Louis .....	\$447,800,000
New Jersey .....	Joint Base McGuire-Dix-Lakehurst .....	\$10,200,000
North Carolina .....	Fort Bragg .....	\$32,366,000

## Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Oklahoma .....	New River .....	\$32,580,000
Texas .....	McAlester .....	\$7,000,000
Virginia .....	Joint Base San Antonio .....	\$10,200,000
	Red River Army Depot .....	\$71,500,000
	Dam Neck .....	\$8,959,000
	Fort A.P. Hill .....	\$11,734,000
	Fort Belvoir .....	\$6,127,000
	Humphreys Engineer Center .....	\$20,257,000
	Joint Base Langley-Eustis .....	\$12,700,000
Washington .....	Pentagon .....	\$35,850,000
	Joint Base Lewis-McChord .....	\$26,200,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

## Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium .....	U.S. Army Garrison Benelux (Chievres) .....	\$14,305,000
Cuba .....	Guantanamo Bay .....	\$9,080,000
Djibouti .....	Camp Lemonnier .....	\$3,750,000
Germany .....	Baumholder .....	\$11,504,000
	Kaiserslautern Air Base .....	\$99,955,000
	Weisbaden .....	\$56,048,000
Greece .....	NSA Souda Bay .....	\$2,230,000
Guam .....	Naval Base Guam .....	\$4,634,000
	NSA Naples .....	\$990,000
Japan .....	Camp McTureous .....	\$94,851,000
	Iwakuni .....	\$33,200,000
	Kadena Air Base .....	\$21,400,000
	Yokosuka .....	\$170,386,000
Unspecified Worldwide ...	Unspecified .....	\$15,693,000

## SEC. 2402. ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation

projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts set forth in the following table:

## Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
Alabama .....	Anniston Army Depot .....	\$20,000,000
California .....	Naval Base Ventura County .....	\$6,530,000
Colorado .....	Schriever Air Force Base .....	\$4,044,000
Florida .....	MacDill Air Force Base .....	\$3,700,000
Hawaii .....	Bellows Air Force Base .....	\$2,944,000
	Joint Base Pearl Harbor-Hickam .....	\$4,500,000
Idaho .....	Mountain Home Air Force Base .....	\$5,980,000
Indiana .....	NSA Crane .....	\$6,890,000
Kansas .....	Salina Training Center .....	\$3,500,000
Louisiana .....	Naval Air Station Joint Reserve Base New Orleans .....	\$5,340,000
Maryland .....	NSA Bethesda .....	\$22,000,000
New Mexico .....	Kirtland Air Force Base .....	\$462,000
Ohio .....	Wright-Patterson Air Force Base .....	\$7,900,000
Pennsylvania .....	Fort Indiantown Gap .....	\$2,150,000
South Carolina .....	Marine Corps Air Station Beaufort .....	\$22,402,000
Texas .....	Camp Mabry .....	\$5,500,000
	Sheppard Air Force Base .....	\$9,404,000
Virginia .....	Naval Air Station Oceana .....	\$2,520,000
	NRO Headquarters .....	\$571,000
Washington .....	Naval Base Kitsap .....	\$1,790,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of

title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of

Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (128 Stat. 3681), and amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1831), shall remain in effect until October 1, 2019, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2020, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2015 Project Authorizations

State/Country	Installation or Location	Project	Amount
Japan .....	Commander Fleet Activities Sasebo .....	E.J. King High School Replacement/Renovation.	\$37,681,000
	Okinawa .....	Kubasaki High School Replacement/Renovation.	\$99,420,000
New Mexico .....	Cannon Air Force Base .....	SOF Squadron Operations Facility (STS).	\$23,333,000
Virginia .....	Pentagon .....	Redundant Chilled Water Loop	\$15,100,000

SEC. 2405. AUTHORIZATION OF CERTAIN FISCAL YEAR 2018 PROJECT.

The table in section 2401(a) of the National Defense Authorization Act for Fiscal Year

2018 (division B of Public Law 105-91) is amended by inserting after the item relating to South Carolina the following new item:

Texas .....	Fort Bliss Blood Processing Center .....	\$8,300,000
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TITLE XXV—INTERNATIONAL PROGRAMS  
Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlan-

tic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section

2501 as specified in the funding table in section 4601.

Subtitle B—Host Country In-kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Country	Component	Installation or Location	Project	Amount
Korea .....	Army .....	Camp Carroll .....	Upgrade Electrical Distribution, Phase 2 .....	\$52,000,000
	Army .....	Camp Humphreys	Site Development .....	\$7,800,000
	Army .....	Camp Humphreys	Air Support Operations Squadron .....	\$25,000,000
	Army .....	Camp Humphreys	Unaccompanied Enlisted Personnel Housing, P2 .....	\$76,000,000
	Army .....	Camp Humphreys	Echelon Above Brigade Engineer Battalion, VMF .....	\$123,000,000
	Army .....	Camp Walker .....	Repair/ Replace Sewer Piping System .....	\$8,000,000
	Navy .....	Chinhae .....	Indoor Training Pool .....	\$7,400,000
	Navy .....	Pohang Air Base ...	Replace Ordnance Storage Magazines .....	\$87,000,000
	Air Force .....	Gimhae Air Base ...	Airfield Damage Repair Warehouse .....	\$7,600,000
	Air Force .....	Gwangju Air Base	Airfield Damage Repair Warehouse .....	\$7,600,000
	Air Force .....	Kunsan Air Base ...	Explosive Ordnance Disposal Facility .....	\$8,000,000



Republic of Korea Funded Construction Projects—Continued

Country	Component	Installation or Location	Project	Amount
	Air Force .....	Kunsan Air Base ...	Upgrade Flow- Through Fuel System .....	\$23,000,000
	Air Force .....	Osan Air Base .....	5th Recon-naissance Squadron Aircraft Shelter .....	\$12,000,000
	Air Force .....	Osan Air Base .....	Airfield Damage Repair Facility .....	\$22,000,000
	Air Force .....	Osan Air Base .....	Commun-ications HQ Building .....	\$45,000,000
	Air Force .....	Suwon Air Base ...	Airfield Damage Repair Warehouse .....	\$7,200,000

**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.**  
Using amounts appropriated pursuant to the authorization of appropriations in sec-

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

Army National Guard

State	Location	Amount
Alaska .....	Joint Base Elmendorf-Richardson .....	\$27,000,000
Illinois .....	Marseilles .....	\$5,000,000
Montana .....	Malta .....	\$15,000,000
Nevada .....	North Las Vegas .....	\$32,000,000
New Hampshire .....	Pembroke .....	\$12,000,000
North Dakota .....	Fargo .....	\$32,000,000
Ohio .....	Camp Ravenna .....	\$7,400,000
Oklahoma .....	Lexington .....	\$11,000,000
Oregon .....	Boardman .....	\$11,000,000
South Dakota .....	Rapid City .....	\$15,000,000
Texas .....	Houston .....	\$15,000,000
Virginia .....	Sandston .....	\$89,000,000

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**  
Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry

out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California .....	Barstow .....	\$34,000,000
Wisconsin .....	Fort McCoy .....	\$23,000,000

**SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**  
Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the

Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
California .....	Seal Beach .....	\$21,740,000
Georgia .....	Benning .....	\$13,630,000
Pennsylvania .....	Pittsburgh .....	\$17,650,000

**SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Air National Guard**

State	Location	Amount
California .....	Channel Islands Air National Guard Station .....	\$8,000,000
Hawaii .....	Joint Base Peal Harbor-Hickam .....	\$17,000,000
Illinois .....	General Wayne A. Downing Peoria International Airport.	\$9,000,000
Louisiana .....	Naval Air Station Joint Reserve Base New Orleans .....	\$15,000,000
New York .....	Francis S. Gabreski Airport .....	\$20,000,000
Pennsylvania .....	Fort Indiantown Gap .....	\$8,000,000
Puerto Rico .....	Luis Munoz Marin International Airport .....	\$50,000,000
Virginia .....	Joint Base Langley-Eustis .....	\$10,000,000

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

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Air Force Reserve**

State	Location	Amount
Indiana .....	Grissom Air Reserve Base .....	\$21,500,000
Minnesota .....	St. Paul International Airport .....	\$9,000,000
Mississippi .....	Keesler Air Force Base .....	\$4,550,000
New York .....	Niagara Falls International Airport .....	\$14,000,000
Texas .....	Naval Air Station Joint Reserve Base Fort Worth .....	\$3,100,000

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

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

**Subtitle B—Other Matters****SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.**

In the case of the authorization contained in the table in section 2603 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92; 129 Stat. 1164) for construction of a Reserve Training Center Complex at Dam Neck, Virginia, the Secretary of the Navy may construct the Reserve Training Center Complex at Joint Expeditionary Base Little Creek-Story, Virginia.

**SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.**

In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1834) for Fort Belvoir, Virginia, for additions and alterations to the National Guard Readiness Center, the Secretary of the Army may construct a new readiness center. If a new readiness center is constructed, no funds above the previously authorized \$15,000,000 may be made available for such purpose.

**SEC. 2613. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECT.**

(a) PROJECT AUTHORIZATION.—The Secretary of the Navy may carry out a military construction project to construct a 50,000 square foot reserve training center, 6,600 square foot combat vehicle maintenance and storage facility, 2,400 square foot vehicle wash rack, 1,600 square foot covered training area, road improvements, and associated supporting facilities, and may acquire approximately 8.5 acres of adjacent land and obtain necessary interest in land at Pittsburgh, Pennsylvania, in the amount of \$17,650,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR NAVY MILITARY CONSTRUCTION RESERVE FUNDS.—The Secretary may use available, unobligated Navy military construction reserve funds for the project described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—The Secretary of the Navy shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

**TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES****SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title

XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

**SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.**

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

**TITLE XXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS****Subtitle A—Military Construction Program and Military Family Housing Changes****SEC. 2801. ADDITIONAL AUTHORITY TO OBTAIN ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN FOR DEFENSE LABORATORY MODERNIZATION PILOT PROGRAM.**

Section 2803 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1169; 10 U.S.C. 2358 note) is amended—

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

(2) in subsection (b)(1), by striking “, site preparation, and advance planning and design” and inserting “and site preparation”;

(3) in subsection (d), by striking “subsection (c)(1)” and inserting “subsection (d)(1)”;

(4) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively;

(5) by inserting after subsection (b) the following new subsection:

“(c) ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN.—Using amounts appropriated or otherwise made

available to the military departments for research, development, test, and evaluation, the Secretary of the military department concerned may obtain architectural and engineering services and carry out construction design in connection with a military construction project described in subsection (a). This authority is not subject to the condition in subsection (b).";

(6) in subsection (d), as redesignated by paragraph (4)—

(A) in paragraph (1), by adding at the end the following: "This requirement does not include architectural and engineering services and construction design under subsection (c)."; and

(B) in paragraph (2), by inserting "other than funds used pursuant to subsection (c)" after "subsection (a)"; and

(7) in subsection (g), as redesignated by paragraph (4), by striking "2020" and inserting "2025".

**SEC. 2802. MODIFICATION OF CONTRACT AUTHORITY FOR ACQUISITION, CONSTRUCTION, OR FURNISHING OF TEST FACILITIES AND EQUIPMENT.**

Section 2353(a) of title 10, United States Code, is amended—

(1) by inserting after the first sentence the following: "The acquisition or construction of these research, developmental, or test facilities shall be subject to the cost principles applicable to allowable contract expenses."; and

(2) by adding at the end the following: "The acquisition or construction of facilities under the authority of this section shall not be governed by sections 2802, 2805, or 2811 of this title and their associated implementing regulations. The Secretary of Defense and the Secretaries of the military departments shall promulgate regulations necessary to give full force and effect to this section.".

**SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.**

(a) **EXTENSION OF AUTHORITY.**—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91), is further amended—

(1) in paragraph (1), by striking "December 31, 2018" and inserting "December 31, 2019"; and

(2) in paragraph (2), by striking "fiscal year 2019" and inserting "fiscal year 2020".

(b) **LIMITATION ON USE OF AUTHORITY.**—Subsection (c)(1) of such section is amended—

(1) by striking "\$100,000,000" and inserting "\$50,000,000";

(2) by striking "October 1, 2017" and inserting "October 1, 2018";

(3) by striking "December 31, 2018" and inserting "December 31, 2019"; and

(4) by striking "fiscal year 2019" and inserting "fiscal year 2020".

**SEC. 2804. UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS RELATED TO REVITALIZATION AND RECAPITALIZATION OF DEFENSE INDUSTRIAL BASE FACILITIES.**

Section 2805 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(g) **DEFENSE INDUSTRIAL BASE FACILITY REVITALIZATION.**—(1) For the revitalization and recapitalization of Defense Industrial Base Facilities owned by the United States and under the jurisdiction of the Secretary concerned, the Secretary concerned may obligate and expend—

"(A) from appropriations available to the Secretary concerned for operation and main-

tenance, amounts necessary to carry out an unspecified minor military construction project costing not more than \$6,000,000, notwithstanding subsection (c); or

"(B) from appropriations available to the Secretary concerned for military construction not otherwise authorized by law or from funds authorized to be made available section 2363(a) of this title, amounts necessary to carry out an unspecified minor military construction project costing not more than \$6,000,000.

"(2) For purposes of this subsection, an unspecified minor military construction project is a military construction project that (notwithstanding subsection (a)) has an approved cost equal to or less than \$6,000,000.

"(3) If the Secretary concerned makes a decision to carry out an unspecified minor military construction project to which this subsection applies, the Secretary concerned shall notify the appropriate committees of Congress of that decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 14-day period beginning on the date the notification is received by the committees in an electronic medium pursuant to section 480 of this title.

"(4) In this section, the term 'defense industrial base facility' means any Department of Defense depot, arsenal, shipyard, or plant located within the United States.

"(5) The authority to carry out a project under this subsection expires on September 30, 2023.".

**SEC. 2805. CONGRESSIONAL OVERSIGHT OF PROJECTS CARRIED OUT PURSUANT TO LAWS OTHER THAN MILITARY CONSTRUCTION AUTHORIZATION ACTS.**

Section 2802(e)(1) of title 10, United States Code, is amended—

(1) by striking "Secretary concerned shall—" and all that follows through "comply with the congressional notification requirement" and inserting "Secretary concerned shall comply with the congressional notification requirement"; and

(2) by inserting "and submit to the congressional defense committees any materials required to be submitted to Congress or any other congressional committees pursuant to the congressional notification requirement" after "road project will be carried out".

**Subtitle B—Project Management and Oversight Reforms**

**SEC. 2811. UPDATES AND MODIFICATIONS TO DEPARTMENT OF DEFENSE FORM 1391, UNIFIED FACILITIES CRITERIA, AND MILITARY INSTALLATION MASTER PLANS.**

(a) **FLOOD RISK DISCLOSURE FOR MILITARY CONSTRUCTION.**—

(1) **IN GENERAL.**—The Secretary of Defense shall modify Department of Defense Form 1391 to require, with respect to any proposed major or minor military construction project requiring congressional notification or approval—

(A) disclosure whether a proposed project will be sited within or partially within a 100-year floodplain, according to the most recent available Federal Emergency Management Agency flood hazard data; and

(B) if the proposed project will be sited within or partially within a 100-year floodplain, the specific risk mitigation plan.

(2) **DELINEATION OF FLOODPLAIN.**—To the extent that Federal Emergency Management Agency flood hazard data are not available for a proposed major or minor military construction site, the Secretary concerned shall establish a process for delineating the 100-year floodplain using risk analysis that is consistent with the standards used to inform Federal flood risk assessments.

(3) **REPORTING REQUIREMENTS.**—For proposed projects that are to be sited within or

partially within a 100-year floodplain, the Secretary concerned shall submit to the congressional defense committees a report with the following:

(A) An assessment of flood vulnerability for the proposed project.

(B) Any information concerning alternative construction sites that were considered, and an explanation of why those sites do not satisfy mission requirements.

(C) A description of planned flood mitigation measures.

(4) **MINIMUM FLOOD MITIGATION REQUIREMENTS.**—When mitigating the flood risk of a major or minor military construction project within or partially within the 100-year floodplain, the Secretary concerned shall require any mitigation plan to assume an additional—

(A) 2 feet above the base flood elevation for non-mission critical buildings, as determined by the Secretary; and

(B) 3 feet above the base flood elevation for mission-critical buildings, as determined by the Secretary.

(b) **DISCLOSURE REQUIREMENTS FOR DEPARTMENT OF DEFENSE FORM 1391.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall amend Department of Defense Form 1391 to require, for each requested military construction project—

(1) disclosure whether the project was included in the prior year's future-years defense program submitted to Congress pursuant to section 221 of title 10, United States Code; and

(2) inclusion of an energy study or life cycle analysis.

(c) **INCORPORATION OF CHANGING ENVIRONMENTAL CONDITION PROJECTIONS IN MILITARY CONSTRUCTION DESIGNS AND MODIFICATIONS.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall amend section 3-5.6.2.3 of United Facilities Criteria (UFC) 2-100-01 and UFC 2-100-02 (or any similar successor regulations) to provide that in order to anticipate changing environmental conditions during the design life of existing or planned new facilities and infrastructure, projections from reliable and authorized sources such as the Census Bureau (for population projections), the National Academies of Sciences (for land use change projections and climate projections), the U.S. Geological Survey (for land use change projections), and the U.S. Global Change Research Office and National Climate Assessment (for climate projections) shall be considered and incorporated into military construction designs and modifications.

(d) **INCLUSION OF CONSIDERATION OF ENERGY AND CLIMATE RESILIENCY EFFORTS IN MASTER PLANS FOR MAJOR MILITARY INSTALLATIONS.**—Section 2864 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (C), by striking "and" at the end;

(B) in subparagraph (D), by striking the period at the end and inserting "; and"; and

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

"(E) energy and climate resiliency efforts."; and

(2) in subsection (d), by adding at the end the following new paragraph:

"(3) The term 'energy and climate resiliency' means anticipation, preparation for, and adaptation to utility disruptions and changing environmental conditions and the ability to withstand, respond to, and recover rapidly from utility disruptions while ensuring the sustainment of mission-critical operations.".

(e) **DEFINITION OF MILITARY INSTALLATION RESILIENCE.**—Section 101(e) of title 10,

United States Code, is amended by adding at the end the following new paragraph:

“(8) **MILITARY INSTALLATION RESILIENCE.**—The term ‘military installation resilience’ means the capability of a military installation to avoid, prepare for, minimize the effect of, adapt to, and recover from extreme weather events, or from anticipated or unanticipated changes in environmental conditions, that do, or have the potential to, adversely affect the military installation or essential transportation, logistical, or other necessary resources outside of the military installation that are necessary in order to maintain, improve, or rapidly reestablish installation mission assurance and mission-essential functions.”.

(f) **ADJUSTMENT AND DIVERSIFICATION ASSISTANCE FOR RESPONDING TO THREATS TO THE RESILIENCE OF A MILITARY INSTALLATION.**—Section 2391(b)(1) of title 10, United States Code, is amended—

(1) by striking “, or (E) by the closure” and inserting “, (E) by threats to military installation resilience, or (F) by the closure”;

(2) by striking “(A), (B), (C), or (E)” and inserting “(A), (B), (C), or (F)”;

(3) by striking “action described in clause (D), if the Secretary determines that the encroachment of the civilian community” and inserting “action described in clause (D) or (E), if the Secretary determines that either the encroachment of the civilian community or threats to military installation resilience”.

**SEC. 2812. WORK IN PROCESS CURVE CHARTS AND OUTLAY TABLES FOR MILITARY CONSTRUCTION PROJECTS.**

(a) **REQUIRED SUBMISSIONS.**—

(1) **IN GENERAL.**—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2864 the following new section:

**“§ 2865. Work in Process Curve charts and outlay tables required for military construction projects**

“Along with the budget for each fiscal year submitted by the President pursuant to section 1105(a) of title 31, United States Code, the Secretary of Defense and the Secretaries of the military departments shall include for any military construction project over \$35,000,000, as an addendum to be included within the same document as the 1391s for the Military Construction Program budget documentation, a Project Spending Plan that includes—

“(1) a Work in Process Curve chart to identify funding, obligations, and outlay figures; and

“(2) a monthly outlay table for funding, obligations, and outlay figures.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2864 the following new item:

“2865. Work in Process Curve charts and outlay tables required for military construction projects.”.

(b) **DEPARTMENT OF DEFENSE GUIDANCE.**—The Secretary of Defense shall, in coordination with the Under Secretary of Defense (Comptroller), update Department of Defense Financial Management Regulation 7000.14-R, and any other appropriate instructions and guidance, to ensure that the Department of Defense takes appropriate actions to comply with section 2865 of title 10, United States Code, as added by this section.

**Subtitle C—Land Conveyances**

**SEC. 2821. LAND EXCHANGE, AIR FORCE PLANT 44, TUCSON, ARIZONA.**

(a) **LAND CONVEYANCE AND RESTORATION OF REAL PROPERTY IMPROVEMENTS AUTHORIZED.**—In connection with a project planned by the Tucson Airport Authority (in this sec-

tion referred to as “TAA”) to relocate and extend a parallel runway and make other airfield safety enhancements at the Tucson International Airport, the Secretary of the Air Force (in this section referred to as the “Secretary”) may—

(1) convey to TAA all right, title, and interest of the United States in and to all or any part of a parcel of real property, including any improvements thereon, consisting of approximately 58 acres on Air Force Plant 44, Arizona, and located adjacent to Tucson International Airport;

(2) agree to terminate all or a portion of any deed restrictions made for the benefit of the United States that limit construction on Tucson International Airport within 750 feet of the Airport’s southwest property boundary with Air Force Plant 44; and

(3) using cash or in-kind consideration as provided in subsection (b)—

(A) construct new explosives storage facilities to replace the explosives storage facilities located on the land described in paragraph (1) and explosives storage facilities located on Air Force Plant 44 within the end-of-runway clear zone associated with the TAA airfield enhancement project; and

(B) construct new fencing as necessary to accommodate the changes in the boundary of Air Force Plant 44.

(b) **CONSIDERATION.**—As consideration for the land conveyance, deed restriction termination, replacement of real property improvements, and installation of fencing authorized under subsection (a), the following consideration must be received by the United States before the Secretary may make any conveyance or termination of real property interests of the United States as described in subsection (a):

(1) All right, title, and interest of the owner or owners thereof to the parcels of real property consisting of approximately 160 acres directly adjacent to the south boundary of Air Force Plant 44.

(2) The cost to the Secretary, in accordance with current design standards, of—

(A) replacing the real property structures on Air Force Plant 44 made unusable due to the land transfers and termination of deed restrictions, with structures of at least equivalent capacity and functionality; and

(B) installing the necessary boundary fencing due to the changes in the boundary of Air Force Plant 44.

(c) **DIRECT PAYMENT OF CONSIDERATION TO GOVERNMENT CONTRACTORS.**—The Secretary may require that any cash consideration to be received under this section be paid, directly or through the Air Force design and construction agent, to the contractors performing design or construction of the real property improvements described in subsection (a)(3).

(d) **PAYMENT OF COSTS OF CONVEYANCES.**—

(1) **PAYMENT REQUIRED.**—The Secretary may require TAA to cover costs to be incurred by the Secretary to carry out the land exchange and other transactions authorized under this section, or to reimburse the Secretary for such costs, including survey costs, appraisal costs, costs related to environmental documentation, and other administrative costs related to the conveyances. If amounts are collected from TAA in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out such transactions, the Secretary shall refund the excess amount to TAA.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursements under paragraph (1) shall be used in accordance with section 2695(c) of title 10, United States Code.

(e) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real

property to be exchanged under this section shall be determined by a survey satisfactory to the Secretary.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the land exchange and other transactions under this section as the Secretary considers appropriate to protect the interests of the United States. Without limiting the foregoing, the Secretary may establish a deed restriction on any part of the 58 acres described in subsection (a)(1) to accommodate existing Quantity Distance arcs.

**SEC. 2822. LAND CONVEYANCE, EGLIN AIR FORCE BASE, FLORIDA.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey, without consideration, to the Air Force Enlisted Village, a nonprofit corporation (in this section referred to as the “Village”), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 80 acres located adjacent to Eglin Air Force Base, Florida, for the purpose of independent-living and assisted-living apartments for veterans. The conveyance under this subsection is subject to valid existing rights.

(b) **REVERSIONARY INTEREST.**—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary may require the Village to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Village in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Village.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

### Subtitle D—Other Matters

#### SEC. 2831. COMMEMORATION OF FREEDMAN'S VILLAGE.

(a) FREEDMAN'S VILLAGE GATE.—The Secretary of the Army shall, as part of the southern expansion of Arlington National Cemetery, name the newly constructed gate located at the intersection of Hobson Drive and Southgate Road, "Freedman's Village Gate".

(b) PERMANENT EASEMENT.—The Secretary of the Army is directed to grant to Arlington County a permanent easement of no less than 0.1 acres of land within the right-of-way of Southgate Road to the south and west of Hobson Drive and west of the planned joint base access road that is also continuous with Foxcroft Heights Park for the purpose of commemorating Freedman's Village.

(c) RELOCATION OF COMMEMORATION IN EVENT LOCATION IS USED FOR BURIAL PURPOSES.—In the event Arlington National Cemetery subsequently acquires the property used for the commemoration described under subsection (b) for burial purposes, the Army shall relocate any commemoration of Freedman's Village to an appropriate location.

(d) REIMBURSEMENT.—The Secretary of Defense may accept reimbursement from Arlington County for any costs associated with commemorating Freedman's Village.

#### SEC. 2832. STRATEGIC PLAN TO IMPROVE CAPABILITIES OF DEPARTMENT OF DEFENSE TRAINING RANGES AND INSTALLATIONS.

(a) PLAN REQUIRED.—The Secretary of Defense shall develop and implement a comprehensive strategic plan to identify and address deficits in the capabilities of Department of Defense training ranges to support current and anticipated readiness requirements to execute the National Defense Strategy (NDS).

(b) EVALUATION.—As part of the preparation of the strategic plan, the Secretary shall conduct an evaluation of the following:

(1) The adequacy of current training range resources to include the ability to train against near-peer or peer threats in a realistic 5th Generation environment.

(2) The adequacy of current training enablers to meet current and anticipated demands of the Armed Forces.

(c) ELEMENTS.—The strategic plan shall include the following:

(1) Proposals to enhance the capabilities of training ranges to address any limitations or constraints on current Department resources, including any climatically induced impacts or shortfalls.

(2) Goals and milestones for tracking actions under the plan and measuring progress in carrying out such actions.

(3) Projected funding requirements for implementing actions under the plan.

(d) DEVELOPMENT AND IMPLEMENTATION.—The Under Secretary of Defense for Acquisition and Sustainment, as the principal staff assistant to the Secretary on installation management, shall have lead responsibility for developing and overseeing implementation of the strategic plan and for coordination of the discharge of the plan by components of the Department.

(e) REPORT ON IMPLEMENTATION.—Not later than April 1, 2020, the Secretary shall, through the Under Secretary of Defense for Acquisition and Sustainment, submit to Congress a report on the progress made in implementing this section, including the following:

(1) A description of the strategic plan.

(2) A description of the results of the evaluation conducted under subsection (b).

(3) Such recommendations as the Secretary considers appropriate with respect to improvements of the capabilities of training ranges and enablers.

(f) PROGRESS REPORTS.—Not later than April 1, 2019, and annually thereafter for 3 years, the Secretary shall, through the Under Secretary, submit to Congress a report setting forth the following:

(1) A description of the progress made during the preceding fiscal year in implementing the strategic plan.

(2) A description of any additional actions taken, or to be taken, to address limitations and constraints on training ranges and enablers.

(3) Assessments of individual training ranges addressing the evaluation conducted under subsection (b).

(g) ADDITIONAL REPORT ELEMENT.—Each report under subsections (e) and (f) shall also include a list of significant modifications to training range inventory, such as range closures or expansions, during the preceding fiscal year, including any limitations or impacts due to climatic conditions.

#### SEC. 2833. NATIVE AMERICAN INDIAN LANDS ENVIRONMENTAL MITIGATION PROGRAM.

(a) IN GENERAL.—Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

##### "§ 2712. Native American lands environmental mitigation program

"(a) ESTABLISHMENT.—The Secretary of Defense may establish and carry out a program to mitigate the environmental effects of Department of Defense actions on Indian lands and culturally connected locations.

"(b) PROGRAM ACTIVITIES.—The activities that may be carried out under the program established under subsection (a) are the following:

"(1) Identification, investigation, and documentation of suspected environmental effects attributable to past Department of Defense actions.

"(2) Development of mitigation options for such environmental effects, including development of cost-to-complete estimates and a system for prioritizing mitigation actions.

"(3) Direct mitigation actions that the Secretary determines are necessary and appropriate to mitigate the adverse environmental effects of past Department of Defense actions.

"(4) Demolition and removal of unsafe buildings and structures used by, under the jurisdiction of, or formerly used by or under the jurisdiction of the Department of Defense.

"(5) Training, technical assistance, and administrative support to facilitate the meaningful participation of Indian tribes in mitigation actions under the program.

"(6) Development and execution of a policy governing consultation with Indian tribes that have been or may be affected by Department of Defense actions, including training Department of Defense personnel to ensure compliance with the policy.

"(c) COOPERATIVE AGREEMENTS.—(1) In carrying out the program established under subsection (a), the Secretary of Defense may enter into a cooperative agreement with an Indian tribe or an instrumentality of tribal government.

"(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit of the United States Government.

"(3) Any cooperative agreement under this section for the procurement of severable services may begin in one fiscal year and end in another fiscal year provided the total period of performance does not exceed five calendar years.

"(d) DEFINITIONS.—In this section:

"(1) The term 'Indian land' includes—

"(A) any land located within the boundaries and a part of an Indian reservation, pueblo, or rancharia;

"(B) any land that has been allotted to an individual Indian, but has not been conveyed to such Indian with full power of alienation;

"(C) Alaska Native village and regional corporation lands; and

"(D) lands and waters upon which any federally recognized Indian tribe has rights reserved by treaty, act of Congress, or action by the President.

"(2) The term 'Indian tribe' means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

"(3) The term 'culturally connected location' means a location or place that has demonstrable significance to Indians or Alaska Natives based on its association with the traditional beliefs, customs, and practices of a living community, including locations or places where religious, ceremonial, subsistence, medicinal, economic, or other lifeways practices have historically taken place."

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2711 the following new item:

"2712. Native American lands environmental mitigation program."

#### SEC. 2834. DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

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

"(d) DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.—(1) The Secretary of Defense may make grants, conclude cooperative agreements, and supplement funds available under Federal programs administered by agencies other than the Department of Defense to assist State and local governments to address deficiencies in community infrastructure supportive of a military installation, if the Secretary determines that such assistance will enhance the military value, resilience, or military family quality of life at such military installation.

"(2) The Secretary shall establish criteria for the selection of community infrastructure projects to receive assistance under paragraph (1). The criteria shall include a requirement that the State or local government agree to contribute not less than 30 percent of the funding for the community infrastructure project, unless the community infrastructure project is located in a rural area, or for reasons related to national security, in which case the Secretary may waive the requirement for a State or local government contribution.

"(3) Amounts appropriated or otherwise made available for assistance under paragraph (1) may remain available until expended.

"(4) The authority under this subsection shall expire on September 30, 2023.";

(3) in subsection (e), as redesignated by paragraph (1), by adding at the end the following new paragraphs:

"(4) The term 'community infrastructure' means any transportation project; school, hospital, police, fire, emergency response, or other community support facility; or water, waste-water, telecommunications, electric, gas, or other utility infrastructure project that is located off of a military installation and owned by a State or local government.

“(5) The term ‘rural area’ means a city, town, or unincorporated area that has a population of not more than 20,000 inhabitants.”.

**SEC. 2835. REPRESENTATION OF INSTALLATION INTERESTS IN NEGOTIATIONS AND PROCEEDINGS WITH CARRIERS AND OTHER PUBLIC UTILITIES.**

Section 501(c) of title 40, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting “(1)” before “For transportation”; and

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

“(2) Prior to representing any installation of the Department of Defense in any proceeding under this subsection, the Administrator or any persons or entities acting on behalf of the Administrator shall—

“(A) notify the senior mission commander of the installation; and

“(B) solicit and represent the interests of the installation as determined by the installation’s senior mission commander.”.

**SEC. 2836. WHITE SANDS MISSILE RANGE LAND ENHANCEMENTS.**

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “White Sands National Park Proposed Boundary Revision & Transfer of Lands Between National Park Service & Department of the Army”, numbered 142/136,271, and dated February 14, 2017.

(2) MILITARY MUNITIONS.—The term “military munitions” has the meaning given the term in section 101(e) of title 10, United States Code.

(3) MISSILE RANGE.—The term “missile range” means the White Sands Missile Range, New Mexico, administered by the Secretary of the Army.

(4) MONUMENT.—The term “Monument” means the White Sands National Monument, New Mexico, established by Presidential Proclamation No. 2025 (54 U.S.C. 320301 note), dated January 18, 1933, and administered by the Secretary.

(5) MUNITIONS DEBRIS.—The term “munitions debris” has the meaning given the term in volume 8 of the Department of Defense Manual Number 6055.09-M entitled “DoD Ammunitions and Explosives Safety Standards” and dated February 29, 2008 (as in effect on the date of enactment of this Act).

(6) PARK.—The term “Park” means the White Sands National Park established by subsection (b)(2)(A).

(7) PUBLIC LAND ORDER.—The term “Public Land Order” means Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822).

(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(9) STATE.—The term “State” means the State of New Mexico.

(b) WHITE SANDS NATIONAL PARK.—

(1) FINDINGS.—Congress finds that—

(A) White Sands National Monument was established on January 18, 1933, by President Herbert Hoover under chapter 3203 of title 54, United States Code (commonly known as the “Antiquities Act of 1906”);

(B) President Hoover proclaimed that the Monument was established “for the preservation of the white sands and additional features of scenic, scientific, and educational interest”; and

(C) the Monument was expanded by Presidents Roosevelt, Eisenhower, Carter, and Clinton in 1934, 1942, 1953, 1978, and 1996, respectively;

(D) the Monument contains a substantially more diverse set of nationally significant historical, archaeological, scientific, and natural resources than were known of at the time the Monument was established, including a number of recent discoveries;

(E) the Monument is recognized as a major unit of the National Park System with extraordinary values enjoyed by more visitors each year since 1995 than any other unit in the State;

(F) the Monument contributes significantly to the local economy by attracting tourists; and

(G) designation of the Monument as a national park would increase public recognition of the diverse array of nationally significant resources at the Monument and visitation to the unit.

(2) ESTABLISHMENT OF WHITE SANDS NATIONAL PARK.—

(A) ESTABLISHMENT.—To protect, preserve, and restore its scenic, scientific, educational, natural, geological, historical, cultural, archaeological, paleontological, hydrological, fish, wildlife, and recreational values and to enhance visitor experiences, there is established in the State the White Sands National Park as a unit of the National Park System.

(B) ABOLISHMENT OF WHITE SANDS NATIONAL MONUMENT.—

(i) ABOLISHMENT.—Due to the establishment of the Park, the Monument is abolished.

(ii) INCORPORATION.—The land and interests in land that comprise the Monument are incorporated in, and shall be considered to be part of, the Park.

(C) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the “White Sands National Monument” shall be considered to be a reference to the “White Sands National Park”.

(D) AVAILABILITY OF FUNDS.—Any funds available for the Monument shall be available for the Park.

(E) ADMINISTRATION.—The Secretary shall administer the Park in accordance with—

(i) this subsection; and

(ii) the laws generally applicable to units of the National Park System, including section 100101(a), chapter 1003, sections 100751(a), 100752, 100753, and 102101, and chapter 3201 of title 54, United States Code.

(F) WORLD HERITAGE LIST NOMINATION.—

(i) COUNTY CONCURRENCE.—The Secretary shall not submit a nomination for the Park to be included on the World Heritage List of the United Nations Educational, Scientific and Cultural Organization unless each county in which the Park is located concurs in the nomination.

(ii) ARMY NOTIFICATION.—Before submitting a nomination for the Park to be included on the World Heritage List of the United Nations Educational, Scientific and Cultural Organization, the Secretary shall notify the Secretary of the Army of the intent of the Secretary to nominate the Park.

(G) EFFECT.—Nothing in this paragraph affects—

(i) valid existing rights (including water rights);

(ii) permits or contracts issued by the Monument;

(iii) existing agreements, including agreements with the Department of Defense;

(iv) the jurisdiction of the Department of Defense regarding the restricted airspace above the Park; or

(v) the airshed classification of the Park under the Clean Air Act (42 U.S.C. 7401 et seq.).

(c) MODIFICATION OF BOUNDARIES OF WHITE SANDS NATIONAL PARK AND WHITE SANDS MISSILE RANGE.—

(1) TRANSFERS OF ADMINISTRATIVE JURISDICTION.—

(A) TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE SECRETARY.—

(i) IN GENERAL.—Administrative jurisdiction over the land described in clause (ii) is

transferred from the Secretary of the Army to the Secretary.

(ii) DESCRIPTION OF LAND.—The land referred to in clause (i) is—

(I) the approximately 2,826 acres of land identified as “To NPS, lands inside current boundary” on the Map; and

(II) the approximately 5,766 acres of land identified as “To NPS, new additions” on the Map.

(B) TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE SECRETARY OF THE ARMY.—

(i) IN GENERAL.—Administrative jurisdiction over the land described in clause (ii) is transferred from the Secretary to the Secretary of the Army.

(ii) DESCRIPTION OF LAND.—The land referred to in clause (i) is the approximately 3,737 acres of land identified as “To DOA” on the Map.

(2) BOUNDARY MODIFICATIONS.—

(A) PARK.—

(i) IN GENERAL.—The boundary of the Park is revised to reflect the boundary depicted on the Map.

(ii) MAP.—

(I) IN GENERAL.—The Secretary, in coordination with the Secretary of the Army, shall prepare and keep on file for public inspection in the appropriate office of the Secretary a map and a legal description of the revised boundary of the Park.

(II) EFFECT.—The map and legal description under subclause (I) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(iii) BOUNDARY SURVEY.—As soon as practicable after the date of the establishment of the Park and subject to the availability of funds, the Secretary shall complete an official boundary survey of the Park.

(B) MISSILE RANGE.—

(i) IN GENERAL.—The boundary of the missile range and the Public Land Order are modified to exclude the land transferred to the Secretary under paragraph (1)(A) and to include the land transferred to the Secretary of the Army under paragraph (1)(B).

(ii) MAP.—The Secretary shall prepare a map and legal description depicting the revised boundary of the missile range.

(C) CONFORMING AMENDMENT.—Section 2854 of Public Law 104–201 (54 U.S.C. 320301 note) is repealed.

(3) ADMINISTRATION.—

(A) PARK.—The Secretary shall administer the land transferred under paragraph (1)(A) in accordance with laws (including regulations) applicable to the Park.

(B) MISSILE RANGE.—Subject to subparagraph (C), the Secretary of the Army shall administer the land transferred to the Secretary of the Army under paragraph (1)(B) as part of the missile range.

(C) INFRASTRUCTURE; RESOURCE MANAGEMENT.—

(i) RANGE ROAD 7.—

(I) INFRASTRUCTURE MANAGEMENT.—To the maximum extent practicable, in planning, constructing, and managing infrastructure on the land described in subclause (III), the Secretary of the Army shall apply low-impact development techniques and strategies to prevent impacts within the missile range and the Park from stormwater runoff from the land described in that subclause.

(II) RESOURCE MANAGEMENT.—The Secretary of the Army shall—

(aa) manage the land described in subclause (III) in a manner consistent with the protection of natural and cultural resources within the missile range and the Park and in accordance with section 101(a)(1)(B) of the Sikes Act (16 U.S.C. 670a(a)(1)(B)), division A of subtitle III of title 54, United States Code, and the Native American Graves Protection



and Repatriation Act (25 U.S.C. 3001 et seq.); and

(bb) include the land described in subclause (III) in the integrated natural and cultural resource management plan for the missile range.

(III) DESCRIPTION OF LAND.—The land referred to in subclauses (I) and (II) is the land that is transferred to the administrative jurisdiction of the Secretary of the Army under paragraph (1)(B) and located in the area east of Range Road 7 in—

(aa) T. 17 S., R. 5 E., sec. 31;

(bb) T. 18 S., R. 5 E.; and

(cc) T. 19 S., R. 5 E., sec. 5.

(ii) FENCE.—

(I) IN GENERAL.—The Secretary of the Army shall continue to allow the Secretary to maintain the fence shown on the Map until such time as the Secretary determines that the fence is unnecessary for the management of the Park.

(II) REMOVAL.—If the Secretary determines that the fence is unnecessary for the management of the Park under subclause (I), the Secretary shall promptly remove the fence at the expense of the Department of the Interior.

(D) RESEARCH.—The Secretary of the Army and the Secretary may enter into an agreement to allow the Secretary to conduct certain research in the area identified as “Cooperative Use Research Area” on the Map.

(E) MILITARY MUNITIONS AND MUNITIONS DEBRIS.—

(i) RESPONSE ACTION.—With respect to any Federal liability, the Secretary of the Army shall remain responsible for any response action addressing military munitions or munitions debris on the land transferred under paragraph (1)(A) to the same extent as on the day before the date of enactment of this Act.

(ii) INVESTIGATION OF MILITARY MUNITIONS AND MUNITIONS DEBRIS.—

(I) IN GENERAL.—The Secretary may request that the Secretary of the Army conduct 1 or more investigations of military munitions or munitions debris on any land transferred under paragraph (1)(A).

(II) ACCESS.—The Secretary shall give access to the Secretary of the Army to the land covered by a request under subclause (I) for the purposes of conducting the 1 or more investigations under that subclause.

(III) LIMITATION.—An investigation conducted under this clause shall be subject to available appropriations.

(iii) APPLICABLE LAW.—Any activities undertaken under this subparagraph shall be carried out in accordance with—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(II) the purposes for which the Park was established; and

(III) any other applicable law.

**SEC. 2837. AUTHORITY TO TRANSFER FUNDS FOR CONSTRUCTION OF INDIAN RIVER BRIDGE.**

Notwithstanding the limitation in section 2215 of title 10, United States Code, the Secretary of Defense may transfer to the Administrator of the National Aeronautics and Space Administration up to 50 percent of the shared costs of constructing the Indian River Bridge. The authority under this section shall expire on October 1, 2022.

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

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

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

**Army: Outside the United States**

Country	Location	Amount
Bulgaria .....	Nevo Selo FOS .....	\$5,200,000
Poland .....	Drawsko Pomorski Training Area .....	\$17,000,000
	Powidz Air Base .....	\$87,000,000
	Zagan Training Area .....	\$40,400,000
Romania .....	Mihail Kogalniceanu FOS .....	\$21,651,000

**SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of the Navy may acquire real property and carry out the military con-

struction projects for the installations outside the United States, and in the amounts, set forth in the following table:

**Navy: Outside the United States**

Country	Location	Amount
Greece .....	Souda Bay .....	\$47,850,000
Italy .....	Sigonella .....	\$66,050,000
Spain .....	Rota .....	\$21,590,000
United Kingdom .....	Lossiemouth .....	\$79,130,000

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

The Secretary of the Air Force may acquire real property and carry out the mili-

tary construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

Country	Location	Amount
Germany .....	Ramstein Air Base .....	\$119,000,000
Norway .....	Rygge .....	\$13,800,000
Slovakia .....	Malacky .....	\$59,000,000
United Kingdom .....	RAF Fairford .....	\$106,000,000

**SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of Defense may acquire real property and carry out the military con-

struction projects for the installations outside the United States, and in the amounts, set forth in the following table:

## Defense Agencies: Outside the United States

Country	Location	Amount
Estonia .....	Unspecified .....	\$15,700,000
Qatar .....	Al Udeid .....	\$60,000,000

**SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4601.

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

**TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**Subtitle A—National Security Programs and Authorizations**

**SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 19-D-670, 138kV Power Transmission System Replacement, Nevada National Security Site, Nevada, \$6,000,000.

Project 19-D-660, Lithium Production Capability, Y-12 National Security Complex, Oak Ridge, Tennessee, \$19,000,000.

Project 19-D-930, KS Overhead Piping, Kesselring Site, West Milton, New York, \$10,994,000.

**SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

**SEC. 3103. OTHER DEFENSE ACTIVITIES.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for other defense activities in carrying out programs as specified in the funding table in section 4701.

**SEC. 3104. NUCLEAR ENERGY.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for nuclear energy as specified in the funding table in section 4701.

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

**SEC. 3111. CLARIFICATION OF ROLES AND AUTHORITIES OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) **AMENDMENTS TO DEPARTMENT OF ENERGY ORGANIZATION ACT.**—

(1) **UNDER SECRETARY FOR NUCLEAR SECURITY.**—Section 202(c)(3) of the Department of Energy Organization Act (42 U.S.C. 7132(c)(3)) is amended by striking “Act.” and all that follows through “may be delegated” and inserting the following: “Act (50 U.S.C. 2402). In carrying out the functions of the Administrator, the Under Secretary shall be subject to the authority of the Secretary in accordance with section 3219 of that Act (50 U.S.C. 2409). Such authority may be delegated”.

(2) **ESTABLISHMENT OF POLICY.**—Section 213 of the Department of Energy Organization Act (42 U.S.C. 7144) is amended—

(A) in subsection (a), by inserting “, acting through the Under Secretary for Nuclear Security,” after “The Secretary”;

(B) in subsection (b)—

(i) by striking “programs and activities of the Administration” and inserting “regulations, policies, and activities of the Administration with respect to health and safety”; and

(ii) by striking “those programs and activities” and inserting “those regulations, policies, and activities”; and

(C) by striking subsection (c).

(b) **AMENDMENTS TO NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.**—

(1) **ADMINISTRATOR FOR NUCLEAR SECURITY.**—Section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402) is amended—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “and activities” and inserting “, policies, regulations, and rules”; and

(ii) in paragraph (9), by striking the end period and inserting “, subject to the policies of the Department of Energy.”; and

(B) in subsection (d)—

(i) by striking “may” and inserting “shall”; and

(ii) by striking “, unless disapproved by the Secretary of Energy” and inserting “to carry out the mission and functions of the Administration, except as provided by section 3219”.

(2) **GENERAL COUNSEL.**—Section 3217 of the National Nuclear Security Administration Act (50 U.S.C. 2407) is amended—

(A) by striking “There is” and inserting the following:

“(a) **IN GENERAL.**—There is”;

(B) by striking the end period and inserting “and shall report to the Administrator.”; and

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

“(b) **AVOIDANCE OF COORDINATION AND DUPLICATION.**—The General Counsel shall be independent from and may not duplicate the efforts of the General Counsel of the Department of Energy appointed under section 202(e) of the Department of Energy Organization Act (42 U.S.C. 7132(e)).”.

(3) **STAFF.**—Section 3218 of the National Nuclear Security Administration Act (50 U.S.C. 2408) is amended by adding at the end the following new subsections:

“(c) **REPORTING.**—The staff of the Administration shall report to the Administrator through the appropriate structures of the Administration.

“(d) **AVOIDANCE OF COORDINATION AND DUPLICATION.**—The staff of the Administration performing functions specified in subsection (b) shall be independent from and may not duplicate the efforts of staff of elements of the Department of Energy other than the Administration that perform functions similar to the functions specified in subsection (b).

“(e) **APPLICABILITY OF PROHIBITION ON DUAL OFFICE HOLDING.**—The prohibition under section 3220(d) shall apply to staff of the Administration performing functions specified in subsection (b).”.

(4) **AUTHORITY OF SECRETARY.**—

(A) **IN GENERAL.**—Section 3219 of the National Nuclear Security Administration Act (50 U.S.C. 2409) is amended—

(i) in the section heading, by striking “**TO MODIFY ORGANIZATION OF**” and inserting “**WITH RESPECT TO**”;

(ii) by striking “Notwithstanding” and inserting the following:

“(a) **IN GENERAL.**—(1) The Secretary of Energy, acting through the Administrator, shall be responsible for setting broad priorities for the Administration.

“(2) The Secretary may disapprove any action, policy, regulation, or rule of the Administrator if—

“(A) the Secretary submits to the congressional defense committees justification for such disapproval; and

“(B) a period of 15 days has elapsed following the date on which such justification was submitted.

“(3) Except as provided by this section, the Administrator shall have complete authority to establish and conduct oversight of policies, activities, and procedures of the Administration without direction or oversight by the Secretary.

“(4) The authority of the Secretary under paragraphs (1) and (2) may be delegated only to the Deputy Secretary of Energy, without further redelegation.

“(b) **ORGANIZATION OF ADMINISTRATION.**—Notwithstanding”; and

(iii) in subsection (b), as designated by clause (ii), by striking “subsection (b) or (c) of”.

(B) **CLERICAL AMENDMENT.**—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3219 and inserting the following new item:

“Sec. 3219. Scope of authority of Secretary of Energy with respect to Administration.”.

(5) **STATUS OF PERSONNEL.**—Section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(ii) in paragraph (2), by striking the end period and inserting “, except as provided by section 3219.”; and

(B) in subsection (b), by striking the end period and inserting “and except as provided by section 3219.”.

(6) **OFFICE OF DEFENSE NUCLEAR SECURITY.**—Section 3232 of the National Nuclear Security Administration Act (50 U.S.C. 2422) is amended—

(A) in subsection (a), by striking “Secretary of Energy” and all that follows and inserting “Administrator.”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “Secretary and”; and

(ii) in paragraph (2)—

(I) by striking “Secretary” and inserting “Secretary of Energy”; and

(II) by striking “Department” and inserting “Department of Energy”.

(7) **COUNTERINTELLIGENCE PROGRAMS.**—Section 3233 of the National Nuclear Security Administration Act (50 U.S.C. 2423) is amended—

(A) in subsection (a), by inserting “, in coordination with the Administrator,” after “Secretary of Energy”; and

(B) in subsection (b), by inserting “, in coordination with the Administrator,” after “Secretary of Energy”.

(8) **AUTHORIZED PERSONNEL LEVELS.**—

(A) **IN GENERAL.**—Section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended—

(i) in the section heading, by striking “**AUTHORIZED**” and inserting “**ANNUAL REPORT ON**”;

(ii) by amending subsection (a) to read as follows:

“(a) **IN GENERAL.**—The Administrator shall include in the budget justification materials submitted to Congress in support of the budget of the Administration for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report containing the following information as of the date of the report:

“(1) The number of full-time equivalent employees of the Office of the Administrator.

“(2) The number of service support contracts of the Administration and whether such contracts are funded using program or program direction funds.

“(3) The number of full-time equivalent contractor employees working under each contract identified under paragraph (2).

“(4) The number of full-time equivalent contractor employees described in paragraph (3) that have been employed under such a contract for a period greater than two years.

“(5) With respect to each contract identified under paragraph (2)—

“(A) the cost of the contract; and

“(B) identification of the program or program direction accounts that support the contract.”;

(iii) by striking subsection (c);

(iv) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(v) by striking subsection (f).

(B) **CLERICAL AMENDMENT.**—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241A and inserting the following new item:

“Sec. 3241A. Annual report on personnel levels of the Office of the Administrator.”.

(9) **COMPLIANCE WITH FEDERAL ACQUISITION REGULATION.**—Section 3262 of the National Nuclear Security Administration Act (50 U.S.C. 2462) is amended—

(A) by striking “The Administrator” and inserting the following:

“(a) **IN GENERAL.**—The Administrator”;

(B) by inserting “specific to the Administration” after “procedures”; and

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

“(b) **REQUIREMENT FOR PROCEDURES.**—The procedures established under subsection (a) shall be separate from procedures applied to elements of the Department of Energy other than the Administration.”.

(10) **DEFINITIONS.**—Section 3281(2)(A) of the National Nuclear Security Administration Act (50 U.S.C. 2471(2)(A)) is amended by striking “Plant” and inserting “National Security Campus”.

(C) **AMENDMENTS TO ATOMIC ENERGY DEFENSE ACT.**—

(1) **DEFINITIONS.**—Section 4002(9)(A) of the Atomic Energy Defense Act (50 U.S.C. 2501(9)(A)) is amended striking “Plant” and inserting “National Security Campus”.

(2) **STOCKPILE STEWARDSHIP PROGRAM.**—Section 4201(a) of the Atomic Energy Defense Act (50 U.S.C. 2521(a)) is amended by striking “The Secretary, acting through the Administrator,” and inserting “The Administrator”.

(3) **STOCKPILE STEWARDSHIP CRITERIA.**—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended—

(A) in subsection (a)—

(i) by striking “Secretary of Energy” and inserting “Administrator”; and

(ii) by striking “Department of Energy” and inserting “Administration”; and

(B) in subsection (b)—

(i) in the subsection heading, by striking “**SECRETARY**” and inserting “**DEPARTMENT**”;

(ii) by striking “Secretary of Energy” and inserting “Administrator”; and

(iii) by striking “Secretary of Defense” and inserting “Chairman of the Nuclear Weapons Council”.

(4) **STOCKPILE STEWARDSHIP, MANAGEMENT, AND RESPONSIVENESS PLAN.**—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(A) in subsection (d)(4)(A)(ii), by striking “quadrennial defense review if such strategy has not been submitted as of the date of the plan” and inserting “national defense strategy”;

(B) in subsection (e)(1)(A)(i), by striking “or the most recent quadrennial defense review, as applicable under subsection (d)(4)(A), and the” and inserting “, the national defense strategy, and the most recent”;

(C) in subsection (f)—

(i) by striking paragraph (4);

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

(iii) by inserting after paragraph (2) the following new paragraph (3):

“(3) The term ‘national defense strategy’ means the review of the defense programs and policies of the United States that is carried out every four years under section 113(g) of title 10, United States Code.”.

(5) **STOCKPILE MANAGEMENT PROGRAM.**—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “Secretary of Energy, acting through the Administrator and in consultation with the Secretary of Defense” and inserting “Administrator, in consultation with the Nuclear Weapons Council”; and

(B) in subsection (b), in the matter preceding paragraph (1), by striking “Secretary of Energy” and inserting “Administrator”.

(6) **NUCLEAR TEST BAN READINESS PROGRAM.**—Section 4207 of the Atomic Energy Defense Act (50 U.S.C. 2527) is amended, in subsections (a) and (c), by striking “Secretary of Energy” and inserting “Administrator”.

(7) **REQUIREMENTS FOR SPECIFIC REQUEST FOR NEW OR MODIFIED NUCLEAR WEAPONS.**—Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(A) in subsection (a)(1)—

(i) by striking “Secretary of Energy” and inserting “Administrator”;

(ii) by striking “Secretary” and inserting “Administrator”; and

(iii) by striking “in the budget” and all that follows and inserting “in the budget justification materials submitted to Congress in support of the Department of Energy budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code).”;

(B) in subsection (b), by striking “The Secretary shall include in a request for funds under subsection (a)” and inserting “A request for funds under subsection (a) shall include”;

(C) in subsection (c), by striking “Secretary” and inserting “Secretary of Energy”.

(8) **MANUFACTURING INFRASTRUCTURE FOR NUCLEAR WEAPONS STOCKPILE.**—Section 4212

of the Atomic Energy Defense Act (50 U.S.C. 2532) is amended—

(A) in subsection (a)(1), in the matter preceding subparagraph (A)—

(i) by striking “Secretary of Energy” and inserting “Administrator”; and

(ii) by inserting “most recent” before “Nuclear Posture Review”; and

(B) in subsection (b)—

(i) in paragraph (2), by striking “Plant” and inserting “National Security Complex”; and

(ii) in paragraph (4), by striking “Plant” and inserting “National Security Campus”.

(9) **REPORTS ON LIFE EXTENSION PROGRAMS.**—

(A) **IN GENERAL.**—Section 4216 of the Atomic Energy Defense Act (50 U.S.C. 2536) is amended—

(i) in the section heading, by striking “**LIFETIME**” and inserting “**LIFE**”; and

(ii) by striking “lifetime” each place it appears and inserting “life”.

(B) **CLERICAL AMENDMENT.**—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4216 and inserting the following new item:

“Sec. 4216. Reports on life extension programs.”.

(10) **SELECTED ACQUISITION REPORTS.**—Section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537) is amended—

(A) in subsection (a)(1), by striking “the Secretary of Energy, acting through the Administrator,” and inserting “the Administrator”; and

(B) in subsection (b)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “Secretary of Energy, acting through the Administrator,” and inserting “Administrator”; and

(ii) in paragraph (2)(B), by striking “the Secretary or”.

(11) **ADVICE ON SAFETY, SECURITY, AND RELIABILITY OF NUCLEAR WEAPONS STOCKPILE.**—Section 4218 of the Atomic Energy Defense Act (50 U.S.C. 2538) is amended—

(A) in subsection (d), by striking “or the Commander of the United States Strategic Command”; and

(B) in subsection (e)—

(i) by striking “, a member of the Nuclear Weapons Council, or the Commander of the United States Strategic Command” and inserting “or a member of the Nuclear Weapons Council”; and

(ii) by striking “member, or Commander” and inserting “or member”.

(12) **STOCKPILE RESPONSIVENESS PLAN.**—Section 4220(b) of the Atomic Energy Defense Act (50 U.S.C. 2538(b)) is amended—

(A) by striking “Secretary of Energy, acting through the Administrator and” and inserting “Administrator,”; and

(B) by striking “Secretary of Defense” and inserting “Nuclear Weapons Council”.

(13) **TRITIUM PRODUCTION PROGRAM.**—Section 4231 of the Atomic Energy Defense Act (50 U.S.C. 2541) is amended—

(A) in subsection (a), by striking “Secretary of Energy” and inserting “Administrator”; and

(B) in subsections (b) and (c), by striking “Secretary” and inserting “Administrator”.

(14) **MODERNIZATION AND CONSOLIDATION OF TRITIUM RECYCLING FACILITIES.**—Section 4234 of the Atomic Energy Defense Act (50 U.S.C. 2544) is amended, in the matter preceding paragraph (1), by striking “Secretary of Energy” and inserting “Administrator”.

(15) **PROCEDURES FOR MEETING TRITIUM PRODUCTION REQUIREMENTS.**—Section 4235 of the Atomic Energy Defense Act (50 U.S.C. 2545) is amended—

(A) in subsection (a), by striking “Secretary of Energy” and inserting “Administrator”;

(B) in subsection (b), by striking “Secretary” and inserting “Administrator”; and

(C) by striking subsection (c).

(16) CERTIFICATION OF STATUS OF SECURITY OF FACILITIES.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

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

(aa) by striking “September 30” and inserting “December 31”; and

(bb) by striking “Secretary of Energy” and inserting “congressional defense committees”; and

(II) in subparagraph (B), by striking “and the Department of Energy”;

(ii) in paragraph (2), by striking “to the Secretary”; and

(iii) by striking paragraph (3); and

(B) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “December 1 of each even-numbered year, the Secretary” and inserting “December 31 of each even-numbered year, the Secretary of Energy”.

(17) CERTIFICATES OF COMMENDATION FOR EXEMPLARY SERVICE.—

(A) IN GENERAL.—Section 4605 of the Atomic Energy Defense Act (50 U.S.C. 2705) is amended—

(i) in the section heading, by striking “DEPARTMENT OF ENERGY” and inserting “ADMINISTRATION”;

(ii) in subsection (a)—

(I) by striking “Department of Energy” and inserting “Administration”;

(II) by striking “a Department” and inserting “an Administration”; and

(III) by striking “the Department” each place it appears and inserting “the Administration”; and

(iii) in subsection (c)—

(I) in the subsection heading, by striking “DEPARTMENT OF ENERGY” and inserting “ADMINISTRATION”; and

(II) by striking “Department of Energy” each place it appears and inserting “Administration”.

(B) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4605 and inserting the following:

“Sec. 4605. Authority to provide certificate of commendation to Administration and contractor employees for exemplary service in stockpile stewardship and security.”.

(18) EXECUTIVE MANAGEMENT TRAINING.—Section 4621 of the Atomic Energy Defense Act (50 U.S.C. 2721) is amended—

(A) in subsection (a)—

(i) by inserting “and the Administrator” after “Secretary of Energy”; and

(ii) by inserting “and the Administration” after “Department of Energy”; and

(B) in subsection (b)(1), by inserting “and Administration” after “Department of Energy”.

(19) STOCKPILE STEWARDSHIP RECRUITMENT AND TRAINING PROGRAM.—Section 4622 of the Atomic Energy Defense Act (50 U.S.C. 2722) is amended—

(A) in subsection (a), by striking “Secretary of Energy” and inserting “Administrator”; and

(B) in subsection (c), by striking “Secretary” and inserting “Administrator”.

(20) FELLOWSHIP PROGRAM.—Section 4623 of the Atomic Energy Defense Act (50 U.S.C. 2723) is amended—

(A) in subsection (a)—

(i) by striking “Secretary of Energy” and inserting “Administrator”; and

(ii) by striking “Secretary” and inserting “Administrator”;

(B) in subsection (b)(1), by striking “Department of Energy” and inserting “Administration”;

(C) in subsections (c) and (d), by striking “Secretary” and inserting “Administrator”;

(D) in subsection (e), by striking “Secretary” and all that follows through “Defense Programs,” and inserting “Administrator shall”; and

(E) in subsection (f)—

(i) in paragraph (1), by striking “Secretary” and inserting “Administrator”; and

(ii) in paragraph (2), by striking “Secretary of Energy” and inserting “Administrator”.

(21) TRANSFER OF WEAPONS ACTIVITIES FUNDS.—Section 4711 of the Atomic Energy Defense Act (50 U.S.C. 2751) is amended—

(A) in subsection (a)—

(i) by striking “Secretary of Energy” and inserting “Administrator”; and

(ii) by striking “Department of Energy” and inserting “Administration”;

(B) in subsection (d), by striking “Secretary, acting through the Administrator,” and inserting “Administrator”; and

(C) in subsection (e)(1)—

(i) by striking “Department of Energy” and inserting “Administration”; and

(ii) by striking “Department” and inserting “Administration”.

(22) NOTIFICATION OF COST OVERRUNS.—Section 4713(c)(2)(B) of the Atomic Energy Defense Act (50 U.S.C. 2753(c)(2)(B)) is amended by inserting “or the Administration” after “Department of Energy”.

(23) LIFE-CYCLE COST ESTIMATES.—Section 4714(a) of the Atomic Energy Defense Act (50 U.S.C. 2754(a)) is amended—

(A) by striking “413.3” and inserting “413.3B”; and

(B) by inserting “, or a successor order,” after “assets”.

(24) UNFUNDED PRIORITIES.—

(A) IN GENERAL.—Section 4716 of the Atomic Energy Defense Act (50 U.S.C. 2756) is amended in the section heading by striking “NATIONAL NUCLEAR SECURITY ADMINISTRATION” and inserting “ADMINISTRATION”.

(B) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4716 and inserting the following new item:

“Sec. 4716. Unfunded priorities of the Administration.”.

(25) REVIEWS OF CAPITAL ASSETS ACQUISITION PROJECTS.—Section 4733(d)(3)(B) of the Atomic Energy Defense Act (50 U.S.C. 2773(d)(3)(B)) is amended by striking “413.3” and inserting “413.3B”.

(26) LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.—Section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791) is amended—

(A) in subsection (a), by inserting “or the Administration” after “Department of Energy”; and

(B) in subsection (b)—

(i) by striking “The Secretary” and inserting “(1) Except as provided by paragraph (2), the Secretary”;

(ii) by striking “such laboratories” and inserting “government-owned, contractor-operated laboratories funded out of funds available to the Department of Energy”; and

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

“(2) The Administrator shall prescribe regulations for the conduct of laboratory-directed research and development at government-owned, contractor-operated laboratories funded out of funds available to the Administration.”; and

(C) in subsection (c)—

(i) by inserting “or the Administration” after “Department of Energy”; and

(ii) by inserting “or the Administrator, as applicable,” after “Secretary”.

(27) REPORT ON USE OF FUNDS FOR RESEARCH AND DEVELOPMENT.—Section 4812A of the Atomic Energy Defense Act (50 U.S.C. 2793) is amended—

(A) in subsection (a)—

(i) in the subsection heading, by striking “REQUIRED” and inserting “OF SECRETARY OF ENERGY”; and

(ii) in the second sentence, by striking “national security mission of the Department of Energy” and inserting “defense environmental cleanup and other defense missions of the Department of Energy (other than the national security mission of the Administration)”;

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following new subsection (b):

“(b) REPORT OF ADMINISTRATOR.—The Administrator shall submit to the congressional defense committees, with the report of the Secretary required by subsection (a), a report on the funds expended during the preceding fiscal year on activities under the laboratory-directed research and development program of the Administration. The purpose of the report is to permit an assessment of the extent to which such activities support the national security mission of the Administration.”.

#### SEC. 3112. NATIONAL NUCLEAR SECURITY ADMINISTRATION PERSONNEL SYSTEM.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

##### “SEC. 3248. ALTERNATIVE PERSONNEL SYSTEM.

“(a) IN GENERAL.—The Administrator may adapt the pay banding and performance-based pay adjustment demonstration project carried out by the Administration under the authority provided by section 4703 of title 5, United States Code, into a permanent alternative personnel system for the Administration (to be known as the ‘National Nuclear Security Administration Personnel System’) and implement that system with respect to employees of the Administration.

“(b) MODIFICATIONS.—In adapting the demonstration project described in subsection (a) into a permanent alternative personnel system, the Administrator—

“(1) may, subject to paragraph (2), revise the requirements and limitations of the demonstration project to the extent necessary; and

“(2) shall—

“(A) ensure that the permanent alternative personnel system is carried out in a manner consistent with the final plan for the demonstration project published in the Federal Register on December 21, 2007 (72 Fed. Reg. 72776);

“(B) ensure that significant changes in the system not take effect until revisions to the plan for the demonstration project are approved by the Office of Personnel Management and published in the Federal Register;

“(C) ensure that procedural modifications or clarifications to the final plan for the demonstration project be made through local notification processes;

“(D) authorize, and establish incentives for, employees of the Administration to have rotational assignments among different programs of the Administration, the headquarters and field offices of the Administration, and the management and operating contractors of the Administration; and

“(E) establish requirements for employees of the Administration who are in the permanent alternative personnel system described

in subsection (a) to be promoted to senior-level positions in the Administration, including requirements with respect to—

“(i) professional training and continuing education; and

“(ii) a certain number and types of rotational assignments under subparagraph (D), as determined by the Administrator.

“(c) APPLICATION TO NAVAL NUCLEAR PROPULSION PROGRAM.—The Director of the Naval Nuclear Propulsion Program established pursuant to section 4101 of the Atomic Energy Defense Act (50 U.S.C. 2511) and section 3216 of this Act may, with the concurrence of the Secretary of the Navy, apply the alternative personnel system under subsection (a) to—

“(1) all employees of the Naval Nuclear Propulsion Program in the competitive service (as defined in section 2102 of title 5, United States Code); and

“(2) all employees of the Department of Navy who are assigned to the Naval Nuclear Propulsion Program and are in the excepted service (as defined in section 2103 of title 5, United States Code) (other than such employees in statutory excepted service systems).”.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall provide a briefing to the appropriate congressional committees on the implementation of section 3248 of the National Nuclear Security Administration Act, as added by subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(C) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(c) CONFORMING AMENDMENTS.—Section 3116 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively; and

(3) in paragraph (1) of subsection (c), as so redesignated—

(A) in subparagraph (A), by striking “implementation of” and all that follows through “subsection (b)” and inserting “implementation of subsection (a)”; and

(B) in subparagraph (B), by striking “subsection (c)” and inserting “subsection (b)”.

(d) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3247 the following new item:

“Sec. 3248. Alternative personnel system.”.

#### SEC. 3113. AMENDMENTS TO THE ATOMIC ENERGY ACT OF 1954.

(a) CONSULTATIONS.—Section 57 b.(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)(2)) is amended by inserting after “the Department of Defense.” the following: “The Department of State, the Nuclear Regulatory Commission, the Department of Commerce, and the Department of Defense shall submit to the Secretary of Energy their comments on the determination of the Secretary under the previous sentence and any information and analysis needed to support their positions.”.

(b) DELEGATION OF FUNCTIONS.—Section 161 of the Atomic Energy Act of 1954 (42 U.S.C. 2201) is amended by striking subsection n. and inserting the following new subsection n.:

“n. delegate to the General Manager or other officers of the Commission—

“(1) the functions assigned to the Commission under section 57 b. on a case-by-case basis consistent with the national security interests of the United States; and

“(2) any of the other functions assigned to the Commission under this Act except those specified in section 51, 61, 108, 123, 145 b. (with respect to the determination of those persons to whom the Commission may reveal Restricted Data in the national interest), 145 f., or 161 a.;”.

(c) CIVIL PENALTIES.—Section 234 a. of the Atomic Energy Act (42 U.S.C. 2282(a)) is amended—

(1) by striking “57.”; and

(2) by striking “or (2)” and inserting “(2) violates any provision of section 57, or (3)”.

(d) REPORT.—Section 3136(e)(2) of the National Defense Authorization Act for Fiscal Year 2016 (42 U.S.C. 2077a(e)(2)) is amended—

(1) in subparagraph (C), by striking “; and” and inserting a semicolon;

(2) by redesignating subparagraph (D) as subparagraph (E);

(3) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) any delegation of the functions under such section 57 b. made under section 161 n.(1) of that Act, including to whom such functions were delegated;”;

(4) in subparagraph (E), as redesignated by paragraph (2), by striking the period at the end and inserting “; and”; and

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

“(F)(i) an explanation and justification of any determination under paragraph (2) of such section 57 b. that an authorization to transfer United States civil nuclear technology to a foreign country is not in the interest of the United States, and any conditions placed on such an authorization, including any such determination or conditions resulting from coordination with the Department of State, the Nuclear Regulatory Commission, the Department of Commerce, and the Department of Defense; and

“(ii) an explanation and justification of any extensions of the deadlines established under the procedures required by section 57 b.”.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Energy has the authority to impose civil penalties for violations of section 57 b.(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)(2)), any rule, regulation, or order issued under that section, or any term, condition, or limitation of any license or certification issued under that section.

(f) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of Energy shall—

(1) revise the regulations of the Department of Energy to reflect the authority of the Secretary to impose civil penalties for the violations described in subsection (e); or

(2) submit to Congress a report describing—

(A) why the Secretary cannot make such revisions; and

(B) what additional amendments to law would be required to enable the Secretary to do so.

#### SEC. 3114. EXTENSION OF ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

Section 4806(g)(3) of the Atomic Energy Defense Act (50 U.S.C. 2786(g)(3)) is amended by striking “four” and inserting “10”.

#### SEC. 3115. PILOT PROGRAM ON CONDUCT BY DEPARTMENT OF ENERGY OF BACKGROUND REVIEWS FOR ACCESS BY CERTAIN INDIVIDUALS TO NATIONAL SECURITY LABORATORIES.

(a) IN GENERAL.—The Secretary of Energy shall establish a pilot program to assess the feasibility and advisability of conducting background reviews required by section 4502(a) of the Atomic Energy Defense Act (50 U.S.C. 2652(a)) within the Department of Energy.

(b) REQUIREMENTS.—Under the pilot program established under subsection (a), the Secretary may admit an individual described in section 4502(a) of the Atomic Energy Defense Act (50 U.S.C. 2652(a)) to a facility of a national security laboratory described in that section if, in addition to the conduct of a background review under subsection (a) with respect to that individual—

(1) the Secretary determines that the admission of that individual to that facility is in the national interest and will further science, technology, and engineering capabilities in support of the mission of the Department of Energy; and

(2) a security plan is developed and implemented to mitigate the risks associated with the admission of that individual to that facility.

(c) ROLES OF SECRETARY AND DIRECTOR OF NATIONAL INTELLIGENCE AND DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION.—

(1) ROLE OF SECRETARY.—Under the pilot program under subsection (a), the Secretary shall conduct background reviews for all individuals described in section 4502(a) of the Atomic Energy Defense Act (50 U.S.C. 2652(a)) seeking admission to facilities of national security laboratories described in that section. Such reviews by the Secretary shall be conducted independent of and in addition to background reviews conducted by the Director of National Intelligence and the Director of the Federal Bureau of Investigation under that section.

(2) ROLES OF DIRECTOR OF NATIONAL INTELLIGENCE AND DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION.—Notwithstanding paragraph (1), during the period during which the pilot program established under subsection (a) is being carried out, the Director of National Intelligence and the Director of the Federal Bureau of Investigation shall retain primary responsibility for the conduct of all background reviews required by section 4502(a) of the Atomic Energy Defense Act (50 U.S.C. 2652(a)).

(d) TERMINATION.—The pilot program established under subsection (a) shall terminate on the date that is two years after the date of the enactment of this Act.

(e) REPORT REQUIRED.—Not later than 90 days after the date on which the pilot program established under subsection (a) terminates under subsection (d), the Secretary of Energy, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall submit to the appropriate congressional committees a report on the conduct of background reviews under the pilot program that includes—

(1) a comparison of the effectiveness of and timelines required for background reviews conducted by the Secretary under the pilot program and background reviews conducted by the Director of National Intelligence and the Director of the Federal Bureau of Investigation under section 4502(a) of the Atomic Energy Defense Act (50 U.S.C. 2652(a)); and

(2) the number of such reviews conducted for individuals who are citizens or agents of each country on the sensitive countries list referred to in that section.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) NATIONAL SECURITY LABORATORY.—The term “national security laboratory” has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

**SEC. 3116. EXTENSION OF AUTHORITY FOR ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OF REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.**

Section 3132(f)(7) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)(7)) is amended by striking “December 31, 2018” and inserting “December 31, 2023”.

**SEC. 3117. MODIFICATION OF LIMITATION ON DEVELOPMENT OF LOW-YIELD NUCLEAR WEAPONS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The global posture of strategic nuclear forces has changed dramatically during the 10 years preceding the date of the enactment of this Act.

(2) The Government of the Russian Federation—

(A) is violating the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly known as the “INF Treaty”);

(B) is expanding its nuclear delivery systems beyond the limitations provided for under the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly known as the “New START Treaty”); and

(C) has considerable numerical advantages over the United States in tactical nuclear weapons.

(3) Congress concurs with the findings of the 2018 Nuclear Posture Review.

(4) United States nuclear forces must adjust to new strategic realities.

(b) MODIFICATION OF LIMITATION.—Section 3116(c) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1746; 50 U.S.C. 2529 note) is amended by striking “specifically authorized by Congress” and inserting “the Secretary specifically requests funding for the development of that weapon pursuant to section 4209(a) of the Atomic Energy Defense Act (50 U.S.C. 2529(a))”.

**SEC. 3118. PROHIBITION ON USE OF FUNDS FOR TERMINATING ACTIVITIES AT MOX FACILITY.**

(a) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available for the Department of Energy by this Act or any other Act for any fiscal year before fiscal year 2020 may be obligated or expended—

(1) to terminate construction and project support activities at the MOX facility; or

(2) to convert the MOX facility to be used for any purpose other than its original mission.

(b) DEFINITIONS.—In this section, the terms “MOX facility” and “project support activities” have the meanings given those terms in

section 3121(c) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

**Subtitle C—Plans and Reports**

**SEC. 3121. MODIFICATIONS TO COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.**

Section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2175), as most recently amended by section 3135 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1207), is further amended—

(1) by amending subsection (a) to read as follows:

“(a) REPORTS REQUIRED.—If the Administrator for Nuclear Security awards a new contract to manage and operate a facility of the National Nuclear Security Administration, the Administrator shall submit to the congressional defense committees a report described in subsection (b) with respect to the contract by not later than 30 days after the completion of the period required to transition to the contract.”;

(2) in subsection (b)(3), by inserting “, the costs of the transition to the contract from the previous contract,” after “conducting the competition”; and

(3) in subsection (d)—

(A) by amending paragraph (2) to read as follows:

“(2) COMPREHENSIVE REVIEW.—

“(A) DETERMINATION.—Except as provided in paragraph (3), the Comptroller General shall determine, in consultation with the congressional defense committees, whether to conduct a comprehensive review of a report required by subsection (a).

“(B) SUBMISSION.—The Comptroller General shall submit a comprehensive review conducted under subparagraph (A) of a report required by subsection (a) to the congressional defense committees not later than 3 years after that report is submitted to such committees.

“(C) ELEMENTS.—A comprehensive review conducted under subparagraph (A) of a report required by subsection (a) shall include an assessment, based on the most current information available, of the following:

“(i) The actual cost savings achieved compared to cost savings estimated under subsection (b)(1), and any increased costs incurred under the contract that were unexpected or uncertain at the time the contract was awarded.

“(ii) Any disruptions or delays in mission activities or deliverables resulting from the competition for the contract compared to the disruptions and delays estimated under subsection (b)(4).

“(iii) Whether expected benefits of the competition with respect to mission performance or operations have been achieved.

“(iv) Such other matters as the Comptroller General considers appropriate.”; and

(B) by striking paragraph (3).

**SEC. 3122. REVIEW OF DEFENSE ENVIRONMENTAL CLEANUP ACTIVITIES.**

(a) IN GENERAL.—The Secretary of Energy shall enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to conduct a review of the defense environmental cleanup activities of the Office of Environmental Management of the Department of Energy.

(b) ELEMENTS.—The review conducted under subsection (a) shall include—

(1) an assessment of—

(A) project management practices with respect to the activities described in subsection (a);

(B) the outcomes of such activities; and

(C) the appropriateness of the level of engagement and oversight of the Office of En-

vironmental Management with respect to such activities; and

(2) recommendations with respect to actions to enhance the effectiveness of such activities.

**SEC. 3123. SURVEY OF WORKFORCE OF NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report that includes—

(1) a detailed proposal for a survey of the workforce of the national security laboratories and nuclear weapons production facilities that is modeled on the Federal Employee Viewpoint Survey of the Office of Personnel Management;

(2) the determination of the Administrator with respect to whether to implement the survey; and

(3) if the Administrator determines not to implement the survey, a description of the reasons for that determination.

(b) IMPLEMENTATION FACTORS.—The report required by subsection (a) shall address factors associated with implementation of the survey described in that subsection, including—

(1) the costs of designing the survey;

(2) the time required for and the costs of administering the survey and analyzing the data from the survey;

(3) the periodicity of administering the survey to ascertain trends; and

(4) any other matters the Administrator considers appropriate.

(c) DEFINITIONS.—In this section, the terms “national security laboratory” and “nuclear weapons production facility” have the meanings given those terms in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

**SEC. 3124. ELIMINATION OF CERTAIN REPORTS.**

(a) REPORT OF OWNER'S AGENT ON HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT.—Section 4446 of the Atomic Energy Defense Act (50 U.S.C. 2626) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(b) FUTURE-YEARS DEFENSE ENVIRONMENTAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Section 4402A of the Atomic Energy Defense Act (50 U.S.C. 2582a) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4402A.

(c) ANNUAL CERTIFICATION OF SHIPMENTS TO WASTE ISOLATION PILOT PLANT.—Section 3115 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2759) is repealed.

**SEC. 3125. IMPLEMENTATION OF NUCLEAR POSTURE REVIEW BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) REPORT REQUIRED.—Not later than December 1, 2018, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on the implementation of the 2018 Nuclear Posture Review by the National Nuclear Security Administration.

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

(1) A list of specific actions associated with implementation of the policies set forth in the 2018 Nuclear Posture Review applicable to the National Nuclear Security Administration.

(2) For each such action—

(A) an identification of the office within the Administration with responsibility for the action; and



- (B) key milestones for the action.
- (3) A discussion of any challenges to successfully implementing such actions.
- (4) A description of the process established for monitoring the implementation of such actions.
- (5) A description of policy decisions by the Administrator that are necessary to complete the implementation of such actions.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2019, \$31,243,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

“§ 109. Maritime Administration

- “(a) ORGANIZATION AND MISSION.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.
- “(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.
- “(c) DEPUTY MARITIME ADMINISTRATOR.—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.
- “(d) DUTIES AND POWERS VESTED IN SECRETARY.—All duties and powers of the Maritime Administration are vested in the Secretary.
- “(e) REGIONAL OFFICES.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.
- “(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign com-

- merce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.
- “(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer’s pay and allowances as an officer in the Armed Forces, makes the officer’s total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.
- “(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—
- “(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—
- “(A) carry out the Secretary’s duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and
- “(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.
- “(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.
- “(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.
- “(j) AUTHORIZATION OF APPROPRIATIONS.—
- “(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.
- “(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—
- “(A) acquisition, construction, or reconstruction of vessels;
- “(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;
- “(C) costs of national defense features;
- “(D) payments of obligations incurred for operating-differential subsidies;

- “(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;
- “(F) the Vessel Operations Revolving Fund;
- “(G) National Defense Reserve Fleet expenses;
- “(H) expenses necessary to carry out part B of subtitle V of title 46; and
- “(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.”.

SEC. 3502. PERMANENT AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE VESSEL WAR RISK INSURANCE.

- (a) IN GENERAL.—Section 53912 of title 46, United States Code, is repealed.
- (b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 539 of such title is amended by striking the item relating to section 53912.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

- (a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.
- (b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—
- (1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and
- (2) comply with other applicable provisions of law.
- (c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.
- (d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.
- (e) ORAL WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY FIXED WING			
2	UTILITY F/W AIRCRAFT .....	744	744
3	MQ-1 UAV .....	43,326	43,326
4	RQ-11 (RAVEN) .....	46,416	46,416
ROTARY			

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
7	AH-64 APACHE BLOCK IIIA REMAN .....	753,248	753,248
8	AH-64 APACHE BLOCK IIIA REMAN AP .....	174,550	174,550
9	AH-64 APACHE BLOCK IIIB NEW BUILD .....	284,687	284,687
10	AH-64 APACHE BLOCK IIIB NEW BUILD AP .....	58,600	58,600
11	UH-60 BLACKHAWK M MODEL (MYP) .....	988,810	988,810
12	UH-60 BLACKHAWK M MODEL (MYP) AP .....	106,150	106,150
13	UH-60 BLACK HAWK A AND L MODELS .....	146,138	146,138
14	CH-47 HELICOPTER .....	99,278	99,278
15	CH-47 HELICOPTER AP .....	24,235	24,235
<b>MODIFICATION OF AIRCRAFT</b>			
18	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS) .....	27,114	27,114
19	GRAY EAGLE MODS2 .....	97,781	97,781
20	MULTI SENSOR ABN RECON (MIP) .....	52,274	52,274
21	AH-64 MODS .....	104,996	104,996
22	CH-47 CARGO HELICOPTER MODS (MYP) .....	7,807	7,807
23	GRCS SEMA MODS (MIP) .....	5,573	5,573
24	ARL SEMA MODS (MIP) .....	7,522	7,522
25	EMARSS SEMA MODS (MIP) .....	20,448	20,448
26	UTILITY/CARGO AIRPLANE MODS .....	17,719	17,719
27	UTILITY HELICOPTER MODS .....	6,443	6,443
28	NETWORK AND MISSION PLAN .....	123,614	123,614
29	COMMS, NAV SURVEILLANCE .....	161,969	161,969
30	DEGRADED VISUAL ENVIRONMENT .....	30,000	30,000
31	GATM ROLLUP .....	26,848	26,848
32	RQ-7 UAV MODS .....	103,246	103,246
33	UAS MODS .....	17,644	17,644
<b>GROUND SUPPORT AVIONICS</b>			
34	AIRCRAFT SURVIVABILITY EQUIPMENT .....	57,170	57,170
35	SURVIVABILITY CM .....	5,853	5,853
36	CMWS .....	13,496	13,496
37	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	36,839	36,839
<b>OTHER SUPPORT</b>			
38	AVIONICS SUPPORT EQUIPMENT .....	1,778	1,778
39	COMMON GROUND EQUIPMENT .....	34,818	34,818
40	AIRCREW INTEGRATED SYSTEMS .....	27,243	27,243
41	AIR TRAFFIC CONTROL .....	63,872	63,872
42	INDUSTRIAL FACILITIES .....	1,417	1,417
43	LAUNCHER, 2.75 ROCKET .....	1,901	1,901
44	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2 .....	991	991
<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....		<b>3,782,558</b>	<b>3,782,558</b>
<b>MISSILE PROCUREMENT, ARMY</b>			
<b>SURFACE-TO-AIR MISSILE SYSTEM</b>			
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD) .....	111,395	111,395
2	MSE MISSILE .....	871,276	871,276
3	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I .....	145,636	645,636
	Acceleration of cruise missile defense .....		[500,000]
4	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I AP .....	31,286	31,286
<b>AIR-TO-SURFACE MISSILE SYSTEM</b>			
6	JOINT AIR-TO-GROUND MSLS (JAGM) .....	276,462	276,462
<b>ANTI-TANK/ASSAULT MISSILE SYS</b>			
8	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	303,665	303,665
9	TOW 2 SYSTEM SUMMARY .....	105,014	105,014
10	TOW 2 SYSTEM SUMMARY AP .....	19,949	19,949
11	GUIDED MLRS ROCKET (GMLRS) .....	359,613	359,613
12	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....	20,964	20,964
<b>MODIFICATIONS</b>			
15	PATRIOT MODS .....	313,228	313,228
16	ATACMS MODS .....	221,656	141,656
	Requested quantity exceeds maximum .....		[-80,000]
17	GMLRS MOD .....	266	266
18	STINGER MODS .....	94,756	94,756
19	AVENGER MODS .....	48,670	48,670
20	ITAS/TOW MODS .....	3,173	3,173
21	MLRS MODS .....	383,216	383,216
22	HIMARS MODIFICATIONS .....	10,196	10,196
<b>SPARES AND REPAIR PARTS</b>			
23	SPARES AND REPAIR PARTS .....	27,737	27,737
<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>			
24	AIR DEFENSE TARGETS .....	6,417	6,417
25	PRODUCTION BASE SUPPORT .....	1,202	1,202
<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....		<b>3,355,777</b>	<b>3,775,777</b>
<b>PROCUREMENT OF W&amp;TCV, ARMY</b>			
<b>TRACKED COMBAT VEHICLES</b>			
2	ARMORED MULTI PURPOSE VEHICLE (AMPV) .....	479,801	379,801
	Program decrease .....		[-100,000]
<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>			
4	STRYKER (MOD) .....	287,490	138,100
	Army requested transfer .....		[-149,390]
5	STRYKER UPGRADE .....	21,900	171,290
	Army requested transfer .....		[149,390]
6	BRADLEY PROGRAM (MOD) .....	625,424	301,424

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2019 Request	Senate Authorized	
	Program decrease .....			[-324,000]
7	M109 FOV MODIFICATIONS .....	26,482	26,482	
8	PALADIN INTEGRATED MANAGEMENT (PIM) .....	351,802	461,802	
	Program increase .....			[110,000]
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	110,500	110,500	
10	ASSAULT BRIDGE (MOD) .....	2,120	2,120	
11	ASSAULT BREACHER VEHICLE .....	62,407	62,407	
12	M88 FOV MODS .....	4,517	4,517	
13	JOINT ASSAULT BRIDGE .....	142,255	142,255	
14	M1 ABRAMS TANK (MOD) .....	927,600	927,600	
15	ABRAMS UPGRADE PROGRAM .....	1,075,999	1,075,999	
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>			
18	M240 MEDIUM MACHINE GUN (7.62MM) .....	1,955	1,955	
19	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S .....	23,345	23,345	
20	GUN AUTOMATIC 30MM M230 .....	7,434	7,434	
21	MACHINE GUN, CAL .50 M2 ROLL .....	22,330	22,330	
22	MORTAR SYSTEMS .....	12,470	12,470	
23	XM320 GRENADE LAUNCHER MODULE (GLM) .....	697	697	
24	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM .....	46,236	46,236	
25	CARBINE .....	69,306	69,306	
26	SMALL ARMS—FIRE CONTROL .....	7,929	7,929	
27	COMMON REMOTELY OPERATED WEAPONS STATION .....	35,968	35,968	
28	HANDGUN .....	48,251	48,251	
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>			
29	MK-19 GRENADE MACHINE GUN MODS .....	1,684	1,684	
30	M777 MODS .....	3,086	3,086	
31	M4 CARBINE MODS .....	31,575	31,575	
32	M2 50 CAL MACHINE GUN MODS .....	21,600	21,600	
33	M249 SAW MACHINE GUN MODS .....	3,924	3,924	
34	M240 MEDIUM MACHINE GUN MODS .....	6,940	6,940	
35	SNIPER RIFLES MODIFICATIONS .....	2,747	2,747	
36	M119 MODIFICATIONS .....	5,704	5,704	
37	MORTAR MODIFICATION .....	3,965	3,965	
38	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV) .....	5,577	5,577	
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>			
39	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	3,174	3,174	
40	PRODUCTION BASE SUPPORT (WOCV-WTCV) .....	3,284	3,284	
41	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) .....	1,640	1,640	
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b>	<b>4,489,118</b>	<b>4,175,118</b>	
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>			
	<b>SMALL/MEDIUM CAL AMMUNITION</b>			
1	CTG, 5.56MM, ALL TYPES .....	41,848	35,148	
	FY2018 Omnibus forward finance .....			[-6,700]
2	CTG, 7.62MM, ALL TYPES .....	86,199	86,199	
3	CTG, HANDGUN, ALL TYPES .....	20,158	20,158	
4	CTG, .50 CAL, ALL TYPES .....	65,573	65,573	
5	CTG, 20MM, ALL TYPES .....	8,198	8,198	
7	CTG, 30MM, ALL TYPES .....	77,995	77,995	
8	CTG, 40MM, ALL TYPES .....	69,781	69,781	
	<b>MORTAR AMMUNITION</b>			
9	60MM MORTAR, ALL TYPES .....	45,280	45,280	
10	81MM MORTAR, ALL TYPES .....	46,853	46,853	
11	120MM MORTAR, ALL TYPES .....	83,003	83,003	
	<b>TANK AMMUNITION</b>			
12	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	168,101	168,101	
	<b>ARTILLERY AMMUNITION</b>			
13	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	39,341	39,341	
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	211,442	211,442	
15	PROJ 155MM EXTENDED RANGE M982 .....	100,906	100,906	
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	236,677	136,677	
	Ammunition Cuts .....			[-100,000]
	<b>MINES</b>			
17	MINES & CLEARING CHARGES, ALL TYPES .....	15,905	15,905	
	<b>ROCKETS</b>			
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	4,503	4,503	
19	ROCKET, HYDRA 70, ALL TYPES .....	211,211	211,211	
	<b>OTHER AMMUNITION</b>			
20	CAD/PAD, ALL TYPES .....	10,428	10,428	
21	DEMOLITION MUNITIONS, ALL TYPES .....	44,656	44,656	
22	GRENADES, ALL TYPES .....	19,896	19,896	
23	SIGNALS, ALL TYPES .....	10,121	10,121	
24	SIMULATORS, ALL TYPES .....	11,464	11,464	
	<b>MISCELLANEOUS</b>			
25	AMMO COMPONENTS, ALL TYPES .....	5,224	5,224	
26	NON-LETHAL AMMUNITION, ALL TYPES .....	4,310	4,310	
27	ITEMS LESS THAN \$5 MILLION (AMMO) .....	11,193	11,193	
28	AMMUNITION PECULIAR EQUIPMENT .....	10,500	10,500	
29	FIRST DESTINATION TRANSPORTATION (AMMO) .....	18,456	18,456	
30	CLOSEOUT LIABILITIES .....	100	100	
	<b>PRODUCTION BASE SUPPORT</b>			
32	INDUSTRIAL FACILITIES .....	394,133	394,133	
33	CONVENTIONAL MUNITIONS DEMILITARIZATION .....	157,535	157,535	

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
34	ARMS INITIATIVE .....	3,771	3,771
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....	<b>2,234,761</b>	<b>2,128,061</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
1	TACTICAL TRAILERS/DOLLY SETS .....	16,512	16,512
2	SEMITRAILERS, FLATBED: .....	16,951	16,951
3	AMBULANCE, 4 LITTER, 5/4 TON, 4X4 .....	50,123	50,123
4	GROUND MOBILITY VEHICLES (GMV) .....	46,988	46,988
6	JOINT LIGHT TACTICAL VEHICLE .....	1,319,436	1,069,436
	Program reduction .....		[-250,000]
7	TRUCK, DUMP, 20T (CCE) .....	6,480	6,480
8	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	132,882	132,882
9	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....	14,842	14,842
10	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	138,105	138,105
12	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....	31,892	31,892
13	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	38,128	38,128
14	MODIFICATION OF IN SVC EQUIP .....	78,507	78,507
	<b>NON-TACTICAL VEHICLES</b>		
16	HEAVY ARMORED VEHICLE .....	790	790
17	PASSENGER CARRYING VEHICLES .....	1,390	1,390
18	NONTACTICAL VEHICLES, OTHER .....	15,415	15,415
	<b>COMM—JOINT COMMUNICATIONS</b>		
20	SIGNAL MODERNIZATION PROGRAM .....	150,777	150,777
21	TACTICAL NETWORK TECHNOLOGY MOD IN SVC .....	469,117	469,117
22	SITUATION INFORMATION TRANSPORT .....	62,727	62,727
23	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY .....	13,895	13,895
24	JCSE EQUIPMENT (USREDCOM) .....	4,866	4,866
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
27	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....	108,133	108,133
28	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	56,737	56,737
29	SHF TERM .....	13,100	13,100
30	SMART-T (SPACE) .....	9,160	9,160
31	GLOBAL BRDCST SVC—GBS .....	25,647	25,647
32	ENROUTE MISSION COMMAND (EMC) .....	37,401	37,401
	<b>COMM—C3 SYSTEM</b>		
36	COE TACTICAL SERVER INFRASTRUCTURE (TSI) .....	20,500	20,500
	<b>COMM—COMBAT COMMUNICATIONS</b>		
38	HANDHELD MANPACK SMALL FORM FIT (HMS) .....	351,565	351,565
40	RADIO TERMINAL SET, MIDS LVT(2) .....	4,641	4,641
41	TRACTOR DESK .....	2,187	2,187
42	TRACTOR RIDE .....	9,411	9,411
44	SPIDER FAMILY OF NETWORKED MUNITIONS INCR .....	17,515	17,515
45	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM .....	819	819
46	UNIFIED COMMAND SUITE .....	17,807	17,807
47	COTS COMMUNICATIONS EQUIPMENT .....	191,835	191,835
48	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	25,177	25,177
	<b>COMM—INTELLIGENCE COMM</b>		
50	CI AUTOMATION ARCHITECTURE (MIP) .....	9,740	9,740
51	DEFENSE MILITARY DECEPTION INITIATIVE .....	2,667	2,667
	<b>INFORMATION SECURITY</b>		
53	FAMILY OF BIOMETRICS .....	8,319	8,319
54	INFORMATION SYSTEM SECURITY PROGRAM-ISSP .....	2,000	2,000
55	COMMUNICATIONS SECURITY (COMSEC) .....	88,337	88,337
56	DEFENSIVE CYBER OPERATIONS .....	51,343	51,343
57	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO .....	330	330
58	PERSISTENT CYBER TRAINING ENVIRONMENT .....	3,000	3,000
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
59	BASE SUPPORT COMMUNICATIONS .....	34,434	34,434
	<b>COMM—BASE COMMUNICATIONS</b>		
60	INFORMATION SYSTEMS .....	95,558	95,558
61	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....	4,736	4,736
62	HOME STATION MISSION COMMAND CENTERS (HSMCC) .....	24,479	24,479
63	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	216,433	216,433
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
66	JTI/CIBS-M (MIP) .....	10,268	10,268
68	DCGS-A (MIP) .....	261,863	261,863
69	JOINT TACTICAL GROUND STATION (JTGS) (MIP) .....	5,434	5,434
70	TROJAN (MIP) .....	20,623	20,623
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	45,998	47,798
	SOUTHCOM SIGINT Suite COMSAT RF .....		[1,800]
72	CI HUMINT AUTO REPRTING & COLL(CHARCS)(MIP) .....	296	296
76	ITEMS LESS THAN \$5.0M (MIP) .....	410	410
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
77	LIGHTWEIGHT COUNTER MORTAR RADAR .....	9,165	9,165
78	EW PLANNING & MANAGEMENT TOOLS (EWPMT) .....	5,875	5,875
79	AIR VIGILANCE (AV) (MIP) .....	8,497	8,497
83	CI MODERNIZATION (MIP) .....	486	486
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
84	SENTINEL MODS .....	79,629	79,629
85	NIGHT VISION DEVICES .....	153,180	153,180
87	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	22,882	22,882
88	RADIATION MONITORING SYSTEMS .....	17,393	17,393

SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	46,740	46,740
91	FAMILY OF WEAPON SIGHTS (FWS) .....	140,737	140,737
93	PROFILER .....	171	171
94	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	405,239	405,239
95	JOINT EFFECTS TARGETING SYSTEM (JETS) .....	66,574	66,574
96	MOD OF IN-SVC EQUIP (LLDR) .....	20,783	20,783
97	COMPUTER BALLISTICS: LHMBC XM32 .....	8,553	8,553
98	MORTAR FIRE CONTROL SYSTEM .....	21,489	21,489
99	COUNTERFIRE RADARS .....	162,121	162,121
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
100	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE ( .....)	2,855	2,855
101	FIRE SUPPORT C2 FAMILY .....	19,153	19,153
102	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	33,837	33,837
103	LIFE CYCLE SOFTWARE SUPPORT (LCSS) .....	5,136	5,136
104	NETWORK MANAGEMENT INITIALIZATION AND SERVICE .....	18,329	18,329
105	MANEUVER CONTROL SYSTEM (MCS) .....	38,015	38,015
106	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A) .....	15,164	15,164
107	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP) .....	29,239	29,239
109	RECONNAISSANCE AND SURVEYING INSTRUMENT SET .....	6,823	6,823
110	MOD OF IN-SVC EQUIPMENT (ENFIRE) .....	1,177	1,177
	<b>ELECT EQUIP—AUTOMATION</b>		
111	ARMY TRAINING MODERNIZATION .....	12,265	12,265
112	AUTOMATED DATA PROCESSING EQUIP .....	201,875	186,875
	Consolidating more IT purchases .....		[-15,000]
113	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM .....	10,976	10,976
114	HIGH PERF COMPUTING MOD PGM (HPCMP) .....	66,330	66,330
115	CONTRACT WRITING SYSTEM .....	5,927	5,927
116	RESERVE COMPONENT AUTOMATION SYS (RCAS) .....	27,896	27,896
	<b>ELECT EQUIP—AUDIO VISUAL SYS (A/V)</b>		
117	TACTICAL DIGITAL MEDIA .....	4,392	4,392
118	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....	1,970	1,970
	<b>ELECT EQUIP—SUPPORT</b>		
119	PRODUCTION BASE SUPPORT (C-E) .....	506	506
	CLASSIFIED PROGRAMS .....	4,501	4,501
	<b>CLASSIFIED PROGRAMS</b>		
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
121	PROTECTIVE SYSTEMS .....	2,314	2,314
122	FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....	7,478	7,478
124	CBRN DEFENSE .....	173,954	173,954
	<b>BRIDGING EQUIPMENT</b>		
125	TACTICAL BRIDGING .....	98,229	98,229
126	TACTICAL BRIDGE, FLOAT-RIBBON .....	64,438	64,438
127	COMMON BRIDGE TRANSPORTER (CBT) RECAP .....	79,916	79,916
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
128	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST .....	8,471	8,471
129	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS) .....	29,883	29,883
130	AREA MINE DETECTION SYSTEM (AMDS) .....	11,594	11,594
131	HUSKY MOUNTED DETECTION SYSTEM (HMDS) .....	40,834	40,834
132	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS) .....	4,029	4,029
133	EOD ROBOTICS SYSTEMS RECAPITALIZATION .....	14,208	14,208
134	ROBOTICS AND APPLIQUE SYSTEMS .....	31,456	31,456
136	REMOTE DEMOLITION SYSTEMS .....	1,748	1,748
137	< \$5M, COUNTERMINE EQUIPMENT .....	7,829	7,829
138	FAMILY OF BOATS AND MOTORS .....	5,806	5,806
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
139	HEATERS AND ECU'S .....	9,852	9,852
140	SOLDIER ENHANCEMENT .....	1,103	1,103
141	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	5,875	5,875
142	GROUND SOLDIER SYSTEM .....	92,487	92,487
143	MOBILE SOLDIER POWER .....	30,774	30,774
145	FIELD FEEDING EQUIPMENT .....	17,521	17,521
146	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	44,855	44,855
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS .....	17,173	17,173
148	ITEMS LESS THAN \$5M (ENG SPT) .....	2,000	2,000
	<b>PETROLEUM EQUIPMENT</b>		
149	QUALITY SURVEILLANCE EQUIPMENT .....	1,770	1,770
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	39,730	39,730
	<b>MEDICAL EQUIPMENT</b>		
151	COMBAT SUPPORT MEDICAL .....	57,752	57,752
	<b>MAINTENANCE EQUIPMENT</b>		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	37,722	37,722
153	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	4,985	4,985
	<b>CONSTRUCTION EQUIPMENT</b>		
155	SCRAPERS, EARTHMOVING .....	7,961	7,961
156	HYDRAULIC EXCAVATOR .....	1,355	1,355
158	ALL TERRAIN CRANES .....	13,031	13,031
159	HIGH MOBILITY ENGINEER EXCAVATOR (HME) .....	46,048	46,048
160	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP .....	980	980
161	CONST EQUIP ESP .....	37,017	37,017
162	ITEMS LESS THAN \$5.0M (CONST EQUIP) .....	6,103	6,103
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
163	ARMY WATERCRAFT ESP .....	27,711	27,711
164	ITEMS LESS THAN \$5.0M (FLOAT/RAIL) .....	8,385	8,385

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
	<b>GENERATORS</b>		
165	GENERATORS AND ASSOCIATED EQUIP .....	133,772	133,772
166	TACTICAL ELECTRIC POWER RECAPITALIZATION .....	8,333	8,333
	<b>MATERIAL HANDLING EQUIPMENT</b>		
167	FAMILY OF FORKLIFTS .....	12,901	12,901
	<b>TRAINING EQUIPMENT</b>		
168	COMBAT TRAINING CENTERS SUPPORT .....	123,228	123,228
169	TRAINING DEVICES, NONSYSTEM .....	228,598	228,598
170	CLOSE COMBAT TACTICAL TRAINER .....	33,080	33,080
171	AVIATION COMBINED ARMS TACTICAL TRAINER .....	32,700	32,700
172	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING .....	25,161	25,161
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
173	CALIBRATION SETS EQUIPMENT .....	4,270	4,270
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	76,295	76,295
175	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	9,806	9,806
	<b>OTHER SUPPORT EQUIPMENT</b>		
176	M25 STABILIZED BINOCULAR .....	4,368	4,368
177	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	9,879	9,879
178	PHYSICAL SECURITY SYSTEMS (OPA3) .....	54,043	54,043
179	BASE LEVEL COMMON EQUIPMENT .....	6,633	6,633
180	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	49,797	49,797
181	PRODUCTION BASE SUPPORT (OTH) .....	2,301	2,301
182	SPECIAL EQUIPMENT FOR USER TESTING .....	11,608	11,608
183	TRACTOR YARD .....	4,956	4,956
	<b>OPA2</b>		
184	INITIAL SPARES—C&E .....	9,817	9,817
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>7,999,529</b>	<b>7,736,329</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
1	F/A-18E/F (FIGHTER) HORNET .....	1,937,553	1,937,553
2	F/A-18E/F (FIGHTER) HORNET AP .....	58,799	58,799
3	JOINT STRIKE FIGHTER CV .....	1,144,958	1,023,958
	Program Realignment .....		[-121,000]
4	JOINT STRIKE FIGHTER CV AP .....	140,010	140,010
5	JSF STOVL .....	2,312,847	2,312,847
6	JSF STOVL AP .....	228,492	228,492
7	CH-53K (HEAVY LIFT) .....	1,113,804	1,113,804
8	CH-53K (HEAVY LIFT) AP .....	161,079	161,079
9	V-22 (MEDIUM LIFT) .....	806,337	806,337
10	V-22 (MEDIUM LIFT) AP .....	36,955	36,955
11	H-1 UPGRADES (UH-1Y/AH-1Z) .....	820,755	820,755
14	P-8A POSEIDON .....	1,803,753	1,803,753
15	P-8A POSEIDON AP .....	180,000	180,000
16	E-2D ADV HAWKEYE .....	742,693	917,693
	UPL—1 additional Aircraft .....		[175,000]
17	E-2D ADV HAWKEYE AP .....	240,734	240,734
71	O/A-X LIGHT ATTACK AIRCRAFT .....	0	100,000
	Initial procurement for light attack aircraft .....		[100,000]
	<b>AIRLIFT AIRCRAFT</b>		
18	C-40A .....	206,000	0
	Funded in FY18 Omnibus .....		[-206,000]
	<b>OTHER AIRCRAFT</b>		
20	KC-130J .....	160,433	160,433
21	KC-130J AP .....	110,013	110,013
22	MQ-4 TRITON .....	568,743	568,743
23	MQ-4 TRITON AP .....	58,522	58,522
24	MQ-8 UAV .....	54,761	54,761
25	STUASLO UAV .....	14,866	14,866
26	VH-92A EXECUTIVE HELO .....	649,015	649,015
72	UAV .....	0	100,000
	Procurement of UAV .....		[100,000]
	<b>MODIFICATION OF AIRCRAFT</b>		
27	AEA SYSTEMS .....	25,277	25,277
28	AV-8 SERIES .....	58,577	58,577
29	ADVERSARY .....	14,606	14,606
30	F-18 SERIES .....	1,213,482	1,227,382
	UPL—EA-18G Advanced Modes / Cognitive EW .....		[13,900]
31	H-53 SERIES .....	70,997	70,997
32	SH-60 SERIES .....	130,661	130,661
33	H-1 SERIES .....	87,143	87,143
34	EP-3 SERIES .....	3,633	3,633
35	P-3 SERIES .....	803	803
36	E-2 SERIES .....	88,780	88,780
37	TRAINER A/C SERIES .....	11,660	11,660
38	C-2A .....	11,327	11,327
39	C-130 SERIES .....	79,075	79,075
40	FEWSG .....	597	597
41	CARGO/TRANSPORT A/C SERIES .....	8,932	8,932
42	E-6 SERIES .....	181,821	181,821
43	EXECUTIVE HELICOPTERS SERIES .....	23,566	23,566
44	SPECIAL PROJECT AIRCRAFT .....	7,620	7,620
45	T-45 SERIES .....	195,475	195,475



SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
46	POWER PLANT CHANGES .....	21,521	21,521
47	JPATS SERIES .....	27,644	27,644
48	AVIATION LIFE SUPPORT MODS .....	15,864	15,864
49	COMMON ECM EQUIPMENT .....	166,306	191,306
	UPL—F/A-18 E/F Adaptive Radar Countermeasures .....		[25,000]
50	COMMON AVIONICS CHANGES .....	117,551	117,551
51	COMMON DEFENSIVE WEAPON SYSTEM .....	1,994	1,994
52	ID SYSTEMS .....	40,696	40,696
53	P-8 SERIES .....	71,251	71,251
54	MAGTF EW FOR AVIATION .....	11,590	11,590
55	MQ-8 SERIES .....	37,907	37,907
57	V-22 (TILT/ROTOR ACFT) OSPREY .....	214,820	214,820
58	NEXT GENERATION JAMMER (NGJ) .....	952	952
59	F-35 STOVL SERIES .....	36,618	70,118
	F-35B Modifications Increase .....		[33,500]
60	F-35 CV SERIES .....	21,236	26,236
	F-35C Modifications Increase .....		[5,000]
61	ORC .....	101,499	101,499
62	MQ-4 SERIES .....	48,278	48,278
63	RQ-21 SERIES .....	6,904	6,904
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
64	SPARES AND REPAIR PARTS .....	1,792,920	1,842,920
	F-35B and F-35C spares quantity increase .....		[50,000]
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
65	COMMON GROUND EQUIPMENT .....	421,606	421,606
66	AIRCRAFT INDUSTRIAL FACILITIES .....	24,496	24,496
67	WAR CONSUMABLES .....	42,108	42,108
68	OTHER PRODUCTION CHARGES .....	1,444	1,444
69	SPECIAL SUPPORT EQUIPMENT .....	49,489	49,489
70	FIRST DESTINATION TRANSPORTATION .....	1,951	1,951
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>19,041,799</b>	<b>19,217,199</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
1	TRIDENT II MODS .....	1,078,750	1,078,750
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
2	MISSILE INDUSTRIAL FACILITIES .....	6,998	6,998
	<b>STRATEGIC MISSILES</b>		
3	TOMAHAWK .....	98,570	98,570
	<b>TACTICAL MISSILES</b>		
4	AMRAAM .....	211,058	211,058
5	SIDEWINDER .....	77,927	122,927
	Navy UPL: Increase to maximum capacity .....		[45,000]
6	JSOW .....	1,330	1,330
7	STANDARD MISSILE .....	490,210	490,210
8	STANDARD MISSILE AP .....	125,683	125,683
9	SMALL DIAMETER BOMB II .....	91,272	91,272
10	RAM .....	96,221	96,221
11	JOINT AIR GROUND MISSILE (JAGM) .....	24,109	24,109
14	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM) .....	11,378	11,378
15	AERIAL TARGETS .....	137,137	137,137
16	OTHER MISSILE SUPPORT .....	3,318	3,318
17	LRASM .....	81,190	111,190
	Navy UPL: Increase to maximum capacity .....		[30,000]
18	LCS OTH MISSILE .....	18,156	18,156
	<b>MODIFICATION OF MISSILES</b>		
19	ESSM .....	98,384	98,384
20	HARPOON MODS .....	14,840	26,840
	Navy UPL: Increase to max capacity .....		[12,000]
21	HARM MODS .....	187,985	74,085
	Reduce procurement due to test results .....		[-113,900]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
23	WEAPONS INDUSTRIAL FACILITIES .....	2,006	2,006
24	FLEET SATELLITE COMM FOLLOW-ON .....	66,779	66,779
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
25	ORDNANCE SUPPORT EQUIPMENT .....	62,008	62,008
	<b>TORPEDOES AND RELATED EQUIP</b>		
26	SSTD .....	6,353	6,353
27	MK-48 TORPEDO .....	92,616	103,616
	Navy UPL: Increase to maximum capacity .....		[11,000]
28	ASW TARGETS .....	12,324	12,324
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
29	MK-54 TORPEDO MODS .....	105,946	105,946
30	MK-48 TORPEDO ADCAP MODS .....	40,005	40,005
31	QUICKSTRIKE MINE .....	9,758	9,758
	<b>SUPPORT EQUIPMENT</b>		
32	TORPEDO SUPPORT EQUIPMENT .....	79,371	79,371
33	ASW RANGE SUPPORT .....	3,872	3,872
	<b>DESTINATION TRANSPORTATION</b>		
34	FIRST DESTINATION TRANSPORTATION .....	3,726	3,726
	<b>GUNS AND GUN MOUNTS</b>		
35	SMALL ARMS AND WEAPONS .....	15,067	15,067
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2019 Request	Senate Authorized	
36	CIWS MODS .....	63,318	63,318	
37	COAST GUARD WEAPONS .....	40,823	40,823	
38	GUN MOUNT MODS .....	74,618	74,618	
39	LCS MODULE WEAPONS .....	11,350	5,350	
	Early to need .....			[-6,000]
41	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	22,249	22,249	
	<b>SPARES AND REPAIR PARTS</b>			
43	SPARES AND REPAIR PARTS .....	135,688	135,688	
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>3,702,393</b>	<b>3,680,493</b>	
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>			
	<b>NAVY AMMUNITION</b>			
1	GENERAL PURPOSE BOMBS .....	79,871	79,871	
2	JDAM .....	87,900	87,900	
3	AIRBORNE ROCKETS, ALL TYPES .....	151,431	151,431	
4	MACHINE GUN AMMUNITION .....	11,344	11,344	
5	PRACTICE BOMBS .....	49,471	49,471	
6	CARTRIDGES & CART ACTUATED DEVICES .....	56,227	56,227	
7	AIR EXPENDABLE COUNTERMEASURES .....	66,382	66,382	
8	JATOS .....	2,907	2,907	
9	5 INCH/54 GUN AMMUNITION .....	72,657	72,657	
10	INTERMEDIATE CALIBER GUN AMMUNITION .....	33,613	20,613	
	Alamo LRIP ahead of testing .....			[-13,000]
11	OTHER SHIP GUN AMMUNITION .....	42,142	42,142	
12	SMALL ARMS & LANDING PARTY AMMO .....	49,888	49,888	
13	PYROTECHNIC AND DEMOLITION .....	10,931	10,931	
15	AMMUNITION LESS THAN \$5 MILLION .....	1,106	1,106	
	<b>MARINE CORPS AMMUNITION</b>			
19	MORTARS .....	28,266	28,266	
21	DIRECT SUPPORT MUNITIONS .....	63,664	63,664	
22	INFANTRY WEAPONS AMMUNITION .....	59,295	59,295	
26	COMBAT SUPPORT MUNITIONS .....	31,577	31,577	
28	AMMO MODERNIZATION .....	15,001	15,001	
29	ARTILLERY MUNITIONS .....	86,297	86,297	
30	ITEMS LESS THAN \$5 MILLION .....	6,239	6,239	
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>1,006,209</b>	<b>993,209</b>	
	<b>SHIPBUILDING AND CONVERSION, NAVY</b>			
	<b>FLEET BALLISTIC MISSILE SHIPS</b>			
1	OHIO REPLACEMENT SUBMARINE AP .....	3,005,330	3,005,330	
	<b>OTHER WARSHIPS</b>			
2	CARRIER REPLACEMENT PROGRAM .....	1,598,181	1,598,181	
4	VIRGINIA CLASS SUBMARINE .....	4,373,382	4,373,382	
5	VIRGINIA CLASS SUBMARINE AP .....	2,796,401	3,046,401	
	FY19–23 MYP EOQ or SIB expansion .....			[250,000]
7	CVN REFUELING OVERHAULS AP .....	449,597	449,597	
8	DDG 1000 .....	270,965	0	
	Cost growth transfer to Line 28 .....			[-270,965]
9	DDG–51 .....	5,253,327	5,225,827	
	Multiyear procurement contract savings .....			[-27,500]
10	DDG–51 AP .....	391,928	641,928	
	Enable greater long lead material procurement .....			[250,000]
11	LITTORAL COMBAT SHIP .....	646,244	576,244	
	Align Plans and Other costs with end of production .....			[-70,000]
	<b>AMPHIBIOUS SHIPS</b>			
12	LPD –17 .....	0	650,000	
	AP for FY2020 LPD Flight II and/or MYP EOQ .....			[650,000]
13	EXPEDITIONARY SEA BASE (ESB) .....	650,000	650,000	
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>			
16	TAO FLEET OILER .....	977,104	977,104	
17	TAO FLEET OILER AP .....	75,046	75,046	
18	TOWING, SALVAGE, AND RESCUE SHIP (ATS) .....	80,517	80,517	
20	LCU 1700 .....	41,520	41,520	
21	OUTFITTING .....	634,038	562,038	
	Unjustified cost growth .....			[-72,000]
22	SHIP TO SHORE CONNECTOR .....	325,375	325,375	
23	SERVICE CRAFT .....	72,062	97,062	
	Accelerate detail design and construction of YP–703 Flight II .....			[25,000]
24	LCAC SLEP .....	23,321	23,321	
28	COMPLETION OF PY SHIPBUILDING PROGRAMS .....	207,099	478,064	
	Cost growth transfer from Line 8 .....			[270,965]
29	CABLE SHIP .....	0	250,000	
	Program increase .....			[250,000]
	<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....	<b>21,871,437</b>	<b>23,126,937</b>	
	<b>OTHER PROCUREMENT, NAVY</b>			
	<b>SHIP PROPULSION EQUIPMENT</b>			
1	SURFACE POWER EQUIPMENT .....	19,700	19,700	
	<b>GENERATORS</b>			
3	SURFACE COMBATANT HM&E .....	23,495	23,495	
	<b>NAVIGATION EQUIPMENT</b>			
4	OTHER NAVIGATION EQUIPMENT .....	63,330	73,330	
	Accelerate ECDIS-N 9.3, 9.4, 9.5 implementation .....			[10,000]

SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
<b>OTHER SHIPBOARD EQUIPMENT</b>			
5	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG .....	178,421	178,421
6	DDG MOD .....	487,999	487,999
7	FIREFIGHTING EQUIPMENT .....	28,143	28,143
8	COMMAND AND CONTROL SWITCHBOARD .....	2,248	2,248
9	LHA/LHD MIDLIFE .....	37,694	37,694
10	POLLUTION CONTROL EQUIPMENT .....	20,883	20,883
11	SUBMARINE SUPPORT EQUIPMENT .....	37,155	37,155
12	VIRGINIA CLASS SUPPORT EQUIPMENT .....	66,328	66,328
13	LCS CLASS SUPPORT EQUIPMENT .....	47,241	47,241
14	SUBMARINE BATTERIES .....	27,987	27,987
15	LPD CLASS SUPPORT EQUIPMENT .....	65,033	65,033
16	DDG 1000 CLASS SUPPORT EQUIPMENT .....	89,700	51,300
	Procurement early to need .....		[-38,400]
17	STRATEGIC PLATFORM SUPPORT EQUIP .....	22,254	22,254
18	DSSP EQUIPMENT .....	3,629	3,629
19	CG MODERNIZATION .....	276,446	276,446
20	LCAC .....	3,709	3,709
21	UNDERWATER EOD PROGRAMS .....	78,807	78,807
22	ITEMS LESS THAN \$5 MILLION .....	126,865	101,865
	Insufficient justification for CVN-78 in-service requirements .....		[-25,000]
23	CHEMICAL WARFARE DETECTORS .....	2,966	2,966
24	SUBMARINE LIFE SUPPORT SYSTEM .....	11,968	11,968
<b>REACTOR PLANT EQUIPMENT</b>			
25	REACTOR POWER UNITS .....	346,325	346,325
26	REACTOR COMPONENTS .....	497,063	497,063
<b>OCEAN ENGINEERING</b>			
27	DIVING AND SALVAGE EQUIPMENT .....	10,706	10,706
<b>SMALL BOATS</b>			
28	STANDARD BOATS .....	49,771	49,771
<b>PRODUCTION FACILITIES EQUIPMENT</b>			
29	OPERATING FORCES IPE .....	225,181	225,181
<b>OTHER SHIP SUPPORT</b>			
31	LCS COMMON MISSION MODULES EQUIPMENT .....	46,732	46,732
32	LCS MCM MISSION MODULES .....	124,147	152,063
	Transfer Cobra trainer from Line 53 .....		[8,616]
	Transfer Knifefish and UISS trainers from Line 52 .....		[19,300]
33	LCS ASW MISSION MODULES .....	57,294	39,294
	Excess procurement ahead of satisfactory testing .....		[-18,000]
34	LCS SUW MISSION MODULES .....	26,006	14,506
	Excess procurement ahead of satisfactory testing .....		[-11,500]
35	LCS IN-SERVICE MODERNIZATION .....	70,526	70,526
<b>LOGISTIC SUPPORT</b>			
36	LSD MIDLIFE & MODERNIZATION .....	4,784	4,784
<b>SHIP SONARS</b>			
37	SPQ-9B RADAR .....	20,309	20,309
38	AN/SQ-89 SURF ASW COMBAT SYSTEM .....	115,459	115,459
39	SSN ACOUSTIC EQUIPMENT .....	318,189	318,189
40	UNDERSEA WARFARE SUPPORT EQUIPMENT .....	10,134	10,134
<b>ASW ELECTRONIC EQUIPMENT</b>			
41	SUBMARINE ACOUSTIC WARFARE SYSTEM .....	23,815	23,815
42	SSTD .....	11,277	6,277
	AN/SLQ-32E contract delay .....		[-5,000]
43	FIXED SURVEILLANCE SYSTEM .....	237,780	237,780
44	SURTASS .....	57,872	57,872
<b>ELECTRONIC WARFARE EQUIPMENT</b>			
45	AN/SLQ-32 .....	420,344	420,344
<b>RECONNAISSANCE EQUIPMENT</b>			
46	SHIPBOARD IW EXPLOIT .....	220,883	220,883
47	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	4,028	4,028
<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>			
48	COOPERATIVE ENGAGEMENT CAPABILITY .....	44,173	38,173
	Common Array Block antenna program delay .....		[-6,000]
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....	10,991	10,991
50	ATDLs .....	34,526	34,526
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....	3,769	3,769
52	MINESWEEPING SYSTEM REPLACEMENT .....	35,709	16,409
	Transfer Knifefish and UISS trainers to Line 32 .....		[-19,300]
53	SHALLOW WATER MCM .....	8,616	0
	Transfer Cobra trainer to Line 32 .....		[-8,616]
54	NAVSTAR GPS RECEIVERS (SPACE) .....	10,703	10,703
55	AMERICAN FORCES RADIO AND TV SERVICE .....	2,626	2,626
56	STRATEGIC PLATFORM SUPPORT EQUIP .....	9,467	9,467
<b>AVIATION ELECTRONIC EQUIPMENT</b>			
57	ASHORE ATC EQUIPMENT .....	70,849	70,849
58	AFLOAT ATC EQUIPMENT .....	47,890	47,890
59	ID SYSTEMS .....	26,163	26,163
60	JOINT PRECISION APPROACH AND LANDING SYSTEM ( .....	38,094	38,094
61	NAVAL MISSION PLANNING SYSTEMS .....	11,966	11,966
<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>			
62	TACTICAL/MOBILE C4I SYSTEMS .....	42,010	42,010
63	DCGS-N .....	12,896	12,896
64	CANES .....	423,027	423,027

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
65	RADIAC .....	8,175	8,175
66	CANES-INTELL .....	54,465	54,465
67	GPETE .....	5,985	5,985
68	MASF .....	5,413	5,413
69	INTEG COMBAT SYSTEM TEST FACILITY .....	6,251	6,251
70	EMI CONTROL INSTRUMENTATION .....	4,183	4,183
71	ITEMS LESS THAN \$5 MILLION .....	148,350	142,950
	NGSSR installation funding early to need .....		[-5,400]
	<b>SHIPBOARD COMMUNICATIONS</b>		
72	SHIPBOARD TACTICAL COMMUNICATIONS .....	45,450	45,450
73	SHIP COMMUNICATIONS AUTOMATION .....	105,087	105,087
74	COMMUNICATIONS ITEMS UNDER \$5M .....	41,123	41,123
	<b>SUBMARINE COMMUNICATIONS</b>		
75	SUBMARINE BROADCAST SUPPORT .....	30,897	30,897
76	SUBMARINE COMMUNICATION EQUIPMENT .....	78,580	78,580
	<b>SATELLITE COMMUNICATIONS</b>		
77	SATELLITE COMMUNICATIONS SYSTEMS .....	41,205	41,205
78	NAVY MULTIBAND TERMINAL (NMT) .....	113,885	113,885
	<b>SHORE COMMUNICATIONS</b>		
79	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	4,292	4,292
	<b>CRYPTOGRAPHIC EQUIPMENT</b>		
80	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	153,526	153,526
81	MIO INTEL EXPLOITATION TEAM .....	951	951
	<b>CRYPTOLOGIC EQUIPMENT</b>		
82	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	14,209	17,009
	SOUTHCOM CCO Sensor (2 suites) .....		[2,800]
	<b>OTHER ELECTRONIC SUPPORT</b>		
86	COAST GUARD EQUIPMENT .....	40,713	40,713
	<b>SONOBUOYS</b>		
88	SONOBUOYS—ALL TYPES .....	177,891	213,891
	Navy UPL .....		[36,000]
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
89	WEAPONS RANGE SUPPORT EQUIPMENT .....	93,864	93,864
90	AIRCRAFT SUPPORT EQUIPMENT .....	111,724	111,724
91	ADVANCED ARRESTING GEAR (AAG) .....	11,054	11,054
92	METEOROLOGICAL EQUIPMENT .....	21,072	21,072
93	DCRS/DPL .....	656	656
94	AIRBORNE MINE COUNTERMEASURES .....	11,299	11,299
95	LAMPS EQUIPMENT .....	594	594
96	AVIATION SUPPORT EQUIPMENT .....	39,374	39,374
97	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL .....	35,405	35,405
	<b>SHIP GUN SYSTEM EQUIPMENT</b>		
98	SHIP GUN SYSTEMS EQUIPMENT .....	5,337	5,337
	<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>		
99	SHIP MISSILE SUPPORT EQUIPMENT .....	213,090	213,090
100	TOMAHAWK SUPPORT EQUIPMENT .....	92,890	92,890
	<b>FBM SUPPORT EQUIPMENT</b>		
101	STRATEGIC MISSILE SYSTEMS EQUIP .....	271,817	271,817
	<b>ASW SUPPORT EQUIPMENT</b>		
102	SSN COMBAT CONTROL SYSTEMS .....	129,501	129,501
103	ASW SUPPORT EQUIPMENT .....	19,436	19,436
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	14,258	14,258
105	ITEMS LESS THAN \$5 MILLION .....	5,378	5,378
	<b>OTHER EXPENDABLE ORDNANCE</b>		
106	SUBMARINE TRAINING DEVICE MODS .....	65,543	65,543
107	SURFACE TRAINING EQUIPMENT .....	230,425	230,425
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
108	PASSENGER CARRYING VEHICLES .....	4,867	4,867
109	GENERAL PURPOSE TRUCKS .....	2,674	2,674
110	CONSTRUCTION & MAINTENANCE EQUIP .....	20,994	20,994
111	FIRE FIGHTING EQUIPMENT .....	17,189	17,189
112	TACTICAL VEHICLES .....	19,916	19,916
113	AMPHIBIOUS EQUIPMENT .....	7,400	7,400
114	POLLUTION CONTROL EQUIPMENT .....	2,713	2,713
115	ITEMS UNDER \$5 MILLION .....	35,540	35,540
116	PHYSICAL SECURITY VEHICLES .....	1,155	1,155
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
117	SUPPLY EQUIPMENT .....	18,786	18,786
118	FIRST DESTINATION TRANSPORTATION .....	5,375	5,375
119	SPECIAL PURPOSE SUPPLY SYSTEMS .....	580,371	580,371
	<b>TRAINING DEVICES</b>		
120	TRAINING SUPPORT EQUIPMENT .....	3,400	3,400
121	TRAINING AND EDUCATION EQUIPMENT .....	24,283	24,283
	<b>COMMAND SUPPORT EQUIPMENT</b>		
122	COMMAND SUPPORT EQUIPMENT .....	66,681	66,681
123	MEDICAL SUPPORT EQUIPMENT .....	3,352	3,352
125	NAVAL MIP SUPPORT EQUIPMENT .....	1,984	1,984
126	OPERATING FORCES SUPPORT EQUIPMENT .....	15,131	15,131
127	C4ISR EQUIPMENT .....	3,576	3,576
128	ENVIRONMENTAL SUPPORT EQUIPMENT .....	31,902	31,902
129	PHYSICAL SECURITY EQUIPMENT .....	175,436	195,436
	New Navy port waterborne security barriers increase .....		[20,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
130	ENTERPRISE INFORMATION TECHNOLOGY .....	25,393	25,393
	<b>OTHER</b>		
133	NEXT GENERATION ENTERPRISE SERVICE .....	96,269	96,269
	CLASSIFIED PROGRAMS .....	15,681	15,681
	<b>CLASSIFIED PROGRAMS</b>		
	<b>SPARES AND REPAIR PARTS</b>		
134	SPARES AND REPAIR PARTS .....	326,838	326,838
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>9,414,355</b>	<b>9,373,855</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
1	AAV7A1 PIP .....	156,249	78,149
	Unjustified investment in a vehicle with low/limited combat utility .....		[−78,100]
2	AMPHIBIOUS COMBAT VEHICLE 1.1 .....	167,478	167,478
3	LAV PIP .....	43,701	43,701
	<b>ARTILLERY AND OTHER WEAPONS</b>		
5	155MM LIGHTWEIGHT TOWED HOWITZER .....	47,158	47,158
6	ARTILLERY WEAPONS SYSTEM .....	134,246	134,246
7	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	40,687	40,687
	<b>OTHER SUPPORT</b>		
8	MODIFICATION KITS .....	22,904	22,904
	<b>GUIDED MISSILES</b>		
9	GROUND BASED AIR DEFENSE .....	18,334	18,334
10	ANTI-ARMOR MISSILE-JAVELIN .....	3,020	3,020
11	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS) .....	13,760	13,760
12	ANTI-ARMOR MISSILE-TOW .....	59,702	59,702
	<b>COMMAND AND CONTROL SYSTEMS</b>		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C) .....	35,467	35,467
	<b>REPAIR AND TEST EQUIPMENT</b>		
14	REPAIR AND TEST EQUIPMENT .....	46,081	46,081
	<b>OTHER SUPPORT (TEL)</b>		
15	MODIFICATION KITS .....	971	971
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
16	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	69,203	69,203
17	AIR OPERATIONS C2 SYSTEMS .....	14,269	14,269
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
18	RADAR SYSTEMS .....	6,694	6,694
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	224,969	224,969
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
21	GCSS-MC .....	1,187	1,187
22	FIRE SUPPORT SYSTEM .....	60,189	60,189
23	INTELLIGENCE SUPPORT EQUIPMENT .....	73,848	73,848
25	UNMANNED AIR SYSTEMS (INTEL) .....	3,848	3,848
26	DCGS-MC .....	16,081	16,081
	<b>OTHER SUPPORT (NON-TEL)</b>		
30	NEXT GENERATION ENTERPRISE NETWORK (NGEN) .....	87,120	87,120
31	COMMON COMPUTER RESOURCES .....	68,914	68,914
32	COMMAND POST SYSTEMS .....	124,838	99,870
	Operational limitations of NOTM .....		[−24,968]
33	RADIO SYSTEMS .....	279,680	279,680
34	COMM SWITCHING & CONTROL SYSTEMS .....	36,649	36,649
35	COMM & ELEC INFRASTRUCTURE SUPPORT .....	83,971	83,971
	CLASSIFIED PROGRAMS .....	3,626	3,626
	<b>CLASSIFIED PROGRAMS</b>		
	<b>ADMINISTRATIVE VEHICLES</b>		
36	COMMERCIAL CARGO VEHICLES .....	25,441	25,441
	<b>TACTICAL VEHICLES</b>		
37	MOTOR TRANSPORT MODIFICATIONS .....	11,392	11,392
38	JOINT LIGHT TACTICAL VEHICLE .....	607,011	607,011
39	FAMILY OF TACTICAL TRAILERS .....	2,393	2,393
40	TRAILERS .....	6,540	6,540
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
41	ENVIRONMENTAL CONTROL EQUIP ASSORT .....	496	496
42	TACTICAL FUEL SYSTEMS .....	54	54
43	POWER EQUIPMENT ASSORTED .....	21,062	21,062
44	AMPHIBIOUS SUPPORT EQUIPMENT .....	5,290	5,290
45	EOD SYSTEMS .....	47,854	47,854
	<b>MATERIALS HANDLING EQUIPMENT</b>		
46	PHYSICAL SECURITY EQUIPMENT .....	28,306	28,306
	<b>GENERAL PROPERTY</b>		
47	FIELD MEDICAL EQUIPMENT .....	33,513	33,513
48	TRAINING DEVICES .....	52,040	41,632
	Excess to need .....		[−10,408]
49	FAMILY OF CONSTRUCTION EQUIPMENT .....	36,156	36,156
50	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV) .....	606	606
	<b>OTHER SUPPORT</b>		
51	ITEMS LESS THAN \$5 MILLION .....	11,608	11,608
	<b>SPARES AND REPAIR PARTS</b>		
53	SPARES AND REPAIR PARTS .....	25,804	25,804
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>2,860,410</b>	<b>2,746,934</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL FORCES</b>		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2019 Request	Senate Authorized	
1	F-35 .....	4,261,021	4,193,521	
	Program Realignment .....			[-67,500]
2	F-35 AP .....	406,000	406,000	
18	O/A-X LIGHT ATTACK AIRCRAFT .....	0	350,000	
	Procurement of OA-X aircraft and long lead materials .....			[350,000]
	<b>OTHER COMBAT AIRCRAFT</b>			
3	C-135B .....	222,176	222,176	
	<b>TACTICAL AIRLIFT</b>			
4	KC-46A TANKER .....	2,559,911	2,312,011	
	Interim contractor support .....			[-102,700]
	Restore program accountability .....			[-145,200]
	<b>OTHER AIRLIFT</b>			
5	C-130J .....	35,858	35,858	
6	HC-130J .....	129,437	129,437	
8	MC-130J .....	770,201	770,201	
9	MC-130J AP .....	218,000	218,000	
	<b>HELICOPTERS</b>			
11	COMBAT RESCUE HELICOPTER .....	680,201	680,201	
	<b>MISSION SUPPORT AIRCRAFT</b>			
13	CIVIL AIR PATROL A/C .....	2,719	2,719	
	<b>OTHER AIRCRAFT</b>			
14	TARGET DRONES .....	139,053	139,053	
15	COMPASS CALL MODS .....	108,113	108,113	
17	MQ-9 .....	221,707	341,707	
	Increase to accelerate Advanced Battle Management System .....			[120,000]
	<b>STRATEGIC AIRCRAFT</b>			
19	B-2A .....	60,301	60,301	
20	B-1B .....	51,290	51,290	
21	B-52 .....	105,519	100,719	
	Air Force requested realignment .....			[-14,800]
	LRASM certification .....			[10,000]
	<b>TACTICAL AIRCRAFT</b>			
23	A-10 .....	98,720	163,720	
	Additional replacement wings .....			[65,000]
24	C-130J .....	10,831	10,831	
25	F-15 .....	548,109	548,109	
26	F-16 .....	324,323	324,323	
27	F-22A .....	250,710	250,710	
29	F-35 MODIFICATIONS .....	247,271	297,271	
	F-35A Modifications increase .....			[50,000]
30	F-15 EPAW .....	147,685	147,685	
31	INCREMENT 3.2B .....	9,007	9,007	
33	KC-46A TANKER .....	8,547	8,547	
	<b>AIRLIFT AIRCRAFT</b>			
34	C-5 .....	77,845	77,845	
36	C-17A .....	102,121	102,121	
37	C-21 .....	17,516	17,516	
38	C-32A .....	4,537	4,537	
39	C-37A .....	419	419	
	<b>TRAINER AIRCRAFT</b>			
41	GLIDER MODS .....	137	137	
42	T-6 .....	22,550	22,550	
43	T-1 .....	21,952	21,952	
44	T-38 .....	70,623	70,623	
	<b>OTHER AIRCRAFT</b>			
45	U-2 MODS .....	48,774	48,774	
46	KC-10A (ATCA) .....	11,104	11,104	
47	C-12 .....	4,900	4,900	
48	VC-25A MOD .....	36,938	36,938	
49	C-40 .....	251	251	
50	C-130 .....	22,094	96,094	
	T56 Series 3.5 Engine Enhancement packages .....			[74,000]
51	C-130J MODS .....	132,045	132,045	
52	C-135 .....	113,076	113,076	
53	OC-135B .....	5,913	5,913	
54	COMPASS CALL MODS .....	49,885	49,885	
55	COMBAT FLIGHT INSPECTION (CFIN) .....	499	499	
56	RC-135 .....	394,532	394,532	
57	E-3 .....	133,906	133,906	
58	E-4 .....	67,858	67,858	
59	E-8 .....	9,919	34,919	
	Central Computer upgrade design .....			[25,000]
60	AIRBORNE WARNING AND CNTR SYS (AWACS) 40/45 .....	57,780	57,780	
61	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	14,293	14,293	
62	H-1 .....	2,940	2,940	
63	H-60 .....	55,466	55,466	
64	RQ-4 MODS .....	23,715	23,715	
65	HC/MC-130 MODIFICATIONS .....	37,754	37,754	
66	OTHER AIRCRAFT .....	62,010	62,010	
67	MQ-9 MODS .....	171,548	171,548	
69	CV-22 MODS .....	60,416	60,416	
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>			
70	INITIAL SPARES/REPAIR PARTS .....	956,408	1,006,408	



SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
	F-35A spares .....		[50,000]
	<b>COMMON SUPPORT EQUIPMENT</b>		
71	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	81,241	81,241
	<b>POST PRODUCTION SUPPORT</b>		
74	B-2A .....	1,763	1,763
75	B-2B .....	35,861	35,861
76	B-52 .....	12,819	12,819
77	C-17A .....	10,114	10,114
79	F-15 .....	2,545	2,545
81	F-16 .....	11,718	11,718
82	F-22A .....	14,489	14,489
83	OTHER AIRCRAFT .....	9,928	9,928
84	RQ-4 POST PRODUCTION CHARGES .....	40,641	40,641
	<b>INDUSTRIAL PREPAREDNESS</b>		
86	INDUSTRIAL RESPONSIVENESS .....	17,378	17,378
	<b>WAR CONSUMABLES</b>		
88	WAR CONSUMABLES .....	29,342	29,342
	<b>OTHER PRODUCTION CHARGES</b>		
89	OTHER PRODUCTION CHARGES .....	1,502,386	1,502,386
	CLASSIFIED PROGRAMS .....	28,278	28,278
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>16,620,937</b>	<b>16,620,737</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>		
1	MISSILE REPLACEMENT EQ-BALLISTIC .....	36,786	36,786
	<b>TACTICAL</b>		
2	JOINT AIR-SURFACE STANDOFF MISSILE .....	430,708	430,708
3	LRASMO .....	44,185	54,385
	Restore reduction .....		[10,200]
4	SIDEWINDER (AIM-9X) .....	121,253	121,253
5	AMRAAM .....	337,886	337,886
6	PREDATOR HELLFIRE MISSILE .....	113,765	113,765
7	SMALL DIAMETER BOMB .....	105,034	105,034
8	SMALL DIAMETER BOMB II .....	100,861	92,861
	Unit price adjustment .....		[-8,000]
	<b>INDUSTRIAL FACILITIES</b>		
9	INDUSTRIAL PREPAREDNESS/POL PREVENTION .....	787	787
	<b>CLASS IV</b>		
10	ICBM FUZE MOD .....	15,767	15,767
11	ICBM FUZE MOD AP .....	4,100	4,100
12	MM III MODIFICATIONS .....	129,199	129,199
13	AGM-65D MAVERICK .....	288	288
14	AIR LAUNCH CRUISE MISSILE (ALCM) .....	47,632	47,632
	<b>MISSILE SPARES AND REPAIR PARTS</b>		
16	REPLENISH SPARES/REPAIR PARTS .....	97,481	97,481
	<b>SPECIAL PROGRAMS</b>		
18	SPECIAL UPDATE PROGRAMS .....	188,539	188,539
	CLASSIFIED PROGRAMS .....	895,183	895,183
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>2,669,454</b>	<b>2,671,654</b>
	<b>SPACE PROCUREMENT, AIR FORCE</b>		
	<b>SPACE PROGRAMS</b>		
1	ADVANCED EHF .....	29,829	29,829
2	AF SATELLITE COMM SYSTEM .....	35,400	35,400
3	COUNTERSPACE SYSTEMS .....	1,121	1,121
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	27,867	27,867
5	WIDEBAND GAPFILLER SATELLITES(SPACE) .....	61,606	61,606
6	GENERAL INFORMATION TECH—SPACE .....	3,425	3,425
7	GPS III SPACE SEGMENT .....	69,386	69,386
8	GLOBAL POSITIONING (SPACE) .....	2,181	2,181
9	INTEG BROADCAST SERV .....	16,445	16,445
10	SPACEBORNE EQUIP (COMSEC) .....	31,895	31,895
12	MILSATCOM .....	11,265	11,265
13	EVOLVED EXPENDABLE LAUNCH CAPABILITY .....	709,981	709,981
14	EVOLVED EXPENDABLE LAUNCH VEH(SPACE) .....	994,555	994,555
15	SBIR HIGH (SPACE) .....	138,397	138,397
17	NUDET DETECTION SYSTEM .....	7,705	7,705
18	ROCKET SYSTEMS LAUNCH PROGRAM .....	47,609	47,609
19	SPACE FENCE .....	51,361	51,361
20	SPACE MODS .....	148,065	148,065
21	SPACELIFT RANGE SYSTEM SPACE .....	117,637	117,637
	<b>SPARES</b>		
22	SPARES AND REPAIR PARTS .....	21,812	21,812
	<b>TOTAL SPACE PROCUREMENT, AIR FORCE</b> .....	<b>2,527,542</b>	<b>2,527,542</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
1	ROCKETS .....	345,911	345,911
	<b>CARTRIDGES</b>		
2	CARTRIDGES .....	163,840	163,840
	<b>BOMBS</b>		
3	PRACTICE BOMBS .....	20,876	20,876
4	GENERAL PURPOSE BOMBS .....	259,308	259,308

SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
5	MASSIVE ORDNANCE PENETRATOR (MOP) .....	38,111	38,111
6	JOINT DIRECT ATTACK MUNITION .....	234,198	234,198
7	B61 .....	109,292	109,292
8	B61 AP .....	52,731	52,731
	<b>OTHER ITEMS</b>		
9	CAD/PAD .....	51,455	51,455
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....	6,038	6,038
11	SPARES AND REPAIR PARTS .....	524	524
12	MODIFICATIONS .....	1,270	1,270
13	ITEMS LESS THAN \$5,000,000 .....	4,604	4,604
	<b>FLARES</b>		
15	FLARES .....	125,286	125,286
	<b>FUZES</b>		
16	FUZES .....	109,358	109,358
	<b>SMALL ARMS</b>		
17	SMALL ARMS .....	64,502	64,502
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....	<b>1,587,304</b>	<b>1,587,304</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
1	PASSENGER CARRYING VEHICLES .....	6,949	6,949
	<b>CARGO AND UTILITY VEHICLES</b>		
2	MEDIUM TACTICAL VEHICLE .....	36,002	36,002
3	CAP VEHICLES .....	1,022	1,022
4	CARGO AND UTILITY VEHICLES .....	42,696	49,879
	Procurement of 7 DABs for PACOM .....		[7,183]
	<b>SPECIAL PURPOSE VEHICLES</b>		
5	JOINT LIGHT TACTICAL VEHICLE .....	30,145	30,145
6	SECURITY AND TACTICAL VEHICLES .....	1,230	3,903
	Procurement of 7 DABs for PACOM .....		[2,673]
7	SPECIAL PURPOSE VEHICLES .....	43,003	53,693
	Procurement of 7 DABs for PACOM .....		[10,690]
	<b>FIRE FIGHTING EQUIPMENT</b>		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	23,328	32,308
	Procurement of 7 DABs for PACOM .....		[8,980]
	<b>MATERIALS HANDLING EQUIPMENT</b>		
9	MATERIALS HANDLING VEHICLES .....	11,537	31,309
	Procurement of 7 DABs for PACOM .....		[19,772]
	<b>BASE MAINTENANCE SUPPORT</b>		
10	RUNWAY SNOW REMOV AND CLEANING EQU .....	37,600	40,353
	Procurement of 7 DABs for PACOM .....		[2,753]
11	BASE MAINTENANCE SUPPORT VEHICLES .....	104,923	104,923
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
12	COMSEC EQUIPMENT .....	114,372	114,372
	<b>INTELLIGENCE PROGRAMS</b>		
13	INTERNATIONAL INTEL TECH & ARCHITECTURES .....	8,290	8,290
14	INTELLIGENCE TRAINING EQUIPMENT .....	2,099	2,099
15	INTELLIGENCE COMM EQUIPMENT .....	37,415	37,415
	<b>ELECTRONICS PROGRAMS</b>		
16	AIR TRAFFIC CONTROL & LANDING SYS .....	57,937	57,937
18	BATTLE CONTROL SYSTEM—FIXED .....	3,012	3,012
19	THEATER AIR CONTROL SYS IMPROVEMEN .....	19,989	19,989
20	WEATHER OBSERVATION FORECAST .....	45,020	45,020
21	STRATEGIC COMMAND AND CONTROL .....	32,836	32,836
22	CHEYENNE MOUNTAIN COMPLEX .....	12,454	12,454
23	MISSION PLANNING SYSTEMS .....	14,263	14,263
25	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN) .....	7,769	7,769
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
26	GENERAL INFORMATION TECHNOLOGY .....	40,450	40,450
27	AF GLOBAL COMMAND & CONTROL SYS .....	6,619	6,619
28	MOBILITY COMMAND AND CONTROL .....	10,192	10,192
29	AIR FORCE PHYSICAL SECURITY SYSTEM .....	159,313	161,315
	Procurement of 7 DABs for PACOM .....		[2,002]
30	COMBAT TRAINING RANGES .....	132,675	132,675
31	MINIMUM ESSENTIAL EMERGENCY COMM N .....	140,875	140,875
32	WIDE AREA SURVEILLANCE (WAS) .....	92,104	92,104
33	C3 COUNTERMEASURES .....	45,152	45,152
34	GCSS-AF FOS .....	483	483
35	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS .....	802	802
36	MAINTENANCE REPAIR & OVERHAUL INITIATIVE .....	12,207	12,207
37	THEATER BATTLE MGT C2 SYSTEM .....	7,644	7,644
38	AIR & SPACE OPERATIONS CENTER (AOC) .....	40,066	40,066
	<b>AIR FORCE COMMUNICATIONS</b>		
41	BASE INFORMATION TRANSPRT INFRAST (BITI) WIRED .....	22,357	22,357
42	AFNET .....	102,836	102,836
43	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	3,145	3,145
44	USCENTCOM .....	13,194	13,194
	<b>ORGANIZATION AND BASE</b>		
45	TACTICAL C-E EQUIPMENT .....	161,231	161,231
47	RADIO EQUIPMENT .....	12,142	12,142
48	CCTV/AUDIOVISUAL EQUIPMENT .....	6,505	6,505
49	BASE COMM INFRASTRUCTURE .....	169,404	169,404
	<b>MODIFICATIONS</b>		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
50	COMM ELECT MODS .....	10,654	10,654
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
51	PERSONAL SAFETY AND RESCUE EQUIPMENT .....	51,906	51,906
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>		
52	MECHANIZED MATERIAL HANDLING EQUIP .....	88,298	88,298
	<b>BASE SUPPORT EQUIPMENT</b>		
53	BASE PROCURED EQUIPMENT .....	17,031	17,031
54	ENGINEERING AND EOD EQUIPMENT .....	82,635	82,635
55	MOBILITY EQUIPMENT .....	9,549	9,549
56	BASE MAINTENANCE AND SUPPORT EQUIPMENT .....	24,005	48,048
	Procurement of 7 DABs for PACOM .....		[24,043]
	<b>SPECIAL SUPPORT PROJECTS</b>		
58	DARP RC135 .....	26,262	26,262
59	DCGS-AF .....	448,290	448,290
61	SPECIAL UPDATE PROGRAM .....	913,813	913,813
	CLASSIFIED PROGRAMS .....	17,258,069	17,258,069
	<b>CLASSIFIED PROGRAMS</b>		
	<b>SPARES AND REPAIR PARTS</b>		
63	SPARES AND REPAIR PARTS .....	86,365	86,365
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>20,890,164</b>	<b>20,968,260</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, OSD</b>		
43	MAJOR EQUIPMENT, OSD .....	35,295	35,295
	<b>MAJOR EQUIPMENT, NSA</b>		
42	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	5,403	5,403
	<b>MAJOR EQUIPMENT, WHS</b>		
46	MAJOR EQUIPMENT, WHS .....	497	497
	<b>MAJOR EQUIPMENT, DISA</b>		
7	INFORMATION SYSTEMS SECURITY .....	21,590	41,590
	Sharkseer .....		[20,000]
8	TELEPORT PROGRAM .....	33,905	33,905
9	ITEMS LESS THAN \$5 MILLION .....	27,886	27,886
10	NET CENTRIC ENTERPRISE SERVICES (NCES) .....	1,017	1,017
11	DEFENSE INFORMATION SYSTEM NETWORK .....	150,674	150,674
13	WHITE HOUSE COMMUNICATION AGENCY .....	94,610	94,610
14	SENIOR LEADERSHIP ENTERPRISE .....	197,246	197,246
15	JOINT REGIONAL SECURITY STACKS (JRSS) .....	140,338	140,338
16	JOINT SERVICE PROVIDER .....	107,182	87,682
	General reduction .....		[-19,500]
	<b>MAJOR EQUIPMENT, DLA</b>		
18	MAJOR EQUIPMENT .....	5,225	5,225
	<b>MAJOR EQUIPMENT, DSS</b>		
21	MAJOR EQUIPMENT .....	1,196	1,196
	<b>MAJOR EQUIPMENT, DCAA</b>		
1	ITEMS LESS THAN \$5 MILLION .....	2,542	2,542
	<b>MAJOR EQUIPMENT, TJS</b>		
44	MAJOR EQUIPMENT, TJS .....	4,360	4,360
45	MAJOR EQUIPMENT, TJS—CE2T2 .....	904	904
	<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>		
26	THAAD .....	874,068	874,068
27	GROUND BASED MIDCOURSE .....	409,000	409,000
28	GROUND BASED MIDCOURSE AP .....	115,000	115,000
29	AEGIS BMD .....	593,488	593,488
30	AEGIS BMD AP .....	115,206	115,206
31	BMDs AN/TPY—2 RADARS .....	13,185	13,185
32	ISRAELI PROGRAMS .....	80,000	80,000
33	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD) .....	50,000	50,000
34	AEGIS ASHORE PHASE III .....	15,000	15,000
35	IRON DOME .....	70,000	70,000
36	AEGIS BMD HARDWARE AND SOFTWARE .....	97,057	97,057
	<b>MAJOR EQUIPMENT, DHRA</b>		
3	PERSONNEL ADMINISTRATION .....	10,630	10,630
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>		
23	VEHICLES .....	207	207
24	OTHER MAJOR EQUIPMENT .....	5,592	5,592
	<b>MAJOR EQUIPMENT, DODEA</b>		
20	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	1,723	1,723
	<b>MAJOR EQUIPMENT, DCMA</b>		
2	MAJOR EQUIPMENT .....	3,873	3,873
	<b>MAJOR EQUIPMENT, DMACT</b>		
19	MAJOR EQUIPMENT .....	13,106	13,106
	CLASSIFIED PROGRAMS .....	589,691	589,691
	<b>CLASSIFIED PROGRAMS</b>		
	<b>AVIATION PROGRAMS</b>		
50	ROTARY WING UPGRADES AND SUSTAINMENT .....	148,351	148,351
51	UNMANNED ISR .....	57,708	57,708
52	NON-STANDARD AVIATION .....	18,731	18,731
53	U—28 .....	32,301	32,301
54	MH—47 CHINOOK .....	131,033	131,033
55	CV—22 MODIFICATION .....	32,529	32,529
56	MQ—9 UNMANNED AERIAL VEHICLE .....	24,621	24,621
57	PRECISION STRIKE PACKAGE .....	226,965	226,965

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
58	AC/MC-130J .....	165,813	165,813
59	C-130 MODIFICATIONS .....	80,274	80,274
	<b>SHIPBUILDING</b>		
60	UNDERWATER SYSTEMS .....	136,723	136,723
	<b>AMMUNITION PROGRAMS</b>		
61	ORDNANCE ITEMS <\$5M .....	357,742	357,742
	<b>OTHER PROCUREMENT PROGRAMS</b>		
62	INTELLIGENCE SYSTEMS .....	85,699	85,699
63	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	17,863	17,863
64	OTHER ITEMS <\$5M .....	112,117	112,117
65	COMBATANT CRAFT SYSTEMS .....	7,313	7,313
66	SPECIAL PROGRAMS .....	14,026	14,026
67	TACTICAL VEHICLES .....	88,608	88,608
68	WARRIOR SYSTEMS <\$5M .....	438,590	438,590
69	COMBAT MISSION REQUIREMENTS .....	19,408	19,408
70	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	6,281	6,281
71	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	18,509	18,509
73	OPERATIONAL ENHANCEMENTS .....	367,433	367,433
	<b>CBDP</b>		
74	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS .....	166,418	166,418
75	CB PROTECTION & HAZARD MITIGATION .....	144,519	144,519
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>6,786,271</b>	<b>6,786,771</b>
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
1	JOINT URGENT OPERATIONAL NEEDS FUND .....	100,025	100,025
	<b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND</b> .....	<b>100,025</b>	<b>100,025</b>
	<b>TOTAL PROCUREMENT</b> .....	<b>130,526,043</b>	<b>131,998,763</b>

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

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
	<b>AIRCRAFT PROCUREMENT, ARMY</b>		
	<b>FIXED WING</b>		
3	MQ-1 UAV .....	60,000	60,000
	<b>ROTARY</b>		
11	UH-60 BLACKHAWK M MODEL (MYP) .....	21,246	21,246
14	CH-47 HELICOPTER .....	25,000	25,000
	<b>MODIFICATION OF AIRCRAFT</b>		
17	MQ-1 PAYLOAD (MIP) .....	11,400	11,400
19	GRAY EAGLE MODS2 .....	32,000	32,000
20	MULTI SENSOR ABN RECON (MIP) .....	51,000	51,000
32	RQ-7 UAV MODS .....	50,868	50,868
33	UAS MODS .....	3,402	3,402
	<b>GROUND SUPPORT AVIONICS</b>		
36	CMWS .....	84,387	84,387
37	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	24,060	24,060
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>363,363</b>	<b>363,363</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
2	MSE MISSILE .....	260,000	260,000
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
5	HELLFIRE SYS SUMMARY .....	255,040	255,040
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
8	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	31,120	31,120
11	GUIDED MLRS ROCKET (GMLRS) .....	624,500	624,500
13	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....	171,138	171,138
14	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) .....	112,973	112,973
	<b>MODIFICATIONS</b>		
16	ATACMS MODS .....	225,580	225,580
21	MLRS MODS .....	122,000	122,000
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>1,802,351</b>	<b>1,802,351</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
1	BRADLEY PROGRAM .....	205,000	205,000
2	ARMORED MULTI PURPOSE VEHICLE (AMPV) .....	230,359	230,359
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
6	BRADLEY PROGRAM (MOD) .....	50,000	50,000
8	PALADIN INTEGRATED MANAGEMENT (PIM) .....	67,000	67,000
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	42,354	42,354
14	M1 ABRAMS TANK (MOD) .....	34,000	34,000
15	ABRAMS UPGRADE PROGRAM .....	455,000	455,000
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
18	M240 MEDIUM MACHINE GUN (7.62MM) .....	126	126
22	MORTAR SYSTEMS .....	11,842	11,842
25	CARBINE .....	1,800	1,800

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

Line	Item	FY 2019 Request	Senate Authorized
27	COMMON REMOTELY OPERATED WEAPONS STATION .....	3,378	3,378
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
32	M2 50 CAL MACHINE GUN MODS .....	4,920	4,920
34	M240 MEDIUM MACHINE GUN MODS .....	7	7
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
39	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	1,397	1,397
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>1,107,183</b>	<b>1,107,183</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
1	CTG, 5.56MM, ALL TYPES .....	3,392	3,392
2	CTG, 7.62MM, ALL TYPES .....	40	40
3	CTG, HANDGUN, ALL TYPES .....	17	17
4	CTG, .50 CAL, ALL TYPES .....	189	189
5	CTG, 20MM, ALL TYPES .....	1,605	1,605
7	CTG, 30MM, ALL TYPES .....	25,000	25,000
	<b>MORTAR AMMUNITION</b>		
9	60MM MORTAR, ALL TYPES .....	218	218
10	81MM MORTAR, ALL TYPES .....	484	484
	<b>ARTILLERY AMMUNITION</b>		
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	79,400	79,400
15	PROJ 155MM EXTENDED RANGE M982 .....	72,985	72,985
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	63,900	63,900
	<b>ROCKETS</b>		
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	22,242	22,242
19	ROCKET, HYDRA 70, ALL TYPES .....	39,974	39,974
	<b>OTHER AMMUNITION</b>		
21	DEMOLITION MUNITIONS, ALL TYPES .....	5	5
22	GRENADES, ALL TYPES .....	8	8
	<b>MISCELLANEOUS</b>		
27	ITEMS LESS THAN \$5 MILLION (AMMO) .....	66	66
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....	<b>309,525</b>	<b>309,525</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
2	SEMITRAILERS, FLATBED: .....	8,000	8,000
3	AMBULANCE, 4 LITTER, 5/4 TON, 4X4 .....	20,770	20,770
10	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	115,400	115,400
12	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....	6,682	6,682
13	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	50,000	50,000
14	MODIFICATION OF IN SVC EQUIP .....	186,377	186,377
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
28	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	7,100	7,100
	<b>COMM—COMBAT COMMUNICATIONS</b>		
37	JOINT TACTICAL RADIO SYSTEM .....	1,560	1,560
42	TRACTOR RIDE .....	13,190	13,190
45	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM .....	9,549	9,549
47	COTS COMMUNICATIONS EQUIPMENT .....	22,000	22,000
	<b>COMM—INTELLIGENCE COMM</b>		
50	CI AUTOMATION ARCHITECTURE (MIP) .....	9,800	9,800
	<b>INFORMATION SECURITY</b>		
55	COMMUNICATIONS SECURITY (COMSEC) .....	3	3
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
59	BASE SUPPORT COMMUNICATIONS .....	690	690
	<b>COMM—BASE COMMUNICATIONS</b>		
60	INFORMATION SYSTEMS .....	8,750	8,750
63	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	60,337	60,337
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
68	DCGS-A (MIP) .....	37,806	37,806
70	TROJAN (MIP) .....	6,926	6,926
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	2,011	2,011
75	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP) .....	5,370	5,370
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
80	CREW .....	42,651	42,651
81	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP) .....	20,050	20,050
82	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	12,974	12,974
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
85	NIGHT VISION DEVICES .....	463	463
86	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM .....	2,861	2,861
87	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	60	60
88	RADIATION MONITORING SYSTEMS .....	11	11
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	251,062	251,062
91	FAMILY OF WEAPON SIGHTS (FWS) .....	525	525
94	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	26,146	26,146
96	MOD OF IN-SVC EQUIP (LLDR) .....	4,050	4,050
97	COMPUTER BALLISTICS: LHIMBC XM32 .....	960	960
98	MORTAR FIRE CONTROL SYSTEM .....	7,660	7,660
99	COUNTERFIRE RADARS .....	165,200	165,200
	<b>ELECT EQUIP—AUTOMATION</b>		
112	AUTOMATED DATA PROCESSING EQUIP .....	28,475	28,475
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
121	PROTECTIVE SYSTEMS .....	27	27
122	FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....	20,200	20,200

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
123	BASE DEFENSE SYSTEMS (BDS) .....	39,200	39,200
124	CBRN DEFENSE .....	2,317	2,317
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
129	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS) .....	16,000	16,000
130	AREA MINE DETECTION SYSTEM (AMDS) .....	1	1
132	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS) .....	4,850	4,850
136	REMOTE DEMOLITION SYSTEMS .....	1	1
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
139	HEATERS AND ECU'S .....	270	270
141	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	4,300	4,300
142	GROUND SOLDIER SYSTEM .....	1,725	1,725
144	FORCE PROVIDER .....	55,800	55,800
145	FIELD FEEDING EQUIPMENT .....	1,035	1,035
146	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	1,980	1,980
	<b>MEDICAL EQUIPMENT</b>		
151	COMBAT SUPPORT MEDICAL .....	17,527	17,527
	<b>MAINTENANCE EQUIPMENT</b>		
153	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	268	268
	<b>CONSTRUCTION EQUIPMENT</b>		
159	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....	25,700	25,700
	<b>GENERATORS</b>		
165	GENERATORS AND ASSOCIATED EQUIP .....	569	569
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	9,495	9,495
	<b>OTHER SUPPORT EQUIPMENT</b>		
176	M25 STABILIZED BINOCULAR .....	33	33
177	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	18,000	18,000
178	PHYSICAL SECURITY SYSTEMS (OPA3) .....	6,000	6,000
179	BASE LEVEL COMMON EQUIPMENT .....	2,080	2,080
180	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	19,200	19,200
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>1,382,047</b>	<b>1,382,047</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>OTHER AIRCRAFT</b>		
25	STUASLO UAV .....	35,065	35,065
	<b>MODIFICATION OF AIRCRAFT</b>		
32	SH-60 SERIES .....	4,858	4,858
34	EP-3 SERIES .....	5,380	5,380
44	SPECIAL PROJECT AIRCRAFT .....	2,165	2,165
49	COMMON ECM EQUIPMENT .....	9,820	9,820
51	COMMON DEFENSIVE WEAPON SYSTEM .....	3,206	3,206
61	QRC .....	2,410	2,410
63	RQ-21 SERIES .....	17,215	17,215
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>80,119</b>	<b>80,119</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>STRATEGIC MISSILES</b>		
3	TOMAHAWK .....		82,800
	Buy-back Tomahawk .....		[82,800]
	<b>TACTICAL MISSILES</b>		
4	AMRAAM .....	1,183	1,183
5	SIDEWINDER .....	381	381
12	HELLFIRE .....	1,530	1,530
15	AERIAL TARGETS .....	6,500	6,500
	<b>GUNS AND GUN MOUNTS</b>		
35	SMALL ARMS AND WEAPONS .....	1,540	1,540
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
38	GUN MOUNT MODS .....	3,000	3,000
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>14,134</b>	<b>96,934</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
1	GENERAL PURPOSE BOMBS .....	62,530	62,530
2	JDAM .....	93,019	93,019
3	AIRBORNE ROCKETS, ALL TYPES .....	2,163	2,163
4	MACHINE GUN AMMUNITION .....	5,000	5,000
6	CARTRIDGES & CART ACTUATED DEVICES .....	5,334	5,334
7	AIR EXPENDABLE COUNTERMEASURES .....	36,580	36,580
8	JATOS .....	747	747
11	OTHER SHIP GUN AMMUNITION .....	2,538	2,538
13	PYROTECHNIC AND DEMOLITION .....	1,807	1,807
15	AMMUNITION LESS THAN \$5 MILLION .....	2,229	229
	Excess balances .....		[-2,000]
	<b>MARINE CORPS AMMUNITION</b>		
19	MORTARS .....	2,018	2,018
21	DIRECT SUPPORT MUNITIONS .....	632	632
22	INFANTRY WEAPONS AMMUNITION .....	779	779
26	COMBAT SUPPORT MUNITIONS .....	164	164
29	ARTILLERY MUNITIONS .....	31,001	31,001
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>246,541</b>	<b>244,541</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>OTHER SHIPBOARD EQUIPMENT</b>		



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

Line	Item	FY 2019 Request	Senate Authorized
21	UNDERWATER EOD PROGRAMS .....	9,200	9,200
	<b>SMALL BOATS</b>		
28	STANDARD BOATS .....	19,060	19,060
	<b>ASW ELECTRONIC EQUIPMENT</b>		
43	FIXED SURVEILLANCE SYSTEM .....	56,950	56,950
	<b>SATELLITE COMMUNICATIONS</b>		
77	SATELLITE COMMUNICATIONS SYSTEMS .....	3,200	3,200
	<b>CRYPTOLOGIC EQUIPMENT</b>		
82	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	2,000	2,000
	<b>SONOBUOYS</b>		
88	SONOBUOYS—ALL TYPES .....	21,156	21,156
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	33,580	33,580
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
108	PASSENGER CARRYING VEHICLES .....	170	170
109	GENERAL PURPOSE TRUCKS .....	400	400
111	FIRE FIGHTING EQUIPMENT .....	770	770
112	TACTICAL VEHICLES .....	7,298	7,298
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
118	FIRST DESTINATION TRANSPORTATION .....	500	500
	<b>COMMAND SUPPORT EQUIPMENT</b>		
123	MEDICAL SUPPORT EQUIPMENT .....	6,500	6,500
128	ENVIRONMENTAL SUPPORT EQUIPMENT .....	2,200	2,200
129	PHYSICAL SECURITY EQUIPMENT .....	19,389	19,389
	CLASSIFIED PROGRAMS .....	4,800	4,800
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>187,173</b>	<b>187,173</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
22	FIRE SUPPORT SYSTEM .....	5,583	5,583
	<b>TACTICAL VEHICLES</b>		
37	MOTOR TRANSPORT MODIFICATIONS .....	44,440	44,440
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
45	EOD SYSTEMS .....	8,000	8,000
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>58,023</b>	<b>58,023</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>OTHER AIRLIFT</b>		
6	HC-130J .....	100,000	100,000
	<b>OTHER AIRCRAFT</b>		
17	MQ-9 .....	339,740	339,740
18	RQ-20B PUMA .....	13,500	13,500
	<b>STRATEGIC AIRCRAFT</b>		
20	B-1B .....	4,000	4,000
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	149,778	149,778
	<b>TACTICAL AIRCRAFT</b>		
23	A-10 .....	10,350	10,350
	<b>OTHER AIRCRAFT</b>		
45	U-2 MODS .....	7,900	7,900
54	COMPASS CALL MODS .....	36,400	36,400
59	E-8 .....	13,000	13,000
63	H-60 .....	40,560	40,560
65	HC/MC-130 MODIFICATIONS .....	87,900	87,900
66	OTHER AIRCRAFT .....	53,731	53,731
68	MQ-9 UAS PAYLOADS .....	16,000	16,000
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
70	INITIAL SPARES/REPAIR PARTS .....	91,500	91,500
	<b>COMMON SUPPORT EQUIPMENT</b>		
71	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	32,529	32,529
72	OTHER PRODUCTION CHARGES .....	22,000	22,000
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>1,018,888</b>	<b>1,018,888</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL</b>		
2	JOINT AIR-SURFACE STANDOFF MISSILE .....	61,600	84,400
	Buy-back JASSM-ER .....		[22,800]
5	AMRAAM .....	2,600	2,600
6	PREDATOR HELLFIRE MISSILE .....	255,000	255,000
7	SMALL DIAMETER BOMB .....	140,724	140,724
	<b>CLASS IV</b>		
13	AGM-65D MAVERICK .....	33,602	33,602
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>493,526</b>	<b>516,326</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>CARTRIDGES</b>		
2	CARTRIDGES .....	29,587	29,587
	<b>BOMBS</b>		
4	GENERAL PURPOSE BOMBS .....	551,862	551,862
6	JOINT DIRECT ATTACK MUNITION .....	738,451	738,451
	<b>FLARES</b>		
15	FLARES .....	12,116	12,116
	<b>FUZES</b>		
16	FUZES .....	81,000	81,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Item		FY 2019 Request	Senate Authorized
	<b>SMALL ARMS</b>			
17	SMALL ARMS .....		8,500	8,500
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....		<b>1,421,516</b>	<b>1,421,516</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>			
	<b>PASSENGER CARRYING VEHICLES</b>			
1	PASSENGER CARRYING VEHICLES .....		9,680	9,680
	<b>CARGO AND UTILITY VEHICLES</b>			
2	MEDIUM TACTICAL VEHICLE .....		9,680	9,680
4	CARGO AND UTILITY VEHICLES .....		19,680	19,680
	<b>SPECIAL PURPOSE VEHICLES</b>			
6	SECURITY AND TACTICAL VEHICLES .....		24,880	24,880
7	SPECIAL PURPOSE VEHICLES .....		34,680	34,680
	<b>FIRE FIGHTING EQUIPMENT</b>			
8	FIRE FIGHTING/CRASH RESCUE VEHICLES .....		9,736	9,736
	<b>MATERIALS HANDLING EQUIPMENT</b>			
9	MATERIALS HANDLING VEHICLES .....		24,680	24,680
	<b>BASE MAINTENANCE SUPPORT</b>			
10	RUNWAY SNOW REMOV AND CLEANING EQU .....		9,680	9,680
11	BASE MAINTENANCE SUPPORT VEHICLES .....		9,680	9,680
	<b>INTELLIGENCE PROGRAMS</b>			
15	INTELLIGENCE COMM EQUIPMENT .....		6,156	6,156
	<b>ELECTRONICS PROGRAMS</b>			
16	AIR TRAFFIC CONTROL & LANDING SYS .....		56,884	56,884
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>			
29	AIR FORCE PHYSICAL SECURITY SYSTEM .....		46,236	46,236
37	THEATER BATTLE MGT C2 SYSTEM .....		2,500	2,500
	<b>ORGANIZATION AND BASE</b>			
45	TACTICAL C-E EQUIPMENT .....		27,911	27,911
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>			
51	PERSONAL SAFETY AND RESCUE EQUIPMENT .....		13,600	13,600
	<b>BASE SUPPORT EQUIPMENT</b>			
53	BASE PROCURED EQUIPMENT .....		28,800	28,800
54	ENGINEERING AND EOD EQUIPMENT .....		53,500	53,500
55	MOBILITY EQUIPMENT .....		78,562	78,562
56	BASE MAINTENANCE AND SUPPORT EQUIPMENT .....		28,055	28,055
	<b>SPECIAL SUPPORT PROJECTS</b>			
59	DCGS-AF .....		2,000	2,000
	CLASSIFIED PROGRAMS .....		3,229,364	3,229,364
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....		<b>3,725,944</b>	<b>3,725,944</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>			
	<b>MAJOR EQUIPMENT, DISA</b>			
8	TELEPORT PROGRAM .....		3,800	3,800
17	DEFENSE INFORMATION SYSTEMS NETWORK .....		12,000	12,000
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>			
25	COUNTER IED & IMPROVISED THREAT TECHNOLOGIES .....		5,534	5,534
	CLASSIFIED PROGRAMS .....		41,559	41,559
	<b>CLASSIFIED PROGRAMS</b>			
	<b>AVIATION PROGRAMS</b>			
47	MANNED ISR .....		5,000	5,000
48	MC-12 .....		5,000	5,000
49	MH-60 BLACKHAWK .....		27,600	27,600
51	UNMANNED ISR .....		17,000	17,000
52	NON-STANDARD AVIATION .....		13,000	13,000
53	U-28 .....		51,722	51,722
54	MH-47 CHINOOK .....		36,500	36,500
	<b>AMMUNITION PROGRAMS</b>			
61	ORDNANCE ITEMS <\$5M .....		100,850	100,850
	<b>OTHER PROCUREMENT PROGRAMS</b>			
62	INTELLIGENCE SYSTEMS .....		16,500	16,500
64	OTHER ITEMS <\$5M .....		7,700	7,700
67	TACTICAL VEHICLES .....		59,891	59,891
68	WARRIOR SYSTEMS <\$5M .....		21,135	21,135
69	COMBAT MISSION REQUIREMENTS .....		10,000	10,000
71	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....		10,805	10,805
73	OPERATIONAL ENHANCEMENTS .....		126,539	126,539
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....		<b>572,135</b>	<b>572,135</b>
	<b>TOTAL PROCUREMENT</b> .....		<b>12,782,468</b>	<b>12,886,068</b>

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2019 Request	Senate Authorized
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>		
		<b>BASIC RESEARCH</b>		
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	11,585	11,585
2	0601102A	DEFENSE RESEARCH SCIENCES .....	276,912	289,412

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		Basic research increase .....		[7,500]
		Quantum information sciences .....		[5,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	65,283	65,283
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	92,115	97,115
		Basic research program increase .....		[5,000]
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>445,895</b>	<b>463,395</b>
		<b>APPLIED RESEARCH</b>		
5	0602105A	MATERIALS TECHNOLOGY .....	28,600	28,600
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY .....	32,366	37,366
		Program increase .....		[5,000]
7	0602122A	TRACTOR HIP .....	8,674	8,674
8	0602126A	TRACTOR JACK .....	400	400
9	0602211A	AVIATION TECHNOLOGY .....	64,847	59,847
		Mission systems / engine and drives coordination .....		[-5,000]
10	0602270A	ELECTRONIC WARFARE TECHNOLOGY .....	25,571	25,571
11	0602303A	MISSILE TECHNOLOGY .....	50,183	50,183
12	0602307A	ADVANCED WEAPONS TECHNOLOGY .....	29,502	29,502
13	0602308A	ADVANCED CONCEPTS AND SIMULATION .....	28,500	38,500
		Pilot for cyber modeling and simulation .....		[10,000]
14	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY .....	70,450	70,450
15	0602618A	BALLISTICS TECHNOLOGY .....	75,541	75,541
16	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY .....	5,032	5,032
17	0602623A	JOINT SERVICE SMALL ARMS PROGRAM .....	12,394	12,394
18	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY .....	40,444	42,944
		Advanced warheads technology .....		[2,500]
19	0602705A	ELECTRONICS AND ELECTRONIC DEVICES .....	58,283	58,283
20	0602709A	NIGHT VISION TECHNOLOGY .....	29,582	29,582
21	0602712A	COUNTERMINE SYSTEMS .....	21,244	21,244
22	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY .....	24,131	26,631
		General program increase .....		[2,500]
23	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY .....	13,242	13,242
24	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY .....	55,003	50,003
		General Program Reduction .....		[-5,000]
25	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY .....	14,958	14,958
26	0602784A	MILITARY ENGINEERING TECHNOLOGY .....	78,159	78,159
27	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	21,862	21,862
28	0602786A	WARFIGHTER TECHNOLOGY .....	40,566	40,566
29	0602787A	MEDICAL TECHNOLOGY .....	90,075	90,075
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>919,609</b>	<b>929,609</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
30	0603001A	WARFIGHTER ADVANCED TECHNOLOGY .....	39,338	39,338
31	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	62,496	62,496
32	0603003A	AVIATION ADVANCED TECHNOLOGY .....	124,958	119,958
		Platform design and structures systems .....		[-5,000]
33	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY .....	102,686	122,686
		Accelerate ERCA gun .....		[20,000]
34	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY .....	119,739	192,239
		Modular scalable powertrain .....		[2,500]
		Prototype Next Generation Combat Vehicle .....		[70,000]
35	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY .....	13,000	13,000
36	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY .....	8,044	8,044
37	0603009A	TRACTOR HIKE .....	22,631	22,631
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS .....	25,682	25,682
40	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT .....	3,762	3,762
41	0603130A	TRACTOR NAIL .....	4,896	4,896
42	0603131A	TRACTOR EGGS .....	6,041	6,041
43	0603270A	ELECTRONIC WARFARE TECHNOLOGY .....	31,491	31,491
44	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY .....	61,132	61,132
45	0603322A	TRACTOR CAGE .....	16,845	16,845
46	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....	183,322	188,322
		Program increase .....		[5,000]
47	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY .....	11,104	11,104
48	0603607A	JOINT SERVICE SMALL ARMS PROGRAM .....	5,885	5,885
49	0603710A	NIGHT VISION ADVANCED TECHNOLOGY .....	61,376	61,376
50	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS .....	9,136	9,136
51	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY .....	25,864	38,864
		Minor MILCON .....		[8,000]
		Program increase .....		[5,000]
52	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY .....	34,883	37,383
		PNT research .....		[2,500]
53	0603794A	C3 ADVANCED TECHNOLOGY .....	52,387	47,387
		General program decrease .....		[-5,000]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....	<b>1,026,698</b>	<b>1,129,698</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
54	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	10,777	10,777
56	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....	42,802	42,802
57	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	45,254	45,254
58	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV .....	22,700	22,700
59	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	41,974	55,974
		Army UPL: Test and evaluation of M999 155mm .....		[14,000]

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
60	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV .....	119,395	119,395
61	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	8,746	8,746
62	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV .....	35,667	43,667
		ISR capabilities to support long range field artillery .....		[8,000]
63	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	7,350	7,350
64	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	14,749	14,749
65	0603790A	NATO RESEARCH AND DEVELOPMENT .....	3,687	3,687
66	0603801A	AVIATION—ADV DEV .....	10,793	10,793
67	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	14,248	14,248
68	0603807A	MEDICAL SYSTEMS—ADV DEV .....	34,284	34,284
69	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	18,044	18,044
70	0604017A	ROBOTICS DEVELOPMENT .....	95,660	95,660
71	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING .....	38,000	38,000
72	0604100A	ANALYSIS OF ALTERNATIVES .....	9,765	9,765
73	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS) .....	12,393	12,393
74	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR .....	120,374	120,374
75	0604115A	TECHNOLOGY MATURATION INITIATIVES .....	95,347	95,347
76	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD) .....	95,085	95,085
77	0604118A	TRACTOR BEAM .....	52,894	52,894
79	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING .....	77,939	77,939
80	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2) .....	51,030	81,030
		Accelerate delivery and capacity for IFPC .....		[30,000]
81	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	65,817	70,817
		Army Cyber Center of Excellence .....		[5,000]
82	1206120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) .....	146,300	146,300
83	1206308A	ARMY SPACE SYSTEMS INTEGRATION .....	38,319	38,319
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>1,329,393</b>	<b>1,386,393</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
84	0604201A	AIRCRAFT AVIONICS .....	32,293	32,293
85	0604270A	ELECTRONIC WARFARE DEVELOPMENT .....	78,699	78,699
88	0604328A	TRACTOR CAGE .....	17,050	17,050
89	0604601A	INFANTRY SUPPORT WEAPONS .....	83,155	83,155
90	0604604A	MEDIUM TACTICAL VEHICLES .....	3,704	3,704
91	0604611A	JAVELIN .....	10,623	10,623
92	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES .....	11,950	11,950
93	0604633A	AIR TRAFFIC CONTROL .....	12,347	12,347
95	0604642A	LIGHT TACTICAL WHEELED VEHICLES .....	8,212	8,212
96	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV .....	393,613	318,613
		Mobile Protected Firepower decrease .....		[–75,000]
97	0604710A	NIGHT VISION SYSTEMS—ENG DEV .....	139,614	139,614
98	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....	4,507	4,507
99	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	49,436	49,436
100	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV .....	95,172	95,172
101	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT .....	22,628	22,628
102	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....	13,297	13,297
103	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV .....	9,145	9,145
104	0604768A	BRIGHT ANTI-ARMOR SUBMUNITION (BAT) .....	9,894	9,894
105	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE .....	21,964	21,964
106	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....	49,288	49,288
107	0604802A	WEAPONS AND MUNITIONS—ENG DEV .....	183,100	183,100
108	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....	79,706	79,706
109	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV .....	15,970	15,970
110	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV .....	44,542	44,542
111	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV .....	50,817	50,817
112	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE .....	178,693	178,693
113	0604820A	RADAR DEVELOPMENT .....	39,338	39,338
114	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs) .....	37,851	37,851
115	0604823A	FIREFINDER .....	45,473	45,473
116	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	10,395	10,395
117	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD .....	69,204	78,204
		Suite of Vehicle Protection Systems .....		[9,000]
118	0604854A	ARTILLERY SYSTEMS—EMD .....	1,781	1,781
119	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT .....	113,758	113,758
120	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....	166,603	166,603
121	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV) .....	118,239	118,239
122	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C) .....	3,211	3,211
123	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC) .....	15,889	15,889
124	0605031A	JOINT TACTICAL NETWORK (JTN) .....	41,972	41,972
125	0605032A	TRACTOR TIRE .....	41,166	41,166
126	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E) .....	5,175	5,175
127	0605034A	TACTICAL SECURITY SYSTEM (TSS) .....	4,496	4,496
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	51,178	51,178
129	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD) .....	11,311	11,311
131	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE .....	17,154	17,154
132	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT .....	36,626	36,626
133	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER) .....	3,829	3,829
134	0605047A	CONTRACT WRITING SYSTEM .....	41,928	0
		Duplication concern in contract writing systems .....		[–41,928]
135	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM) .....	28,276	28,276
136	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	21,965	21,965
137	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1 .....	157,710	157,710
138	0605053A	GROUND ROBOTICS .....	86,167	86,167

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
139	0605054A	EMERGING TECHNOLOGY INITIATIVES .....	42,866	42,866
140	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (UTRS) .....	15,984	15,984
141	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	11,773	11,773
142	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) .....	277,607	277,607
143	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP) .....	12,340	12,340
144	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH .....	2,686	2,686
145	0605830A	AVIATION GROUND SUPPORT EQUIPMENT .....	2,706	2,706
147	0303032A	TROJAN—RH12 .....	4,521	4,521
150	0304270A	ELECTRONIC WARFARE DEVELOPMENT .....	8,922	8,922
151	1205117A	TRACTOR BEARS .....	23,170	23,170
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>3,192,689</b>	<b>3,084,761</b>
		<b>RD&amp;E MANAGEMENT SUPPORT</b>		
152	0604256A	THREAT SIMULATOR DEVELOPMENT .....	12,835	12,835
153	0604258A	TARGET SYSTEMS DEVELOPMENT .....	12,135	12,135
154	0604759A	MAJOR T&E INVESTMENT .....	82,996	107,996
		Program increase .....		[25,000]
155	0605103A	RAND ARROYO CENTER .....	19,821	19,821
156	0605301A	ARMY KWAJALEIN ATOLL .....	246,574	246,574
157	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	30,430	30,430
159	0605601A	ARMY TEST RANGES AND FACILITIES .....	305,759	320,759
		Increase to help manage directed energy workloads .....		[15,000]
160	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....	62,379	62,379
161	0605604A	SURVIVABILITY/LETHALITY ANALYSIS .....	40,496	40,496
162	0605606A	AIRCRAFT CERTIFICATION .....	3,941	3,941
163	0605702A	METEOROLOGICAL SUPPORT TO RD&E ACTIVITIES .....	9,767	9,767
164	0605706A	MATERIEL SYSTEMS ANALYSIS .....	21,226	21,226
165	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	13,026	13,026
166	0605712A	SUPPORT OF OPERATIONAL TESTING .....	52,718	52,718
167	0605716A	ARMY EVALUATION CENTER .....	57,049	57,049
168	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG .....	2,801	2,801
169	0605801A	PROGRAMWIDE ACTIVITIES .....	60,942	60,942
170	0605803A	TECHNICAL INFORMATION ACTIVITIES .....	29,050	29,050
171	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY .....	42,332	42,332
172	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT .....	3,216	3,216
173	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA .....	54,145	54,145
174	0606001A	MILITARY GROUND-BASED CREW TECHNOLOGY .....	4,896	4,896
175	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE .....	63,011	63,011
176	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION .....	2,636	2,636
177	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES .....	88,300	88,300
		<b>SUBTOTAL RD&amp;E MANAGEMENT SUPPORT .....</b>	<b>1,322,481</b>	<b>1,362,481</b>
	9999999999	CLASSIFIED PROGRAMS .....	5,955	5,955
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
181	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....	8,886	8,886
182	0603813A	TRACTOR PULL .....	4,067	4,067
183	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT .....	4,254	4,254
184	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS .....	16,022	16,022
185	0607133A	TRACTOR SMOKE .....	4,577	4,577
186	0607134A	LONG RANGE PRECISION FIRES (LRPF) .....	186,475	186,475
187	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM .....	31,049	31,049
188	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM .....	35,240	35,240
189	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM .....	157,822	157,822
190	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM .....	4,189	4,189
191	0607139A	IMPROVED TURBINE ENGINE PROGRAM .....	192,637	192,637
194	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT .....	60,860	60,860
195	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS .....	52,019	52,019
196	0607665A	FAMILY OF BIOMETRICS .....	2,400	2,400
197	0607865A	PATRIOT PRODUCT IMPROVEMENT .....	65,369	65,369
198	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE .....	1	1
199	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs) .....	30,954	30,954
200	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....	411,927	411,927
202	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS .....	40,676	40,676
203	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS .....	17,706	17,706
204	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	146	146
205	0203758A	DIGITIZATION .....	6,316	6,316
206	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....	1,643	1,643
207	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS .....	4,947	4,947
208	0203808A	TRACTOR CARD .....	34,050	34,050
210	0205410A	MATERIALS HANDLING EQUIPMENT .....	1,464	1,464
211	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV .....	249	249
212	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM .....	79,283	79,283
213	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) .....	154,102	154,102
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	12,280	12,280
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM .....	68,533	68,533
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM .....	68,619	68,619
220	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....	2,034	2,034
223	0305172A	COMBINED ADVANCED APPLICATIONS .....	1,500	1,500
224	0305179A	INTEGRATED BROADCAST SERVICE (IBS) .....	450	450
225	0305204A	TACTICAL UNMANNED AERIAL VEHICLES .....	6,000	6,000
226	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS .....	12,416	12,416
227	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	38,667	38,667
229	0305232A	RQ-11 UAV .....	6,180	6,180

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
230	0305233A	RQ-7 UAV .....	12,863	12,863
231	0307665A	BIOMETRICS ENABLED INTELLIGENCE .....	4,310	4,310
233	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....	53,958	53,958
234	1203142A	SATCOM GROUND ENVIRONMENT (SPACE) .....	12,119	12,119
235	1208053A	JOINT TACTICAL GROUND SYSTEM .....	7,400	7,400
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>1,922,614</b>	<b>1,922,614</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY .....</b>	<b>10,159,379</b>	<b>10,278,951</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>BASIC RESEARCH</b>		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	119,433	124,433
		Basic research program increase .....		[5,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	19,237	19,237
3	0601153N	DEFENSE RESEARCH SCIENCES .....	458,708	468,708
		Basic research program increase .....		[5,000]
		Quantum information sciences .....		[5,000]
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>597,378</b>	<b>612,378</b>
		<b>APPLIED RESEARCH</b>		
4	0602114N	POWER PROJECTION APPLIED RESEARCH .....	14,643	17,143
		Directed energy .....		[2,500]
5	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	124,049	124,049
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	59,607	59,607
7	0602235N	COMMON PICTURE APPLIED RESEARCH .....	36,348	36,348
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	56,197	48,697
		ONR global growth .....		[-7,500]
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	83,800	83,800
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....	42,998	42,998
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	6,349	6,349
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	58,049	78,049
		General program increase .....		[20,000]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	147,771	147,771
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....	37,545	37,545
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH .....	159,697	164,697
		Directed energy and electronic warfare/unmanned and autonomous systems .....		[5,000]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES .....	64,418	64,418
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>891,471</b>	<b>911,471</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
19	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	2,423	2,423
21	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .....	150,245	140,245
		Unjustified growth .....		[-10,000]
22	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT .....	13,313	13,313
23	0603671N	NAVY ADVANCED TECHNOLOGY DEVELOPMENT (ATD) .....	131,502	131,502
24	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT .....	232,996	232,996
25	0603680N	MANUFACTURING TECHNOLOGY PROGRAM .....	58,657	58,657
30	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT .....	161,859	166,359
		DE & EW/unmanned and autonomous systems .....		[4,500]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>750,995</b>	<b>745,495</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
31	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	29,747	29,747
32	0603216N	AVIATION SURVIVABILITY .....	7,050	7,050
33	0603251N	AIRCRAFT SYSTEMS .....	793	793
34	0603254N	ASW SYSTEMS DEVELOPMENT .....	7,058	7,058
35	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	3,540	3,540
36	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	59,741	62,241
		Locust/HCUS/INP Transition .....		[2,500]
37	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES .....	62,727	36,727
		Barracuda EDMs ahead of PDR and CDR .....		[-26,000]
38	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	8,570	8,570
39	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	5,440	5,440
40	0603525N	PILOT FISH .....	162,222	162,222
41	0603527N	RETRACT LARCH .....	11,745	11,745
42	0603536N	RETRACT JUMPER .....	114,265	114,265
43	0603542N	RADIOLOGICAL CONTROL .....	740	740
44	0603553N	SURFACE ASW .....	1,122	1,122
45	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	109,086	112,586
		Advanced submarine propulsion development .....		[3,500]
46	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	9,374	9,374
47	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	89,419	107,419
		CHAMP acceleration .....		[18,000]
48	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	13,348	13,348
49	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	256,137	256,137
50	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	22,109	22,109
51	0603576N	CHALK EAGLE .....	29,744	29,744
52	0603581N	LITTORAL COMBAT SHIP (LCS) .....	27,997	27,997
53	0603582N	COMBAT SYSTEM INTEGRATION .....	16,351	16,351
54	0603595N	OHIO REPLACEMENT .....	514,846	514,846
55	0603596N	LCS MISSION MODULES .....	103,633	133,033
		Project 2552: Align with deferred LCS-6 SSMM test .....		[-5,000]
		Transfer from PE 64028N .....		[16,700]



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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		Transfer from PE 64126N .....		[10,100]
		Transfer from PE 64127N .....		[7,600]
56	0603597N	AUTOMATED TEST AND ANALYSIS .....	7,931	7,931
57	0603599N	FRIGATE DEVELOPMENT .....	134,772	134,772
58	0603609N	CONVENTIONAL MUNITIONS .....	9,307	9,307
60	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	1,828	1,828
61	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	43,148	43,148
62	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	5,915	5,915
63	0603721N	ENVIRONMENTAL PROTECTION .....	19,811	19,811
64	0603724N	NAVY ENERGY PROGRAM .....	25,656	25,656
65	0603725N	FACILITIES IMPROVEMENT .....	5,301	5,301
66	0603734N	CHALK CORAL .....	267,985	267,985
67	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	4,059	4,059
68	0603746N	RETRACT MAPLE .....	377,878	377,878
69	0603748N	LINK PLUMERIA .....	381,770	381,770
70	0603751N	RETRACT ELM .....	60,535	60,535
73	0603790N	NATO RESEARCH AND DEVELOPMENT .....	9,652	9,652
74	0603795N	LAND ATTACK TECHNOLOGY .....	15,529	0
		Program delay and no GLGP EMD FYDP funding .....		[-15,529]
75	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	27,581	27,581
76	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL .....	101,566	101,566
77	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS .....	223,344	223,344
78	0604014N	F/A --18 INFRARED SEARCH AND TRACK (IRST) .....	108,700	132,700
		IRST block II risk reduction .....		[24,000]
79	0604027N	DIGITAL WARFARE OFFICE .....	26,691	26,691
80	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES .....	16,717	0
		Transfer to PE 63596N .....		[-16,717]
81	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES .....	30,187	30,187
82	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION. ....	48,796	48,796
83	0604031N	LARGE UNMANNED UNDERSEA VEHICLES .....	92,613	71,413
		Early to need .....		[-21,200]
84	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80) .....	58,121	58,121
86	0604126N	LITTORAL AIRBORNE MCM .....	17,622	7,522
		Transfer to PE 63596N .....		[-10,100]
87	0604127N	SURFACE MINE COUNTERMEASURES .....	18,154	10,554
		Transfer to PE 63596N .....		[-7,600]
88	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....	47,278	47,278
90	0604289M	NEXT GENERATION LOGISTICS .....	11,081	11,081
92	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE .....	7,107	7,107
93	0604454N	LX (R) .....	5,549	5,549
94	0604536N	ADVANCED UNDERSEA PROTOTYPING .....	87,669	87,669
95	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....	132,818	132,818
96	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT .....	7,230	7,230
97	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT .....	143,062	143,062
99	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	8,889	8,889
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....	25,291	25,291
101	0304240N	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....	9,300	9,300
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	466	466
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>4,293,713</b>	<b>4,273,967</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
103	0603208N	TRAINING SYSTEM AIRCRAFT .....	12,798	12,798
104	0604212N	OTHER HELO DEVELOPMENT .....	32,128	32,128
105	0604214M	AV—8B AIRCRAFT—ENG DEV .....	46,363	30,163
		Lacks operational justification/need .....		[-16,200]
107	0604215N	STANDARDS DEVELOPMENT .....	3,771	3,771
108	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT .....	16,611	16,611
109	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING .....	17,368	17,368
110	0604221N	P-3 MODERNIZATION PROGRAM .....	2,134	2,134
111	0604230N	WARFARE SUPPORT SYSTEM .....	9,729	9,729
112	0604231N	TACTICAL COMMAND SYSTEM .....	57,688	57,688
113	0604234N	ADVANCED HAWKEYE .....	223,565	223,565
114	0604245M	H-1 UPGRADES .....	58,097	58,097
116	0604261N	ACOUSTIC SEARCH SENSORS .....	42,485	42,485
117	0604262N	V-22A .....	143,079	143,079
118	0604264N	AIR CREW SYSTEMS DEVELOPMENT .....	20,980	30,980
		Increase to advance aircrew physiological monitoring .....		[10,000]
119	0604269N	EA-18 .....	147,419	242,719
		UPL—EA-18G Advanced Modes / Cognitive EW .....		[95,300]
120	0604270N	ELECTRONIC WARFARE DEVELOPMENT .....	89,824	121,424
		UPL—EA-18G Offensive Airborne Electronic Attack Special Mission Pod .....		[31,600]
121	0604273M	EXECUTIVE HELO DEVELOPMENT .....	245,064	245,064
123	0604274N	NEXT GENERATION JAMMER (NGJ) .....	459,529	459,529
124	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (UTRS-NAVY) .....	3,272	3,272
125	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II .....	115,253	115,253
126	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING .....	397,403	397,403
127	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION .....	939	50,939
		Mk 41 VLS integration .....		[50,000]
128	0604329N	SMALL DIAMETER BOMB (SDB) .....	104,448	104,448
129	0604366N	STANDARD MISSILE IMPROVEMENTS .....	165,881	184,881
		Navy UPL: SM-6 Blk 1B 21" rocket motor .....		[19,000]
130	0604373N	AIRBORNE MCM .....	10,831	10,831
131	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING .....	33,429	33,429

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
132	0604501N	ADVANCED ABOVE WATER SENSORS .....	35,635	35,635
133	0604503N	SSN-688 AND TRIDENT MODERNIZATION .....	126,932	126,932
134	0604504N	AIR CONTROL .....	62,448	62,448
135	0604512N	SHIPBOARD AVIATION SYSTEMS .....	9,710	9,710
136	0604518N	COMBAT INFORMATION CENTER CONVERSION .....	19,303	19,303
137	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM .....	27,059	27,059
138	0604530N	ADVANCED ARRESTING GEAR (AAG) .....	184,106	184,106
139	0604558N	NEW DESIGN SSN .....	148,233	148,233
140	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	60,824	60,824
141	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....	60,062	66,062
		Planning to support FY21 award of LHA-9 .....		[6,000]
142	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	4,642	4,642
144	0604601N	MINE DEVELOPMENT .....	25,756	25,756
145	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	95,147	95,147
146	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	7,107	7,107
147	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS .....	6,539	6,539
148	0604727N	JOINT STANDOFF WEAPON SYSTEMS .....	441	441
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	180,391	180,391
150	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....	178,538	178,538
151	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....	120,507	120,507
152	0604761N	INTELLIGENCE ENGINEERING .....	29,715	29,715
153	0604771N	MEDICAL DEVELOPMENT .....	8,095	8,095
154	0604777N	NAVIGATION/ID SYSTEM .....	121,026	121,026
155	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD .....	66,566	66,566
156	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD .....	65,494	65,494
159	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT .....	14,005	14,005
160	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT .....	268,567	178,467
		Duplication concern in contract writing systems .....		[-26,300]
		Lengthy delivery timelines for Navy Personnel and Pay System .....		[-63,800]
161	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT .....	5,618	5,618
162	0605212M	CH-53K RDTE .....	326,945	326,945
164	0605215N	MISSION PLANNING .....	32,714	32,714
165	0605217N	COMMON AVIONICS .....	51,486	51,486
166	0605220N	SHIP TO SHORE CONNECTOR (SSC) .....	1,444	1,444
167	0605327N	T-AO 205 CLASS .....	1,298	1,298
168	0605414N	UNMANNED CARRIER AVIATION (UCA) .....	718,942	718,942
169	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	6,759	6,759
171	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA) .....	37,296	37,296
172	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III .....	160,389	160,389
173	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION .....	98,223	98,223
174	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION .....	2,260	2,260
175	0204202N	DDG-1000 .....	161,264	161,264
180	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS .....	44,098	44,098
182	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	6,808	6,808
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>6,042,480</b>	<b>6,148,080</b>
		<b>MANAGEMENT SUPPORT</b>		
183	0604256N	THREAT SIMULATOR DEVELOPMENT .....	94,576	94,576
184	0604258N	TARGET SYSTEMS DEVELOPMENT .....	10,981	10,981
185	0604759N	MAJOR T&E INVESTMENT .....	77,014	77,014
186	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION .....	48	48
187	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY .....	3,942	3,942
188	0605154N	CENTER FOR NAVAL ANALYSES .....	48,797	48,797
189	0605285N	NEXT GENERATION FIGHTER .....	5,000	5,000
191	0605804N	TECHNICAL INFORMATION SERVICES .....	1,029	1,029
192	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....	87,565	78,565
		Insufficient budget justification .....		[-9,000]
193	0605856N	STRATEGIC TECHNICAL SUPPORT .....	4,231	4,231
194	0605861N	RDTE SCIENCE AND TECHNOLOGY MANAGEMENT .....	1,072	1,072
195	0605863N	RDTE SHIP AND AIRCRAFT SUPPORT .....	97,471	97,471
196	0605864N	TEST AND EVALUATION SUPPORT .....	373,834	373,834
197	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY .....	21,554	21,554
198	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....	16,227	16,227
200	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT .....	24,303	24,303
201	0605898N	MANAGEMENT HQ—R&D .....	43,262	43,262
202	0606355N	WARFARE INNOVATION MANAGEMENT .....	41,918	41,918
203	0606942M	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES .....	7,000	7,000
204	0606942N	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES .....	48,800	48,800
205	0305327N	INSIDER THREAT .....	1,682	1,682
206	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES) .....	1,579	1,579
208	1206867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....	8,684	8,684
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,020,569</b>	<b>1,011,569</b>
	9999999999	CLASSIFIED PROGRAMS .....	1,549,503	1,549,503
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
210	0604227N	HARPOON MODIFICATIONS .....	5,426	5,426
211	0604840M	F-35 C2D2 .....	259,122	259,122
212	0604840N	F-35 C2D2 .....	252,360	252,360
213	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC) .....	130,515	130,515
214	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL .....	3,127	3,127
215	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....	157,679	157,679
216	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM .....	43,198	43,198
217	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....	11,311	11,311

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
218	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	39,313	39,313
219	0204136N	F/A-18 SQUADRONS .....	193,086	193,086
220	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL) .....	25,014	25,014
221	0204228N	SURFACE SUPPORT .....	11,661	11,661
222	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) .....	282,395	291,095
		Restore MST to maintain 2020 IOC .....		[8,700]
223	0204311N	INTEGRATED SURVEILLANCE SYSTEM .....	36,959	71,959
		Additional TRAPS units .....		[35,000]
224	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS .....	15,454	15,454
225	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) .....	6,073	6,073
226	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	45,029	45,029
227	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....	104,903	104,903
228	0204574N	CRYPTOLOGIC DIRECT SUPPORT .....	4,544	4,544
229	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT .....	66,889	66,889
230	0205601N	HARM IMPROVEMENT .....	120,762	21,522
		Cancel ER program .....		[–99,240]
231	0205604N	TACTICAL DATA LINKS .....	104,696	116,696
		UPL—Tactical Targeting Network Technology acceleration .....		[12,000]
232	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION .....	28,421	28,421
233	0205632N	MK-48 ADCAP .....	94,155	94,155
234	0205633N	AVIATION IMPROVEMENTS .....	121,805	136,805
		UPL—F/A-18 E/F Super Hornet Engine Enhancements .....		[15,000]
235	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS .....	117,028	117,028
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	174,779	174,779
237	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) .....	4,826	4,826
238	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS .....	97,152	97,152
239	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	30,156	30,156
240	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) .....	39,976	39,976
241	0206629M	AMPHIBIOUS ASSAULT VEHICLE .....	22,637	0
		Lacks operational justification/need .....		[–22,637]
242	0207161N	TACTICAL AIM MISSILES .....	40,121	40,121
243	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	32,473	32,473
249	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) .....	23,697	23,697
250	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM .....	44,228	44,228
252	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....	6,081	6,081
253	0305204N	TACTICAL UNMANNED AERIAL VEHICLES .....	8,529	8,529
254	0305205N	UAS INTEGRATION AND INTEROPERABILITY .....	41,212	41,212
255	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	7,687	7,687
256	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	42,846	42,846
257	0305220N	MQ-4C TRITON .....	14,395	14,395
258	0305231N	MQ-8 UAV .....	9,843	9,843
259	0305232M	RQ-11 UAV .....	524	524
260	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO) .....	5,360	5,360
261	0305239M	RQ-21A .....	10,914	10,914
262	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT .....	81,231	81,231
263	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP) .....	5,956	5,956
264	0305421N	RQ-4 MODERNIZATION .....	219,894	219,894
265	0308601N	MODELING AND SIMULATION SUPPORT .....	7,097	7,097
266	0702207N	DEPOT MAINTENANCE (NON-IF) .....	36,560	36,560
267	0708730N	MARITIME TECHNOLOGY (MARITECH) .....	7,284	7,284
268	1203109N	SATELLITE COMMUNICATIONS (SPACE) .....	39,174	39,174
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>4,885,060</b>	<b>4,883,883</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY .....</b>	<b>18,481,666</b>	<b>18,536,843</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>BASIC RESEARCH</b>		
1	0601102F	DEFENSE RESEARCH SCIENCES .....	348,322	358,322
		Basic research program increase .....		[5,000]
		Quantum information sciences .....		[5,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	154,991	154,991
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES .....	14,506	17,006
		Directed energy research .....		[2,500]
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>517,819</b>	<b>530,319</b>
		<b>APPLIED RESEARCH</b>		
4	0602102F	MATERIALS .....	125,373	129,373
		Advanced materials analysis .....		[4,000]
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	130,547	135,547
		High speed systems technology (hypersonic vehicle structures) .....		[5,000]
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	112,518	112,518
7	0602203F	AEROSPACE PROPULSION .....	190,919	213,419
		Affordable Responsive Modular Rocket .....		[15,000]
		Multi-mode propulsion .....		[3,000]
		Solid rocket motor produce on-demand .....		[2,000]
		Turbine engine technology .....		[2,500]
8	0602204F	AEROSPACE SENSORS .....	166,534	159,034
		General program reduction .....		[–7,500]
9	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES .....	8,288	8,288
11	0602602F	CONVENTIONAL MUNITIONS .....	112,841	112,841
12	0602605F	DIRECTED ENERGY TECHNOLOGY .....	141,898	145,898
		Skywave technologies laboratory .....		[4,000]
13	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	162,420	162,420

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
14	0602890F	HIGH ENERGY LASER RESEARCH .....	43,359	55,859
		Directed energy research .....		[2,500]
		High powered microwave .....		[10,000]
15	1206601F	SPACE TECHNOLOGY .....	117,645	123,645
		Wargaming and simulator lab .....		[6,000]
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>1,312,342</b>	<b>1,358,842</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
16	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	34,426	31,926
		General program reduction .....		[–5,000]
		Materials affordability .....		[2,500]
17	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....	15,150	16,150
		Prevention/enhanced maintainability technologies .....		[1,000]
18	0603203F	ADVANCED AEROSPACE SENSORS .....	39,968	39,968
19	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO .....	121,002	131,002
		Design/Manufacture aircraft aft body drag reduction devices .....		[10,000]
20	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY .....	115,462	139,462
		General program increase .....		[9,000]
		Multi-mode propulsion .....		[5,000]
		Technology for the Sustainment of Strategic Systems .....		[10,000]
21	0603270F	ELECTRONIC COMBAT TECHNOLOGY .....	55,319	60,319
		RF/EO/IR warning and countermeasures .....		[5,000]
22	0603401F	ADVANCED SPACECRAFT TECHNOLOGY .....	54,895	54,895
23	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS) .....	10,674	10,674
24	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT .....	36,463	36,463
25	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY .....	194,981	194,981
26	0603605F	ADVANCED WEAPONS TECHNOLOGY .....	43,368	53,368
		Demonstrator laser weapon system .....		[10,000]
27	0603680F	MANUFACTURING TECHNOLOGY PROGRAM .....	42,025	42,025
28	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION .....	51,064	51,064
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>814,797</b>	<b>862,297</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
30	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	5,568	5,568
32	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	18,194	18,194
33	0603790F	NATO RESEARCH AND DEVELOPMENT .....	2,305	2,305
35	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	41,856	41,856
37	0604015F	LONG RANGE STRIKE—BOMBER .....	2,314,196	2,314,196
38	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT .....	14,894	14,894
39	0604257F	ADVANCED TECHNOLOGY AND SENSORS .....	34,585	34,585
40	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP .....	9,740	9,740
41	0604317F	TECHNOLOGY TRANSFER .....	12,960	12,960
42	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM .....	71,501	71,501
43	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS .....	62,618	62,618
46	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D .....	28,350	38,350
		Tanker prototype .....		[10,000]
48	0604858F	TECH TRANSITION PROGRAM .....	1,186,075	1,408,875
		Acceleration of Hypersonic Conventional Strike Weapon .....		[100,000]
		Low cost attritable aircraft prototype .....		[80,000]
		Rapid Sustainment Initiative .....		[42,800]
49	0605230F	GROUND BASED STRATEGIC DETERRENT .....	345,041	414,441
		UPL program acceleration .....		[69,400]
50	0207110F	NEXT GENERATION AIR DOMINANCE .....	503,997	503,997
51	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....	40,326	40,326
52	0208099F	UNIFIED PLATFORM (UP) .....	29,800	29,800
54	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA) .....	41,880	41,880
55	0305601F	MISSION PARTNER ENVIRONMENTS .....	10,074	10,074
56	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	253,825	253,825
57	0306415F	ENABLED CYBER ACTIVITIES .....	16,325	16,325
59	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM .....	17,577	0
		Duplication concern .....		[–17,577]
60	1203164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....	286,629	286,629
61	1203710F	EO/IR WEATHER SYSTEMS .....	7,940	7,940
62	1206422F	WEATHER SYSTEM FOLLOW-ON .....	138,052	138,052
63	1206425F	SPACE SITUATION AWARENESS SYSTEMS .....	39,338	39,338
64	1206434F	MIDTERM POLAR MILSATCOM SYSTEM .....	383,113	383,113
65	1206438F	SPACE CONTROL TECHNOLOGY .....	91,018	91,018
66	1206730F	SPACE SECURITY AND DEFENSE PROGRAM .....	45,542	45,542
67	1206760F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES) .....	51,419	51,419
68	1206761F	PROTECTED TACTICAL SERVICE (PTS) .....	29,776	29,776
69	1206855F	PROTECTED SATCOM SERVICES (PSCS)—AGGREGATED .....	29,379	29,379
70	1206857F	OPERATIONALLY RESPONSIVE SPACE .....	366,050	316,050
		Space RCO Solar Power Project—Early to need .....		[–50,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>6,529,943</b>	<b>6,764,566</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
71	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS .....	39,602	39,602
72	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT .....	58,531	58,531
73	0604222F	NUCLEAR WEAPONS SUPPORT .....	4,468	4,468
74	0604270F	ELECTRONIC WARFARE DEVELOPMENT .....	1,909	1,909
75	0604281F	TACTICAL DATA NETWORKS ENTERPRISE .....	207,746	257,746
		Increase to accelerate 21st Century Battle Management Command and Control .....		[50,000]
76	0604287F	PHYSICAL SECURITY EQUIPMENT .....	14,421	14,421

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
77	0604329F	SMALL DIAMETER BOMB (SDB)—EMD .....	73,158	73,158
81	0604429F	AIRBORNE ELECTRONIC ATTACK .....	7,153	7,153
83	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT .....	58,590	58,590
84	0604604F	SUBMUNITIONS .....	2,990	2,990
85	0604617F	AGILE COMBAT SUPPORT .....	20,028	20,028
86	0604618F	JOINT DIRECT ATTACK MUNITION .....	15,787	15,787
87	0604706F	LIFE SUPPORT SYSTEMS .....	8,919	8,919
88	0604735F	COMBAT TRAINING RANGES .....	35,895	35,895
89	0604800F	F-35—EMD .....	69,001	69,001
90	0307581F	JSTARS RECAP .....	0	50,000
		Continue JSTARS recap GMTI radar development .....		(50,000)
91	0604932F	LONG RANGE STANDOFF WEAPON .....	614,920	699,920
		UPL Program acceleration .....		(85,000)
92	0604933F	ICBM FUZE MODERNIZATION .....	172,902	172,902
97	0605221F	KC-46 .....	88,170	88,170
98	0605223F	ADVANCED PILOT TRAINING .....	265,465	265,465
99	0605229F	COMBAT RESCUE HELICOPTER .....	457,652	457,652
105	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT .....	3,617	3,617
106	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM .....	261,758	261,758
107	0101125F	NUCLEAR WEAPONS MODERNIZATION .....	91,907	91,907
108	0207171F	F-15 EPAWSS .....	137,095	137,095
109	0207328F	STAND IN ATTACK WEAPON .....	43,175	43,175
110	0207423F	ADVANCED COMMUNICATIONS SYSTEMS .....	14,888	14,888
111	0207701F	FULL COMBAT MISSION TRAINING .....	1,015	1,015
116	0401310F	C-32 EXECUTIVE TRANSPORT RECAPITALIZATION .....	7,943	7,943
117	0401319F	PRESIDENTIAL AIRCRAFT RECAPITALIZATION (PAR) .....	673,032	673,032
118	0701212F	AUTOMATED TEST SYSTEMS .....	13,653	13,653
119	1203176F	COMBAT SURVIVOR EVADER LOCATOR .....	939	939
120	1203269F	GPS IIIC .....	451,889	451,889
121	1203940F	SPACE SITUATION AWARENESS OPERATIONS .....	46,668	46,668
122	1206421F	COUNTERSPACE SYSTEMS .....	20,676	20,676
123	1206425F	SPACE SITUATION AWARENESS SYSTEMS .....	134,463	134,463
124	1206426F	SPACE FENCE .....	20,215	20,215
125	1206431F	ADVANCED EHF MILSATCOM (SPACE) .....	151,506	151,506
126	1206432F	POLAR MILSATCOM (SPACE) .....	27,337	27,337
127	1206433F	WIDEBAND GLOBAL SATCOM (SPACE) .....	3,970	3,970
128	1206441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD .....	60,565	60,565
129	1206442F	EVOLVED SBIRS .....	643,126	743,126
		Accelerate sensor development .....		(100,000)
130	1206853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD .....	245,447	245,447
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>5,272,191</b>	<b>5,557,191</b>
		<b>MANAGEMENT SUPPORT</b>		
131	0604256F	THREAT SIMULATOR DEVELOPMENT .....	34,256	34,256
132	0604759F	MAJOR T&E INVESTMENT .....	91,844	106,844
		Test infrastructure improvements .....		(15,000)
133	0605101F	RAND PROJECT AIR FORCE .....	34,614	34,614
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION .....	18,043	18,043
136	0605807F	TEST AND EVALUATION SUPPORT .....	692,784	692,784
137	0605826F	ACQ WORKFORCE- GLOBAL POWER .....	233,924	233,924
138	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS .....	263,488	263,488
139	0605828F	ACQ WORKFORCE- GLOBAL REACH .....	153,591	153,591
140	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS .....	232,315	232,315
141	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT .....	169,868	169,868
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION .....	226,219	226,219
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY .....	38,400	38,400
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS .....	125,761	125,761
147	0605898F	MANAGEMENT HQ—R&D .....	10,642	10,642
148	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT .....	162,216	162,216
149	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT .....	28,888	28,888
150	0606017F	REQUIREMENTS ANALYSIS AND MATURATION .....	35,285	35,285
153	0308602F	ENTEPRISE INFORMATION SERVICES (EIS) .....	20,545	20,545
154	0702806F	ACQUISITION AND MANAGEMENT SUPPORT .....	12,367	12,367
155	0804731F	GENERAL SKILL TRAINING .....	1,448	1,448
157	1001004F	INTERNATIONAL ACTIVITIES .....	3,998	3,998
158	1206116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT .....	23,254	23,254
159	1206392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE .....	169,912	169,912
160	1206398F	SPACE & MISSILE SYSTEMS CENTER—MHA .....	10,508	10,508
161	1206860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	19,721	19,721
162	1206864F	SPACE TEST PROGRAM (STP) .....	25,620	25,620
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>2,839,511</b>	<b>2,854,511</b>
	999999999	CLASSIFIED PROGRAMS .....	16,534,124	16,534,124
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
165	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .....	11,344	11,344
167	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) .....	47,287	13,141
		Poor agile development implementation and lengthy delivery timeline .....		[-34,146]
168	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....	32,770	32,770
169	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION .....	68,368	68,368
170	0605278F	HC/MC-130 RECAP RDT&E .....	32,574	32,574
171	0606018F	NC3 INTEGRATION .....	26,112	26,112
172	0606942F	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES .....	99,100	99,100
173	0101113F	B-52 SQUADRONS .....	280,414	295,214

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		Air Force requested realignment .....		[14,800]
174	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	5,955	5,955
175	0101126F	B-1B SQUADRONS .....	76,030	76,030
176	0101127F	B-2 SQUADRONS .....	105,561	105,561
177	0101213F	MINUTEMAN SQUADRONS .....	156,047	156,047
179	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS .....	10,442	10,442
180	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK .....	22,833	22,833
181	0101328F	ICBM REENTRY VEHICLES .....	18,412	18,412
183	0102110F	UH-1N REPLACEMENT PROGRAM .....	288,022	288,022
184	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM .....	9,252	9,252
186	0205219F	MQ-9 UAV .....	115,345	115,345
188	0207131F	A-10 SQUADRONS .....	26,738	26,738
189	0207133F	F-16 SQUADRONS .....	191,564	191,564
190	0207134F	F-15E SQUADRONS .....	192,883	192,883
191	0207136F	MANNED DESTRUCTIVE SUPPRESSION .....	15,238	15,238
192	0207138F	F-22A SQUADRONS .....	603,553	603,553
193	0207142F	F-35 SQUADRONS .....	549,501	549,501
194	0207161F	TACTICAL AIM MISSILES .....	37,230	37,230
195	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	61,393	61,393
196	0207227F	COMBAT RESCUE—PARARESCUE .....	647	647
198	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT .....	14,891	14,891
199	0207253F	COMPASS CALL .....	13,901	13,901
200	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	121,203	121,203
202	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....	60,062	60,062
203	0207410F	AIR & SPACE OPERATIONS CENTER (AOC) .....	106,102	106,102
204	0207412F	CONTROL AND REPORTING CENTER (CRC) .....	6,413	6,413
205	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....	120,664	130,664
		Increase to accelerate 21st Century Battle Management Command and Control .....		[10,000]
206	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS .....	2,659	2,659
208	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....	10,316	10,316
209	0207444F	TACTICAL AIR CONTROL PARTY-MOD .....	6,149	6,149
210	0207448F	C2ISR TACTICAL DATA LINK .....	1,738	1,738
211	0207452F	DCAPES .....	13,297	13,297
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS .....	1,788	1,788
213	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS) .....	14,888	14,888
214	0207590F	SEEK EAGLE .....	24,699	24,699
215	0207601F	USAF MODELING AND SIMULATION .....	17,078	17,078
216	0207605F	WARGAMING AND SIMULATION CENTERS .....	6,141	6,141
218	0207697F	DISTRIBUTED TRAINING AND EXERCISES .....	4,225	4,225
219	0208006F	MISSION PLANNING SYSTEMS .....	63,653	63,653
220	0208007F	TACTICAL DECEPTION .....	6,949	6,949
221	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS .....	40,526	40,526
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS .....	24,166	24,166
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2) .....	13,000	13,000
224	0208099F	UNIFIED PLATFORM (UP) .....	28,759	28,759
229	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....	3,579	3,579
230	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES) .....	29,620	29,620
237	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS .....	6,633	6,633
238	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) .....	57,758	57,758
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	99,088	99,088
241	0303133F	HIGH FREQUENCY RADIO SYSTEMS .....	51,612	51,612
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM .....	34,612	34,612
244	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE .....	2,170	2,170
246	0304260F	AIRBORNE SIGINT ENTERPRISE .....	106,873	106,873
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS .....	3,472	3,472
250	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES .....	8,608	8,608
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY .....	1,586	1,586
252	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....	4,492	4,492
254	0305111F	WEATHER SERVICE .....	26,942	26,942
255	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) .....	6,271	6,271
256	0305116F	AERIAL TARGETS .....	8,383	8,383
259	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES .....	418	418
261	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	3,845	3,845
268	0305202F	DRAGON U-2 .....	48,518	48,518
270	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS .....	175,334	175,334
271	0305207F	MANNED RECONNAISSANCE SYSTEMS .....	14,223	14,223
272	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	24,554	24,554
273	0305220F	RQ-4 UAV .....	221,690	221,690
274	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING .....	14,288	14,288
275	0305238F	NATO AGS .....	51,527	51,527
276	0305240F	SUPPORT TO DCGS ENTERPRISE .....	26,579	26,579
278	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES .....	8,464	8,464
280	0305881F	RAPID CYBER ACQUISITION .....	4,303	4,303
284	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2) .....	2,466	2,466
285	0307577F	INTELLIGENCE MISSION DATA (IMD) .....	4,117	4,117
287	0401115F	C-130 AIRLIFT SQUADRON .....	105,988	105,988
288	0401119F	C-5 AIRLIFT SQUADRONS (IF) .....	25,071	25,071
289	0401130F	C-17 AIRCRAFT (IF) .....	48,299	48,299
290	0401132F	C-130J PROGRAM .....	15,409	15,409
291	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCIM) .....	4,334	4,334
292	0401218F	KC-135S .....	3,493	3,493
293	0401219F	KC-10S .....	6,569	6,569
294	0401314F	OPERATIONAL SUPPORT AIRLIFT .....	3,172	3,172

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
295	0401318F	CV-22 .....	18,502	18,502
296	0401840F	AMC COMMAND AND CONTROL SYSTEM .....	1,688	1,688
297	0408011F	SPECIAL TACTICS / COMBAT CONTROL .....	2,541	2,541
298	0702207F	DEPOT MAINTENANCE (NON-IF) .....	1,897	1,897
299	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM .....	50,933	15,873
		Poor agile development implementation .....		[-35,060]
300	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	13,787	13,787
301	0708611F	SUPPORT SYSTEMS DEVELOPMENT .....	4,497	4,497
302	0804743F	OTHER FLIGHT TRAINING .....	2,022	2,022
303	0808716F	OTHER PERSONNEL ACTIVITIES .....	108	108
304	0901202F	JOINT PERSONNEL RECOVERY AGENCY .....	2,023	2,023
305	0901218F	CIVILIAN COMPENSATION PROGRAM .....	3,772	3,772
306	0901220F	PERSONNEL ADMINISTRATION .....	6,358	6,358
307	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY .....	1,418	1,418
308	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT .....	99,734	87,918
		Poor agile development implementation .....		[-11,816]
309	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES .....	14,161	14,161
310	1202247F	AF TENCAP .....	26,986	26,986
311	1203001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....	80,168	80,168
312	1203110F	SATELLITE CONTROL NETWORK (SPACE) .....	17,808	17,808
314	1203165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS) .....	8,937	8,937
315	1203173F	SPACE AND MISSILE TEST AND EVALUATION CENTER .....	59,935	59,935
316	1203174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT .....	21,019	21,019
317	1203179F	INTEGRATED BROADCAST SERVICE (IBS) .....	8,568	8,568
318	1203182F	SPACELIFT RANGE SYSTEM (SPACE) .....	10,641	10,641
319	1203265F	GPS III SPACE SEGMENT .....	144,543	144,543
320	1203400F	SPACE SUPERIORITY INTELLIGENCE .....	16,278	16,278
321	1203614F	JSPOC MISSION SYSTEM .....	72,256	62,256
		Assumed cost savings .....		[-10,000]
322	1203620F	NATIONAL SPACE DEFENSE CENTER .....	42,209	42,209
325	1203913F	NUDET DETECTION SYSTEM (SPACE) .....	19,778	19,778
326	1203940F	SPACE SITUATION AWARENESS OPERATIONS .....	19,572	19,572
327	1206423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT .....	513,235	513,235
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>22,891,740</b>	<b>22,825,518</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF .....</b>	<b>40,178,343</b>	<b>40,753,244</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
1	0601000BR	DTRA BASIC RESEARCH .....	37,023	37,023
2	0601101E	DEFENSE RESEARCH SCIENCES .....	422,130	429,630
		Basic research program increase .....		[5,000]
		Critical materials .....		[2,500]
3	0601110D8Z	BASIC RESEARCH INITIATIVES .....	42,702	52,702
		Quantum information sciences .....		[5,000]
		University-lab research partnership .....		[5,000]
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....	47,825	57,825
		TBI Treatment for blast injuries .....		[10,000]
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM .....	85,919	85,919
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS .....	30,412	30,412
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	42,103	42,103
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>708,114</b>	<b>735,614</b>
		<b>APPLIED RESEARCH</b>		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY .....	19,170	21,670
		Insensitive munitions .....		[2,500]
9	0602115E	BIOMEDICAL TECHNOLOGY .....	101,300	101,300
11	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM .....	51,596	51,596
12	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES .....	60,688	53,188
		General program reduction .....		[-7,500]
13	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY .....	395,317	395,317
14	0602383E	BIOLOGICAL WARFARE DEFENSE .....	38,640	38,640
15	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	192,674	192,674
16	0602668D8Z	CYBER SECURITY RESEARCH .....	14,969	14,969
17	0602702E	TACTICAL TECHNOLOGY .....	335,466	332,966
		General program increase .....		[2,500]
		MAD-FIRES reduction .....		[-5,000]
18	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY .....	226,898	211,898
		General program reduction .....		[-15,000]
19	0602716E	ELECTRONICS TECHNOLOGY .....	333,847	333,847
20	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH .....	161,151	161,151
21	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH .....	9,300	9,300
22	1160401BB	SOF TECHNOLOGY DEVELOPMENT .....	35,921	35,921
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>1,976,937</b>	<b>1,954,437</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
23	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	25,598	25,598
24	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	125,271	111,271
		General program reduction .....		[-14,000]
25	0603133D8Z	FOREIGN COMPARATIVE TESTING .....	24,532	24,532
27	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT .....	299,858	299,858
28	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT .....	13,017	13,017
29	0603178C	WEAPONS TECHNOLOGY .....	0	13,400



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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
31	0603180C	MDA UPL: Accelerate hypersonic missile defense .....		[13,400]
		ADVANCED RESEARCH .....	20,365	42,565
		Accelerate hypersonic missile defense .....		[22,200]
32	060322508Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT .....	18,644	18,644
34	0603286E	ADVANCED AEROSPACE SYSTEMS .....	277,603	282,603
		Hypersonics weapons programs development and transition .....		[5,000]
35	0603287E	SPACE PROGRAMS AND TECHNOLOGY .....	254,671	364,671
		Blackjack increase .....		[110,000]
36	0603288D8Z	ANALYTIC ASSESSMENTS .....	19,472	19,472
37	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS .....	37,263	37,263
38	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA .....	13,621	13,621
39	0603294C	COMMON KILL VEHICLE TECHNOLOGY .....	189,753	189,753
40	0603342D8W	DEFENSE INNOVATION UNIT EXPERIMENTAL (DIUX) .....	29,364	29,864
		Defense technology innovation .....		[500]
41	0603375D8Z	TECHNOLOGY INNOVATION .....	83,143	103,143
		Commercial SAR satellites .....		[20,000]
42	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT .....	142,826	142,826
43	0603527D8Z	RETRACT LARCH .....	161,128	161,128
44	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY .....	12,918	12,918
45	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....	106,049	106,049
46	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	12,696	5,196
		General program reduction .....		[–7,500]
47	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM .....	114,637	121,637
		Enhancing cybersecurity for small vendors .....		[5,000]
		Eye protection system .....		[2,000]
48	0603680S	MANUFACTURING TECHNOLOGY PROGRAM .....	49,667	52,167
		General program increase .....		[2,500]
49	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT .....	48,338	48,338
50	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS .....	11,778	12,778
		General program increase .....		[1,000]
52	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	76,514	86,514
		Readiness Increase .....		[10,000]
53	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT .....	168,931	173,931
		Tunable filter, support for microelectronics development .....		[5,000]
54	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	5,992	5,992
55	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	111,099	118,599
		Support for the Electronics Resurgence Initiative .....		[7,500]
56	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....	185,984	185,984
57	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	438,569	428,569
		General program reduction .....		[–10,000]
58	0603767E	SENSOR TECHNOLOGY .....	190,128	191,628
		Sensors and processing systems technology .....		[1,500]
59	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT .....	13,564	13,564
60	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	15,050	15,050
61	0603826D8Z	QUICK REACTION SPECIAL PROJECTS .....	69,626	69,626
		General program reduction .....		[–10,000]
62	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY .....	19,415	19,415
63	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM .....	69,533	69,533
64	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	96,389	111,389
		Hypersonics and directed energy test .....		[10,000]
		Workforce development .....		[5,000]
65	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....	40,582	50,582
		Readiness Increase .....		[10,000]
66	0303310D8Z	CWMD SYSTEMS .....	26,644	26,644
67	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT .....	79,380	79,380
300	8888	NATIONAL SECURITY INNOVATION ACTIVITIES .....	0	150,000
		Establish office for capital investment .....		[150,000]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>3,699,612</b>	<b>4,038,712</b>
		<b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>		
68	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P .....	28,140	28,140
69	0603600D8Z	WALKOFF .....	92,222	92,222
70	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES .....	2,506	2,506
71	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM .....	40,016	50,016
		Readiness Increase .....		[10,000]
72	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT .....	214,173	398,273
		MDA UPL: USFK JEON .....		[184,100]
73	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .....	926,359	718,359
		Reduce FY19 Numbers .....		[–208,000]
74	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .....	129,886	129,886
75	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	220,876	244,876
		MDA UPL: USFK JEON .....		[24,000]
76	0603890C	BMD ENABLING PROGRAMS .....	540,926	540,926
77	0603891C	SPECIAL PROGRAMS—MDA .....	422,348	422,348
78	0603892C	AEGIS BMD .....	767,539	767,539
81	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI .....	475,168	425,168
		Inconsistent capability delivery .....		[–50,000]
82	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT .....	48,767	48,767
83	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) .....	54,925	54,925
84	0603906C	REGARDING TRENCH .....	16,916	16,916
85	0603907C	SEA BASED X-BAND RADAR (SBX) .....	149,715	116,715
		Reduce FY19 Numbers .....		[–33,000]
86	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	300,000	300,000

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
87	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	365,681	437,581
		MDA UPL: USFK JEON .....		[71,900]
88	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	517,852	486,352
		MDA UPL: USFK JEON .....		[4,500]
		Reduce FY19 Numbers .....		[-36,000]
89	0603920D8Z	HUMANITARIAN DEMINING .....	11,347	11,347
90	0603923D8Z	COALITION WARFARE .....	8,528	8,528
91	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,477	8,477
		Corrosion prevention .....		[5,000]
92	0604115C	TECHNOLOGY MATURATION INITIATIVES .....	148,822	228,822
		Laser scaling for boost phase intercept .....		[80,000]
93	0604132D8Z	MISSILE DEFEAT PROJECT .....	58,607	58,607
94	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING .....	12,993	12,993
95	0604181C	HYPERSONIC DEFENSE .....	120,444	130,944
		Accelerate hypersonic missile defense .....		[10,500]
96	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES .....	1,431,702	1,481,702
		Quartermaster Pathfinder .....		[50,000]
97	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	233,142	238,642
		New trust approach development .....		[5,500]
98	0604331D8Z	RAPID PROTOTYPING PROGRAM .....	99,333	99,333
99	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT .....	3,781	3,781
100	0604673C	PACIFIC DISCRIMINATING RADAR .....	95,765	95,765
101	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) .....	3,768	3,768
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS .....	22,435	22,435
104	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR) .....	164,562	164,562
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS .....	561,220	421,820
		Reduce FY19 Numbers .....		[-139,400]
106	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST .....	61,017	61,017
107	0604878C	AEGIS BMD TEST .....	95,756	95,756
108	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST .....	81,001	81,001
109	0604880C	LAND-BASED SM-3 (LBSM3) .....	27,692	27,692
111	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST .....	81,934	72,634
		Reduce FY19 Numbers .....		[-9,300]
112	0604894C	MULTI-OBJECT KILL VEHICLE .....	8,256	8,256
113	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS .....	2,600	2,600
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM .....	3,104	3,104
115	0305103C	CYBER SECURITY INITIATIVE .....	985	985
116	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM .....	36,955	36,955
117	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....	16,484	89,484
		MDA UPL: Initiate missile defense tracking system .....		[73,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES .....</b>	<b>8,709,725</b>	<b>8,752,525</b>
		<b>SYSTEM DEVELOPMENT AND DEMONSTRATION</b>		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD .....	8,333	8,333
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT .....	263,414	263,414
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD .....	388,701	388,701
121	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) .....	19,503	19,503
122	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT .....	6,163	6,163
123	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT .....	11,988	0
		Lengthy delivery timelines .....		[-11,988]
124	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	296	296
125	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	1,489	1,489
126	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES .....	9,590	9,590
127	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION .....	3,173	3,173
128	0605075D8Z	DCMO POLICY AND INTEGRATION .....	2,105	3,105
		Data and advanced analytics .....		[1,000]
129	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM .....	21,156	21,156
130	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS) .....	10,731	10,731
132	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES .....	6,374	0
		Duplication concern .....		[-6,374]
133	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	56,178	58,678
		New trust approach development .....		[2,500]
134	0303141K	GLOBAL COMBAT SUPPORT SYSTEM .....	2,512	2,512
135	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM) .....	2,435	2,435
136	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION .....	17,048	17,048
		<b>SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION .....</b>	<b>831,189</b>	<b>816,327</b>
	999999999	CLASSIFIED PROGRAMS .....	45,604	45,604
		<b>MANAGEMENT SUPPORT</b>		
137	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	6,661	6,661
138	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	4,088	4,088
139	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) .....	258,796	268,796
		Advanced hypersonic wind tunnel experimentation .....		[10,000]
140	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	31,356	31,356
141	0605001E	MISSION SUPPORT .....	65,646	65,646
142	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) .....	84,184	89,184
		Cyber range capacity and development .....		[5,000]
143	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS .....	22,576	17,576
		General program reduction .....		[-5,000]
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) .....	52,565	52,565
146	0605142D8Z	SYSTEMS ENGINEERING .....	38,872	38,872
147	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	3,534	3,534
148	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY .....	5,050	5,050

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
149	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION .....	11,450	11,450
150	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE) .....	1,693	1,693
151	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	102,883	102,883
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER .....	2,545	2,545
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS .....	24,487	24,487
161	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	56,853	56,853
162	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION .....	24,914	24,914
163	0605804D8Z	DEVELOPMENT TEST AND EVALUATION .....	20,179	25,179
		Improve software testing capabilities .....		[5,000]
164	0605898E	MANAGEMENT HQ—R&D .....	13,643	13,643
165	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	4,124	4,124
166	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS .....	5,768	5,768
167	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS .....	1,030	1,030
168	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT .....	1,000	1,000
169	0606942C	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES .....	3,400	3,400
170	0606942S	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES .....	4,000	4,000
171	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....	3,008	3,008
172	0204571J	JOINT STAFF ANALYTICAL SUPPORT .....	6,658	6,658
175	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES .....	652	652
176	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO) .....	1,005	1,005
177	0305172K	COMBINED ADVANCED APPLICATIONS .....	21,363	21,363
180	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS .....	109,529	109,529
181	0306310D8Z	CWMD SYSTEMS: RDT&E MANAGEMENT SUPPORT .....	1,244	1,244
184	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA .....	42,940	42,940
185	0901598C	MANAGEMENT HQ—MDA .....	28,626	28,626
187	0903235K	JOINT SERVICE PROVIDER (JSP) .....	5,104	5,104
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,117,030</b>	<b>1,132,030</b>
	9999999999	CLASSIFIED PROGRAMS .....	3,877,898	3,887,898
		Classified increase .....		[10,000]
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
189	0604130V	ENTERPRISE SECURITY SYSTEM (ESS) .....	9,750	9,750
190	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA .....	1,855	1,855
191	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHAIS) .....	304	304
192	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT .....	10,376	10,376
193	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT .....	5,915	5,915
194	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS) .....	5,869	5,869
195	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) .....	48,741	48,741
196	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS) .....	3,037	3,037
197	0208045K	C4I INTEROPERABILITY .....	62,814	62,814
203	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION .....	16,561	16,561
204	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	14,769	14,769
205	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	17,579	17,579
207	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI) .....	31,737	31,737
208	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM .....	7,940	7,940
209	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	229,252	229,252
210	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM .....	19,611	19,611
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	46,900	46,900
212	0303153K	DEFENSE SPECTRUM ORGANIZATION .....	7,570	7,570
213	0303228K	JOINT INFORMATION ENVIRONMENT (JIE) .....	7,947	7,947
215	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY .....	39,400	39,400
224	0305186D8Z	POLICY R&D PROGRAMS .....	6,262	3,262
		General program reduction .....		[–3,000]
225	0305199D8Z	NET CENTRICITY .....	16,780	16,780
227	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	6,286	6,286
230	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	2,970	2,970
233	0305327V	INSIDER THREAT .....	5,954	10,954
		Personnel security and continuous evaluation .....		[5,000]
234	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM .....	2,198	2,198
240	0307577D8Z	INTELLIGENCE MISSION DATA (IMD) .....	6,889	6,889
242	0708012K	LOGISTICS SUPPORT ACTIVITIES .....	1,317	1,317
243	0708012S	PACIFIC DISASTER CENTERS .....	1,770	1,770
244	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM .....	1,805	1,805
246	1105219BB	MQ–9 UAV .....	18,403	18,403
248	1160403BB	AVIATION SYSTEMS .....	184,993	184,993
249	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT .....	10,625	10,625
250	1160408BB	OPERATIONAL ENHANCEMENTS .....	102,307	102,307
251	1160431BB	WARRIOR SYSTEMS .....	46,942	46,942
252	1160432BB	SPECIAL PROGRAMS .....	2,479	2,479
253	1160434BB	UNMANNED ISR .....	27,270	27,270
254	1160480BB	SOF TACTICAL VEHICLES .....	1,121	1,121
255	1160483BB	MARITIME SYSTEMS .....	42,471	42,471
256	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	4,780	4,780
257	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	12,176	12,176
258	1203610K	TELEPORT PROGRAM .....	2,323	2,323
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT .....</b>	<b>4,973,946</b>	<b>4,985,946</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW .....</b>	<b>22,016,553</b>	<b>22,415,591</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE</b>		
		<b>MANAGEMENT SUPPORT</b>		
1	06051180TE	OPERATIONAL TEST AND EVALUATION .....	85,685	85,685
2	06051310TE	LIVE FIRE TEST AND EVALUATION .....	64,332	64,332

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

Line	Program Element	Item	FY 2019 Request	Senate Authorized
3	06058140TE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	70,992	81,892
		Increase for test and evaluation technologies .....		[10,900]
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>221,009</b>	<b>231,909</b>
		<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE .....</b>	<b>221,009</b>	<b>231,909</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>91,056,950</b>	<b>92,216,538</b>

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

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
**FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
56	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....	1,000	1,000
58	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV .....	1,500	1,500
61	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	3,000	3,000
76	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD) .....	23,000	23,000
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>28,500</b>	<b>28,500</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
88	0604328A	TRACTOR CAGE .....	12,000	12,000
100	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV .....	119,300	119,300
125	0605032A	TRACTOR TIRE .....	66,760	66,760
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	2,670	2,670
136	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	34,933	34,933
147	0303032A	TROJAN—RH12 .....	1,200	1,200
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>236,863</b>	<b>236,863</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
184	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS .....	2,548	2,548
185	0607133A	TRACTOR SMOKE .....	7,780	7,780
206	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....	2,000	2,000
209	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV .....	8,000	8,000
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	23,199	23,199
226	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS .....	14,000	14,000
231	0307665A	BIOMETRICS ENABLED INTELLIGENCE .....	2,214	2,214
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>59,741</b>	<b>59,741</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY .....</b>	<b>325,104</b>	<b>325,104</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
41	0603527N	RETRACT LARCH .....	18,000	18,000
61	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	13,900	13,900
74	0603795N	LAND ATTACK TECHNOLOGY .....	1,400	1,400
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>33,300</b>	<b>33,300</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	1,100	1,100
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>1,100</b>	<b>1,100</b>
	9999999999	CLASSIFIED PROGRAMS .....	117,282	117,282
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	16,130	16,130
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>133,412</b>	<b>133,412</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY .....</b>	<b>167,812</b>	<b>167,812</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
65	1206438F	SPACE CONTROL TECHNOLOGY .....	1,100	1,100
70	1206857F	OPERATIONALLY RESPONSIVE SPACE .....	12,395	12,395
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>13,495</b>	<b>13,495</b>
	9999999999	CLASSIFIED PROGRAMS .....	188,127	188,127
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
186	0205219F	MQ-9 UAV .....	4,500	4,500
187	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE .....	4,000	4,000
188	0207131F	A-10 SQUADRONS .....	1,000	1,000
217	0207610F	BATTLEFIELD ABN COMM NODE (BACN) .....	42,349	42,349
228	0208288F	INTEL DATA APPLICATIONS .....	1,200	1,200
254	0305111F	WEATHER SERVICE .....	3,000	3,000
268	0305202F	DRAGON U-2 .....	22,100	22,100
272	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	29,500	29,500
310	1202247F	AF TENCAP .....	5,000	5,000
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>300,776</b>	<b>300,776</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF .....</b>	<b>314,271</b>	<b>314,271</b>

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
24	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	25,000	25,000
26	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION .....	13,648	13,648
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>38,648</b>	<b>38,648</b>
		<b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>		
94	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING .....	242,668	242,668
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES .....</b>	<b>242,668</b>	<b>242,668</b>
	9999999999	CLASSIFIED PROGRAMS .....	192,131	192,131
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
250	1160408BB	OPERATIONAL ENHANCEMENTS .....	3,632	3,632
251	1160431BB	WARRIOR SYSTEMS .....	11,040	11,040
253	1160434BB	UNMANNED ISR .....	11,700	11,700
254	1160480BB	SOF TACTICAL VEHICLES .....	725	725
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT .....</b>	<b>219,228</b>	<b>219,228</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW .....</b>	<b>500,544</b>	<b>500,544</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>1,307,731</b>	<b>1,307,731</b>

**TITLE XLIII—OPERATION AND MAINTENANCE**

**SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)**

Line	Item	FY 2019 Request	Senate Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	2,076,360	2,076,360
020	MODULAR SUPPORT BRIGADES .....	107,946	107,946
030	ECHELONS ABOVE BRIGADE .....	732,485	732,485
040	THEATER LEVEL ASSETS .....	1,169,508	1,169,508
050	LAND FORCES OPERATIONS SUPPORT .....	1,180,460	1,180,460
060	AVIATION ASSETS .....	1,467,500	1,467,500
070	FORCE READINESS OPERATIONS SUPPORT .....	4,285,211	4,285,211
080	LAND FORCES SYSTEMS READINESS .....	482,201	482,201
090	LAND FORCES DEPOT MAINTENANCE .....	1,536,851	1,536,851
100	BASE OPERATIONS SUPPORT .....	8,274,299	8,274,299
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	3,516,859	3,516,859
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	438,733	438,733
180	US AFRICA COMMAND .....	231,518	231,518
190	US EUROPEAN COMMAND .....	150,268	150,268
200	US SOUTHERN COMMAND .....	195,964	210,264
	SOUTHCOM ABN GFE Sensor (GEOINT/SIGINT) .....		[4,200]
	SOUTHCOM Cyber HUMINT (CME/OPS) .....		[1,000]
	SOUTHCOM OSINT/PAI (CME/LIC/TOOLS) .....		[1,600]
	SOUTHCOM Overland Airborne ISR Flight Hours .....		[7,200]
	SOUTHCOM SIGINT Suite COMSAT RF .....		[300]
210	US FORCES KOREA .....	59,625	59,625
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>25,905,788</b>	<b>25,920,088</b>
	<b>MOBILIZATION</b>		
220	STRATEGIC MOBILITY .....	370,941	370,941
230	ARMY PREPOSITIONED STOCKS .....	573,560	573,560
240	INDUSTRIAL PREPAREDNESS .....	7,678	7,678
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>952,179</b>	<b>952,179</b>
	<b>TRAINING AND RECRUITING</b>		
250	OFFICER ACQUISITION .....	135,832	135,832
260	RECRUIT TRAINING .....	54,819	54,819
270	ONE STATION UNIT TRAINING .....	69,599	69,599
280	SENIOR RESERVE OFFICERS TRAINING CORPS .....	518,998	518,998
290	SPECIALIZED SKILL TRAINING .....	1,020,073	1,020,073
300	FLIGHT TRAINING .....	1,082,190	1,082,190
310	PROFESSIONAL DEVELOPMENT EDUCATION .....	220,399	220,399
320	TRAINING SUPPORT .....	611,482	611,482
330	RECRUITING AND ADVERTISING .....	698,962	498,962
	Marketing Cuts .....		[–200,000]
340	EXAMINING .....	162,049	162,049
350	OFF-DUTY AND VOLUNTARY EDUCATION .....	215,622	215,622
360	CIVILIAN EDUCATION AND TRAINING .....	176,914	176,914

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
370	JUNIOR RESERVE OFFICER TRAINING CORPS .....	174,430	174,430
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>5,141,369</b>	<b>4,941,369</b>
	CLASSIFIED PROGRAMS .....	1,259,622	1,259,622
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
390	SERVICEWIDE TRANSPORTATION .....	588,047	588,047
400	CENTRAL SUPPLY ACTIVITIES .....	931,462	931,462
410	LOGISTIC SUPPORT ACTIVITIES .....	696,114	696,114
420	AMMUNITION MANAGEMENT .....	461,637	461,637
430	ADMINISTRATION .....	447,564	447,564
440	SERVICEWIDE COMMUNICATIONS .....	2,069,127	2,069,127
450	MANPOWER MANAGEMENT .....	261,021	261,021
460	OTHER PERSONNEL SUPPORT .....	379,541	379,541
470	OTHER SERVICE SUPPORT .....	1,699,767	1,699,767
480	ARMY CLAIMS ACTIVITIES .....	192,686	192,686
490	REAL ESTATE MANAGEMENT .....	240,917	240,917
500	FINANCIAL MANAGEMENT AND AUDIT READINESS .....	291,569	291,569
510	INTERNATIONAL MILITARY HEADQUARTERS .....	442,656	442,656
520	MISC. SUPPORT OF OTHER NATIONS .....	48,251	48,251
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>10,009,981</b>	<b>10,009,981</b>
	<b>UNDISTRIBUTED</b>		
1	UNDISTRIBUTED .....	0	-200,000
	Army misrepresentation of civilian pay budget request .....		[-200,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>-200,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>42,009,317</b>	<b>41,623,617</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
010	MODULAR SUPPORT BRIGADES .....	13,867	13,867
020	ECHELONS ABOVE BRIGADE .....	536,438	536,438
030	THEATER LEVEL ASSETS .....	113,225	113,225
040	LAND FORCES OPERATIONS SUPPORT .....	551,141	551,141
050	AVIATION ASSETS .....	89,073	89,073
060	FORCE READINESS OPERATIONS SUPPORT .....	409,531	409,531
070	LAND FORCES SYSTEMS READINESS .....	101,411	101,411
080	LAND FORCES DEPOT MAINTENANCE .....	60,114	60,114
090	BASE OPERATIONS SUPPORT .....	595,728	595,728
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	304,658	304,658
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	22,175	22,175
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,797,361</b>	<b>2,797,361</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
120	SERVICEWIDE TRANSPORTATION .....	11,832	11,832
130	ADMINISTRATION .....	18,218	18,218
140	SERVICEWIDE COMMUNICATIONS .....	25,069	25,069
150	MANPOWER MANAGEMENT .....	6,248	6,248
160	RECRUITING AND ADVERTISING .....	58,181	58,181
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>119,548</b>	<b>119,548</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>2,916,909</b>	<b>2,916,909</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	810,269	810,269
020	MODULAR SUPPORT BRIGADES .....	193,402	193,402
030	ECHELONS ABOVE BRIGADE .....	753,815	753,815
040	THEATER LEVEL ASSETS .....	84,124	84,124
050	LAND FORCES OPERATIONS SUPPORT .....	31,881	31,881
060	AVIATION ASSETS .....	973,874	973,874
070	FORCE READINESS OPERATIONS SUPPORT .....	784,086	784,086
080	LAND FORCES SYSTEMS READINESS .....	51,353	51,353
090	LAND FORCES DEPOT MAINTENANCE .....	221,633	221,633
100	BASE OPERATIONS SUPPORT .....	1,129,942	1,129,942
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	919,947	919,947
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	1,010,524	1,010,524
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,964,850</b>	<b>6,964,850</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
130	SERVICEWIDE TRANSPORTATION .....	10,017	10,017
140	ADMINISTRATION .....	72,746	72,746
150	SERVICEWIDE COMMUNICATIONS .....	83,105	83,105
160	MANPOWER MANAGEMENT .....	10,678	10,678

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
170	OTHER PERSONNEL SUPPORT .....	254,753	254,753
180	REAL ESTATE MANAGEMENT .....	3,146	3,146
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>434,445</b>	<b>434,445</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>7,399,295</b>	<b>7,399,295</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	5,372,399	5,372,399
020	FLEET AIR TRAINING .....	2,023,351	2,023,351
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	56,225	56,225
040	AIR OPERATIONS AND SAFETY SUPPORT .....	156,081	156,081
050	AIR SYSTEMS SUPPORT .....	682,379	682,379
060	AIRCRAFT DEPOT MAINTENANCE .....	1,253,756	1,253,756
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	66,649	66,649
080	AVIATION LOGISTICS .....	939,368	939,368
090	MISSION AND OTHER SHIP OPERATIONS .....	4,439,566	4,439,566
100	SHIP OPERATIONS SUPPORT & TRAINING .....	997,663	997,663
110	SHIP DEPOT MAINTENANCE .....	8,751,526	8,751,526
120	SHIP DEPOT OPERATIONS SUPPORT .....	2,168,876	2,168,876
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE .....	1,349,593	1,351,293
	SOUTHCOM CCO Sensor Integration .....		[1,700]
150	SPACE SYSTEMS AND SURVEILLANCE .....	215,255	215,255
160	WARFARE TACTICS .....	632,446	632,446
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	373,046	373,046
180	COMBAT SUPPORT FORCES .....	1,452,075	1,452,075
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	153,719	153,719
210	COMBATANT COMMANDERS CORE OPERATIONS .....	63,039	63,039
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	89,339	89,339
230	MILITARY INFORMATION SUPPORT OPERATIONS .....	8,475	8,475
240	CYBERSPACE ACTIVITIES .....	424,088	424,088
260	FLEET BALLISTIC MISSILE .....	1,361,947	1,361,947
280	WEAPONS MAINTENANCE .....	823,952	823,952
290	OTHER WEAPON SYSTEMS SUPPORT .....	494,101	494,101
300	ENTERPRISE INFORMATION .....	921,936	876,936
	General reduction .....		[–45,000]
310	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	2,040,389	2,446,389
	FSRM to 100% max executable .....		[406,000]
320	BASE OPERATING SUPPORT .....	4,414,753	4,414,753
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>41,725,992</b>	<b>42,088,692</b>
	<b>MOBILIZATION</b>		
330	SHIP PREPOSITIONING AND SURGE .....	549,142	549,142
340	READY RESERVE FORCE .....	310,805	310,805
360	SHIP ACTIVATIONS/INACTIVATIONS .....	161,150	161,150
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	120,338	120,338
390	COAST GUARD SUPPORT .....	24,097	24,097
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,165,532</b>	<b>1,165,532</b>
	<b>TRAINING AND RECRUITING</b>		
400	OFFICER ACQUISITION .....	145,481	145,481
410	RECRUIT TRAINING .....	9,637	9,637
420	RESERVE OFFICERS TRAINING CORPS .....	149,687	149,687
430	SPECIALIZED SKILL TRAINING .....	879,557	879,557
450	PROFESSIONAL DEVELOPMENT EDUCATION .....	184,436	184,436
460	TRAINING SUPPORT .....	223,159	223,159
470	RECRUITING AND ADVERTISING .....	181,086	181,086
480	OFF-DUTY AND VOLUNTARY EDUCATION .....	96,006	96,006
490	CIVILIAN EDUCATION AND TRAINING .....	72,083	72,083
500	JUNIOR ROTC .....	54,156	54,156
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>1,995,288</b>	<b>1,995,288</b>
	CLASSIFIED PROGRAMS .....	574,994	574,994
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
510	ADMINISTRATION .....	1,089,964	1,089,964
530	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT .....	164,074	164,074
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	418,350	418,350
580	SERVICEWIDE TRANSPORTATION .....	167,106	167,106
600	PLANNING, ENGINEERING, AND PROGRAM SUPPORT .....	333,556	333,556
610	ACQUISITION, LOGISTICS, AND OVERSIGHT .....	663,690	663,690
650	INVESTIGATIVE AND SECURITY SERVICES .....	705,087	705,087
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,116,821</b>	<b>4,116,821</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>49,003,633</b>	<b>49,366,333</b>



SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>			
<b>OPERATING FORCES</b>			
010	OPERATIONAL FORCES .....	873,320	873,320
020	FIELD LOGISTICS .....	1,094,187	1,094,187
030	DEPOT MAINTENANCE .....	314,182	314,182
040	MARITIME PREPOSITIONING .....	98,136	98,136
050	CYBERSPACE ACTIVITIES .....	183,546	183,546
060	SUSTAINMENT, RESTORATION & MODERNIZATION .....	832,636	832,636
070	BASE OPERATING SUPPORT .....	2,151,390	2,151,390
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>5,547,397</b>	<b>5,547,397</b>
<b>TRAINING AND RECRUITING</b>			
080	RECRUIT TRAINING .....	16,453	16,453
090	OFFICER ACQUISITION .....	1,144	1,144
100	SPECIALIZED SKILL TRAINING .....	106,360	106,360
110	PROFESSIONAL DEVELOPMENT EDUCATION .....	46,096	46,096
120	TRAINING SUPPORT .....	389,751	389,751
130	RECRUITING AND ADVERTISING .....	201,662	201,662
140	OFF-DUTY AND VOLUNTARY EDUCATION .....	32,461	32,461
150	JUNIOR ROTC .....	24,217	24,217
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>818,144</b>	<b>818,144</b>
	CLASSIFIED PROGRAMS .....	50,859	50,859
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
160	SERVICEWIDE TRANSPORTATION .....	29,735	29,735
170	ADMINISTRATION .....	386,375	386,375
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>466,969</b>	<b>466,969</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>6,832,510</b>	<b>6,832,510</b>
<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>			
<b>OPERATING FORCES</b>			
010	MISSION AND OTHER FLIGHT OPERATIONS .....	569,584	569,584
020	INTERMEDIATE MAINTENANCE .....	6,902	6,902
030	AIRCRAFT DEPOT MAINTENANCE .....	109,776	109,776
040	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	538	538
050	AVIATION LOGISTICS .....	18,888	18,888
060	SHIP OPERATIONS SUPPORT & TRAINING .....	574	574
070	COMBAT COMMUNICATIONS .....	17,561	17,561
080	COMBAT SUPPORT FORCES .....	121,070	121,070
090	CYBERSPACE ACTIVITIES .....	337	337
100	ENTERPRISE INFORMATION .....	23,964	23,964
110	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	36,356	36,356
120	BASE OPERATING SUPPORT .....	103,562	103,562
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>1,009,112</b>	<b>1,009,112</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
130	ADMINISTRATION .....	1,868	1,868
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	12,849	12,849
160	ACQUISITION AND PROGRAM MANAGEMENT .....	3,177	3,177
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>17,894</b>	<b>17,894</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES .....</b>	<b>1,027,006</b>	<b>1,027,006</b>
<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>			
<b>OPERATING FORCES</b>			
010	OPERATING FORCES .....	99,173	99,173
020	DEPOT MAINTENANCE .....	19,430	19,430
030	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	39,962	39,962
040	BASE OPERATING SUPPORT .....	101,829	101,829
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>260,394</b>	<b>260,394</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
050	ADMINISTRATION .....	11,176	11,176
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>11,176</b>	<b>11,176</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE .....</b>	<b>271,570</b>	<b>271,570</b>
<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>			
	CLASSIFIED PROGRAMS .....	1,164,810	1,164,810
<b>OPERATING FORCES</b>			
010	PRIMARY COMBAT FORCES .....	758,178	783,178
	Increase for F-35 sustainment to accelerate depot component repair capability .....		[25,000]

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
020	COMBAT ENHANCEMENT FORCES .....	1,509,027	1,509,027
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	1,323,330	1,323,330
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	3,511,830	3,511,830
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	2,892,705	2,917,705
	Additional demo .....		[25,000]
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	7,613,084	8,258,984
	Increase for JSTARS buy-back .....		[95,900]
	WSS to 100% executable .....		[550,000]
070	FLYING HOUR PROGRAM .....	4,345,208	4,395,208
	Increase for JSTARS buy-back .....		[50,000]
080	BASE SUPPORT .....	5,989,215	5,989,215
090	GLOBAL C3I AND EARLY WARNING .....	928,023	928,023
100	OTHER COMBAT OPS SPT PROGRAMS .....	1,080,956	1,080,956
110	CYBERSPACE ACTIVITIES .....	879,032	879,032
130	LAUNCH FACILITIES .....	183,777	183,777
140	SPACE CONTROL SYSTEMS .....	404,072	404,072
170	US NORTHCOM/NORAD .....	187,375	187,375
180	US STRATCOM .....	529,902	529,902
190	US CYBERCOM .....	329,474	329,474
200	US CENTCOM .....	166,024	166,024
210	US SOCOM .....	723	723
220	US TRANSCOM .....	535	535
918	UNDISTRIBUTED .....	0	156,800
	Procurement of 7 DABs for PACOM .....		[156,800]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>33,797,280</b>	<b>34,699,980</b>
	<b>MOBILIZATION</b>		
230	AIRLIFT OPERATIONS .....	1,307,695	1,307,695
240	MOBILIZATION PREPAREDNESS .....	144,417	144,417
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>1,452,112</b>	<b>1,452,112</b>
	<b>TRAINING AND RECRUITING</b>		
280	OFFICER ACQUISITION .....	133,187	133,187
290	RECRUIT TRAINING .....	25,041	25,041
300	RESERVE OFFICERS TRAINING CORPS (ROTC) .....	117,338	117,338
330	SPECIALIZED SKILL TRAINING .....	401,996	401,996
340	FLIGHT TRAINING .....	477,064	477,064
350	PROFESSIONAL DEVELOPMENT EDUCATION .....	276,423	276,423
360	TRAINING SUPPORT .....	95,948	95,948
380	RECRUITING AND ADVERTISING .....	154,530	154,530
390	EXAMINING .....	4,132	4,132
400	OFF-DUTY AND VOLUNTARY EDUCATION .....	223,150	223,150
410	CIVILIAN EDUCATION AND TRAINING .....	209,497	209,497
420	JUNIOR ROTC .....	59,908	59,908
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>2,178,214</b>	<b>2,178,214</b>
	CLASSIFIED PROGRAMS .....	1,222,456	1,222,456
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
430	LOGISTICS OPERATIONS .....	681,788	681,788
440	TECHNICAL SUPPORT ACTIVITIES .....	117,812	117,812
480	ADMINISTRATION .....	953,102	953,102
490	SERVICEWIDE COMMUNICATIONS .....	358,389	358,389
500	OTHER SERVICEWIDE ACTIVITIES .....	1,194,862	1,194,862
510	CIVIL AIR PATROL .....	29,594	29,594
540	INTERNATIONAL SUPPORT .....	74,959	74,959
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>4,632,962</b>	<b>4,632,962</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b> .....	<b>42,060,568</b>	<b>42,963,268</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	1,853,437	1,853,437
020	MISSION SUPPORT OPERATIONS .....	205,369	205,369
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	345,576	345,576
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	120,736	123,536
	Additional demo .....		[2,800]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	241,239	293,239
	WSS to 91% .....		[52,000]
060	BASE SUPPORT .....	385,922	385,922
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>3,152,279</b>	<b>3,207,079</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
070	ADMINISTRATION .....	71,188	71,188
080	RECRUITING AND ADVERTISING .....	19,429	19,429

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
090	MILITARY MANPOWER AND PERS MGMT (ARPC) .....	9,386	9,386
100	OTHER PERS SUPPORT (DISABILITY COMP) .....	7,512	7,512
110	AUDIOVISUAL .....	440	440
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b> .....	<b>107,955</b>	<b>107,955</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b> .....	<b>3,260,234</b>	<b>3,315,034</b>
	<b>OPERATION &amp; MAINTENANCE, ANG OPERATING FORCES</b>		
010	AIRCRAFT OPERATIONS .....	2,619,940	2,621,540
	Restoring O&M associated with buyback of 3 PMAI JSTARS aircraft .....		[1,600]
020	MISSION SUPPORT OPERATIONS .....	623,265	623,265
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	748,287	748,287
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	303,792	303,792
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	1,061,759	1,061,759
060	BASE SUPPORT .....	988,333	999,333
	PFAS Transfer .....		[11,000]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>6,345,376</b>	<b>6,357,976</b>
	<b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>		
070	ADMINISTRATION .....	45,711	45,711
080	RECRUITING AND ADVERTISING .....	36,535	36,535
	<b>SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b> .....	<b>82,246</b>	<b>82,246</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b> .....	<b>6,427,622</b>	<b>6,440,222</b>
	<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	430,215	432,715
	Operational logistics exercise elements .....		[2,500]
020	JOINT CHIEFS OF STAFF—CE2T2 .....	602,186	602,186
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....	5,389,250	5,389,250
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>6,421,651</b>	<b>6,424,151</b>
	<b>TRAINING AND RECRUITING</b>		
050	DEFENSE ACQUISITION UNIVERSITY .....	181,601	181,601
060	JOINT CHIEFS OF STAFF .....	96,565	96,565
070	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING .....	370,583	370,583
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>648,749</b>	<b>648,749</b>
	CLASSIFIED PROGRAMS .....	15,645,192	15,645,192
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
080	CIVIL MILITARY PROGRAMS .....	166,131	166,131
100	DEFENSE CONTRACT AUDIT AGENCY .....	625,633	625,633
110	DEFENSE CONTRACT MANAGEMENT AGENCY .....	1,465,354	1,465,354
120	DEFENSE HUMAN RESOURCES ACTIVITY .....	859,923	859,923
130	DEFENSE INFORMATION SYSTEMS AGENCY .....	2,106,930	2,106,930
150	DEFENSE LEGAL SERVICES AGENCY .....	27,403	27,403
160	DEFENSE LOGISTICS AGENCY .....	379,275	379,275
170	DEFENSE MEDIA ACTIVITY .....	207,537	207,537
180	DEFENSE PERSONNEL ACCOUNTING AGENCY .....	130,696	130,696
190	DEFENSE SECURITY COOPERATION AGENCY .....	754,711	754,711
200	DEFENSE SECURITY SERVICE .....	789,175	852,775
	Additional civilian FTE .....		[18,600]
	New mission needs .....		[45,000]
220	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION .....	34,951	34,951
230	DEFENSE THREAT REDUCTION AGENCY .....	553,329	553,329
250	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	2,892,284	2,942,284
	Impact aid for children with severe disabilities .....		[10,000]
	Impact aid for schools with military dependent students .....		[40,000]
260	MISSILE DEFENSE AGENCY .....	499,817	499,817
280	OFFICE OF ECONOMIC ADJUSTMENT .....	70,035	70,035
290	OFFICE OF THE SECRETARY OF DEFENSE .....	1,519,655	1,565,655
	CDC Health Study (sec. 312) .....		[10,000]
	Clearinghouse .....		[1,000]
	Defense Environmental International Cooperations (DEIC) .....		[1,000]
	Defense Fellows Program .....		[10,000]
	DOD emerging contaminants .....		[1,000]
	DOD environmental resilience .....		[1,000]
	DOD Rewards Program Cut .....		[–3,000]
	Readiness and Environmental Protection Initiative Increase .....		[25,000]
300	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES .....	97,787	97,787
310	WASHINGTON HEADQUARTERS SERVICES .....	456,407	456,407
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>29,282,225</b>	<b>29,441,825</b>

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	<b>TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE .....</b>	<b>36,352,625</b>	<b>36,514,725</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>US COURT OF APPEALS FOR ARMED FORCES, DEF</b>		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE .....	14,662	14,662
	<b>SUBTOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF .....</b>	<b>14,662</b>	<b>14,662</b>
	<b>OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID</b>		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....	107,663	107,663
	<b>SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID .....</b>	<b>107,663</b>	<b>107,663</b>
	<b>COOPERATIVE THREAT REDUCTION ACCOUNT</b>		
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION .....	335,240	335,240
	<b>SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT .....</b>	<b>335,240</b>	<b>335,240</b>
	<b>DOD ACQUISITION WORKFORCE DEVELOPMENT FUND</b>		
010	ACQ WORKFORCE DEV FD .....	400,000	400,000
	<b>SUBTOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND .....</b>	<b>400,000</b>	<b>400,000</b>
	<b>ENVIRONMENTAL RESTORATION, ARMY</b>		
060	ENVIRONMENTAL RESTORATION, ARMY .....	203,449	203,449
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY .....</b>	<b>203,449</b>	<b>203,449</b>
	<b>ENVIRONMENTAL RESTORATION, NAVY</b>		
080	ENVIRONMENTAL RESTORATION, NAVY .....	329,253	329,253
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY .....</b>	<b>329,253</b>	<b>329,253</b>
	<b>ENVIRONMENTAL RESTORATION, AIR FORCE</b>		
100	ENVIRONMENTAL RESTORATION, AIR FORCE .....	296,808	285,808
	PFAS Transfer .....		[-11,000]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE .....</b>	<b>296,808</b>	<b>285,808</b>
	<b>ENVIRONMENTAL RESTORATION, DEFENSE</b>		
120	ENVIRONMENTAL RESTORATION, DEFENSE .....	8,926	8,926
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE .....</b>	<b>8,926</b>	<b>8,926</b>
	<b>ENVIRONMENTAL RESTORATION FORMERLY USED SITES</b>		
140	ENVIRONMENTAL RESTORATION FORMERLY USED SITES .....	212,346	212,346
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES .....</b>	<b>212,346</b>	<b>212,346</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS .....</b>	<b>1,908,347</b>	<b>1,897,347</b>
	<b>UNDISTRIBUTED</b>		
	<b>UNDISTRIBUTED</b>		
999	UNDISTRIBUTED .....	0	-216,520
	Foreign Currency Fluctuation .....		[-267,000]
	JROTC .....		[5,480]
	Operation and Maintenance, Air Force DSMOA .....		[10,000]
	Operation and Maintenance, Air National Guard DSMOA .....		[15,000]
	Operation and Maintenance, Army DSMOA .....		[10,000]
	Operation and Maintenance, Navy DSMOA .....		[10,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>-216,520</b>
	<b>TOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>-216,520</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>199,469,636</b>	<b>200,351,316</b>

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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	1,179,339	1,179,339
030	ECHELONS ABOVE BRIGADE .....	25,983	25,983
040	THEATER LEVEL ASSETS .....	2,189,916	2,189,916
050	LAND FORCES OPERATIONS SUPPORT .....	188,609	188,609
060	AVIATION ASSETS .....	120,787	120,787
070	FORCE READINESS OPERATIONS SUPPORT .....	3,867,286	3,867,286
080	LAND FORCES SYSTEMS READINESS .....	550,068	550,068
090	LAND FORCES DEPOT MAINTENANCE .....	195,873	195,873

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
100	BASE OPERATIONS SUPPORT .....	109,560	109,560
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	60,807	60,807
140	ADDITIONAL ACTIVITIES .....	5,992,222	5,992,222
150	COMMANDERS EMERGENCY RESPONSE PROGRAM .....	10,000	10,000
160	RESET .....	1,036,454	1,036,454
180	US AFRICA COMMAND .....	248,796	248,796
190	US EUROPEAN COMMAND .....	98,127	98,127
200	US SOUTHERN COMMAND .....	2,550	2,550
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>15,876,377</b>	<b>15,876,377</b>
	<b>MOBILIZATION</b>		
230	ARMY PREPOSITIONED STOCKS .....	158,753	158,753
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>158,753</b>	<b>158,753</b>
	CLASSIFIED PROGRAMS .....	1,074,270	1,074,270
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
390	SERVICEWIDE TRANSPORTATION .....	712,230	712,230
400	CENTRAL SUPPLY ACTIVITIES .....	44,168	44,168
410	LOGISTIC SUPPORT ACTIVITIES .....	5,300	5,300
420	AMMUNITION MANAGEMENT .....	38,597	38,597
460	OTHER PERSONNEL SUPPORT .....	109,019	109,019
490	REAL ESTATE MANAGEMENT .....	191,786	191,786
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>2,175,370</b>	<b>2,175,370</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>18,210,500</b>	<b>18,210,500</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
020	ECHELONS ABOVE BRIGADE .....	20,700	20,700
060	FORCE READINESS OPERATIONS SUPPORT .....	700	700
090	BASE OPERATIONS SUPPORT .....	20,487	20,487
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>41,887</b>	<b>41,887</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>41,887</b>	<b>41,887</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	42,519	42,519
020	MODULAR SUPPORT BRIGADES .....	778	778
030	ECHELONS ABOVE BRIGADE .....	12,093	12,093
040	THEATER LEVEL ASSETS .....	708	708
060	AVIATION ASSETS .....	28,135	28,135
070	FORCE READINESS OPERATIONS SUPPORT .....	5,908	5,908
100	BASE OPERATIONS SUPPORT .....	18,877	18,877
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	956	956
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>109,974</b>	<b>109,974</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE COMMUNICATIONS .....	755	755
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>755</b>	<b>755</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>110,729</b>	<b>110,729</b>
	<b>AFGHANISTAN SECURITY FORCES FUND</b>		
	<b>AFGHAN NATIONAL ARMY</b>		
090	SUSTAINMENT .....	1,522,777	1,522,777
100	INFRASTRUCTURE .....	137,732	137,732
110	EQUIPMENT AND TRANSPORTATION .....	71,922	71,922
120	TRAINING AND OPERATIONS .....	175,846	175,846
	<b>SUBTOTAL AFGHAN NATIONAL ARMY .....</b>	<b>1,908,277</b>	<b>1,908,277</b>
	<b>AFGHAN NATIONAL POLICE</b>		
130	SUSTAINMENT .....	527,554	527,554
140	INFRASTRUCTURE .....	42,984	42,984
150	EQUIPMENT AND TRANSPORTATION .....	14,554	14,554
160	TRAINING AND OPERATIONS .....	181,922	181,922
	<b>SUBTOTAL AFGHAN NATIONAL POLICE .....</b>	<b>767,014</b>	<b>767,014</b>
	<b>AFGHAN AIR FORCE</b>		
170	SUSTAINMENT .....	942,279	942,279
180	INFRASTRUCTURE .....	30,350	30,350
190	EQUIPMENT AND TRANSPORTATION .....	572,310	572,310
200	TRAINING AND OPERATIONS .....	277,191	277,191
	<b>SUBTOTAL AFGHAN AIR FORCE .....</b>	<b>1,822,130</b>	<b>1,822,130</b>

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
<b>AFGHAN SPECIAL SECURITY FORCES</b>			
210	SUSTAINMENT .....	353,734	353,734
220	INFRASTRUCTURE .....	43,132	43,132
230	EQUIPMENT AND TRANSPORTATION .....	151,790	151,790
240	TRAINING AND OPERATIONS .....	153,373	153,373
	<b>SUBTOTAL AFGHAN SPECIAL SECURITY FORCES</b> .....	<b>702,029</b>	<b>702,029</b>
<b>TOTAL AFGHANISTAN SECURITY FORCES FUND</b> .....			
		<b>5,199,450</b>	<b>5,199,450</b>
<b>OPERATION &amp; MAINTENANCE, NAVY</b>			
<b>OPERATING FORCES</b>			
010	MISSION AND OTHER FLIGHT OPERATIONS .....	435,507	435,507
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	800	800
040	AIR OPERATIONS AND SAFETY SUPPORT .....	9,394	9,394
050	AIR SYSTEMS SUPPORT .....	193,384	193,384
060	AIRCRAFT DEPOT MAINTENANCE .....	173,053	173,053
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	3,524	3,524
080	AVIATION LOGISTICS .....	60,219	60,219
090	MISSION AND OTHER SHIP OPERATIONS .....	942,960	942,960
100	SHIP OPERATIONS SUPPORT & TRAINING .....	20,236	20,236
110	SHIP DEPOT MAINTENANCE .....	1,022,647	1,022,647
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE .....	59,553	59,553
160	WARFARE TACTICS .....	16,651	16,651
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	31,118	31,118
180	COMBAT SUPPORT FORCES .....	635,560	635,560
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	4,334	4,334
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	24,800	24,800
240	CYBERSPACE ACTIVITIES .....	355	355
280	WEAPONS MAINTENANCE .....	493,033	493,033
290	OTHER WEAPON SYSTEMS SUPPORT .....	12,780	12,780
310	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	67,321	67,321
320	BASE OPERATING SUPPORT .....	211,394	211,394
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>4,418,623</b>	<b>4,418,623</b>
<b>MOBILIZATION</b>			
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	12,902	12,902
390	COAST GUARD SUPPORT .....	165,000	165,000
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>177,902</b>	<b>177,902</b>
<b>TRAINING AND RECRUITING</b>			
430	SPECIALIZED SKILL TRAINING .....	51,138	51,138
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>51,138</b>	<b>51,138</b>
<b>CLASSIFIED PROGRAMS</b> .....			
		16,076	16,076
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
510	ADMINISTRATION .....	4,145	4,145
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	7,503	7,503
580	SERVICEWIDE TRANSPORTATION .....	69,297	69,297
610	ACQUISITION, LOGISTICS, AND OVERSIGHT .....	10,912	10,912
650	INVESTIGATIVE AND SECURITY SERVICES .....	1,559	1,559
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>109,492</b>	<b>109,492</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b> .....			
		<b>4,757,155</b>	<b>4,757,155</b>
<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>			
<b>OPERATING FORCES</b>			
010	OPERATIONAL FORCES .....	734,505	734,505
020	FIELD LOGISTICS .....	212,691	212,691
030	DEPOT MAINTENANCE .....	53,040	53,040
070	BASE OPERATING SUPPORT .....	23,047	23,047
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>1,023,283</b>	<b>1,023,283</b>
<b>TRAINING AND RECRUITING</b>			
120	TRAINING SUPPORT .....	30,459	30,459
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>30,459</b>	<b>30,459</b>
<b>CLASSIFIED PROGRAMS</b> .....			
		4,650	4,650
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
160	SERVICEWIDE TRANSPORTATION .....	61,400	61,400
170	ADMINISTRATION .....	2,108	2,108
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>68,158</b>	<b>68,158</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS</b> .....			
		<b>1,121,900</b>	<b>1,121,900</b>

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>			
<b>OPERATING FORCES</b>			
020	INTERMEDIATE MAINTENANCE .....	500	500
030	AIRCRAFT DEPOT MAINTENANCE .....	11,400	11,400
080	COMBAT SUPPORT FORCES .....	13,737	13,737
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>25,637</b>	<b>25,637</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b> .....	<b>25,637</b>	<b>25,637</b>
<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>			
<b>OPERATING FORCES</b>			
010	OPERATING FORCES .....	2,550	2,550
040	BASE OPERATING SUPPORT .....	795	795
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>3,345</b>	<b>3,345</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE</b> .....	<b>3,345</b>	<b>3,345</b>
<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>			
<b>OPERATING FORCES</b>			
010	PRIMARY COMBAT FORCES .....	166,274	166,274
020	COMBAT ENHANCEMENT FORCES .....	1,492,580	1,492,580
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	110,237	110,237
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	209,996	209,996
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	92,412	92,412
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	1,289,693	1,289,693
070	FLYING HOUR PROGRAM .....	2,355,264	2,355,264
080	BASE SUPPORT .....	1,141,718	1,141,718
090	GLOBAL C3I AND EARLY WARNING .....	13,537	13,537
100	OTHER COMBAT OPS SPT PROGRAMS .....	224,713	224,713
110	CYBERSPACE ACTIVITIES .....	17,353	17,353
120	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES .....	36,098	36,098
130	LAUNCH FACILITIES .....	385	385
140	SPACE CONTROL SYSTEMS .....	38,966	38,966
170	US NORTHCOM/NORAD .....	725	725
180	US STRATCOM .....	2,056	2,056
190	US CYBERCOM .....	35,189	35,189
200	US CENTCOM .....	162,691	162,691
210	US SOCOM .....	19,000	19,000
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>7,408,887</b>	<b>7,408,887</b>
<b>MOBILIZATION</b>			
230	AIRLIFT OPERATIONS .....	1,287,659	1,287,659
240	MOBILIZATION PREPAREDNESS .....	107,064	107,064
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>1,394,723</b>	<b>1,394,723</b>
<b>TRAINING AND RECRUITING</b>			
280	OFFICER ACQUISITION .....	300	300
290	RECRUIT TRAINING .....	340	340
330	SPECIALIZED SKILL TRAINING .....	25,327	25,327
340	FLIGHT TRAINING .....	844	844
350	PROFESSIONAL DEVELOPMENT EDUCATION .....	1,199	1,199
360	TRAINING SUPPORT .....	1,320	1,320
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>29,330</b>	<b>29,330</b>
	CLASSIFIED PROGRAMS .....	51,108	51,108
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
430	LOGISTICS OPERATIONS .....	154,485	154,485
440	TECHNICAL SUPPORT ACTIVITIES .....	13,608	13,608
480	ADMINISTRATION .....	4,814	4,814
490	SERVICEWIDE COMMUNICATIONS .....	131,123	131,123
500	OTHER SERVICEWIDE ACTIVITIES .....	97,471	97,471
540	INTERNATIONAL SUPPORT .....	240	240
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>452,849</b>	<b>452,849</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b> .....	<b>9,285,789</b>	<b>9,285,789</b>
<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>			
<b>OPERATING FORCES</b>			
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	51,000	51,000
060	BASE SUPPORT .....	9,500	9,500
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>60,500</b>	<b>60,500</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b> .....	<b>60,500</b>	<b>60,500</b>



**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	<b>OPERATION &amp; MAINTENANCE, ANG</b>		
	<b>OPERATING FORCES</b>		
020	MISSION SUPPORT OPERATIONS .....	3,560	3,560
060	BASE SUPPORT .....	12,310	12,310
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>15,870</b>	<b>15,870</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b> .....	<b>15,870</b>	<b>15,870</b>
	<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE</b>		
	<b>OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	28,671	28,671
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....	3,733,161	3,733,161
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>3,761,832</b>	<b>3,761,832</b>
	CLASSIFIED PROGRAMS .....	1,944,813	1,944,813
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
100	DEFENSE CONTRACT AUDIT AGENCY .....	1,781	1,781
110	DEFENSE CONTRACT MANAGEMENT AGENCY .....	21,723	21,723
130	DEFENSE INFORMATION SYSTEMS AGENCY .....	111,702	111,702
150	DEFENSE LEGAL SERVICES AGENCY .....	127,023	127,023
170	DEFENSE MEDIA ACTIVITY .....	14,377	14,377
190	DEFENSE SECURITY COOPERATION AGENCY .....	2,208,442	1,658,442
	Coalition Support Funds .....		[-550,000]
230	DEFENSE THREAT REDUCTION AGENCY .....	302,250	302,250
250	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	31,620	31,620
290	OFFICE OF THE SECRETARY OF DEFENSE .....	16,579	16,579
310	WASHINGTON HEADQUARTERS SERVICES .....	7,766	7,766
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>4,788,076</b>	<b>4,238,076</b>
	<b>TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE</b> .....	<b>8,549,908</b>	<b>7,999,908</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>47,382,670</b>	<b>46,832,670</b>

**TITLE XLIV—MILITARY PERSONNEL**

**SEC. 4401. MILITARY PERSONNEL.**

**SEC. 4401. MILITARY PERSONNEL**  
(In Thousands of Dollars)

Item	FY 2019 Request	Senate Authorized
<b>MILITARY PERSONNEL</b>		
<b>MILITARY PERSONNEL APPROPRIATIONS</b>		
MILITARY PERSONNEL APPROPRIATIONS .....	140,689,301	137,627,221
End strength cut .....		[-993,200]
Foreign Currency Fluctuation .....		[-133,000]
JROTC .....		1,220
Military Personnel Underexecution .....		[-1,937,100]
<b>SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS</b> .....	<b>140,689,301</b>	<b>137,627,221</b>
<b>MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS</b>		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS .....	7,533,090	7,533,090
<b>SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS</b> .....	<b>7,533,090</b>	<b>7,533,090</b>
<b>TOTAL MILITARY PERSONNEL</b> .....	<b>148,222,391</b>	<b>145,160,311</b>

**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.**

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

Item	FY 2019 Request	Senate Authorized
<b>MILITARY PERSONNEL</b>		
<b>MILITARY PERSONNEL APPROPRIATIONS</b>		
MILITARY PERSONNEL APPROPRIATIONS .....	4,660,661	4,660,661
<b>SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS</b> .....	<b>4,660,661</b>	<b>4,660,661</b>
<b>TOTAL MILITARY PERSONNEL</b> .....	<b>4,660,661</b>	<b>4,660,661</b>

## TITLE XLV—OTHER AUTHORIZATIONS

## SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
	<b>WORKING CAPITAL FUND</b>		
	<b>WORKING CAPITAL FUND, ARMY</b>		
010	Industrial Operations .....	59,002	59,002
020	Supply Management—Army .....	99,763	99,763
	<b>SUBTOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>59,002</b>	<b>59,002</b>
	<b>SUBTOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>99,763</b>	<b>99,763</b>
	<b>WORKING CAPITAL FUND, AIR FORCE</b>		
020	Supplies and Materials .....	69,054	69,054
	<b>SUBTOTAL WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>69,054</b>	<b>69,054</b>
	<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
020	Supply Chain Management—Def .....	48,096	48,096
	<b>SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE .....</b>	<b>48,096</b>	<b>48,096</b>
	<b>WORKING CAPITAL FUND, DECA</b>		
010	Working Capital Fund, DECA .....	1,266,200	1,266,200
	<b>SUBTOTAL WORKING CAPITAL FUND, DECA .....</b>	<b>1,266,200</b>	<b>1,266,200</b>
	<b>TOTAL WORKING CAPITAL FUND .....</b>	<b>1,542,115</b>	<b>1,542,115</b>
	<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		
	<b>OPERATION AND MAINTENANCE</b>		
1	Chem Demilitarization—O&M .....	105,997	105,997
	<b>SUBTOTAL OPERATION AND MAINTENANCE .....</b>	<b>105,997</b>	<b>105,997</b>
	<b>RESEARCH, DEVELOPMENT, TEST, AND EVALUATION</b>		
2	Chem Demilitarization—RDT&E .....	886,728	886,728
	<b>SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION .....</b>	<b>886,728</b>	<b>886,728</b>
	<b>PROCUREMENT</b>		
3	Chem Demilitarization—Proc .....	1,091	1,091
	<b>SUBTOTAL PROCUREMENT .....</b>	<b>1,091</b>	<b>1,091</b>
	<b>TOTAL CHEM AGENTS &amp; MUNITIONS DESTRUCTION .....</b>	<b>993,816</b>	<b>993,816</b>
	<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
	<b>DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES</b>		
010	Drug Interdiction and Counter-Drug Activities, Defense .....	547,171	547,171
	<b>SUBTOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES .....</b>	<b>547,171</b>	<b>547,171</b>
	<b>DRUG DEMAND REDUCTION PROGRAM</b>		
020	Drug Demand Reduction Program .....	117,900	117,900
	<b>SUBTOTAL DRUG DEMAND REDUCTION PROGRAM .....</b>	<b>117,900</b>	<b>117,900</b>
	<b>READINESS COUNTERDRUG ACTIVITIES</b>		
040	Drug Interdiction and Counter-Drug Activities, Defense .....	5,276	5,276
	<b>SUBTOTAL READINESS COUNTERDRUG ACTIVITIES .....</b>	<b>5,276</b>	<b>5,276</b>
	<b>NATIONAL GUARD COUNTER-DRUG PROGRAM</b>		
030	National Guard Counter-Drug Program .....	117,178	117,178
	<b>SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM .....</b>	<b>117,178</b>	<b>117,178</b>
	<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF .....</b>	<b>787,525</b>	<b>787,525</b>
	<b>OFFICE OF THE INSPECTOR GENERAL</b>		
	<b>OPERATION AND MAINTENANCE</b>		
010	Office of the Inspector General .....	327,611	327,611
	<b>SUBTOTAL OPERATION AND MAINTENANCE .....</b>	<b>327,611</b>	<b>327,611</b>
	<b>RDT&amp;E</b>		
020	Office of the Inspector General .....	1,602	1,602
	<b>SUBTOTAL RDT&amp;E .....</b>	<b>1,602</b>	<b>1,602</b>
	<b>PROCUREMENT</b>		
030	Office of the Inspector General .....	60	60
	<b>SUBTOTAL PROCUREMENT .....</b>	<b>60</b>	<b>60</b>
	<b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>	<b>329,273</b>	<b>329,273</b>
	<b>DEFENSE HEALTH PROGRAM</b>		

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

Line	Item	FY 2019 Request	Senate Authorized
<b>OPERATION &amp; MAINTENANCE</b>			
010	In-House Care .....	9,738,569	9,738,569
020	Private Sector Care .....	15,103,735	15,103,735
030	Consolidated Health Support .....	2,107,961	2,107,961
040	Information Management .....	2,039,878	2,039,878
050	Management Activities .....	307,629	307,629
060	Education and Training .....	756,778	759,278
	Specialized medical pilot program .....		[2,500]
070	Base Operations/Communications .....	2,090,845	2,090,845
	<b>SUBTOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>32,145,395</b>	<b>32,147,895</b>
<b>RD&amp;E</b>			
080	R&D Research .....	11,386	11,386
090	R&D Exploratory Development .....	75,010	75,010
100	R&D Advanced Development .....	275,258	275,258
110	R&D Demonstration/Validation .....	117,529	117,529
120	R&D Engineering Development .....	151,985	151,985
130	R&D Management and Support .....	63,755	63,755
140	R&D Capabilities Enhancement .....	15,714	15,714
	<b>SUBTOTAL RD&amp;E</b> .....	<b>710,637</b>	<b>710,637</b>
<b>PROCUREMENT</b>			
150	PROC Initial Outfitting .....	33,056	33,056
160	PROC Replacement & Modernization .....	343,424	343,424
180	PROC DoD Healthcare Management System Modernization .....	496,680	496,680
	<b>SUBTOTAL PROCUREMENT</b> .....	<b>873,160</b>	<b>873,160</b>
	<b>TOTAL DEFENSE HEALTH PROGRAM</b> .....	<b>33,729,192</b>	<b>33,731,692</b>
	<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>37,381,921</b>	<b>37,384,421</b>

## SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

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

Line	Item	FY 2019 Request	Senate Authorized
<b>WORKING CAPITAL FUND</b>			
<b>WORKING CAPITAL FUND, ARMY</b>			
020	Supply Management—Army .....	6,600	6,600
	<b>SUBTOTAL WORKING CAPITAL FUND, ARMY</b> .....	<b>6,600</b>	<b>6,600</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>			
020	Supplies and Materials .....	8,590	8,590
	<b>SUBTOTAL WORKING CAPITAL FUND, AIR FORCE</b> .....	<b>8,590</b>	<b>8,590</b>
	<b>TOTAL WORKING CAPITAL FUND</b> .....	<b>15,190</b>	<b>15,190</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>			
<b>DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES</b>			
010	Drug Interdiction and Counter-Drug Activities, Defense .....	153,100	153,100
	<b>SUBTOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES</b> .....	<b>153,100</b>	<b>153,100</b>
	<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b> .....	<b>153,100</b>	<b>153,100</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>			
<b>OPERATION AND MAINTENANCE</b>			
010	Office of the Inspector General .....	24,692	24,692
	<b>SUBTOTAL OPERATION AND MAINTENANCE</b> .....	<b>24,692</b>	<b>24,692</b>
	<b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b> .....	<b>24,692</b>	<b>24,692</b>
<b>DEFENSE HEALTH PROGRAM</b>			
<b>OPERATION &amp; MAINTENANCE</b>			
010	In-House Care .....	72,627	72,627
020	Private Sector Care .....	277,066	277,066
030	Consolidated Health Support .....	2,375	2,375
	<b>SUBTOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>352,068</b>	<b>352,068</b>
	<b>TOTAL DEFENSE HEALTH PROGRAM</b> .....	<b>352,068</b>	<b>352,068</b>
<b>COUNTER-ISIS TRAIN AND EQUIP FUND</b>			
<b>COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)</b>			
010	IRAQ .....	850,000	850,000

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

Line	Item	FY 2019 Request	Senate Authorized
020	SYRIA .....	300,000	300,000
030	Other .....	250,000	250,000
	<b>SUBTOTAL COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF) .....</b>	<b>1,400,000</b>	<b>1,400,000</b>
	<b>TOTAL COUNTER-ISIS TRAIN AND EQUIP FUND .....</b>	<b>1,400,000</b>	<b>1,400,000</b>
	<b>TOTAL OTHER AUTHORIZATIONS .....</b>	<b>1,945,050</b>	<b>1,945,050</b>

**TITLE XLVI—MILITARY CONSTRUCTION**

**SEC. 4601. MILITARY CONSTRUCTION.**

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
<b>MILITARY CONSTRUCTION</b>				
<b>ARMY</b>				
	Alabama			
ARMY	Anniston Army Depot	Weapon Maintenance Shop .....	5,200	5,200
	California			
ARMY	Fort Irwin	Multipurpose Range Complex .....	29,000	29,000
	Colorado			
ARMY	Fort Carson	Vehicle Maintenance Shop .....	77,000	77,000
	Georgia			
ARMY	Fort Gordon	Cyber Instructional Fac and Network Ctr .....	99,000	99,000
	Germany			
ARMY	East Camp Grafenwoehr	Mission Training Complex .....	31,000	31,000
	Hawaii			
ARMY	Fort Shafter	Command and Control Facility, Incr 4 .....	105,000	105,000
ARMY	Wheeler Army Airfield	Rotary wing parking apron .....	0	50,000
	Honduras			
ARMY	Soto Cano AB	Barracks .....	21,000	21,000
	Indiana			
ARMY	Crane Army Ammunition Activity	Railcar Holding Area .....	16,000	16,000
	Kentucky			
ARMY	Fort Campbell	Microgrid and power plant .....	0	18,000
ARMY	Fort Campbell	Vehicle Maintenance Shop .....	32,000	32,000
ARMY	Fort Knox	Digital Air/Ground Integration Range .....	26,000	26,000
	Korea			
ARMY	Camp Tango	Command and Control Facility .....	17,500	17,500
	Kuwait			
ARMY	Camp Arifjan	Vehicle Maintenance Shop .....	44,000	44,000
	New Jersey			
ARMY	Picatinny Arsenal	Munitions Disassembly Complex .....	41,000	41,000
	New Mexico			
ARMY	White Sands Missile Range	Information Systems Facility .....	40,000	40,000
	New York			
ARMY	West Point Military Reservation	Engineering Center .....	95,000	95,000
ARMY	West Point Military Reservation	Parking Structure .....	65,000	65,000
	North Carolina			
ARMY	Fort Bragg	Dining Facility .....	10,000	10,000
	South Carolina			
ARMY	Fort Jackson	Trainee Barracks Complex 3, PH2 .....	52,000	52,000
	Texas			
ARMY	Fort Bliss	Supply Support Activity .....	24,000	24,000
ARMY	Fort Hood	Supply Support Activity .....	0	9,600
	Virginia			
ARMY	Arlington National Cemetery	Arlington National Cemetery Southern Expansion .....	0	30,000
	Worldwide Unspecified			
ARMY	Unspecified Worldwide Locations	Host Nation Support .....	34,000	34,000
ARMY	Unspecified Worldwide Locations	Planning and Design .....	71,068	71,068
ARMY	Unspecified Worldwide Locations	Unspecified Minor Construction .....	72,000	72,000
ARMY	Unspecified Worldwide Locations	Planning and Design .....	5,000	5,000
	<b>SUBTOTAL ARMY .....</b>		<b>1,011,768</b>	<b>1,119,368</b>
<b>NAVY</b>				
	Arizona			
NAVY	Camp Navajo	Missile Motor Magazines and U&SI .....	0	14,800
	Bahamas			
NAVY	Andros Island	AUTEC Austere Quarters .....	31,050	31,050
	Bahrain Island			
NAVY	SW Asia	Fleet Maintenance Facility & TOC .....	26,340	26,340
	California			
NAVY	Camp Pendleton	62 Area Mess Hall & Consolidated Warehouse .....	0	71,700
NAVY	Camp Pendleton	Supply Warehouse SOI-West .....	0	16,600
NAVY	Camp Pendleton	Potable Water Distribution Improvements .....	47,230	47,230
NAVY	Camp Pendleton	AAV-ACV Maintenance & Warehouse Facility .....	49,410	49,410
NAVY	Camp Pendleton	Full Motion Trainer Facility .....	10,670	10,670
NAVY	Camp Pendleton	Electrical Upgrades .....	4,020	4,020
NAVY	Coronado	CMV-22B Airfield Improvements .....	77,780	77,780

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
NAVY	Lemoore	F-35 Maintenance Hangar .....	112,690	112,690
NAVY	Miramar	F-35 Vertical Landing Pads and Taxiway .....	20,480	20,480
NAVY	Miramar	Airfield Security Improvements .....	11,500	11,500
NAVY	Point Mugu	Directed Energy Systems Intergration Lab .....	22,150	22,150
NAVY	San Diego	Harbor Drive Switching Station .....	48,440	48,440
NAVY	San Diego	Pier 8 Replacement .....	108,100	108,100
NAVY	San Nicolas Island	Missile Assembly Build & High Explosive Mag .....	31,010	31,010
NAVY	Seal Beach	Missile Magazines .....	0	21,800
NAVY	Seal Beach	Causeway, Boat Channel & Turning Basin .....	117,830	117,830
NAVY	District of Columbia			
	Naval Observatory	Master Time Clocks & Operations Facility .....	115,600	115,600
NAVY	Florida			
	Mayport	LCS Support Facility .....	82,350	82,350
NAVY	Mayport	LCS Operational Training Facility Addition .....	29,110	29,110
NAVY	NAS Whiting Field	Air Traffic Control Tower (North Field) .....	0	10,000
NAVY	Georgia			
	MCLB Albany	Welding and Body Repair Shop Facility .....	0	31,900
NAVY	Germany			
	Panzer Kaserne	Marforeur HQ Modernization and Expansion .....	43,950	43,950
NAVY	Guam			
	Joint Region Marianas	Ace Gym & Dining .....	27,910	27,910
NAVY	Joint Region Marianas	Earth Covered Magazines .....	52,270	52,270
NAVY	Joint Region Marianas	Ordnance Ops .....	22,020	22,020
NAVY	Joint Region Marianas	Machine Gun Range .....	141,287	15,000
NAVY	Joint Region Marianas	Unaccompanied Enlisted Housing .....	36,170	36,170
NAVY	Guantanamo Bay, Cuba			
	Guantanamo Bay	Solid Waste Management Facility .....	85,000	85,000
NAVY	Hawaii			
	Joint Base Pearl Harbor-Hickam	Drydock Waterfront Facility .....	45,000	45,000
NAVY	Kaneohe Bay	Corrosion Control Hangar .....	66,100	66,100
NAVY	Pearl City	Water Transmission Line .....	78,320	78,320
NAVY	Japan			
	Kadena AB	Tactical Operations Center .....	9,049	9,049
NAVY	Maine			
	Kittery	Extend Portal Crane Rail .....	39,725	39,725
NAVY	Kittery	Dry Dock #1 Superflood Basin .....	109,960	109,960
NAVY	Mississippi			
	Naval Construction Battalion Center	Expeditionary Combat Skills Student Berthing .....	0	22,300
NAVY	North Carolina			
	Camp Lejeune	2nd Radio BN Complex, Phase 2 .....	0	51,300
NAVY	Cherry Point Marine Corps Air Station	Aircraft Maintenance Hangar .....	133,970	27,000
NAVY	Cherry Point Marine Corps Air Station	Flightline Utility Modernization .....	106,860	106,860
NAVY	Pennsylvania			
	Philadelphia	Submarine Propulsor Manufacturing Support Fac .....	71,050	71,050
NAVY	South Carolina			
	MCAS Beaufort	Cryogenics Facility .....	0	6,300
NAVY	MCAS Beaufort	Recycling/Hazardous Waste Facility .....	9,517	9,517
NAVY	Parris Island	Range Improvements & Modernization, Phase 2 .....	35,190	35,190
NAVY	Utah			
	Hill AFB	D5 Missile Motor Receipt/Storage Facility .....	105,520	105,520
NAVY	Virginia			
	Portsmouth	Ships Maintenance Facility .....	26,120	26,120
NAVY	Quantico	Ammunition Supply Point Upgrade, Phase 2 .....	0	13,100
NAVY	Quantico	TBS Fire Station .....	21,980	0
NAVY	Washington			
	Bangor	Pier and Maintenance Facility .....	88,960	88,960
NAVY	Whidbey Island	Fleet Support Facility .....	19,450	19,450
NAVY	Whidbey Island	Next Generation Jammer Facility .....	7,930	7,930
NAVY	Worldwide Unspecified			
	Unspecified Worldwide Locations	Unspecified Minor Construction .....	0	25,000
NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction .....	28,579	28,579
NAVY	Unspecified Worldwide Locations	Planning and Design .....	185,542	185,542
<b>SUBTOTAL NAVY .....</b>			<b>2,543,189</b>	<b>2,572,752</b>
<b>AIR FORCE</b>				
NAVY	Alaska			
	Eielson AFB	F-35A School AGE Facility .....	22,500	22,500
NAVY	Eielson AFB	F-35A CATM Range .....	19,000	19,000
NAVY	Eielson AFB	F-35 Aircraft Maintenance Unit Admin Facility .....	6,800	6,800
NAVY	Eielson AFB	F-35 Conventional Munitions Maintenance Fac .....	15,500	15,500
NAVY	Arizona			
	Davis-Monthan AFB	AGE Facility .....	0	15,000
NAVY	Luke AFB	F-35A Squad Ops #6 .....	17,000	17,000
NAVY	Luke AFB	F-35A ADAL AMU B914 Sq 6 .....	23,000	23,000
NAVY	Florida			
	Eglin AFB	F-35A Student Dormitory II .....	28,000	28,000
NAVY	Eglin AFB	F-35A Integrated Trng Center Academics Bldg .....	34,863	34,863
NAVY	MacDill AFB	KC135 Beddown Add Flight Simulator Training .....	3,100	3,100
NAVY	Guam			
	Joint Region Marianas	Hayman Munitions Storage Igloos MSA 2 .....	9,800	9,800
NAVY	Mariana Islands			
	Tinian	APR—Cargo Pad With Taxiway Extension .....	46,000	46,000

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
AIR FORCE	Tinian	APR—Maintenance Support Facility .....	4,700	4,700
	Maryland			
AIR FORCE	Joint Base Andrews	Child Development Center .....	0	13,000
AIR FORCE	Joint Base Andrews	PAR Relocate Haz Cargo Pad and EOD Range .....	37,000	37,000
AIR FORCE	Joint Base Andrews	Presidential Aircraft Recap Complex, Inc. 2 .....	154,000	121,250
	Massachusetts			
AIR FORCE	Hanscom AFB	MIT-Lincoln Laboratory (West Lab CSL/MIF) .....	225,000	175,000
	Nebraska			
AIR FORCE	Offutt AFB	Parking Lot, USSTRATCOM .....	9,500	9,500
	Nevada			
AIR FORCE	Creech AFB	MQ-9 CPIP Operations & Command Center Fac. ....	28,000	28,000
AIR FORCE	Creech AFB	MQ-9 CPIP GCS Operations Facility .....	31,000	31,000
AIR FORCE	Nellis AFB	CRH Simulator .....	5,900	5,900
	New Mexico			
AIR FORCE	Holloman AFB	MQ-9 FTU Ops Facility .....	85,000	85,000
AIR FORCE	Kirtland AFB	Wyoming Gate Upgrade for Anti-Terrorism Compliance .....	0	7,000
	New York			
AIR FORCE	Rome Lab	Anti-Terrorism Perimeter Security / Entry Control Point .....	0	14,200
	North Dakota			
AIR FORCE	Minot AFB	Consolidated Helo/TRF Ops/AMU and Alert Fac .....	66,000	66,000
	Ohio			
AIR FORCE	Wright-Patterson AFB	ADAL Intelligence Production Complex (NASIC) .....	116,100	116,100
	Oklahoma			
AIR FORCE	Altus AFB	KC-46A FTU/FTC Simulator Facility PH 3 .....	12,000	12,000
AIR FORCE	Tinker AFB	KC-46A Depot Maintenance Hangar .....	81,000	81,000
AIR FORCE	Tinker AFB	KC-46A Depot Fuel Maintenance Hangar .....	85,000	85,000
	Qatar			
AIR FORCE	Al Udeid	Personnel Deployment Processing Facility .....	40,000	40,000
AIR FORCE	Al Udeid	Flightline Support Facilities .....	30,400	30,400
	South Carolina			
AIR FORCE	Shaw AFB	CPIP MQ-9 MCE Group .....	53,000	53,000
	Texas			
AIR FORCE	Joint Base San Antonio-Lackland	BMT Recruit Dormitory 6 .....	25,000	25,000
	United Kingdom			
AIR FORCE	Royal Air Force Lakenheath	F-35A Fuel System Maintenance Dock 2 Bay .....	16,880	16,880
AIR FORCE	Royal Air Force Lakenheath	F-35A Parking Apron .....	27,431	27,431
AIR FORCE	Royal Air Force Lakenheath	F-35A AGE Facility .....	12,449	12,449
AIR FORCE	Royal Air Force Lakenheath	F-35A ADAL Parts Store .....	13,926	13,926
AIR FORCE	Royal Air Force Lakenheath	F-35A 6 Bay Hangar .....	39,036	39,036
AIR FORCE	Royal Air Force Lakenheath	F-35A Dorm .....	29,541	29,541
AIR FORCE	Royal Air Force Lakenheath	F-35A ADAL Conventional Munitions MX .....	9,204	9,204
	Utah			
AIR FORCE	Hill AFB	Composite Aircraft Antenna Calibration Fac .....	0	26,000
	Washington			
AIR FORCE	White Bluff	ADAL JPRA C2 Mission Support Facility .....	0	14,000
	Worldwide Classified			
AIR FORCE	Classified Location	TACMOR—Utilities and Infrastructure Support .....	18,000	18,000
	Worldwide Unspecified			
AIR FORCE	Various Worldwide Locations	Planning and Design .....	0	20,000
AIR FORCE	Various Worldwide Locations	Planning and Design .....	195,577	195,577
AIR FORCE	Various Worldwide Locations	Planning and Design .....	11,000	11,000
AIR FORCE	Various Worldwide Locations	Unspecified Minor Military Construction .....	38,500	38,500
<b>SUBTOTAL AIR FORCE .....</b>			<b>1,725,707</b>	<b>1,752,157</b>
<b>DEFENSE-WIDE</b>				
	Alabama			
DEFENSE-WIDE	Anniston Army Depot	Install microgrid .....	0	20,000
	Alaska			
DEFENSE-WIDE	Clear AFS	Long Range Discrim Radar Sys Complex Ph2 .....	174,000	130,000
DEFENSE-WIDE	Fort Greely	Missile Field #1 Expansion .....	8,000	8,000
DEFENSE-WIDE	Joint Base Elmendorf-Richardson	Operations Facility Replacement .....	14,000	14,000
	Arkansas			
DEFENSE-WIDE	Little Rock AFB	Hydrant Fuel System Alterations .....	14,000	14,000
	Belgium			
DEFENSE-WIDE	U.S. Army Garrison Benelux (Chievres)	Europe West District Superintendent's Office .....	14,305	14,305
	California			
DEFENSE-WIDE	Camp Pendleton	SOF EOD Facility—West .....	3,547	3,547
DEFENSE-WIDE	Camp Pendleton	SOF Human Performance Training Center-West .....	9,049	9,049
DEFENSE-WIDE	Coronado	SOF NSWG-1 Operations Support Facility .....	25,172	25,172
DEFENSE-WIDE	Coronado	SOF Close Quarters Combat Facility .....	12,768	12,768
DEFENSE-WIDE	Coronado	SOF ATC Applied Instruction Facility .....	14,819	14,819
DEFENSE-WIDE	Coronado	SOF ATC Training Facility .....	18,329	18,329
DEFENSE-WIDE	Defense Distribution Depot-Tracy	Main Access Control Point Upgrades .....	18,800	18,800
DEFENSE-WIDE	NB Ventura County	SNI Energy Storage System .....	0	6,530
	Colorado			
DEFENSE-WIDE	Fort Carson	SOF Human Performance Training Center .....	15,297	15,297
DEFENSE-WIDE	Fort Carson	SOF Mountaineering Facility .....	9,000	9,000
	Conus Classified			
DEFENSE-WIDE	Classified Location	Battalion Complex, PH2 .....	49,222	49,222
	Djibouti			
DEFENSE-WIDE	Camp Lemonnier	ECIP-Install PV Ground Array .....	0	3,750
	Germany			

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
DEFENSE-WIDE	Baumholder	SOF Joint Parachute Rigging Facility .....	11,504	11,504
DEFENSE-WIDE	Kaiserslautern AB	Kaiserslautern Middle School .....	99,955	99,955
DEFENSE-WIDE	Rhine Ordnance Barracks	Medical Center Replacement Inc. 8 .....	319,589	319,589
DEFENSE-WIDE	Weisbaden	Clay Kaserne Elementary School .....	56,048	56,048
DEFENSE-WIDE	Greece			
DEFENSE-WIDE	NSA Souda Bay	Energy Management Control Systems (EMCS) .....	0	2,230
DEFENSE-WIDE	Guam			
DEFENSE-WIDE	Naval Base Guam	P-691 NBG 74 Facilities Automated Controls .....	0	4,634
DEFENSE-WIDE	Guantanamo Bay, Cuba			
DEFENSE-WIDE	Guantanamo Bay	Working Dog Treatment Facility Replacement .....	9,080	9,080
DEFENSE-WIDE	Hawaii			
DEFENSE-WIDE	Bellows AFB	Expand PV and provide energy resilience to fire crash rescue .....	0	2,944
DEFENSE-WIDE	Japan			
DEFENSE-WIDE	Camp McTureous	Bechtel Elementary School .....	94,851	94,851
DEFENSE-WIDE	Iwakuni	Fuel Pier .....	33,200	33,200
DEFENSE-WIDE	Kadena AB	Truck Unload Facilities .....	21,400	21,400
DEFENSE-WIDE	Yokosuka	Kinnick High School .....	170,386	40,000
DEFENSE-WIDE	Kansas			
DEFENSE-WIDE	Salina Training Center	PV/Water Conservation & Energy Resilience .....	0	3,500
DEFENSE-WIDE	Kentucky			
DEFENSE-WIDE	Fort Campbell	Ft Campbell Middle School .....	62,634	62,634
DEFENSE-WIDE	Fort Campbell	SOF Logistics Support Operations Facility .....	5,435	5,435
DEFENSE-WIDE	Fort Campbell	SOF Air/Ground Integ. Urban Live Fire Range .....	9,091	9,091
DEFENSE-WIDE	Fort Campbell	SOF Multi-Use Helicopter Training Facility .....	5,138	5,138
DEFENSE-WIDE	Louisiana			
DEFENSE-WIDE	JRB NAS New Orleans	Distribution Switchgear .....	0	5,340
DEFENSE-WIDE	Maine			
DEFENSE-WIDE	Kittery	Consolidated Warehouse Replacement .....	11,600	11,600
DEFENSE-WIDE	Maryland			
DEFENSE-WIDE	Fort Meade	NSAW Recapitalize Building #2 Inc 4 .....	218,000	191,600
DEFENSE-WIDE	Fort Meade	NSAW Recapitalize Building #3 Inc 1 .....	99,000	99,000
DEFENSE-WIDE	Fort Meade	Mission Support Operations Warehouse Facility .....	30,000	30,000
DEFENSE-WIDE	Missouri			
DEFENSE-WIDE	St Louis	Next NGA West (N2W) Complex Phase 1 Inc. 2 .....	213,600	50,000
DEFENSE-WIDE	St Louis	Next NGA West (N2W) Complex Phase 2 Inc. 1 .....	110,000	110,000
DEFENSE-WIDE	New Jersey			
DEFENSE-WIDE	Joint Base McGuire-Dix-Lakehurst	Hot Cargo Hydrant System Replacement .....	10,200	10,200
DEFENSE-WIDE	North Carolina			
DEFENSE-WIDE	Fort Bragg	SOF Replace Training Maze and Tower .....	12,109	12,109
DEFENSE-WIDE	Fort Bragg	SOF SERE Resistance Training Lab. Complex .....	20,257	20,257
DEFENSE-WIDE	New River	Amb Care Center/Dental Clinic Replacement .....	32,580	32,580
DEFENSE-WIDE	Oklahoma			
DEFENSE-WIDE	McAlester	Bulk Diesel System Replacement .....	7,000	7,000
DEFENSE-WIDE	South Carolina			
DEFENSE-WIDE	MCAS Beaufort	Electrical Hardening and Black Start CHP System .....	0	22,402
DEFENSE-WIDE	Texas			
DEFENSE-WIDE	Camp Mabry	Install microgrid .....	0	5,500
DEFENSE-WIDE	Joint Base San Antonio-Lackland	Energy Aerospace Operations Facility .....	10,200	10,200
DEFENSE-WIDE	Red River Army Depot	General Purpose Warehouse .....	71,500	71,500
DEFENSE-WIDE	United Kingdom			
DEFENSE-WIDE	Croughton RAF	Ambulatory Care Center Addition/Alteration .....	10,000	0
DEFENSE-WIDE	Virginia			
DEFENSE-WIDE	Dam Neck	SOF Magazines .....	8,959	8,959
DEFENSE-WIDE	Fort A.P. Hill	Training Campus .....	11,734	11,734
DEFENSE-WIDE	Fort Belvoir	Human Performance Training Center .....	6,127	6,127
DEFENSE-WIDE	Humphreys Engineer Center	Maintenance and Supply Facility .....	20,257	20,257
DEFENSE-WIDE	Joint Base Langley-Eustis	Fuel Facilities Replacement .....	6,900	6,900
DEFENSE-WIDE	Joint Base Langley-Eustis	Ground Vehicle Fueling Facility Replacement .....	5,800	5,800
DEFENSE-WIDE	NAS Oceana	Super Flight Line Electrical Distribution System (FLEDS) .....	0	2,520
DEFENSE-WIDE	Pentagon	North Village VACP & Fencing .....	12,200	12,200
DEFENSE-WIDE	Pentagon	Exterior Infrastruc. & Security Improvements .....	23,650	23,650
DEFENSE-WIDE	Washington			
DEFENSE-WIDE	Joint Base Lewis-McChord	Refueling Facility .....	26,200	26,200
DEFENSE-WIDE	Worldwide Unspecified			
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design—ERCIP .....	0	5,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design .....	55,925	55,925
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design .....	496	496
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction .....	10,000	10,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design .....	14,184	14,184
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction .....	13,642	13,642
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction .....	5,000	5,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog. ....	150,000	150,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Contingency Construction .....	10,000	10,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction .....	3,000	3,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design .....	14,300	14,300
DEFENSE-WIDE	Unspecified Worldwide Locations	ERCIP Design .....	10,000	10,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Exercise Related Minor Construction .....	12,479	12,479
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design .....	2,036	2,036
DEFENSE-WIDE	Various Worldwide Locations	Planning & Design .....	42,705	42,705
DEFENSE-WIDE	Various Worldwide Locations	Unspecified Minor Construction .....	17,366	17,366
DEFENSE-WIDE	Various Worldwide Locations	Planning and Design .....	55,699	55,699
SUBTOTAL DEFENSE-WIDE .....			2,693,324	2,403,288



SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
<b>ARMY NATIONAL GUARD</b>				
ARMY NATIONAL GUARD	Alaska Joint Base Elmendorf-Richardson	United States Property & Fiscal Office .....	27,000	27,000
ARMY NATIONAL GUARD	Illinois Marseilles	Automated Record Fire Range .....	5,000	5,000
ARMY NATIONAL GUARD	Montana Malta	National Guard Readiness Center .....	15,000	15,000
ARMY NATIONAL GUARD	Nevada North Las Vegas	National Guard Readiness Center .....	32,000	32,000
ARMY NATIONAL GUARD	New Hampshire Pembroke	National Guard Readiness Center .....	12,000	12,000
ARMY NATIONAL GUARD	North Dakota Fargo	National Guard Readiness Center .....	32,000	32,000
ARMY NATIONAL GUARD	Ohio Camp Ravenna	Automated Multipurpose Machine Gun Range .....	7,400	7,400
ARMY NATIONAL GUARD	Oklahoma Lexington	Aircraft vehicle storage building .....	0	11,000
ARMY NATIONAL GUARD	Oregon Boardman	Tactical unmanned aerial vehicle hangar .....	0	11,000
ARMY NATIONAL GUARD	South Dakota Rapid City	National Guard Readiness Center .....	15,000	15,000
ARMY NATIONAL GUARD	Texas Houston	Unheated vehicle storage (aircraft) .....	0	15,000
ARMY NATIONAL GUARD	Virginia Sandston	Army aviation support facility .....	0	89,000
ARMY NATIONAL GUARD	Worldwide Unspecified	Unspecified Minor Construction .....	18,100	18,100
ARMY NATIONAL GUARD	Unspecified Worldwide Locations	Planning and Design .....	16,622	16,622
<b>SUBTOTAL ARMY NATIONAL GUARD</b> .....			<b>180,122</b>	<b>306,122</b>
<b>AIR NATIONAL GUARD</b>				
AIR NATIONAL GUARD	California Channel Islands Angs	Construct C-130J Flight Simulator Facility .....	8,000	8,000
AIR NATIONAL GUARD	Hawaii Joint Base Pearl Harbor-Hickam	Construct Addition to F-22 LO/CRF B3408 .....	17,000	17,000
AIR NATIONAL GUARD	Illinois Gen. Wayne A. Downing Peoria International Airport	Construct New Fire Crash/Rescue Station .....	9,000	9,000
AIR NATIONAL GUARD	Louisiana JRB NAS New Orleans	NORTHCOM—Construct Alert Apron .....	15,000	15,000
AIR NATIONAL GUARD	New York Francis S. Gabreski Airport	Security Forces/Comm.training Facility .....	20,000	20,000
AIR NATIONAL GUARD	Pennsylvania Fort Indiantown Gap	Replace Operations Training/Dining Hall .....	8,000	8,000
AIR NATIONAL GUARD	Puerto Rico Luis Munoz Marin International	Hurricane Maria—Communications Facility .....	0	15,000
AIR NATIONAL GUARD	Luis Munoz Marin International Airport	Hurricane Maria—Maintenance Hangar .....	0	35,000
AIR NATIONAL GUARD	Virginia Joint Base Langley-Eustis	Construct Cyber Ops Facility .....	10,000	10,000
AIR NATIONAL GUARD	Worldwide Unspecified	Planning and Design .....	0	4,000
AIR NATIONAL GUARD	Unspecified Worldwide Locations	Unspecified Minor Construction .....	23,626	23,626
AIR NATIONAL GUARD	Unspecified Worldwide Locations	Planning and Design .....	18,500	18,500
<b>SUBTOTAL AIR NATIONAL GUARD</b> .....			<b>129,126</b>	<b>183,126</b>
<b>ARMY RESERVE</b>				
ARMY RESERVE	California Barstow	ECS Modified TEMF / Warehouse .....	34,000	34,000
ARMY RESERVE	Wisconsin Fort McCoy	Transient Training Barracks .....	23,000	23,000
ARMY RESERVE	Worldwide Unspecified	Unspecified Minor Construction .....	2,064	2,064
ARMY RESERVE	Unspecified Worldwide Locations	Planning and Design .....	5,855	5,855
<b>SUBTOTAL ARMY RESERVE</b> .....			<b>64,919</b>	<b>64,919</b>
<b>NAVY RESERVE</b>				
NAVY RESERVE	California Seal Beach	Reserve Training Center .....	21,740	21,740
NAVY RESERVE	Georgia Benning	Reserve Training Center .....	13,630	13,630
NAVY RESERVE	Worldwide Unspecified	Unspecified Minor Construction .....	3,000	3,000
NAVY RESERVE	Unspecified Worldwide Locations	Planning & Design .....	4,695	4,695
<b>SUBTOTAL NAVY RESERVE</b> .....			<b>43,065</b>	<b>43,065</b>
<b>AIR FORCE RESERVE</b>				
AIR FORCE RESERVE	Indiana Grissom ARB	Aerial Port Facility .....	0	9,400
AIR FORCE RESERVE	Grissom ARB	Add/Alter Aircraft Maintenance Hangar .....	12,100	12,100

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
AIR FORCE RESERVE	Minnesota Minneapolis-St Paul IAP	Small Arms Range .....	9,000	9,000
AIR FORCE RESERVE	Mississippi Keesler AFB	Aeromedical Staging Squadron Facility .....	4,550	4,550
AIR FORCE RESERVE	New York Niagara Falls IAP	Physical Fitness Center .....	14,000	14,000
AIR FORCE RESERVE	Texas Fort Worth	Munitions Training/Admin Facility .....	3,100	3,100
AIR FORCE RESERVE	Worldwide Unspecified	Planning and Design .....	0	5,000
AIR FORCE RESERVE	Unspecified Worldwide Locations	Planning & Design .....	4,055	4,055
AIR FORCE RESERVE	Unspecified Worldwide Locations	Unspecified Minor Construction .....	3,358	3,358
<b>SUBTOTAL AIR FORCE RESERVE .....</b>			<b>50,163</b>	<b>64,563</b>
<b>NATO SECURITY INVESTMENT PROGRAM</b>				
NATO SECURITY INVEST- MENT PROGRAM	Worldwide Unspecified NATO Security Investment Program	NATO Security Investment Program .....	171,064	171,064
<b>SUBTOTAL NATO SECURITY INVESTMENT PROGRAM .....</b>			<b>171,064</b>	<b>171,064</b>
<b>TOTAL MILITARY CONSTRUCTION .....</b>			<b>8,612,447</b>	<b>8,680,424</b>
<b>FAMILY HOUSING CONSTRUCTION, ARMY</b>				
CONSTRUCTION, ARMY	Germany Baumholder	Family Housing Improvements .....	32,000	32,000
CONSTRUCTION, ARMY	Italy Vicenza	Family Housing New Construction .....	95,134	95,134
CONSTRUCTION, ARMY	Korea Camp Humphreys	Family Housing New Construction Incr 3 .....	85,000	85,000
CONSTRUCTION, ARMY	Camp Walker	Family Housing Replacement Construction .....	68,000	68,000
CONSTRUCTION, ARMY	Puerto Rico Fort Buchanan	Family Housing Replacement Construction .....	26,000	26,000
CONSTRUCTION, ARMY	Wisconsin Fort McCoy	Family Housing New Construction .....	6,200	6,200
CONSTRUCTION, ARMY	Worldwide Unspecified	Family Housing P & D .....	18,326	18,326
<b>SUBTOTAL CONSTRUCTION, ARMY .....</b>			<b>330,660</b>	<b>330,660</b>
<b>OPERATION AND MAINTENANCE, ARMY</b>				
OPERATION AND MAINTENANCE, ARMY	Worldwide Unspecified Unspecified Worldwide Locations	Management .....	36,302	36,302
OPERATION AND MAINTENANCE, ARMY	Unspecified Worldwide Locations	Services .....	10,502	10,502
OPERATION AND MAINTENANCE, ARMY	Unspecified Worldwide Locations	Furnishings .....	15,842	15,842
OPERATION AND MAINTENANCE, ARMY	Unspecified Worldwide Locations	Miscellaneous .....	408	408
OPERATION AND MAINTENANCE, ARMY	Unspecified Worldwide Locations	Maintenance .....	75,530	75,530
OPERATION AND MAINTENANCE, ARMY	Unspecified Worldwide Locations	Utilities .....	57,872	57,872
OPERATION AND MAINTENANCE, ARMY	Unspecified Worldwide Locations	Leasing .....	161,252	161,252
OPERATION AND MAINTENANCE, ARMY	Unspecified Worldwide Locations	Housing Privatization Support .....	18,801	18,801
<b>SUBTOTAL OPERATION AND MAINTENANCE, ARMY .....</b>			<b>376,509</b>	<b>376,509</b>
<b>CONSTRUCTION, NAVY AND MARINE CORPS</b>				
CONSTRUCTION, NAVY AND MARINE CORPS	Mariana Islands Guam	Replace Andersen Housing PH III .....	83,441	83,441
CONSTRUCTION, NAVY AND MARINE CORPS	Worldwide Unspecified Unspecified Worldwide Locations	Improvements, Washington DC .....	16,638	16,638
CONSTRUCTION, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	P&D Washington DC .....	4,502	4,502
<b>SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS .....</b>			<b>104,581</b>	<b>104,581</b>
<b>OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS</b>				
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Worldwide Unspecified Unspecified Worldwide Locations	Utilities .....	60,252	60,252
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Furnishings .....	16,395	16,395

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Management .....	50,870	50,870
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Miscellaneous .....	148	148
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Services .....	16,261	16,261
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Leasing .....	62,515	62,515
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Maintenance .....	86,328	86,328
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Housing Privatization Support .....	21,767	21,767
<b>SUBTOTAL OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS .....</b>			<b>314,536</b>	<b>314,536</b>
<b>CONSTRUCTION, AIR FORCE</b>				
CONSTRUCTION, AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	Construction Improvements .....	75,247	75,247
CONSTRUCTION, AIR FORCE	Unspecified Worldwide Locations	Planning & Design .....	3,199	3,199
<b>SUBTOTAL CONSTRUCTION, AIR FORCE .....</b>			<b>78,446</b>	<b>78,446</b>
<b>OPERATION AND MAINTENANCE, AIR FORCE</b>				
OPERATION AND MAINTENANCE, AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	Housing Privatization .....	22,205	22,205
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Utilities .....	48,566	48,566
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Management .....	54,423	54,423
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Services .....	13,669	13,669
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Furnishings .....	30,645	30,645
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Miscellaneous .....	2,171	2,171
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Leasing .....	15,832	15,832
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Maintenance .....	129,763	129,763
<b>SUBTOTAL OPERATION AND MAINTENANCE, AIR FORCE .....</b>			<b>317,274</b>	<b>317,274</b>
<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE</b>				
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Worldwide Unspecified Unspecified Worldwide Locations	Utilities .....	4,100	4,100
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Furnishings .....	416	416
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Utilities .....	106	106
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Leasing .....	13,046	13,046
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Maintenance .....	121	121
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Furnishings .....	643	643
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Leasing .....	38,232	38,232
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Furnishings .....	01	01
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Services .....	02	02
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Utilities .....	09	09
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Maintenance .....	1,542	1,542
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Management .....	155	155
<b>SUBTOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE .....</b>			<b>58,373</b>	<b>58,373</b>
<b>IMPROVEMENT FUND</b>				
IMPROVEMENT FUND	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—FHIF .....	1,653	1,653

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
<b>SUBTOTAL IMPROVEMENT FUND</b> .....			<b>1,653</b>	<b>1,653</b>
<b>UNACCOMP HSG IMPRV FUND</b>				
UNACCOMP HSG IMPRV FUND	Worldwide Unspecified Unaccompanied Housing Improvement Fund	Administrative Expenses—UHIF .....	600	600
<b>SUBTOTAL UNACCOMP HSG IMPRV FUND</b> .....			<b>600</b>	<b>600</b>
<b>TOTAL FAMILY HOUSING</b> .....			<b>1,582,632</b>	<b>1,582,632</b>
<b>DEFENSE BASE REALIGNMENT AND CLOSURE</b>				
<b>ARMY</b>				
ARMY	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure .....	62,796	62,796
<b>NAVY</b>				
NAVY	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure .....	151,839	151,839
<b>AIR FORCE</b>				
AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	DoD BRAC Activities—Air Force .....	52,903	52,903
<b>TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE</b> .....			<b>267,538</b>	<b>267,538</b>
<b>TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC</b> .....			<b>10,462,617</b>	<b>10,530,594</b>

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	State or Country and Installation	Project Title	FY 2019 Request	Senate Authorized
<b>MILITARY CONSTRUCTION</b>				
<b>ARMY</b>				
ARMY	Bulgaria Nevo Selo FOS	EDI: Ammunition Holding Area .....	5,200	5,200
ARMY	Guantanamo Bay, Cuba Guantanamo Bay	OCO: High Value Detention Facility .....	69,000	0
ARMY	Poland Drawsko Pomorski Training Area	EDI: Staging Areas .....	17,000	17,000
ARMY	Powidz AB	EDI: Rail Extension & Railhead .....	14,000	14,000
ARMY	Powidz AB	EDI: Ammunition Storage Facility .....	52,000	52,000
ARMY	Powidz AB	EDI: Bulk Fuel Storage .....	21,000	21,000
ARMY	Zagan Training Area	EDI: Rail Extension and Railhead .....	6,400	6,400
ARMY	Zagan Training Area	EDI: Staging Areas .....	34,000	34,000
ARMY	Romania Mihail Kogalniceanu FOS	EDI: Explosives & Ammo Load/Unload Apron .....	21,651	21,651
ARMY	Worldwide Unspecified Unspecified Worldwide Locations	EDI: Planning and Design .....	20,999	20,999
<b>SUBTOTAL ARMY</b> .....			<b>261,250</b>	<b>192,250</b>
<b>NAVY</b>				
NAVY	Greece Souda Bay	EDI: Marathi Logistics Support Center .....	6,200	6,200
NAVY	Souda Bay	EDI: Joint Mobility Processing Center .....	41,650	41,650
NAVY	Italy Sigonella	EDI: P-8A Taxiway .....	66,050	66,050
NAVY	Spain Rota	EDI: Port Operations Facilities .....	21,590	21,590
NAVY	United Kingdom Lossiemouth	EDI: P-8 Base Improvements .....	79,130	79,130
NAVY	Worldwide Unspecified Unspecified Worldwide Locations	EDI: Planning and Design .....	12,700	12,700
<b>SUBTOTAL NAVY</b> .....			<b>227,320</b>	<b>227,320</b>
<b>AIR FORCE</b>				
AIR FORCE	Germany Ramstein AB	EDI—KMC DABS-FEV/RH Storage Warehouses .....	119,000	119,000
AIR FORCE	Norway Rygge AS	EDI—Construct Taxiway .....	13,800	13,800
AIR FORCE	Slovakia Malacky AB	EDI—Regional Munitions Storage Area .....	59,000	59,000
AIR FORCE	United Kingdom RAF Fairford	EDI—Construct DABS-FEV Storage .....	87,000	87,000

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2019 Request	Senate Authorized
AIR FORCE	RAF Fairford	EDI—Munitions Holding Area .....	19,000	19,000
	Worldwide Unspecified			
AIR FORCE	Unspecified Worldwide Locations	EDI—Planning & Design Funds .....	48,000	48,000
<b>SUBTOTAL AIR FORCE .....</b>			<b>345,800</b>	<b>345,800</b>
<b>DEFENSE-WIDE</b>				
	Estonia			
DEFENSE-WIDE	Unspecified Estonia	EDI: SOF Training Facility .....	9,600	9,600
DEFENSE-WIDE	Unspecified Estonia	EDI: SOF Operations Facility .....	6,100	6,100
	Qatar			
DEFENSE-WIDE	Al Udeid	OCO: Trans-Regional Logistics Complex .....	60,000	60,000
	Worldwide Unspecified			
DEFENSE-WIDE	Unspecified Worldwide Locations	EDI: Planning and Design .....	7,100	7,100
DEFENSE-WIDE	Various Worldwide Locations	EDI: Planning and Design .....	4,250	4,250
<b>SUBTOTAL DEFENSE-WIDE .....</b>			<b>87,050</b>	<b>87,050</b>
<b>TOTAL MILITARY CONSTRUCTION .....</b>			<b>921,420</b>	<b>852,420</b>
<b>TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC .....</b>			<b>921,420</b>	<b>852,420</b>

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.**

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

Program	FY 2019 Request	Senate Authorized
<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 .....	136,090	136,090
<b>Atomic Energy Defense Activities</b>		
<b>National nuclear security administration:</b>		
Weapons activities .....	11,017,078	11,017,078
Defense nuclear nonproliferation .....	1,862,825	1,862,825
Naval reactors .....	1,788,618	1,788,618
Federal salaries and expenses .....	422,529	422,529
<b>Total, National nuclear security administration .....</b>	<b>15,091,050</b>	<b>15,091,050</b>
<b>Environmental and other defense activities:</b>		
Defense environmental cleanup .....	5,630,217	5,630,217
Other defense activities .....	853,300	853,300
Defense nuclear waste disposal .....	30,000	0
<b>Total, Environmental &amp; other defense activities .....</b>	<b>6,513,517</b>	<b>6,483,517</b>
<b>Total, Atomic Energy Defense Activities .....</b>	<b>21,604,567</b>	<b>21,574,567</b>
<b>Total, Discretionary Funding .....</b>	<b>21,740,657</b>	<b>21,710,657</b>
<b>Nuclear Energy</b>		
Idaho sitewide safeguards and security .....	136,090	136,090
<b>Total, Nuclear Energy .....</b>	<b>136,090</b>	<b>136,090</b>
<b>Weapons Activities</b>		
<b>Directed stockpile work</b>		
<b>Life extension programs and major alterations</b>		
B61 Life extension program .....	794,049	794,049
W76 Life extension program .....	113,888	0
Split into W76–1 and W76–2 lines .....		[–113,888]
W76–1 Life extension program .....	0	48,888
Complete W76–1 life extension .....		[48,888]
W76–2 Warhead modification program .....	0	65,000
NPR Implementation .....		[65,000]
W88 Alt 370 .....	304,285	304,285
W80–4 Life extension program .....	654,766	654,766
IW–1 .....	53,000	53,000
<b>Total, Life extension programs and major alterations .....</b>	<b>1,919,988</b>	<b>1,919,988</b>
<b>Stockpile systems</b>		
B61 Stockpile systems .....	64,547	64,547
W76 Stockpile systems .....	94,300	94,300
W78 Stockpile systems .....	81,329	81,329
W80 Stockpile systems .....	80,204	80,204
B83 Stockpile systems .....	35,082	35,082

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
W87 Stockpile systems .....	83,107	83,107
W88 Stockpile systems .....	180,913	180,913
<b>Total, Stockpile systems .....</b>	<b>619,482</b>	<b>619,482</b>
<b>Weapons dismantlement and disposition</b>		
Operations and maintenance .....	56,000	56,000
<b>Stockpile services</b>		
Production support .....	512,916	512,916
Research and development support .....	38,129	38,129
R&D certification and safety .....	216,582	216,582
Management, technology, and production .....	300,736	300,736
<b>Total, Stockpile services .....</b>	<b>1,068,363</b>	<b>1,068,363</b>
<b>Strategic materials</b>		
Uranium sustainment .....	87,182	87,182
Plutonium sustainment .....	361,282	361,282
Tritium sustainment .....	205,275	205,275
Lithium sustainment .....	29,135	29,135
Domestic uranium enrichment .....	100,704	100,704
Strategic materials sustainment .....	218,794	218,794
<b>Total, Strategic materials .....</b>	<b>1,002,372</b>	<b>1,002,372</b>
<b>Total, Directed stockpile work .....</b>	<b>4,666,205</b>	<b>4,666,205</b>
<b>Research, development, test and evaluation (RDT&amp;E)</b>		
<b>Science</b>		
Advanced certification .....	57,710	57,710
Primary assessment technologies .....	95,057	95,057
Dynamic materials properties .....	131,000	131,000
Advanced radiography .....	32,544	32,544
Secondary assessment technologies .....	77,553	77,553
Academic alliances and partnerships .....	53,364	53,364
Enhanced Capabilities for Subcritical Experiments .....	117,632	117,632
<b>Total, Science .....</b>	<b>564,860</b>	<b>564,860</b>
<b>Engineering</b>		
Enhanced surety .....	43,226	43,226
Weapon systems engineering assessment technology .....	27,536	27,536
Nuclear survivability .....	48,230	48,230
Enhanced surveillance .....	58,375	58,375
Stockpile Responsiveness .....	34,000	34,000
<b>Total, Engineering .....</b>	<b>211,367</b>	<b>211,367</b>
<b>Inertial confinement fusion ignition and high yield</b>		
Ignition .....	22,434	22,434
Support of other stockpile programs .....	17,397	17,397
Diagnostics, cryogenics and experimental support .....	51,453	51,453
Pulsed power inertial confinement fusion .....	8,310	8,310
Facility operations and target production .....	319,333	319,333
<b>Total, Inertial confinement fusion and high yield .....</b>	<b>418,927</b>	<b>418,927</b>
<b>Advanced simulation and computing</b>		
Advanced simulation and computing .....	656,401	656,401
<b>Construction:</b>		
18-D-670, Exascale Class Computer Cooling Equipment, LANL .....	24,000	24,000
18-D-620, Exascale Computing Facility Modernization Project, LLNL .....	23,000	23,000
<b>Total, Construction .....</b>	<b>47,000</b>	<b>47,000</b>
<b>Total, Advanced simulation and computing .....</b>	<b>703,401</b>	<b>703,401</b>
<b>Advanced manufacturing</b>		
Additive manufacturing .....	17,447	17,447
Component manufacturing development .....	48,477	48,477
Process technology development .....	30,914	30,914
<b>Total, Advanced manufacturing .....</b>	<b>96,838</b>	<b>96,838</b>
<b>Total, RDT&amp;E .....</b>	<b>1,995,393</b>	<b>1,995,393</b>
<b>Infrastructure and operations</b>		
Operations of facilities .....	891,000	891,000
Safety and environmental operations .....	115,000	115,000
Maintenance and repair of facilities .....	365,000	365,000
<b>Recapitalization:</b>		
Infrastructure and safety .....	431,631	431,631
Capability based investments .....	109,057	109,057
<b>Total, Recapitalization .....</b>	<b>540,688</b>	<b>540,688</b>

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
<b>Program increase to address high-priority deferred maintenance</b>		
<b>Construction:</b>		
19–D–670, 138kV Power Transmission System Replacement, NNSS .....	6,000	6,000
19–D–660, Lithium Production Capability, Y–12 .....	19,000	19,000
18–D–650, Tritium Production Capability, SRS .....	27,000	27,000
17–D–640, U1a Complex Enhancements Project, NNSS .....	53,000	53,000
16–D–515, Albuquerque complex project .....	47,953	47,953
06–D–141 Uranium processing facility Y–12, Oak Ridge, TN .....	703,000	703,000
04–D–125 Chemistry and metallurgy research facility replacement project, LANL .....	235,095	235,095
<b>Total, Construction</b> .....	<b>1,091,048</b>	<b>1,091,048</b>
<b>Total, Infrastructure and operations</b> .....	<b>3,002,736</b>	<b>3,002,736</b>
<b>Secure transportation asset</b>		
Operations and equipment .....	176,617	176,617
Program direction .....	102,022	102,022
<b>Total, Secure transportation asset</b> .....	<b>278,639</b>	<b>278,639</b>
<b>Defense nuclear security</b>		
Operations and maintenance .....	690,638	690,638
<b>Total, Defense nuclear security</b> .....	<b>690,638</b>	<b>690,638</b>
Information technology and cybersecurity .....	221,175	221,175
Legacy contractor pensions .....	162,292	162,292
<b>Total, Weapons Activities</b> .....	<b>11,017,078</b>	<b>11,017,078</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Defense Nuclear Nonproliferation Programs</b>		
<b>Global material security</b>		
International nuclear security .....	46,339	46,339
Domestic radiological security .....	90,764	90,764
International radiological security .....	59,576	59,576
Nuclear smuggling detection and deterrence .....	140,429	140,429
<b>Total, Global material security</b> .....	<b>337,108</b>	<b>337,108</b>
<b>Material management and minimization</b>		
HEU reactor conversion .....	98,300	98,300
Nuclear material removal .....	32,925	32,925
Material disposition .....	200,869	200,869
<b>Total, Material management &amp; minimization</b> .....	<b>332,094</b>	<b>332,094</b>
Nonproliferation and arms control .....	129,703	129,703
Defense nuclear nonproliferation R&D .....	456,095	456,095
<b>Nonproliferation Construction:</b>		
18–D–150 Surplus Plutonium Disposition Project .....	59,000	59,000
99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS .....	220,000	220,000
<b>Total, Nonproliferation construction</b> .....	<b>279,000</b>	<b>279,000</b>
<b>Total, Defense Nuclear Nonproliferation Programs</b> .....	<b>1,534,000</b>	<b>1,534,000</b>
Legacy contractor pensions .....	28,640	28,640
Nuclear counterterrorism and incident response program .....	319,185	319,185
Use of prior year balances .....	–19,000	–19,000
<b>Total, Defense Nuclear Nonproliferation</b> .....	<b>1,862,825</b>	<b>1,862,825</b>
<b>Naval Reactors</b>		
Naval reactors development .....	514,951	514,951
Columbia-Class reactor systems development .....	138,000	138,000
S8G Prototype refueling .....	250,000	250,000
Naval reactors operations and infrastructure .....	525,764	525,764
Construction: .....		0
19–D–930, KS Overhead Piping .....	10,994	10,994
17–D–911, BL Fire System Upgrade .....	13,200	13,200
14–D–901 Spent fuel handling recapitalization project, NRF .....	287,000	287,000
<b>Total, Construction</b> .....	<b>311,194</b>	<b>311,194</b>
Program direction .....	48,709	48,709
<b>Total, Naval Reactors</b> .....	<b>1,788,618</b>	<b>1,788,618</b>

Federal Salaries And Expenses



SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
Program direction .....	422,529	422,529
<b>Total, Office Of The Administrator</b> .....	<b>422,529</b>	<b>422,529</b>
<b>Defense Environmental Cleanup</b>		
<b>Closure sites:</b>		
Closure sites administration .....	4,889	4,889
<b>Richland:</b>		
River corridor and other cleanup operations .....	89,577	89,577
Central plateau remediation .....	562,473	562,473
Richland community and regulatory support .....	5,121	5,121
<b>Construction:</b>		
18-D-404 WESF Modifications and Capsule Storage .....	1,000	1,000
<b>Total, Construction</b> .....	<b>1,000</b>	<b>1,000</b>
<b>Total, Hanford site</b> .....	<b>658,171</b>	<b>658,171</b>
<b>Office of River Protection:</b>		
Waste Treatment Immobilization Plant Commissioning .....	15,000	15,000
Rad liquid tank waste stabilization and disposition .....	677,460	677,460
<b>Construction:</b>		
15-D-409 Low activity waste pretreatment system, ORP .....	56,053	56,053
01-D-416 A-D WTP Subprojects A-D .....	675,000	675,000
01-D-416 E—Pretreatment Facility .....	15,000	15,000
<b>Total, Construction</b> .....	<b>746,053</b>	<b>746,053</b>
<b>Total, Office of River protection</b> .....	<b>1,438,513</b>	<b>1,438,513</b>
<b>Idaho National Laboratory:</b>		
SNF stabilization and disposition—2012 .....	17,000	17,000
Solid waste stabilization and disposition .....	148,387	148,387
Radioactive liquid tank waste stabilization and disposition .....	137,739	137,739
Soil and water remediation—2035 .....	42,900	42,900
Idaho community and regulatory support .....	3,200	3,200
<b>Total, Idaho National Laboratory</b> .....	<b>349,226</b>	<b>349,226</b>
<b>NNSA sites and Nevada off-sites</b>		
Lawrence Livermore National Laboratory .....	1,704	1,704
Nuclear facility D & D Separations Process Research Unit .....	15,000	15,000
Nevada .....	60,136	60,136
Sandia National Laboratories .....	2,600	2,600
Los Alamos National Laboratory .....	191,629	191,629
<b>Total, NNSA sites and Nevada off-sites</b> .....	<b>271,069</b>	<b>271,069</b>
<b>Oak Ridge Reservation:</b>		
<b>OR Nuclear facility D &amp; D</b>		
OR-0041—D&D—Y-12 .....	30,214	30,214
OR-0042—D&D—ORNL .....	60,007	60,007
<b>Total, OR Nuclear facility D &amp; D</b> .....	<b>90,221</b>	<b>90,221</b>
U233 Disposition Program .....	45,000	45,000
<b>OR cleanup and waste disposition</b>		
OR cleanup and disposition .....	67,000	67,000
<b>Construction:</b>		
17-D-401 On-site waste disposal facility .....	5,000	5,000
14-D-403 Outfall 200 Mercury Treatment Facility .....	11,274	11,274
<b>Total, Construction</b> .....	<b>16,274</b>	<b>16,274</b>
<b>Total, OR cleanup and waste disposition</b> .....	<b>83,274</b>	<b>83,274</b>
OR community & regulatory support .....	4,711	4,711
OR technology development and deployment .....	3,000	3,000
<b>Total, Oak Ridge Reservation</b> .....	<b>226,206</b>	<b>226,206</b>
<b>Savannah River Sites:</b>		
Nuclear Material Management .....	351,331	351,331
<b>Environmental Cleanup</b>		
Environmental Cleanup .....	166,105	166,105
<b>Construction:</b>		
18-D-402, Emergency Operations Center .....	1,259	1,259
<b>Total, Environmental Cleanup</b> .....	<b>167,364</b>	<b>167,364</b>
SR community and regulatory support .....	4,749	4,749
Radioactive liquid tank waste stabilization and disposition .....	805,686	805,686

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
<b>Construction:</b>		
18-D-401, SDU #8/9 .....	37,450	37,450
17-D-402—Saltstone Disposal Unit #7 .....	41,243	41,243
05-D-405 Salt waste processing facility, Savannah River Site .....	65,000	65,000
<b>Total, Construction</b> .....	<b>143,693</b>	<b>143,693</b>
<b>Total, Savannah River site</b> .....	<b>1,472,823</b>	<b>1,472,823</b>
<b>Waste Isolation Pilot Plant</b>		
Operations and maintenance .....	220,000	220,000
Central characterization project .....	19,500	19,500
Critical Infrastructure Repair/Replacement .....	46,695	46,695
Transportation .....	25,500	25,500
<b>Construction:</b>		
15-D-411 Safety significant confinement ventilation system, WIPP .....	84,212	84,212
15-D-412 Exhaust shaft, WIPP .....	1,000	1,000
<b>Total, Construction</b> .....	<b>85,212</b>	<b>85,212</b>
<b>Total, Waste Isolation Pilot Plant</b> .....	<b>396,907</b>	<b>396,907</b>
Program direction .....	300,000	300,000
Program support .....	6,979	6,979
Minority Serving Institution Partnership .....	6,000	6,000
<b>Safeguards and Security</b>		
Oak Ridge Reservation .....	14,023	14,023
Paducah .....	15,577	15,577
Portsmouth .....	15,078	15,078
Richland/Hanford Site .....	86,686	86,686
Savannah River Site .....	183,357	183,357
Waste Isolation Pilot Project .....	6,580	6,580
West Valley .....	3,133	3,133
<b>Total, Safeguards and Security</b> .....	<b>324,434</b>	<b>324,434</b>
Technology development .....	25,000	25,000
HQEF-0040—Excess Facilities .....	150,000	150,000
<b>Total, Defense Environmental Cleanup</b> .....	<b>5,630,217</b>	<b>5,630,217</b>
<b>Other Defense Activities</b>		
<b>Environment, health, safety and security</b>		
Environment, health, safety and security .....	135,194	135,194
Program direction .....	70,653	70,653
<b>Total, Environment, Health, safety and security</b> .....	<b>205,847</b>	<b>205,847</b>
<b>Independent enterprise assessments</b>		
Independent enterprise assessments .....	24,068	24,068
Program direction .....	52,702	52,702
<b>Total, Independent enterprise assessments</b> .....	<b>76,770</b>	<b>76,770</b>
Specialized security activities .....	254,378	254,378
<b>Office of Legacy Management</b>		
Legacy management .....	140,575	140,575
Program direction .....	18,302	18,302
<b>Total, Office of Legacy Management</b> .....	<b>158,877</b>	<b>158,877</b>
<b>Defense related administrative support</b>		
Chief financial officer .....	48,484	48,484
Chief information officer .....	96,793	96,793
Project management oversight and Assessments .....	8,412	8,412
<b>Total, Defense related administrative support</b> .....	<b>153,689</b>	<b>153,689</b>
Office of hearings and appeals .....	5,739	5,739
<b>Subtotal, Other defense activities</b> .....	<b>855,300</b>	<b>855,300</b>
Rescission of prior year balances (OHA) .....	-2,000	-2,000
<b>Total, Other Defense Activities</b> .....	<b>853,300</b>	<b>853,300</b>
<b>Defense Nuclear Waste Disposal</b>		
Yucca mountain and interim storage .....	30,000	0
Program cut .....		[-30,000]
<b>Total, Defense Nuclear Waste Disposal</b> .....	<b>30,000</b>	<b>0</b>

**SA 2283.** Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IX, add the following:

**SEC. 910. CLARIFICATION OF CERTAIN RISK ASSESSMENT REQUIREMENTS OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF IN CONNECTION WITH THE NATIONAL MILITARY STRATEGY.**

Section 153(b) of title 10, United States Code, is amended—

(1) in paragraph (1)(D)(iii), by striking “military strategic and operational risks” and inserting “military risk”; and

(2) in paragraph (2)(B)(ii), by striking “military strategic and operational risks to United States interests and the military strategic and operational risks in executing the National Military Strategy (or update)” and inserting “military strategic risks to United States interests and military risks in executing the National Military Strategy (or update)”.

**SA 2284.** Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 423, strike line 8 and insert the following:

**SEC. 937. JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.**

On page 423, line 18, insert “John S. McCain” before “Strategic Defense Fellows”.

**SA 2285.** Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

**SEC. 1107. DEPARTMENT OF DEFENSE CYBER SCHOLARSHIP PROGRAM SCHOLARSHIPS AND GRANTS.**

(a) **ADDITIONAL CONSIDERATIONS.**—Section 2200c of title 10, United States Code, is amended—

(1) by inserting before “In the selection” the following:

“(a) **CENTERS OF ACADEMIC EXCELLENCE IN CYBER EDUCATION.**—”; and

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

“(b) **CERTAIN INSTITUTIONS OF HIGHER EDUCATION.**—In the selection of a recipient for the award of a scholarship or grant under this chapter, consideration shall be given to whether—

“(1) in the case of a scholarship, the institution of higher education at which the recipient pursues a degree is an institution described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)); and

“(2) in the case of a grant, the recipient is an institution described in such section.”.

(b) **CLERICAL AMENDMENTS.**—

(1) **SECTION HEADING.**—The heading of section 2200c of title 10, United States Code, is amended to read as follows:

**“§ 2200c. Special considerations in awarding scholarships and grants”.**

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 112 of title 10, United States Code, is amended by striking the item relating to section 2200c and inserting the following new item:

“2200c. Special considerations in awarding scholarships and grants.”.

**SA 2286.** Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title VIII, add the following:

**SEC. —. DEVELOPING INNOVATION AND GROWING THE INTERNET OF THINGS.**

(a) **FINDINGS; SENSE OF CONGRESS.**—

(1) **FINDINGS.**—Congress finds that—

(A) the Internet of Things refers to the growing number of connected and interconnected devices;

(B) estimates indicate that more than 50,000,000,000 devices will be connected to the internet by 2020;

(C) the Internet of Things has the potential to generate trillions of dollars in new economic activity around the world;

(D) businesses across the United States can develop new services and products, improve operations, simplify logistics, cut costs, and pass savings on to consumers by utilizing the Internet of Things and related innovations;

(E) the United States leads the world in the development of technologies that support the internet and the United States technology sector is well-positioned to lead in the development of technologies for the Internet of Things;

(F) the United States Government can implement this technology to better deliver services to the public; and

(G) the Senate unanimously passed Senate Resolution 110, 114th Congress, agreed to March 24, 2015, calling for a national strategy for the development of the Internet of Things.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that policies governing the Internet of Things should maximize the potential and development of the Internet of Things to benefit all stakeholders, including businesses, governments, and consumers.

(b) **DEFINITIONS.**—In this section:

(1) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(3) **STEERING COMMITTEE.**—The term “steering committee” means the steering committee established under subsection (c)(5).

(4) **WORKING GROUP.**—The term “working group” means the working group convened under subsection (c)(1).

(c) **FEDERAL WORKING GROUP.**—

(1) **IN GENERAL.**—The Secretary shall convene a working group of Federal stakeholders for the purpose of providing recommendations and a report to Congress relating to the aspects of the Internet of Things described in paragraph (2).

(2) **DUTIES.**—The working group shall—

(A) identify any Federal regulations, statutes, grant practices, budgetary or jurisdic-

tional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(B) consider policies or programs that encourage and improve coordination among Federal agencies with jurisdiction over the Internet of Things;

(C) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations; and

(D) examine—

(i) how Federal agencies can benefit from utilizing the Internet of Things;

(ii) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

(iii) the preparedness and ability of Federal agencies to adopt Internet of Things technology in the future; and

(iv) any additional security measures that Federal agencies may need to take to—

(I) safely and securely use the Internet of Things, including measures that ensure the security of critical infrastructure; and

(II) enhance the resiliency of Federal systems against cyber threats to the Internet of Things.

(3) **AGENCY REPRESENTATIVES.**—In convening the working group under paragraph (1), the Secretary may appoint representatives, and shall specifically consider seeking representation, from—

(A) the Department of Commerce, including—

(i) the National Telecommunications and Information Administration;

(ii) the National Institute of Standards and Technology; and

(iii) the National Oceanic and Atmospheric Administration;

(B) the Department of Transportation;

(C) the Department of Homeland Security;

(D) the Office of Management and Budget;

(E) the National Science Foundation;

(F) the Commission;

(G) the Federal Trade Commission;

(H) the Office of Science and Technology Policy;

(I) the Department of Energy; and

(J) the Federal Energy Regulatory Commission.

(4) **NONGOVERNMENTAL STAKEHOLDERS.**—The working group shall consult with nongovernmental stakeholders, including—

(A) the steering committee;

(B) information and communications technology manufacturers, suppliers, service providers, and vendors;

(C) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the energy, agriculture, and health care sectors;

(D) small, medium, and large businesses;

(E) think tanks and academia;

(F) nonprofit organizations and consumer groups;

(G) rural stakeholders; and

(H) other stakeholders with relevant expertise, as determined by the Secretary.

(5) **STEERING COMMITTEE.**—

(A) **ESTABLISHMENT.**—There is established within the Department of Commerce a steering committee to advise the working group.

(B) **DUTIES.**—The steering committee shall advise the working group with respect to—

(i) the identification of any Federal regulations, statutes, grant practices, programs, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(ii) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers may

exist to providing any spectrum needed in the future;

(iii) policies or programs that—

(I) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(II) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(III) may protect users of the Internet of Things; and

(IV) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(iv) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(v) any international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party.

(C) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing a wide range of stakeholders outside of the Federal Government with expertise relating to the Internet of Things, including—

(i) information and communications technology manufacturers, suppliers, service providers, and vendors;

(ii) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the energy, agriculture, and health care sectors;

(iii) small, medium, and large businesses;

(iv) think tanks and academia;

(v) nonprofit organizations and consumer groups;

(vi) rural stakeholders; and

(vii) other stakeholders with relevant expertise, as determined by the Secretary.

(D) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes any findings made by, or recommendations of, the steering committee.

(E) INDEPENDENT ADVICE.—

(i) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee under subparagraph (B).

(ii) SUGGESTIONS.—The working group may suggest topics or items for the steering committee to study and the steering committee shall take those suggestions into consideration in carrying out the duties of the steering committee.

(iii) REPORT.—The steering committee shall ensure that the report submitted under subparagraph (D) is the result of the independent judgment of the steering committee.

(F) TERMINATION.—The steering committee shall terminate on the date on which the working group submits the report under paragraph (6) unless, on or before that date, the Secretary files a new charter for the steering committee under section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

(6) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(i) the findings and recommendations of the working group with respect to the duties of the working group under paragraph (2);

(ii) the report submitted by the steering committee under paragraph (5)(D), as the report was received by the working group;

(iii) recommendations for action or reasons for inaction, as applicable, with respect to each recommendation made by the steering committee in the report submitted under paragraph (5)(D); and

(iv) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(B) COPY OF REPORT.—The working group shall submit a copy of the report described in subparagraph (A) to—

(i) the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Energy and Commerce of the House of Representatives; and

(iii) any other committee of Congress, upon request to the working group.

(d) ASSESSING SPECTRUM NEEDS.—

(1) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs of the Internet of Things.

(2) REQUIREMENTS.—In issuing the notice of inquiry under paragraph (1), the Commission shall seek comments that consider and evaluate—

(A) whether adequate spectrum is available to support the growing Internet of Things;

(B) what regulatory barriers may exist to providing any needed spectrum for the Internet of Things; and

(C) what the role of licensed and unlicensed spectrum is and will be in the growth of the Internet of Things.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the comments submitted in response to the notice of inquiry issued under paragraph (1).

**SA 2287.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

**SEC. 2838. NATURAL GAS PRODUCTION, TREATMENT, MANAGEMENT, AND USE, FORT KNOX, KENTUCKY.**

(a) IN GENERAL.—Chapter 449 of title 10, United States Code, is amended by adding at the end of the following:

**“§ 4782. Natural gas production, treatment, management, and use, Fort Knox, Kentucky**

“(a) AUTHORITY.—The Secretary of the Army (referred to in this section as the ‘Secretary’) may provide, by contract or otherwise, for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

“(b) LIMITATION ON USES.—Any natural gas produced pursuant to subsection (a)—

“(1) may only be used to support activities and operations at Fort Knox; and

“(2) may not be sold for use elsewhere.

“(c) OWNERSHIP OF FACILITIES.—The Secretary may take ownership of any gas production and treatment equipment and facilities and associated infrastructure from a

contractor in accordance with the terms of a contract or other agreement entered into pursuant to subsection (a).

“(d) NO APPLICATION ELSEWHERE.—

“(1) IN GENERAL.—The authority provided by this section applies only with respect to Fort Knox, Kentucky.

“(2) EFFECT OF SECTION.—Nothing in this section authorizes the production, treatment, management, or use of natural gas resources underlying any Department of Defense installation other than Fort Knox.

“(e) APPLICABILITY.—The authority of the Secretary under this section is effective beginning on August 2, 2007.”.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 449 of title 10, United States Code, is amended by adding at the end the following:

“4782. Natural gas production, treatment, management, and use, Fort Knox, Kentucky.”.

**SA 2288.** Mrs. ERNST (for herself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. REVIEW PROCEDURES RELATED TO THE CERTIFICATION.**

(a) IN GENERAL.—Section 605(b) of title 5, United States Code, is amended—

(1) by inserting “(1)” before “Sections 603”;

(2) in paragraph (1), as so designated—

(A) by striking “the preceding sentence” and inserting “this subsection”; and

(B) by striking “statement to the Chief Counsel for Advocacy of the Small Business Administration” and inserting “statement providing the factual basis to the Chief Counsel for Advocacy of the Small Business Administration (in this subsection referred to as the ‘Chief Counsel’)”; and

(3) by adding at the end the following:

“(2)(A) If the Chief Counsel disagrees with a certification and statement providing the factual basis for the certification published in the Federal Register under paragraph (1) with respect to a proposed rule, the Chief Counsel may, not later than 14 days after the date on which the statement and factual basis were published in the Federal Register, submit to the head of the Federal agency proposing the rule a letter (in this paragraph referred to as an ‘advisement letter’) advising the head of the Federal agency to—

“(i) review the certification and the detailed statement submitted by the Chief Counsel under subparagraph (B); and

“(ii) reconsider the certification.

“(B) An advisement letter submitted by the Chief Counsel under subparagraph (A) shall—

“(i) include a detailed statement of why the Chief Counsel disagreed with the certification or the statement providing the factual basis received under paragraph (1); and

“(ii) be published on the website of the Office of Advocacy of the Small Business Administration.

“(C) Not later than 7 days after the date on which the head of a Federal agency receives an advisement letter under subparagraph (A)

with respect to a proposed rule, the head of the Federal agency shall—

“(i) publish in the Federal Register and on the website of the Federal agency an acknowledgment of receipt of the advisement letter;

“(ii) allow the public comment period for the rule to remain open for a period of not less than 30 days; and

“(iii) if, during the 30-day period described in clause (ii), the head of the Federal agency determines that the certification and statement providing the factual basis should be modified, shorten or eliminate the 30-day period.

“(D)(i) Not later than 30 days after the date on which the Chief Counsel submits to the head of a Federal agency an advisement letter under subparagraph (A), the Federal agency shall submit to the Chief Counsel and publish in the Federal Register and on the website of the Federal agency the results of the review and reconsideration.

“(ii) If, after conducting the review and reconsideration under subparagraph (A), the head of the Federal agency determines—

“(I) that there was not a sufficient factual basis to support the certification, the Federal agency shall perform and publish in the Federal Register an initial regulatory flexibility analysis under section 603, with an opportunity for public comment, before promulgating the final rule;

“(II) that the certification was appropriate but the factual basis was inadequate to support the certification, the Federal agency shall revise the factual basis to support the certification; or

“(III) that the certification was appropriate and the factual basis was adequate to support the certification, the Federal agency may continue with the rule making.”.

(b) JUDICIAL REVIEW.—Section 611(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “605(b)” and inserting “605(b)(1)”; and

(2) in paragraph (2), by striking “605(b)” and inserting “605(b)(1)”.

**SA 2289.** Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

**SEC. \_\_\_\_\_. EXPANSION OF PROGRAM OF PERSONNEL MANAGEMENT AUTHORITY FOR DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.**

Section 1599h(b)(1)(B) of title 10, United States Code, is amended by striking “100” and inserting “140”.

**SA 2290.** Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, Mr. BLUMENTHAL, Mr. KAINE, Mr. WICKER, and Mr. GARDNER) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

**SEC. 12 \_\_\_\_\_. SPECIAL IMMIGRANT VISAS FOR AFGHAN ALLIES.**

(a) IN GENERAL.—Section 602(b)(2)(A)(ii) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended, in the matter preceding subclause (I), by inserting “for the first time” after “submitting a petition”.

(b) NUMERICAL LIMITATIONS.—Section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) by striking subparagraph (A) and inserting the following:

“(A) FISCAL YEAR 2019.—

“(i) IN GENERAL.—In addition to any unused balance under subparagraph (F), for fiscal year 2019, not more than 4,000 principal aliens may be granted special immigrant status under this subsection.

“(ii) PERIOD OF EMPLOYMENT.—For purposes of this subparagraph, the period of employment referred to in paragraph (2)(A)(ii) shall end not later than December 31, 2021.

“(iii) APPLICATION.—For purposes of this subparagraph, not later than December 31, 2021, a principal alien seeking special immigrant status under this subsection shall submit an application to the Chief of Mission.”;

(2) by striking subparagraph (C) and inserting the following:

“(C) CARRY FORWARD.—If the numerical limitation described in subparagraph (A)(i) is not reached for fiscal year 2019, the numerical limitation for each subsequent fiscal year shall be established at a number equal to the difference between—

“(i) the numerical limitation described in subparagraph (A)(i); and

“(ii) the number of principal aliens granted special immigrant status under this subsection during each fiscal year beginning in fiscal year 2019.”;

(3) in subparagraph (D), by striking “notwithstanding the provisions of paragraph (C).”; and

(4) in subparagraph (F)—

(A) in clause (i), by striking “2020” and inserting “2020.”;

(B) in clause (ii), by striking “2020” and inserting “2020.”;

(C) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting appropriately;

(D) in the matter preceding subclause (I) (as so redesignated), in the second sentence, by striking “For purposes” and inserting the following:

“(ii) REQUIREMENTS.—For purposes”;

(E) in the matter preceding clause (ii) (as so designated)—

(i) by striking “exhausted,” and inserting “exhausted.”; and

(ii) by striking “In addition” and inserting the following:

“(i) IN GENERAL.—In addition”; and

(F) by adding at the end the following:

“(iii) UNUSED VISAS.—Any unused balance under this subparagraph shall be added to the number under subparagraph (A)(i) for use in fiscal year 2019.”.

(c) CONVERSION OF PETITIONS.—Section 2 of Public Law 110-242 (8 U.S.C. 1101 note) is amended by striking subsection (b) and inserting the following:

“(b) DURATION.—The authority under subsection (a) shall expire on the date on which the numerical limitation specified under section 1244 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 8 U.S.C. 1157 note) is reached.”.

**SA 2291.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 5515, to author-

ize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

**SEC. 144. SENSE OF CONGRESS ON KC-46A AERIAL REFUELING TANKER EMERGENT REQUIREMENTS.**

It is the sense of Congress that—

(1) the KC-46A aircraft will serve as the backbone of the Air Force’s critical aerial refueling mission for the next several decades, replacing the aging 1950’s-era KC-135 Stratotanker fleet;

(2) the Air Force has provided funding for numerous military construction projects at installations across the country to prepare for the delivery and bed down of the KC-46A aircraft;

(3) as the KC-46A program matures and requirements become better defined, additional military construction and facilities, sustainment, restoration and modernization (FSRM) funding is likely to be necessary to properly support the fielding of the aircraft, house additional personnel, and meet unforeseen requirements of the tanker mission; and

(4) the Secretary of the Air Force should continue to review and validate new emergent requirements and prepare to provide additional military construction and FSRM funding in its budget request for fiscal year 2020 and future years as needed.

**SA 2292.** Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

**SEC. 322. REPORT ON AIR FORCE TRAINING RANGE REQUIREMENTS TO ADDRESS FIFTH GENERATION THREATS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense needs to ensure that air training ranges are properly equipped to prepare pilots for operating in any battlespace where they may have to operate.

(2) The ongoing development of anti-aircraft technology among near-peer competitors of the United States, and the proliferation of that technology to a widening array of potential battlefields, necessitates maximum preparedness among United States fighter and bomber pilots.

(3) Years of focusing on low intensity stability operations and multiple budget cycles under spending caps have resulted in an under capitalization of fifth generation training resources.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the needs of the Air Force to ensure pilots can train against the full range of fifth generation threats at training ranges, including—

- (1) the need to have threat representative simulators at those training ranges;
- (2) the plan to meet those needs;
- (3) the resources required to meet those needs; and
- (4) the timeline for meeting those needs.

**SA 2293.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

**SEC. 2823. RELEASE OF RESTRICTIONS, UNIVERSITY OF CALIFORNIA, SAN DIEGO.**

(a) **RELEASE.**—The Secretary of the Navy may, upon receipt of full consideration as provided in subsection (b), release to the Regents of the University of California (in this section referred to as the “University of California”) all remaining right, title, and interest of the United States, including restrictions on use imposed by deed or otherwise and reversionary rights, in and to a parcel of real property consisting of approximately 495 acres that comprises part of the San Diego campus of the University of California.

(b) **CONSIDERATION.**—

(1) **CONSIDERATION REQUIRED.**—As consideration for the release under subsection (a), the University of California shall provide an amount that is acceptable to the Secretary of the Navy, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof, at such time as the Secretary may require. The consideration under this paragraph shall be based on an appraisal approved by the Secretary of the value to the Department of the Navy of the restrictions released under subsection (a), except that in determining the value of such restrictions, there shall be excluded the value of any existing improvements to the property made by or on behalf of the University of California and the value of the University of California’s existing rights to the property.

(2) **IN-KIND CONSIDERATION.**—In-kind consideration provided by the University of California under paragraph (1) may include goods or services that benefit the Department of the Navy and may take into consideration the value which has accrued to the Department of the Navy from the San Diego campus of the University of California’s research, education, and clinical care activities, as well as the contracts, grants, and other collaborations between the Department of the Navy and the San Diego campus of the University of California.

(3) **TREATMENT OF CONSIDERATION RECEIVED.**—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(c) **PAYMENT OF COSTS OF RELEASE.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Navy shall require the University of California to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the release under subsection (a), including survey costs, costs for environmental documentation related to the release, and any other administrative costs related to the release. If amounts are collected

from the University of California in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the University of California.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release under subsection (a) or, if the period of availability of obligations for that appropriation has expired, to the appropriations of a fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property that is the subject of the release under subsection (a) shall be determined by a survey or other documentation satisfactory to both the Secretary of the Navy and the University of California.

(e) **REVERSIONARY INTEREST.**—The Secretary may amend the conveyance instrument to establish a period of applicability of a reversionary interest consistent with conveyances for educational purposes with the period commencing with the date of the original conveyance.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Navy may require such additional terms and conditions in connection with the release under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

**SA 2294.** Mrs. GILLIBRAND (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

**PART II—REFORM OF DISPOSITION OF CHARGES AND CONVENING OF COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ**

**SEC. 550A. SHORT TITLE.**

This part may be cited as the “Military Justice Improvement Act of 2018”.

**SEC. 550B. IMPROVEMENT OF DETERMINATIONS ON DISPOSITION OF CHARGES FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.**

(a) **IMPROVEMENT OF DETERMINATIONS.**—

(1) **MILITARY DEPARTMENTS.**—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c), the Secretary of Defense shall require the Secretaries of the military departments to provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the referral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code

of Military Justice) on the disposition of charges.

(C) Determination under section 834 such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(2) **HOMELAND SECURITY.**—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30(a) of the Uniform Code of Military Justice) on the referral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determination under section 834 such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

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

(1) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(2) The offense of obstructing justice under section 931b of title 10, United States Code (article 131b of the Uniform Code of Military Justice), regardless of the maximum punishment authorized under that chapter for such offense.

(3) The offense of retaliation for reporting a crime under section 932 of title 10, United States Code (article 132 of the Uniform Code of Military Justice), regardless of the maximum punishment authorized under that chapter for such offense.

(4) A conspiracy to commit an offense specified in paragraphs (1) through (3) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(5) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(6) An attempt to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) **EXCLUDED OFFENSES.**—Subsection (a) does not apply to an offense as follows:

(1) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice).

(2) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(3) A conspiracy to commit an offense specified in paragraph (1) or (2) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(4) A solicitation to commit an offense specified in paragraph (1) or (2) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(5) An attempt to commit an offense specified in paragraph (1) or (2) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(d) REQUIREMENTS AND LIMITATIONS.—The disposition of charges covered by subsection (a) shall be subject to the following:

(1) The determination whether to prefer such charges or refer such charges to a court-martial for trial, as applicable, shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(A) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(B) have significant experience in trials by general or special court-martial; and

(C) are outside the chain of command of the member subject to such charges.

(2) Upon a determination under paragraph (1) to refer charges to a court-martial for trial, the officer making that determination shall determine whether to refer such charges for trial by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(3) A determination under paragraph (1) to prefer charges or refer charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(4) The determination to prefer charges or refer charges to a court-martial for trial, as applicable, under paragraph (1), and the type of court-martial to which to refer under paragraph (2), shall be binding on any applicable convening authority for the referral of such charges.

(5) The actions of an officer described in paragraph (1) in determining under that paragraph whether or not to prefer charges or refer charges to a court-martial for trial, as applicable, shall be free of unlawful or unauthorized influence or coercion.

(6) The determination under paragraph (1) not to refer charges to a general or special court-martial for trial shall not operate to terminate or otherwise alter the authority of commanding officers to refer charges for trial by summary court-martial convened under section 824 of title 10, United States Code (article 24 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(e) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this section shall be construed to alter or affect the preferral, disposition, or referral authority of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense for which the maximum punishment authorized under that chapter includes confinement for one year or less.

(f) POLICIES AND PROCEDURES.—

(1) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this section.

(2) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures revised under this subsection in order to ensure that any lack of uniformity in policies and procedures, as so revised,

among the military departments and the Department of Homeland Security does not render unconstitutional any policy or procedure, as so revised.

(g) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this section.

**SEC. 550C. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.**

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

“(8) with respect to offenses to which section 550B(a) of the Military Justice Improvement Act of 2018 applies, the officers in the offices established pursuant to section 55C(c) of that Act or officers in the grade of O-6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard;”.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (article) is further amended by adding at the end the following new subsection:

“(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim.”.

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL.—

(1) OFFICES REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 550B(a) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence as of the effective date for this Act specified in section 6.

**SEC. 550D. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.**

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 550B and 550C using personnel, funds, and resources otherwise authorized by law.

(b) NO AUTHORIZATION OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections 550B and 550C shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

**SEC. 550E. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.**

Section 546(c) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

(1) in paragraph (1)—

(A) by striking “on the investigation” and inserting “on the following:

“(A) The investigation”; and

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

“(B) The implementation and efficacy of sections 550B through 550D of the Military Justice Improvement Act of 2018 and the amendments made by such sections.”; and

(2) in paragraph (2), by striking “paragraph (1)” and inserting “paragraph (1)(A)”.

**SEC. 550F. EFFECTIVE DATE AND APPLICABILITY.**

(a) EFFECTIVE DATE AND APPLICABILITY.—This part and the amendments made by this Act shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to any allegation of charges of an offense specified in subsection (a) of section 550B, and not excluded under subsection (c) of section 550B, which offense occurs on or after such effective date.

(b) REVISIONS OF POLICIES AND PROCEDURES.—Any revision of policies and procedures required of the military departments or the Department of Homeland Security as a result of this Act and the amendments made by this part shall be completed so as to come into effect together with the coming into effect of this part and the amendments made by this part in accordance with subsection (a).

**SA 2295.** Mr. CARPER (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, insert the following:

**SEC. 10. LAND DISPOSAL, FORT DUPONT, DELAWARE.**

(a) IN GENERAL.—Notwithstanding any other provision of law and subject to subsection (b), not later than 180 days after the date of enactment of this Act, the Secretary of the Army shall transfer—

(1) all right, title, and interest in and to a parcel of land known as that part of the Original Acquisition (OADE) Tract that includes the bed and banks of the Delaware Branch Channel on the north side of the Fifth Street Bridge, Delaware City, Delaware, containing approximately 31.6 acres of land, to the Fort DuPont Redevelopment and Preservation Corporation; and

(2) all right, title, and interest in and to the Fifth Street Bridge, together with the land known as that part of the Original Acquisition (OADE) Tract that includes the banks and bed of the Delaware Branch Channel, Delaware City, Delaware, containing approximately 0.27 acres of land, to the State of Delaware.



(b) CONDITIONS.—

(1) STATE APPROVAL.—Before making a transfer under subsection (a), the Secretary of the Army shall ensure that the Governor of Delaware agrees to the transfer.

(2) TOLL-FREE BRIDGE.—Before making a transfer under subsection (a)(2), the Governor of Delaware shall agree to ensure that no toll is imposed for use of the bridge referred to in that subsection, in accordance with section 109 of the River and Harbor Act of 1950 (33 U.S.C. 534).

(3) SURVEY.—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army and the Governor of Delaware.

**SA 2296.** Mr. TILLIS (for himself, Mrs. SHAHEEN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

**SEC. 1271. LIMITATION ON TRANSFER OF F-35 AIRCRAFT TO TURKEY.**

(a) IN GENERAL.—Except as provided in subsection (b), the United States Government may not—

(1) transfer, or authorize the transfer of, an F-35 aircraft to Turkey; or

(2) transfer intellectual property or technical data necessary for or related to any maintenance or support of the F-35 aircraft.

(b) WAIVER.—The President may waive the limitation in subsection (a) upon a written certification to Congress that the Government of Turkey is not—

(1) taking steps to degrade North Atlantic Treaty Organization (NATO) interoperability;

(2) exposing North Atlantic Treaty Organization assets to hostile actors;

(3) degrading the general security of North Atlantic Treaty Organization member countries;

(4) seeking to import or purchase defense articles from a foreign country with respect to which sanctions are imposed by the United States; or

(5) wrongfully or unlawfully detaining one or more United States citizens.

**SA 2297.** Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXI, insert the following:

**SEC. \_\_\_\_ . ALLOCATION OF AMOUNTS TO IMPROVE ACCESS TO FORT MEADE.**

The Secretary of Defense shall allocate not less than \$16,500,000 to improve access via ground transportation to the military installation at Fort Meade, Maryland, to support

continued growth at the installation due to base closure and realignment activities and the expansion of the east campus of the installation for facilities of the United States Cyber Command.

**SA 2298.** Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

**SEC. \_\_\_\_ . PRIORITIZATION OF ENVIRONMENTAL IMPACTS FOR FACILITIES SUSTAINMENT, RESTORATION, AND MODERNIZATION DEMOLITION.**

The Secretary of the Army shall establish prioritization for demolition within the Facilities Sustainment, Restoration, and Modernization (FSRM) process that focuses on environmental impacts, including the removal of contamination, over the cost per square foot.

**SA 2299.** Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**SEC. \_\_\_\_ . DEPARTMENT OF DEFENSE SUPPORT FOR THE NATIONAL CONSORTIUM FOR THE STUDY OF TERRORISM AND RESPONSES TO TERRORISM.**

The Secretary of Defense may, using amounts authorized to be appropriated for the Department of Defense by this Act, provide funds to the National Consortium for the Study of Terrorism and Responses to Terrorism (START) in order to support programs and activities of the National Consortium that contribute to missions and capabilities of the Department.

**SA 2300.** Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

**SEC. \_\_\_\_ . STUDY REGARDING FEASIBILITY OF MAKING IMPROVEMENTS AT MARTIN STATE AIRPORT TO ACCOMMODATE LARGER AIRCRAFT.**

The Secretary of the Air Force shall conduct a study to assess the feasibility of extending the runway and upgrading the airfield at Martin State Airport to accommodate larger airframes than the A-10 aircraft

currently utilizing the airfield and the C-130 aircraft planned to utilize the airfield, for the purpose of giving the Department of Defense greater flexibility to meet mission and maintain capability within the Maryland Air National Guard.

**SA 2301.** Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

**SEC. 316. SECURE ENERGY FOR READINESS AND NATIONAL SECURITY.**

(a) FINDINGS.—Congress makes the following findings:

(1) Secretary of Defense James Mattis testified in writing to the Senate Armed Services Committee in March 2017 that “climate change can be a driver of instability and the Department of Defense must pay attention to potential adverse impacts generated by this phenomenon.” The Department of Defense must not only prepare for the impacts of climate change, but also implement sustainable energy projects to fight climate change and to enhance force readiness and national security.

(2) In January 2018, the Department of Defense released a report detailing the climate change-related risks to military infrastructure. The report found that at least 50 percent of military sites worldwide have experienced extreme weather impacts like flooding, extreme temperatures, wind, drought, and wildfire, which could become more frequent and severe due to climate change.

(3) Department of Defense Directive 4715.21, Climate Change Adaptation and Resilience, states that the Department of Defense must adapt current and future operations to address the impacts of climate change in order to maintain an effective and efficient United States military.

(4) According to the United States Energy Information Agency, the Department of Defense accounts for more than 75 percent of all energy consumed by the Federal Government, and fully 30 percent of Department of Defense energy costs are related to the operation of military installations. The Energy Independence and Security Act of 2007 included goals to reduce energy intensity in Federal buildings.

(5) The Department of Defense Annual Energy Management and Resilience (AEMR) Report Fiscal Year 2016 found that the total percentage of renewable electricity use was 4.8 percent, far short of the 10 percent goal for 2016. It also found that the percentage of new building designs that meet the Federal building energy efficiency standards is 66 percent, far short of the 100 percent goal.

(6) The Office of the Deputy Assistant Secretary of Defense for Installation Energy has outlined a strategy to—

(A) reduce demand for military installation energy through conservation and efficiency;

(B) expand the supply of distributed (on-site) energy for mission assurance;

(C) improve the energy grid and storage resilience of installations; and

(D) leverage advanced technology for energy resource efficiencies and increased security.

(7) The rising costs of fossil fuel derived energy will continue to cause budgetary pressures on the operation of United States military bases.

(8) The United States Armed Forces have begun to implement important alternative energy projects and energy efficiency programs. However, the Department of Defense needs to do much more to contain energy costs and improve access to reliable and sustainable energy sources, including at Air National Guard facilities.

(9) Efficient lighting reduces airfield energy costs, enables backup power to work more efficiently during disruptions to the electrical grid, and the payback periods are short. These projects enable critical functions to continue longer in a state of electrical emergency.

(10) In the face of growing national security and climate crises, the Air National Guard requires emergency power backup, independent of the power grid, to confront threats from sabotage, cyberattack, terrorism, extreme weather, or mechanical failure. Currently, most bases depend on fossil fuel backup generation, and as was evident during Hurricanes Harvey and Irma last year, fuel supplies are likely to be interrupted during and immediately after extreme weather events and other emergencies.

(11) Our Armed Forces require new and more reliable forms of electric backup, including locally generated solar, wind, or geothermal power with an uninterruptible power supply, available instantly whenever other power sources fail.

(12) By reducing energy use, generating electrical energy from both solar photovoltaic panels and wind sources at Air Guard bases, and storing that energy in state-of-the-art batteries, these projects will enhance the continuity of critically important Air Guard functions in times of crisis, including the defense of the homeland.

(b) DEFINITIONS.—In this section:

(1) DISTRIBUTION ELECTRIC UTILITY.—The term “distribution electric utility” means a distribution utility providing retail electric service.

(2) GEOTHERMAL HEATING SYSTEM.—The term “geothermal heating system” means a system that uses the heat from ground water for heating applications.

(3) GEOTHERMAL POWER SYSTEM.—The term “geothermal power system” means—

(A) a generator that creates electricity from the heat of ground water; and

(B) the accompanying hardware enabling that electricity to flow—

(i) onto the electric grid; or

(ii) into an uninterruptible power supply.

(4) HIGHER-EFFICIENCY LIGHT BULBS.—The term “higher-efficiency light bulbs” means light bulbs that are more efficient than bulbs currently installed.

(5) NET METERING.—The term “net metering” refers to a system that allows excess electricity to be sold to a distribution electric utility or transmission electric utility so the Air National Guard customer may either receive payment or credit on their utility bill.

(6) PHOTOVOLTAIC SOLAR ELECTRICITY GENERATING ARRAY.—The term “photovoltaic solar electricity generating array” means—

(A) a generator that creates electricity from light photons; and

(B) the accompanying hardware enabling that electricity to flow—

(i) onto the electric grid; or

(ii) into an uninterruptible power supply.

(7) TRANSMISSION ELECTRIC UTILITY.—The term “transmission electric utility” means a transmission electric utility or market purchasing wholesale power from an Air National Guard installation through a capacity or energy market, power purchase agree-

ment, or other means, including sale from a Qualified Facility into a wholesale market under the Public Utility Regulatory Policies Act of 1978 (Public Law 95-617).

(8) UNINTERRUPTIBLE POWER SUPPLY.—The term “uninterruptible power supply” means—

(A) an uninterruptible power source, uninterruptible power system, continuous power supply, fuel cell, flywheel, or battery backup; or

(B) a device which maintains a continuous supply of electric power to connected equipment to provide power when distribution electric utility or transmission electric utility power is more expensive or is not available.

(9) WIND TURBINE.—The term “wind turbine” means—

(A) a generator that creates electricity from the kinetic power of wind; and

(B) the accompanying hardware enabling that electricity to flow—

(i) onto the electric grid; or

(ii) into an uninterruptible power supply.

(c) AUTHORITY.—The Secretary of Defense shall carry out a program—

(1) to design and build wind turbines, geothermal heating or power systems, and ground or roof mounted fixed-tilt or dual-axis tracked photovoltaic solar electricity generating arrays on Air National Guard properties and host airports, the generated power from which shall be used by the Air National Guard on base or stored in uninterruptible power supplies or sold to a transmission electric utility or through net metering for additional revenue to be used by the Air National Guard or utility energy services contractor as defined in part 41 of the Federal Acquisition Regulation;

(2) to design and install uninterruptible power supplies to mission critical functions of the Air National Guard; and

(3) to replace taxiway and other mission critical lighting with higher-efficiency bulbs to maximize energy efficiency.

(d) PROJECT ELIGIBILITY AND PREFERENCE CRITERIA.—In carrying out the program under this section, the Secretary of Defense shall give priority to—

(1) eligible projects on Air National Guard bases that can most feasibly be completed by leveraging appropriated amounts from previous years; and

(2) eligible projects bringing the total generation capacity from ground and roof mounted photovoltaic solar arrays to at least 1.5 megawatts.

(e) AUTHORIZED APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2019 \$5,000,000 for the Secretary of Defense to carry out the program under this section. Such amount shall remain available to be expended through September 30, 2023.

(f) OFFSET.—The amount authorized to be appropriated by this Act for Operation and Maintenance, Navy, for SAG Base Support and available for Base Support, Information Technology (BSIT) is hereby reduced by \$5,000,000.

**SA 2302.** Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

**SEC. 316. FUNDING FOR STUDYING THE HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER AND PROVIDING BOTTLED WATER TO AFFECTED COMMUNITIES.**

(a) STUDY ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER.—

(1) INCLUSION OF ADDITIONAL SITES IN STUDY.—Section 316(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking “exposure assessment of not less than 8 current or former domestic military installations” and inserting “exposure assessment of not less than 16 current or former domestic military installations, including 8 National Guard installations with airports.”.

(2) ADDITIONAL FUNDING.—There is authorized to be appropriated for fiscal year 2019 for the Department of Defense \$10,000,000 to carry out activities under section 316 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

(b) FUNDING FOR PROVISION OF BOTTLED WATER TO AFFECTED COMMUNITIES.—

(1) IN GENERAL.—The amounts authorized to be appropriated by this Act for the accounts listed in paragraph (2) are hereby increased by such sums as may be necessary to provide bottled water and other clean drinking water services the Secretary of Defense determines necessary for communities found to be impacted by per- and polyfluoroalkyl substances contamination resulting from the use of those chemicals by the Department of Defense.

(2) ACCOUNTS.—The accounts referred to in paragraph (1) are as follows:

(A) Environmental Restoration, Army.

(B) Environmental Restoration, Navy.

(C) Environmental Restoration, Air Force.

(D) Environmental Restoration, Defense-Wide.

(E) Environmental Restoration, Formerly Used Defense Sites.

(F) Department of Defense Base Closure Account.

(c) HEALTH REGISTRY.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Centers for Disease Control and Prevention, in consultation with the Secretary of Defense, shall establish a health registry to identify and monitor the health effects on members of the Armed Forces and the general public who may have been exposed to per- and polyfluoroalkyl substances resulting from releases at military installations.

(2) PUBLIC INFORMATION CAMPAIGN.—The Director of the Centers for Disease Control and Prevention, in consultation with the Secretary of Defense, should develop a public information campaign to inform members of the Armed Forces and the general public of potential exposure to per- and polyfluoroalkyl substances resulting from releases at military installations.

(3) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Director of the Centers for Disease Control and Prevention, in consultation with the Secretary of Defense, shall submit to the congressional defense committees, the Committee on Environment and Public Works of the Senate, and the Committee on Natural Resources of the House of Representatives a report on the findings of the health registry.

(4) FUNDING.—There is authorized to be appropriated for the Department of Defense for fiscal year 2019 \$15,000,000 to establish and implement the health registry under this subsection.

**SA 2303.** Mr. SANDERS (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

**SEC. 577. ASSISTANCE OF STATES FOR DEPLOYMENT-RELATED SUPPORT OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT AND THEIR FAMILIES BEYOND THE YELLOW RIBBON REINTEGRATION PROGRAM.**

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

(1) by redesignating subsections (k) and (l) as subsections (1) and (m), respectively; and  
(2) by inserting after subsection (j) the following new subsection (k):

“(k) **SUPPORT BEYOND PROGRAM.**—The Secretary of Defense shall provide funding to States to carry out programs that provide deployment cycle information, services, and referrals to members of the Armed Forces, including members of the regular components and members of the reserve components, and the families of such members, throughout the deployment cycle. Such programs may include the provision of access to outreach services, including the following:

- “(1) Employment counseling.
- “(2) Behavioral health counseling.
- “(3) Suicide prevention.
- “(4) Housing advocacy.
- “(5) Financial counseling.
- “(6) Referrals for the receipt of other related services.”.

**SA 2304.** Mr. BLUMENTHAL (for himself and Mrs. ERNST) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. GOLD STAR FAMILIES FOREVER STAMP.**

(a) **FINDINGS.**—Congress finds that—

(1) Gold Star mothers and fathers and families are true national heroes, who deserve our deepest gratitude and respect; and  
(2) the extraordinary contribution of Gold Star mothers and fathers and families is beyond measure, not merely for their loss, but the comfort they selflessly provide others and their model of service and sacrifice.

(b) **IN GENERAL.**—In order to continue to honor the sacrifices of families who have lost a loved one who was a member of the Armed Forces in combat, the Postmaster General shall provide for the issuance of a forever stamp suitable for that purpose.

(c) **DEFINITION.**—In this section, the term “forever stamp” means a definitive stamp that—

(1) meets the postage required for first-class mail up to 1 ounce in weight; and

(2) retains full validity for the purpose described in paragraph (1) even if the rate of that postage is later increased.

(d) **EFFECTIVE DATE.**—The stamp described in subsection (b) shall be issued beginning as soon as practicable after the date of enactment of this Act and shall not thereafter be discontinued.

**SA 2305.** Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

**SEC. 729. EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS AS PART OF PERIODIC HEALTH ASSESSMENTS AND OTHER PHYSICAL EXAMINATIONS.**

(a) **PERIODIC HEALTH ASSESSMENT.**—The Secretary of Defense shall ensure that any periodic health assessment provided to members of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a location where an open burn pit was used; or

(2) exposed to toxic airborne chemicals, including any information recorded as part of the Airborne Hazards and Open Burn Pit Registry.

(b) **SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.**—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(C) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note), was used; or

“(ii) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201.”.

(c) **DEPLOYMENT ASSESSMENTS.**—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) An assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note), was used; or

“(ii) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201.”.

(d) **SHARING OF INFORMATION.**—

(1) **DOD-VA.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for the sharing by the Department of Defense with the Department of

Veterans Affairs of the results of covered evaluations regarding the exposure by a member of the Armed Forces to toxic airborne chemicals.

(2) **REGISTRY.**—If a covered evaluation of a member of the Armed Forces establishes that the member was based or stationed at a location where an open burn pit was used, or the member was exposed to toxic airborne chemicals, the member shall be enrolled in the Airborne Hazards and Open Burn Pit Registry, unless the member elects to not so enroll.

(e) **DEFINITIONS.**—In this section:

(1) The term “Airborne Hazards and Open Burn Pit Registry” means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

(2) The term “covered evaluation” means—

(A) a periodic health assessment conducted in accordance with subsection (a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by this section; and

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by this section.

(3) The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

**SA 2306.** Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

**SEC. 537. CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW MATTERS.**

(a) **CORRECTION OF MILITARY RECORDS.**—

(1) **USE OF SECRETARIAL AUTHORITY.**—Paragraph (1) of section 1552(a) of title 10, United States Code, is amended by striking “may” both places it appears and inserting “shall”.

(2) **INDEXING OF FINAL DECISIONS OF BOARDS.**—Paragraph (5) of such section is amended to read as follows:

“(5) Final decisions of boards under this subsection shall be made available to the public in electronic form on a centralized Internet website. Decisions shall be made available in summary form (but may include such other information as the Secretary concerned considers appropriate), and shall be indexed and searchable on the website by subject matter. There shall be redacted from any decision so made available all personally identifiable information.”.

(b) **INDEXING OF FINAL DECISIONS OF BOARDS OF REVIEW OF DISCHARGE OR DISMISSAL.**—Section 1553 of such title is amended by adding at the end the following new subsection:

“(g) Final decisions of boards of review under this section shall be made available to the public in electronic form on a centralized Internet website. Decisions shall be made available in summary form (but may include such other information as the Secretary concerned considers appropriate), and shall be indexed and searchable on the website by

subject matter. There shall be redacted from any decision so made available all personally identifiable information.”.

(C) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2019.

**SA 2307.** Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVIII, add the following:

**Subtitle E—Real Property and Facilities Administration**

**SEC. 2851. REPORTS ON BUILDINGS AND FACILITIES SUBJECT TO EXCEPTIONS TO ACCESSIBILITY STANDARDS.**

(a) **ANNUAL REPORT FOR NEW CONSTRUCTION.**—Not later than 90 days after the end of each of the fiscal years 2019 through 2023, the Secretary concerned shall submit to the congressional defense committees a report listing each building or facility for which the Secretary first initiated construction during the fiscal year, or for which the Secretary first entered into a lease for the use of the Secretary during the fiscal year, which is subject to one of the accessibility standard exceptions described in subsection (c).

(b) **ONE-TIME REPORT ON CURRENT BUILDINGS AND FACILITIES SUBJECT TO EXCEPTIONS.**—Not later than 180 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report listing each building or facility constructed or leased by the Secretary during fiscal years 2014 through 2018 which is subject to one of the accessibility standard exceptions described in subsection (c).

(c) **ACCESSIBILITY STANDARD EXCEPTIONS DESCRIBED.**—The accessibility standard exceptions described in this subsection with respect to a building or facility are as follows:

(1) The building or facility is leased by the Secretary concerned on a temporary, emergency basis for the use of officials providing disaster assistance.

(2) The building or facility is located in a foreign country and is constructed in whole or in part with funds provided by the United States, but the Secretary concerned does not control the design criteria and the building or facility is not required to comply with standards under the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.).

(3) The building or facility is located in a foreign country and is leased by the Secretary concerned.

(4) The building or facility is subject to a waiver granted by the Principal Deputy Under Secretary of Defense who represents the Department of Defense on the United States Access Board.

**SA 2308.** Mr. BLUNT (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for

military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. SILVER STAR SERVICE BANNER DAY.**

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

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as “Silver Star Service Banner Day”.

(b) **DESIGNATION.**—

(1) **IN GENERAL.**—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

**“§ 146. Silver Star Service Banner Day**

“(a) **DESIGNATION.**—May 1 is Silver Star Service Banner Day.

“(b) **PROCLAMATION.**—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 145 the following:

“146. Silver Star Service Banner Day.”.

**SA 2309.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IX, add the following:

**SEC. 943. REPORT TRANSITION OF FUNCTIONS AND SERVICES OF THE DEFENSE INFORMATION SYSTEMS AGENCY AND CERTAIN OTHER DEFENSE AGENCIES AND FIELD ACTIVITIES.**

(a) **REPORT REQUIRED BEFORE TRANSITION.**—The Secretary of Defense may not transfer any functions or services of the Defense Agencies and Department of Defense Field Activities specified in subsection (b) to another element of the Department of Defense until the Secretary submits to the congressional defense committees a report on the transfer.

(b) **COVERED DEFENSE AGENCIES AND FIELD ACTIVITIES.**—The Defense Agencies and Department of Defense Field Activities specified in this subsection are the following:

(1) The Defense Information Systems Agency.

(2) Washington Headquarters Services.

(3) The Department of Defense Test Resources Management Center.

(4) Any other Defense Agency or Department of Defense Field Activity approved or anticipated for transfer during the period beginning on the date of the enactment of this Act and ending on December 31, 2021.

(c) **ELEMENTS.**—The report on the transfer of functions or services of a Defense Agency or Department of Defense Field Activity under subsection (a) shall include the following:

(1) A description of the functions, services, or both of the Agency or Field Activity to be transferred.

(2) A description of the element or elements of the Department to which such functions or services are to be transferred.

(3) A description of disposition of the remaining functions or services of the Agency or Field Activity, if any, after such transfer.

(4) A comprehensive assessment of the impact of the actions described in paragraphs (1) through (3).

**SA 2310.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. MODIFICATION OF AUTHORITY TO TRANSFER AIRCRAFT TO OTHER DEPARTMENTS FOR WILDFIRE SUPPRESSION PURPOSES.**

(a) **TRANSFER BY DEPARTMENT OF HOMELAND SECURITY.**—Paragraph (1) of section 1098(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 881) is amended—

(1) in subparagraph (A), by striking “of—” and all that follows and inserting “of the seven demilitarized HC-130H aircraft specified in subparagraph (B) to the Secretary of the Air Force.”;

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

(b) **AIR FORCE ACTIONS.**—Paragraph (2) of such section is amended—

(1) in subparagraph (A)(iii), by striking “to the Secretary of Agriculture” and all that follows and inserting “to the Commandant of the Coast Guard who may, without regard to any other provision of law, transfer any such aircraft to a State for firefighting purposes.”; and

(2) in subparagraph (C), by striking “unless, by reimbursement order” and all that follows through “such modifications” in each of clauses (i) and (ii).

(c) **COAST GUARD ACTIONS.**—The second sentence of paragraph (3) of such section is amended by striking “under paragraph (2)(A)(ii)” and inserting “pursuant to this subsection before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2019”.

(d) **SECRETARY OF AGRICULTURE RE-TRANSFER OF TRANSFERRED INITIAL SPARES AND RELATED EQUIPMENT.**—The Secretary of Agriculture shall, acting for the Forest Service, transfer to the Commandant of the Coast Guard any initial spares and necessary ground support equipment for HC-130H aircraft that were transferred to the Secretary pursuant to section 1098(a)(1)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2014 before the date of the enactment of this Act.

**SA 2311.** Ms. CANTWELL (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize

appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TERMINATION OF MULTICHANNEL VIDEO PROGRAMMING AND INTERNET ACCESS SERVICE CONTRACTS.**

(a) IN GENERAL.—Section 305A of the Servicemembers Civil Relief Act (50 U.S.C. 3956) is amended—

(1) in the section heading, by inserting “, MULTICHANNEL VIDEO PROGRAMMING, AND INTERNET ACCESS” after “TELEPHONE”;

(2) in subsection (b), by striking “cellular telephone service or telephone exchange service” and inserting “commercial mobile service, telephone exchange service, internet access service, or multichannel video programming service”;

(3) in subsection (c), by inserting “for commercial mobile service or telephone exchange service” before “terminated”;

(4) in subsection (d), in the matter preceding paragraph (1), by striking “cellular telephone service” and inserting “commercial mobile service”;

(5) in subsection (e)—

(A) by striking “For any” and inserting the following:

“(1) IN GENERAL.—For any”;

(B) by striking “If the” and inserting the following:

“(2) REINSTATEMENT OF SERVICE.—If the”;

and

(C) by adding at the end the following:

“(3) RETURN OF PROVIDER-OWNED EQUIPMENT.—If a servicemember terminates a contract under subsection (a), the servicemember shall return any provider-owned consumer premises equipment to the service provider not later than 10 days after the date on which service is disconnected.”; and

(6) in subsection (g)—

(A) by redesignating paragraph (2) as paragraph (4); and

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

“(1) The term ‘commercial mobile service’ has the meaning given that term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).

“(2) The term ‘multichannel video programming service’ means a subscription video service offered by a multichannel video programming distributor, as that term is defined in section 602 of the Communications Act of 1934 (47 U.S.C. 522), over a system the distributor owns or controls.

“(3) The term ‘provider-owned consumer premises equipment’ means any equipment that a provider of internet access service or multichannel video programming service rents or loans to a customer during the provision of that service, including gateways, routers, cable modems, voice-capable modems, CableCARDs, converters, digital adapters, remote controls, and any other equipment provided.”.

(b) CLERICAL AMENDMENTS.—

(1) TITLE HEADING.—The heading for title III of the Servicemembers Civil Relief Act is amended by striking “TELEPHONE” and inserting “COMMUNICATIONS”.

(2) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Servicemembers Civil Relief Act is amended—

(A) by striking the item relating to title III and inserting the following:

“TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS, ASSIGNMENT, LEASES, COMMUNICATIONS SERVICE CONTRACTS”; AND

(B) by striking the item relating to section 305A and inserting the following:

“Sec. 305A. Termination of telephone, multichannel video programming, and internet access service contracts.”.

**SA 2312.** Mr. BROWN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XVII, add the following:

**SEC. 1734. AUTHORITY TO REVIEW TRANSACTIONS FOR ECONOMIC EFFECT ON THE UNITED STATES.**

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2102 et seq.) is amended by adding at the end the following:

**“TITLE X—AUTHORITY TO REVIEW TRANSACTIONS FOR ECONOMIC EFFECT ON THE UNITED STATES**

**“SEC. 1001. DEFINITIONS.**

“In this title:

“(1) CONTROL.—The term ‘control’ means the power, whether direct or indirect and whether or not exercised, through the ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, representation on the board of directors of an entity, proxy voting on the board of directors of an entity, a special share in the entity, a contractual arrangement with the entity, a formal or informal arrangement to act in concert with an entity, or any other means, to determine, direct, make decisions, or cause decisions to be made, with respect to important matters affecting the entity.

“(2) COVERED TRANSACTION.—The term ‘covered transaction’ means any merger, acquisition, takeover, or investment, or the establishment of a new entity, by or with any person, that—

“(A) is proposed or pending after the date of the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019; and

“(B) could result in foreign control of any person that—

“(i) is engaged in interstate commerce in the United States; and

“(ii)(I) in the case of a transaction involving a state-owned enterprise, is valued at \$50,000,000 or more; and

“(II) in the case of any other transaction, is valued at \$1,000,000,000 or more.

“(3) PERSON.—The term ‘person’ means an individual or entity.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce.

“(5) STATE-OWNED ENTERPRISE.—The term ‘state-owned enterprise’ means—

“(A) an entity that is owned by, controlled by, or under the influence of, a national, provincial, or local government in a foreign country or an agency of such a government; or

“(B) an individual acting under the direction or the influence of a government or agency described in subparagraph (A).

**“SEC. 1002. AUTHORITY TO REVIEW TRANSACTIONS FOR ECONOMIC EFFECT ON THE UNITED STATES.**

“(a) MANDATORY NOTIFICATION BY PARTIES.—Each party to a covered transaction

shall submit a written notification of the transaction to the Secretary.

“(b) REVIEW.—

“(1) IN GENERAL.—Upon receiving written notification of a covered transaction under subsection (a), the Secretary shall—

“(A) review the transaction to determine the economic effect of the transaction on the United States, based on the factors described in subsection (d); and

“(B) based on the results of the review, take appropriate action under subsection (c) with respect to the transaction.

“(2) UNILATERAL INITIATION OF REVIEW.—The Secretary may initiate a review under paragraph (1) of a covered transaction for which written notification is not submitted under subsection (a).

“(3) INITIATION OF REVIEW BY REQUEST FROM CONGRESS.—The Secretary shall initiate a review under paragraph (1) of a covered transaction (determined without regard to the value of the transaction under section 1001(2)(B)(ii)) if the chairperson and the ranking member of the Committee on Finance of the Senate or the Committee on Ways and Means of the House of Representatives requests the Secretary to review the transaction.

“(4) NOTIFICATION TO UNITED STATES TRADE REPRESENTATIVE.—Upon receiving a written notification of a transaction under subsection (a) or initiating a review of a transaction under paragraph (2) or (3), as the case may be, the Secretary shall notify the United States Trade Representative.

“(c) ACTION.—

“(1) ACTION AFTER INITIAL REVIEW.—Not later than 15 days after receiving a written notification of a transaction under subsection (a) or initiating a review of a transaction under paragraph (2) or (3) of subsection (b), as the case may be, the Secretary shall—

“(A) approve the transaction; or

“(B) inform the parties to the transaction that the Secretary requires additional time to conduct a more thorough review of the transaction.

“(2) ACTION AFTER EXTENDED REVIEW.—

“(A) IN GENERAL.—Subject to subparagraph (B), if the Secretary informs the parties to a transaction under paragraph (1)(B) that the Secretary requires additional time to conduct a more thorough review, the Secretary shall, not later than 45 days after receiving the written notification of the transaction under subsection (a) or initiating a review of the transaction under paragraph (2) or (3) of subsection (b), as the case may be—

“(i) complete that review; and

“(ii) approve the transaction, prohibit the transaction, or require the parties to the transaction to modify the transaction and resubmit the modified transaction to the Secretary for review under this section.

“(B) EXTENSION OF DEADLINE.—The Secretary may extend the deadline under subparagraph (A) with respect to the review of a transaction by not more than 15 days.

“(3) CASES OF INACCURATE OR INADEQUATE INFORMATION.—The Secretary may prohibit a transaction under this subsection if the Secretary determines that any party to the transaction provides to the Secretary inaccurate or inadequate information in response to inquiries of the Secretary as part of a review of the transaction under subsection (b).

“(4) PUBLIC AVAILABILITY OF DECISION.—Each decision under this subsection to approve, prohibit, or allow for modification of a transaction, and a justification for each such decision, shall be made available to the public.

“(d) FACTORS TO BE CONSIDERED.—In taking action with respect to a transaction

under subsection (c), the Secretary shall consider any economic factors the Secretary considers relevant, including—

“(1) the long-term strategic economic interests of the United States;

“(2) the history of distortive trade practices in each country in which a foreign party to the transaction is domiciled, as informed by the report of the United States Trade Representative required by subsection (h);

“(3) control and ownership of each foreign person that is a party to the transaction;

“(4) impact on the domestic industry, taking into consideration any pattern of foreign investment in the domestic industry; and

“(5) any other factors the Secretary considers appropriate.

“(e) **PUBLIC COMMENTS.**—The Secretary shall—

“(1) make available to the public each written notification of a covered transaction submitted under subsection (a) and notify the public if the Secretary initiates a review under paragraph (2) or (3) of subsection (b) with respect to a transaction; and

“(2) in the case of a transaction that the Secretary determines under subsection (c)(1)(B) requires additional time for review, provide a period for public comment on the transaction of not more than 10 days.

“(f) **CONSULTATIONS.**—The Secretary shall consult with the heads of such other Federal agencies (or the designees of such heads) in any review under this section as the Secretary determines to be appropriate, on the basis of the facts and circumstances of the transaction under review.

“(g) **REQUEST FOR ASSISTANCE FROM INTERNATIONAL TRADE COMMISSION.**—The Secretary may request assistance from the United States International Trade Commission with respect to any of the analysis needed to conduct a review of a transaction under this section.

“(h) **REPORT BY UNITED STATES TRADE REPRESENTATIVE.**—Not later than 10 days after the Secretary receives a written notification of a transaction under subsection (a) or initiates a review of a transaction under paragraph (2) or (3) of subsection (b), as the case may be, the United States Trade Representative shall submit to the Secretary a report with respect to the transaction that includes, with respect to any country in which a party to the transaction is domiciled—

“(1) a description of the history of and current issues affecting the trading relationship between the United States and that country;

“(2) an assessment of the extent to which that trading relationship is reciprocal; and

“(3) information relevant to that country from annual reports of the Office of the United States Trade Representative, including—

“(A) the National Trade Estimate under section 181(b);

“(B) the report required by section 182 (commonly referred to as the ‘Special 301 Report’); and

“(C) the report on trade enforcement priorities required by section 310.

“(i) **COORDINATION WITH COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.**—

“(1) **IN GENERAL.**—In the case of a transaction undergoing review under this section and section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), the Secretary shall coordinate with the Secretary of the Treasury with respect to those reviews.

“(2) **REVIEW OF NATIONAL SECURITY CONCERNS.**—Review of any threat posed by a transaction to the national security of the United States shall be conducted by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 and not under this section.

#### “SEC. 1003. ANNUAL REPORT ON TRANSACTIONS REVIEWED.

“Not later than one year after the date of the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and annually thereafter, the Secretary shall submit to Congress a report on transactions reviewed under section 1002 that includes—

“(1) a summary of the results of the transactions reviewed by the Secretary, including—

“(A) how many of such reviews were completed in the 15-day period provided for under section 1002(c)(1) and how many of such reviews required longer to complete; and

“(B) how many of such transactions were prohibited; and

“(2) an analysis of foreign direct investment by industrial sectors, by country of investor, and by type of transaction.

#### “SEC. 1004. PROHIBITION ON USE OF TAXPAYER DOLLARS TO ENCOURAGE INVESTMENT IN THE UNITED STATES BY CERTAIN STATE-OWNED ENTERPRISES.

“No funds may be obligated or expended in any fiscal year by the head of any Federal agency to encourage investment in the United States by any state-owned enterprise that does not operate according to market considerations.

#### “SEC. 1005. CONSISTENCY WITH OBLIGATIONS UNDER INTERNATIONAL AGREEMENTS.

“This title shall be applied in a manner consistent with the obligations of the United States under international agreements.

#### “SEC. 1006. REGULATIONS.

“Not later than 270 days after the date of the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, the Secretary of Commerce shall issue regulations to carry out this title.”.

(b) **CLERICAL AMENDMENT.**—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

#### “TITLE X—AUTHORITY TO REVIEW TRANSACTIONS FOR ECONOMIC EFFECT ON THE UNITED STATES

“Sec. 1001. Definitions.

“Sec. 1002. Authority to review transactions for economic effect on the United States.

“Sec. 1003. Annual report on transactions reviewed.

“Sec. 1004. Prohibition on use of taxpayer dollars to encourage investment in the United States by certain state-owned enterprises.

“Sec. 1005. Consistency with obligations under international agreements.

“Sec. 1006. Regulations.”.

**SA 2313.** Mr. PETERS (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

#### **TITLE XXXV—MARITIME ADMINISTRATION** **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to

the Department of Transportation for fiscal year 2019, to be available without fiscal year limitation if so provided in appropriations Acts, the following amounts for programs associated with maintaining the United States merchant marine:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$69,000,000 for Academy operations.

(2) For expenses necessary to support the State maritime academies, \$32,200,000, of which—

(A) \$2,400,000 shall remain available until September 30, 2020, for the Student Incentive Program;

(B) \$6,000,000 shall remain available until expended for direct payments to such academies;

(C) \$22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels; and

(D) \$1,800,000 shall remain available until expended for training ship fuel assistance.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, \$300,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, \$60,442,000, of which \$5,000,000 shall remain available until expended for port infrastructure development under section 50302 of title 46, United States Code.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, \$6,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$300,000,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, \$33,000,000, of which—

(A) \$30,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) \$3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(b) **CAPITAL ASSET MANAGEMENT PROGRAM REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Maritime Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of unexpended appropriations for capital asset management at the United States Merchant Marine Academy, and the plan for expending such appropriations.

#### **SEC. 3502. CONCURRENT JURISDICTION.**

Notwithstanding any other law, the Secretary of Transportation may relinquish, at the Secretary's discretion, to the State of New York, such measure of legislative jurisdiction over the lands constituting the United States Merchant Marine Academy in King's Point, New York, as is necessary to establish concurrent jurisdiction between the Federal Government and the State of New York. Such partial relinquishment of legislative jurisdiction shall be accomplished—

(1) by filing with the Governor of New York a notice of relinquishment to take effect upon acceptance thereof; or

(2) as the laws of that State may provide.



**SEC. 3503. UNITED STATES MERCHANT MARINE ACADEMY POLICY ON SEXUAL HARASSMENT, DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

(a) POLICY ON SEXUAL HARASSMENT, DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING.—Section 51318 of title 46, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A), by inserting “and prevention” after “awareness”;

(B) by redesignating subparagraph (B) as subparagraph (C), and subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively;

(C) by inserting after subparagraph (A) the following:

“(B) procedures for documenting, tracking, and maintaining the data required to conduct the annual assessments to determine the effectiveness of the policies, procedures, and training program of the Academy with respect to sexual harassment, dating violence, domestic violence, sexual assault, and stalking involving cadets or other Academy personnel, as required by subsection (c);”;

(D) by inserting after subparagraph (C), as redesignated by subparagraph (B), the following:

“(D) procedures for investigating sexual harassment, dating violence, domestic violence, sexual assault, or stalking involving a cadet or other Academy personnel to determine whether disciplinary action is necessary;”;

(2) in subsection (b)(2)(A), by inserting “and other Academy personnel” after “cadets at the Academy”; and

(3) in subsection (d)—

(A) in paragraph (2)(A) by inserting “, including sexual harassment,” after “sexual assaults, rapes, and other sexual offenses”; and

(B) in paragraph (4)(B), by striking “The Secretary” and inserting “Not later than January 15 of each year, the Secretary”.

(b) IMPLEMENTATION.—The Superintendent of the United States Merchant Marine Academy may implement the amendment to subsection (b)(2)(A) of section 51318 of title 46, United States Code, made by subsection (a)(2), by updating an existing plan issued pursuant to the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

**SEC. 3504. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS FOR THE UNITED STATES MERCHANT MARINE ACADEMY SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.**

Not later than April 1, 2019, the Maritime Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the progress of the Maritime Administration in implementing and closing each of the recommendations made in the Office of Inspector General’s Report issued March 28, 2018 (ST-2018-039) identifying gaps in the United States Merchant Marine Academy’s Sexual Assault Prevention and Response Program.

**SEC. 3505. REPORT ON THE APPLICATION OF THE UNIFORM CODE OF MILITARY JUSTICE TO THE UNITED STATES MERCHANT MARINE ACADEMY.**

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Maritime Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives on the impediments to the application of the

Uniform Code of Military Justice at the United States Merchant Marine Academy.

(b) CONSULTATION.—The Maritime Administrator may, in preparing the report under subsection (a), consult with the Department of Defense, other Federal agencies, and non-Federal entities, as appropriate.

**SEC. 3506. ELECTRONIC RECORDS ON MARINER AVAILABILITY TO MEET NATIONAL SECURITY NEEDS.**

Section 7502 of title 46, United States Code, is amended—

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

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

“(c) The Secretary shall coordinate with the Secretary of Transportation to ensure that, to the extent feasible, electronic records provide information on mariner availability and respective credentials to meet national security needs for credentialed mariners crewing strategic sea-lift vessels.”.

**SEC. 3507. SMALL SHIPYARD GRANTS.**

Section 54101(b) of title 46, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(2) by inserting after paragraph (1) the following:

“(2) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this section not more than 15 days after the date of enactment of the appropriations Act for the fiscal year concerned.”; and

(3) in paragraph (4), as redesignated by paragraph (1), by striking “paragraph (2)” and inserting “paragraph (3)”.

**SEC. 3508. DOMESTIC SHIP RECYCLING FACILITIES.**

Section 3502 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398; 54 U.S.C. 308704 note) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

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

“(c) SCRAPPING OF IMPORTED VESSELS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, domestic ship scrapping facilities selected by the Secretary of Transportation in accordance with subsection (b) may import into the United States, for the purpose of dismantling, marine vessels that contain regulated levels of polychlorinated biphenyls that are integral to a vessel’s structure, equipment, or systems necessary for its operation.

“(2) NO TSCA PRIOR AUTHORIZATION REQUIRED.—In lieu of rulemaking by the Administrator of the Environmental Protection Agency under section 6(e) of the Toxic Substances Control Act (15 U.S.C. 2605(e)), imports of vessels containing regulated levels of polychlorinated biphenyls shall be subject to prior notification and consent in accordance with this subsection.

“(3) NOTIFICATION.—

“(A) CONTENTS.—An importer of 1 or more vessels containing regulated levels of polychlorinated biphenyls shall submit a notification to the Environmental Protection Agency not less than 75 days before a vessel is imported into the United States under this subsection. The import notification may cover up to one year of shipments of vessels containing regulated levels of polychlorinated biphenyls being sent to the same ship scrapping facility, and shall contain, at a minimum, the following items:

“(i) The name, contact name, address, telephone number, email address, and EPA Identification Number (if applicable) of the ship

scrapping facility and the recognized trader, if the ship scrapping facility is not the importer.

“(ii) The name, contact name, address, telephone number, email address, and EPA Identification Number (if applicable) of each facility where polychlorinated biphenyls or hazardous materials contained on a vessel will be stored and disposed of, including any polychlorinated biphenyls storage or disposal facility approved under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.).

“(iii) The types of polychlorinated biphenyls or polychlorinated biphenyls items expected to be removed from the vessels.

“(iv) The number of vessels proposed for import and maximum tonnage.

“(v) The period of time covered by the import notice (not to exceed one year) and the start and end dates of shipment.

“(B) FORM.—Each notice under this paragraph shall be clearly marked ‘PCB Waste Import Notice’ and shall be submitted to the Environmental Protection Agency in such form and manner as the Environmental Protection Agency may require.

“(C) REVISED NOTIFICATION.—If an importer wishes to change any of the information specified on the original notification, the importer must submit a revised notification, containing notification of the changes, to the Environmental Protection Agency.

“(4) CONSENT.—

“(A) IN GENERAL.—An importer shall not import vessels containing regulated levels of polychlorinated biphenyls until the importer has received consent from the Administrator of the Environmental Protection Agency.

“(B) TERMS.—Importers shall only import vessels under the terms of the consent issued by the Administrator of the Environmental Protection Agency under this paragraph and subject to the condition that the facility shall establish a valid written contract, chain of contracts, or equivalent arrangements with other United States facilities, where applicable, to manage the polychlorinated biphenyls and hazardous waste expected to be removed from the vessel or vessels.

“(5) REPORT TO THE ENVIRONMENTAL PROTECTION AGENCY.—Any ship scrapping facility authorized by this subsection to import vessels containing regulated levels of polychlorinated biphenyls shall file with the Administrator of the Environmental Protection Agency, not later than April 1 of each year, a report providing, for each vessel imported in accordance with this subsection, the following information:

“(A) The vessel name and approximated tonnage.

“(B) Registration number and flag of the vessel.

“(C) The date of import.

“(D) The types, quantities, and final destination of all polychlorinated biphenyls and hazardous waste removed.

“(E) The EPA-issued consent number under which the vessel was imported.

“(6) APPLICABLE LAWS.—Once a vessel has been imported pursuant to this subsection, the manufacturing, processing, distribution in commerce, use, and disposal of any polychlorinated biphenyls and hazardous waste contained on the vessel shall be carried out in accordance with applicable Federal, State, and local laws and regulations.

“(7) AUTHORITY.—The Administrator of the Environmental Protection Agency may promulgate additional standards or procedures for the import of ships that contain regulated levels of polychlorinated biphenyls and hazardous waste, for the purpose of recycling, under this subsection, if—

“(A) the benefits of such additional standards or procedures exceed the costs of those standards or procedures;



“(B) not later than 180 days prior to promulgating such additional standards or procedures, the Administrator of the Environmental Protection Agency submits a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives demonstrating compliance with subparagraph (A) and the reasons such standards or procedures are necessary; and

“(C) the Administrator of the Environmental Protection Agency receives the concurrence of the Maritime Administrator on any such additional standards or procedures.”.

#### SEC. 3509. SEA YEAR ON CONTRACTED VESSELS.

Section 51307 of title 46, United States Code, is amended—

(1) by striking “The Secretary” and inserting the following:

“(a) IN GENERAL.—The Secretary”;

(2) in paragraph (1) of subsection (a), by striking “owned or subsidized by” and inserting “owned, subsidized by, or contracted with”; and

(3) by adding at the end the following:

“(b) MARITIME SECURITY PROGRAM VESSELS.—The Secretary shall require an operator of a vessel participating in the Maritime Security Program under chapter 531 of this title to carry on each Maritime Security Program vessel 2 United States Merchant Marine Academy cadets, if available, on each voyage.

“(c) MILITARY SEALIFT COMMAND VESSELS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Commander of the Military Sealift Command shall require an operator of a vessel in the United States Navy’s Military Sealift Command to carry on each such vessel 2 United States Merchant Marine Academy cadets, if available, on each voyage, if the vessel—

“(A) is flagged in the United States; and

“(B) is rated at 10,000 gross tons or higher.

“(2) WAIVER.—The Commander of the Military Sealift Command may waive the requirement under paragraph (1) at any time if the Commander determines that carrying a cadet from the United States Merchant Marine Academy would place an undue burden on the vessel or the operator of the vessel.

“(d) DEFINITION OF OPERATOR.—In this section, the term ‘operator’ includes a government operator and a non-government operator.

“(e) SAVINGS CLAUSE.—Nothing in this section may be construed as affecting—

“(1) the discretion of the Secretary to determine whether to place a United States Merchant Marine Academy cadet on a vessel;

“(2) the authority of the Coast Guard regarding a vessel security plan approved under section 70103; or

“(3) the discretion of the master of the vessel to ensure the safety of all crew members.”.

#### SEC. 3510. GAO REPORT ON NATIONAL MARITIME STRATEGY.

The Comptroller General of the United States shall complete a study and submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives, a report on—

(1) the key challenges, if any, to ensuring that the United States marine transportation system and merchant marine are sufficient to support United States economic and defense needs, as articulated by the Maritime Administration, the Committee on the Marine Transportation System, and other stakeholders;

(2) the extent to which a national maritime strategy incorporates desirable characteristics of successful national strategies as identified by the Comptroller General, and any key obstacles (as identified by stakeholders) to successfully implementing such strategies; and

(3) the extent to which Federal efforts to establish national maritime strategy are duplicative or fragmented, and if so, the impact on United States maritime policy for the future.

#### SEC. 3511. DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL REPORT ON TITLE XI PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Department of Transportation Office of Inspector General shall—

(1) initiate an audit of the financial controls and protections included in the policies and procedures of the Department of Transportation for approving loan applications for the loan guarantee program authorized under chapter 537 of title 46, United States Code; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of that audit once the audit is completed.

#### SEC. 3512. MULTI-YEAR CONTRACTS.

Nothing in section 3505 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) may be construed to prohibit the Maritime Administration from entering into a multi-year contract for the procurement of up to 5 new vessels within the National Security Multi-Mission Vessel Program and associated government-furnished equipment, subject to the availability of appropriations.

#### SEC. 3513. USE OF STATE MARITIME ACADEMY TRAINING VESSELS.

Section 51504(g) of title 46, United States Code, is amended to read as follows:

“(g) VESSEL CAPACITY SHARING.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2019, the Secretary, acting through the Maritime Administrator, shall upon consultation with the maritime academies, and to the extent feasible with the consent of the maritime academies, implement a program of training vessel capacity sharing, requiring maritime academies to share training vessel capacity provided by the Secretary among maritime academies, as necessary to ensure that training needs of each academy are met.

“(2) PROGRAM OF VESSEL CAPACITY SHARING.—For purposes of this subsection, a program of vessel capacity sharing shall include—

“(A) ways to maximize the available underway training capacity available in the fleet of training vessels;

“(B) coordinating the dates and duration of training cruises with the academic calendars of maritime academies;

“(C) coordinating academic programs designed to be implemented aboard training vessels among maritime academies; and

“(D) identifying ways to minimize costs.

“(3) EVALUATION.—Not later than 30 days after the beginning of each fiscal year, the Secretary, acting through the Maritime Administrator, shall evaluate the vessel capacity sharing program under this subsection to determine the optimal utilization of State maritime training vessels, and modify the program as necessary to improve utilization.”.

#### SEC. 3514. PERMANENT AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE VESSEL WAR RISK INSURANCE.

(a) IN GENERAL.—Section 53912 of title 46, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 539 of title 46, United States Code, is amended by striking the item relating to section 53912.

#### SEC. 3515. NAVIGATION SYSTEM STUDY AND REPORT.

(a) STUDY OF THE GREAT LAKES SYSTEM.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a comprehensive study of the Great Lakes - Saint Lawrence Seaway navigation system (referred to in this section as the “Great Lakes System”) that examines the current state of the system and makes recommendations for improvements.

(2) CONTENTS.—The study—

(A) shall examine, with respect to the Great Lakes System—

(i) typical cargo routing options;

(ii) the cost profile of each route and alternative routes;

(iii) port infrastructure quality;

(iv) intermodal connections;

(v) competing transportation options, including air, rail, and ground transportation and their relative market position;

(vi) taxes and fees imposed on vessels;

(vii) marketing efforts to increase shipments;

(viii) subsidies provided to the Great Lakes System and to competing cargo transportation systems;

(ix) the condition of the docks at each port;

(x) United States and Canadian Government icebreaking capabilities to facilitate commercial shipping;

(xi) the maritime safety and marine casualty statistics for commercial vessels transiting the Great Lakes System; and

(xii) the condition of vessel navigation infrastructure (such as channels, locks, jetties, and breakwaters) and efforts to maintain, upgrade, or replace that infrastructure; and

(B) shall make recommendations on—

(i) the level of additional investment needed to improve the Great Lakes System;

(ii) any benefits of increased Federal or State investment in the Great Lakes System; and

(iii) any regulatory or competitive burdens impeding growth of the Great Lakes System.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Co-Chairs of the Great Lakes Task Force of the Senate and of the House of Representatives a report containing the results of the study conducted under this section.

#### SEC. 3516. MISCELLANEOUS.

(a) NONCOMMERCIAL VESSELS.—Section 3514(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 46 U.S.C. 51318 note) is amended—

(1) by striking “Not later than” and inserting the following:

“(1) IN GENERAL.—Not later than”; and

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and adjusting the margins accordingly; and

(3) by adding at the end the following:

“(2) NONCOMMERCIAL VESSELS.—For the purposes of this section, vessels operated by any of the following entities shall not be considered commercial vessels:

“(A) Any entity or agency of the United States.

“(B) The government of a State or territory.

“(C) Any political subdivision of a State or territory.

“(D) Any other municipal organization.”.

(b) PASSENGER RECORDS.—Section 51322(c) of title 46, United States Code, is amended to read as follows:

“(C) MAINTENANCE OF SEXUAL ASSAULT TRAINING RECORDS.—The Maritime Administrator shall require the owner or operator of a commercial vessel, or the seafarer union for a commercial vessel, to maintain records of sexual assault training for any person required to have such training.”.

(c) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Section 3134 of title 40, United States Code, is amended by adding at the end the following:

“(c) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The Secretary of Commerce may waive this subchapter with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Act entitled ‘An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes’, approved August 6, 1947 (33 U.S.C. 883a et seq.).”.

(d) ANNUAL PAYMENTS FOR MAINTENANCE AND SUPPORT.—Section 51505(b)(2) of title 46 is amended to read as follows:

“(2) MAXIMUM.—The amount under paragraph (1) may not be more than \$25,000, unless the academy satisfies section 51506(b) of this title.”.

**SA 2314.** Mr. JOHNSON (for himself, Mrs. MCCASKILL, Mr. HOEVEN, Mr. HEITKAMP, Mr. CASSIDY, and Mr. JONES) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . PREVENTING EMERGING THREATS.**

(a) PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.—

(1) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

#### **“§ 210G. Protection of certain facilities and assets from unmanned aircraft**

“(a) AUTHORITY.—Notwithstanding section 46502 of title 49, United States Code, or any provision of title 18, United States Code, the Secretary and the Attorney General may, for their respective Departments, take, and may authorize personnel of the Department of Homeland Security or the Department of Justice with assigned duties that include safety, security, or protection of personnel, facilities, or assets, to take, such actions described in subsection (b)(1) that are necessary to mitigate the threat (as defined by the Secretary or the Attorney General, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

“(b) ACTIONS DESCRIBED.—

“(1) IN GENERAL.—The actions authorized in subsection (a) are the following:

“(A) Detect, identify, monitor, and track the unmanned aircraft system or unmanned

aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

“(B) Warn the operator of the unmanned aircraft system or unmanned aircraft, including by passive or active, and direct or indirect physical, electronic, radio, and electromagnetic means.

“(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent, including by disabling the unmanned aircraft system or unmanned aircraft by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft system or unmanned aircraft.

“(D) Seize or exercise control of the unmanned aircraft system or unmanned aircraft.

“(E) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

“(F) Use reasonable force to disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

“(2) REQUIRED COORDINATION.—The Secretary and the Attorney General shall develop for their respective Departments the actions described in paragraph (1) in coordination with the Secretary of Transportation.

“(3) RESEARCH, TESTING, TRAINING, AND EVALUATION.—The Secretary shall conduct research, testing, training on, and evaluation of any equipment, including any electronic equipment, to determine its capability and utility to enable any of the actions described in paragraph (1).

“(4) COORDINATION.—The Secretary shall coordinate with the Administrator of the Federal Aviation Administration when paragraph (3) might affect aviation safety, civilian aviation and aerospace operations, or aircraft airworthiness.

“(c) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft described in subsection (a) that is seized by the Secretary or the Attorney General is subject to forfeiture to the United States.

“(d) REGULATIONS AND GUIDANCE.—

“(1) IN GENERAL.—The Secretary, the Attorney General, and the Secretary of Transportation may prescribe regulations and shall issue guidance in the respective areas of each Secretary or the Attorney General to carry out this section.

“(2) COORDINATION.—

“(A) COORDINATION WITH DEPARTMENT OF TRANSPORTATION.—The Secretary and the Attorney General shall coordinate the development of their respective guidance under paragraph (1) with the Secretary of Transportation.

“(B) EFFECT ON AVIATION SAFETY.—The Secretary and the Attorney General shall respectively coordinate with the Secretary of Transportation and the Administrator of the Federal Aviation Administration before issuing any guidance, or otherwise implementing this section, if such guidance or implementation might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of airspace.

“(e) PRIVACY PROTECTION.—The regulations prescribed or guidance issued under subsection (d) shall ensure that—

“(1) the interception or acquisition of, or access to, communications to or from an unmanned aircraft system under this section is conducted in a manner consistent with the Fourth amendment to the Constitution of the United States and applicable provisions of Federal law;

“(2) communications to or from an unmanned aircraft system are intercepted, ac-

quired, or accessed only to the extent necessary to support a function of the Department of Homeland Security or the Department of Justice;

“(3) records of such communications are not maintained for more than 180 days unless the Secretary or the Attorney General determine that maintenance of such records—

“(A) is necessary to support one or more functions of the Department of Homeland Security or the Department of Justice, respectively; or

“(B) is required for a longer period to support a civilian law enforcement agency or by any other applicable statute or regulation; and

“(4) such communications are not disclosed outside the Department of Homeland Security or the Department of Justice unless the disclosure—

“(A) would fulfill a function of the Department of Homeland Security or the Department of Justice, respectively;

“(B) would support the Department of Defense, another civilian law enforcement agency, or the activities of a regulatory agency of the Federal Government in connection with a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action arising out of an action described in subsection (b)(1); or

“(C) is otherwise required by law.

“(f) BUDGET.—The Secretary and the Attorney General shall submit to Congress, as a part of the homeland security or justice budget materials for each fiscal year after fiscal year 2018, a consolidated funding display that identifies the funding source and funding requirements for the actions described in subsection (b)(1) within the Department of Homeland Security or the Department of Justice. The funding display shall be in unclassified form, but may contain a classified annex.

“(g) SEMIANNUAL BRIEFINGS.—

“(1) IN GENERAL.—On a semiannual basis during the 5-year period beginning 6 months after the date of enactment of this section, the Secretary and the Attorney General shall, respectively, provide a briefing to the appropriate congressional committees on the activities carried out pursuant to this section.

“(2) REQUIREMENT.—Each briefing required under paragraph (1) shall be conducted jointly with the Secretary of Transportation.

“(3) CONTENT.—Each briefing required under paragraph (1) shall include—

“(A) policies, programs, and procedures to mitigate or eliminate impacts of such activities to the National Airspace System;

“(B) a description of instances where actions described in subsection (b)(1) have been taken;

“(C) how the Secretary and the Attorney General have informed the public as to the possible use of authorities under this section; and

“(D) how the Secretary and the Attorney General have engaged with Federal, State, and local law enforcement agencies to implement and use such authorities.

“(4) UNCLASSIFIED FORM.—Each briefing required under paragraph (1) shall be in unclassified form, consistent with the needs of law enforcement agencies and national security, but may be accompanied by an additional classified briefing.

“(h) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

“(1) vest in the Secretary or the Attorney General any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration under title 49, United States Code;

“(2) vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of

the Secretary or the Attorney General under this title;

“(3) vest in the Secretary of Homeland Security any authority of the Attorney General under this title; and

“(4) vest in the Attorney General any authority of the Secretary of Homeland Security under this title.

“(i) TERMINATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the authority to carry out this section with respect to the covered facilities or assets shall terminate on the date that is 5 years after the date of enactment of this section.

“(2) EXTENSION.—The President may extend by 180 days the termination date described in paragraph (1) if, not later than 45 days before the termination date described in paragraph (1), the President certifies to Congress that such extension is in the national security interest of the United States.

“(j) SCOPE OF AUTHORITY.—Nothing in this section shall be construed to provide the Secretary or the Attorney General with additional authorities beyond those described in subsections (a), (b)(1), and (k)(3)(C)(iii).

“(k) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on the Judiciary of the Senate; and

“(B) the Committee on Homeland Security, the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, and the Committee on the Judiciary of the House of Representatives.

“(2) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(3) The term ‘covered facility or asset’ means any facility or asset that—

“(A) is identified by the Secretary or the Attorney General, in consultation with the Secretary of Transportation with respect to potentially impacted airspace, through a risk-based assessment for purposes of this section;

“(B) is located in the United States (including the territories and possessions, territorial seas or navigable waters of the United States); and

“(C) directly relates to—

“(i) a mission authorized to be performed by the Department, consistent with governing statutes, regulations, and orders issued by the Secretary, relating to—

“(I) security operations by the United States Coast Guard and U.S. Customs and Border Protection, including securing facilities, aircraft, and authorized vessels, whether moored or underway;

“(II) United States Secret Service protection operations pursuant to sections 3056 and 3056A of title 18, United States Code; or

“(III) protection of facilities pursuant to section 1315 of title 40, United States Code;

“(ii) a mission authorized to be performed by the Department of Justice, consistent with governing statutes, regulations, and orders issued by the Attorney General, relating to—

“(I) personnel protection operations by the Federal Bureau of Investigation and the United States Marshals Service, including the protection of Federal jurists, court officers, witnesses and other persons in the interests of justice, as specified in section 566(e) of title 28, United States Code;

“(II) penal, detention, and correctional operations conducted by the Federal Bureau of Prisons considered to be high-risk or assessed to be a potential target for unlawful unmanned aircraft activity; or

“(III) protection of the buildings and grounds leased, owned, or operated by or for the Department of Justice identified as essential to the function of the Department of Justice, and the provision of security for Federal courts, as specified in section 566(a) of title 28, United States Code; and

“(iii) a mission authorized to be performed by the Department of Homeland Security or the Department of Justice, acting together or separately, consistent with governing statutes, regulations, and orders issued by the Secretary or the Attorney General, respectively, relating to—

“(I) National Special Security Events and Special Event Assessment Rating events;

“(II) upon the request of a State’s governor or attorney general, providing support to State, local, or tribal law enforcement to ensure protection of people and property at mass gatherings, where appropriate and within available resources;

“(III) active Federal law enforcement investigations, emergency responses, or security operations; or

“(IV) in the event that either the Department of Homeland Security or the Department of Justice has identified a national security threat against the United States and the threat could involve unlawful use of an unmanned aircraft, responding to such national security threat.

“(4) The terms ‘electronic communication’, ‘intercept’, ‘oral communication’, and ‘wire communication’ have the meaning given those terms in section 2510 of title 18, United States Code.

“(5) The term ‘homeland security or justice budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary and the Attorney General in support of the budget for that fiscal year.

“(6) For purposes of subsection (a), the term ‘personnel’ means—

“(A) officers and employees of the Department of Homeland Security or the Department of Justice; or

“(B) individuals employed by contractors of the Department of Homeland Security who are subject to the supervision, control, or direction of the respective department and are assigned by that department to perform the duties described in subsection (a) in accordance with regulations or guidance established under subsection (d).

“(7) The terms ‘unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

“(1) DEPARTMENT OF HOMELAND SECURITY ASSESSMENT.—

“(I) REPORT.—Not later than 1 year after the date of the enactment of this section, the Secretary shall issue an assessment to the appropriate congressional committees, including—

“(A) an evaluation of the threat from unmanned aircraft systems to United States critical infrastructure (as defined in this Act) and to domestic large hub airports (as defined in section 40102(a)(29) of title 49, United States Code);

“(B) an evaluation of current Federal and State, local, or tribal law enforcement authorities to counter the threat identified in subparagraph (A), including section 99.7 of title 14, Code of Federal Regulations, or any successor thereto;

“(C) an evaluation of the knowledge of, efficiency of, and effectiveness of current procedures and resources available to owners of critical infrastructure and domestic large hub airports when they believe a threat from unmanned aircraft systems is present and what additional actions, if any, the Department could implement under existing au-

thorities to assist these entities to counter the threat identified in subparagraph (A);

“(D) an assessment of what, if any, additional authorities the Department needs to counter the threat identified in subparagraph (A); and

“(E) an assessment of what, if any, additional research and development the Department needs to counter the threat identified in subparagraph (A).

“(2) UNCLASSIFIED FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.”

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 210F the following:

“Sec. 210G. Protection of certain facilities and assets from unmanned aircraft.”

(b) DEPARTMENT OF HOMELAND SECURITY EFFORTS TO HELP PROTECT INDIVIDUALS FROM VEHICULAR TERRORISM.—

(1) DEFINITION.—In this subsection—

(A) the term “emergency response providers” has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101); and

(B) the term “vehicular terrorism” means an action that uses automotive transportation to inflict violence and intimidation on individuals for a political purpose.

(2) ASSESSMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security shall—

(A) assess the threat of vehicular terrorism and activities the Department of Homeland Security is undertaking to support emergency response providers and the private sector to prevent, mitigate, and respond to vehicular terrorism; and

(B) based on the assessment conducted under subparagraph (A), brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives on—

(i) the findings of the assessment; and

(ii) a strategy to improve the efforts of the Department of Homeland Security to support emergency response providers and the private sector to prevent, mitigate, and respond to the threat of vehicular terrorism.

**SA 2315.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

**SEC. \_\_\_\_ . PROCUREMENT OF TWO ADDITIONAL LITTORAL COMBAT SHIPS.**

Notwithstanding any other provision of this Act, the Secretary of Defense shall procure a total of three Littoral Combat Ships pursuant to this Act.

**SA 2316.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations

for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . FEDERAL PAY AND ALLOWANCES FOR MEMBERS OF THE NATIONAL GUARD PERFORMING CERTAIN ACTIVE GUARD AND RESERVE DUTY FROM STATES AGREEING TO REIMBURSE THE FEDERAL GOVERNMENT THE COSTS OF SUCH PAY AND ALLOWANCES.**

(a) IN GENERAL.—Section 328 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) STATE DUTIES IN CONNECTION WITH PERFORMANCE OF DUTIES.—(1) A member of the National Guard performing Active Guard and Reserve duty under this section may be ordered by the Governor concerned to perform additional duties on State Active Duty as authorized by applicable State law.

“(2) A member performing additional duties on State Active Duty pursuant to paragraph (1) may be paid pay and allowances for such additional duties by the Federal Government as if such additional duties were Federal duty if, at the time the member performs such additional duties, there is in force an agreement between the State and the Federal Government for the State to reimburse the Federal Government for the costs of such pay and allowances.”.

(b) TRAINING OR OTHER DUTY.—Section 502(f) of such title is amended—

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

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3)(A) A member performing training or other duty under this subsection may be ordered by the Governor concerned to perform additional duties on State Active Duty as authorized by applicable State law.

“(B) A member performing additional duties on State Active Duty pursuant to subparagraph (A) may be paid pay and allowances for such additional duties by the Federal Government as if such additional duties were Federal duty if, at the time the member performs such additional duties, there is in force an agreement between the State and the Federal Government for the State to reimburse the Federal Government for the costs of such pay and allowances.”.

**SA 2317.** Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING THE BATTLE OF THE BULGE.**

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified

in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of James Megellas on January 28, 1945, in Herresbach, Belgium, during the Battle of the Bulge when, as a first lieutenant in the 82d Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, killing and capturing a large number and causing others to flee, single-handedly destroying an attacking German Mark V tank with two hand-held grenades, and then leading his men in clearing and seizing Herresbach.

**SA 2318.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . AUTHORIZATION FOR POSTHUMOUS AWARD OF THE MEDAL OF HONOR TO DANIEL BUSCH FOR THE ACTS OF VALOR DURING THE BATTLE OF MOGADISHU.**

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may posthumously award the Medal of Honor under section 3741 of such title to Staff Sergeant Daniel Busch, formerly of Portage, Wisconsin, for the acts of valor during the Battle of Mogadishu described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Staff Sergeant Daniel Busch on October 3 and 4, 1993, in Mogadishu, Somalia, during the Battle of Mogadishu when he gallantly defended the crew of a downed MH-60 Black Hawk helicopter against a numerically superior enemy force and was mortally wounded.

**SA 2319.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REPORTING REQUIREMENT.**

(a) IN GENERAL.—Section 7131 of title 5, United States Code, is amended by adding at the end the following:

“(e)(1)(A) Not later than March 31 of each calendar year, the Office of Personnel Management, in consultation with the Office of Management and Budget, shall submit to each House of Congress a report on the operation of this section during the fiscal year last ending before the start of such calendar year.

“(B) Not later than December 31 of each calendar year, each agency (as defined by section 7103(a)(3)) shall furnish to the Office of Personnel Management the information which such Office requires, with respect to such agency, for purposes of the report which is next due under subparagraph (A).

“(2) Each report by the Office of Personnel Management under this subsection shall include, with respect to the fiscal year described in paragraph (1)(A), at least the following information:

“(A) The total amount of official time granted to employees.

“(B) The average amount of official time expended per bargaining unit employee.

“(C) The specific types of activities or purposes for which official time was granted, and the impact which the granting of such official time for such activities or purposes had on agency operations.

“(D) The total number of employees to whom official time was granted, and, of that total, the number who were not engaged in any activities or purposes except activities or purposes involving the use of official time.

“(E) The total amount of compensation (including fringe benefits) afforded to employees in connection with activities or purposes for which they were granted official time.

“(F) The total amount of official time spent by employees representing Federal employees who are not union members in matters authorized by this chapter.

“(G) A description of any room or space designated at the agency (or its subcomponent) where official time activities will be conducted, including the square footage of any such room or space.

“(3) All information included in a report by the Office of Personnel Management under this subsection with respect to a fiscal year—

“(A) shall be shown both agency-by-agency and for all agencies; and

“(B) shall be accompanied by the corresponding information (submitted by the Office in its report under this subsection) for the fiscal year before the fiscal year to which such report pertains, together with appropriate comparisons and analyses.

“(4) For purposes of this subsection, the term ‘official time’ means any period of time, regardless of agency nomenclature—

“(A) which may be granted to an employee under this chapter (including a collective bargaining agreement entered into under this chapter) to perform representational or consultative functions; and

“(B) during which the employee would otherwise be in a duty status.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall be effective beginning with the report which, under the provisions of such amendment, is first required to be submitted by the Office of Personnel Management to each House of Congress by a date which occurs at least 6 months after the date of the enactment of this Act.

**SA 2320.** Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize

appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

**SEC. \_\_\_\_ . LIMITATION ON USE OF FUNDS TO CLOSE AIR NATIONAL GUARD TRAINING RANGES.**

No funds may be used to proceed with plans for closure, transfer, transition, downgrade, or consolidation of any Air National Guard range until at least 30 days after the Department of Defense submits to the congressional defense committees a plan for the impacted range or ranges that includes the following:

(1) A description of total usage rates for the range or ranges from all services and United States Special Operations Command users, including active, Guard, and Reserve forces.

(2) An assessment of the impact of all new mission demands that will require the use of and access to Air National Guard ranges.

(3) An assessment of the ability of the remaining ranges to absorb the demands of additional training requirements as a result of range closure.

(4) A cost analysis of increased annual training costs incurred as a result of diverting sorties to ranges further from those ranges currently in use.

(5) A full inventory of all tactical, electronic, and support equipment and vehicles on each range, by range, and a detailed disposition timeline for execution.

(6) If plan execution requires the modification of assigned personnel or force structure, a report on what will happen to the people in the losing billets and any impacts a proposed force structure change will have on scheduling flexibility.

(7) If the Air National Guard plans to transfer a range to another service, the plan must also include a timeline for transition and details of the transfer, including funding changes, decision authorities for transfer, and written commitment from decision authority of the gaining service that they are resourced to take on new mission and are prepared to support range operations and capabilities.

**SA 2321.** Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ELIMINATION OF SEQUESTRATION.**

The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

(1) in section 251(a) (2 U.S.C. 901(a))—

(A) in paragraph (1), by striking “Within” and inserting “For each fiscal year beginning before October 1, 2018, within”;

(B) in paragraph (4), in the matter preceding subparagraph (A), by inserting “be-

ginning before October 1, 2018” after “fiscal year”;

(C) in paragraph (6), by striking “If” and inserting “For each fiscal year beginning before October 1, 2018, if”; and

(D) in paragraph (7)—

(i) in subparagraph (A), by inserting “for a fiscal year beginning before October 1, 2018” after “any discretionary appropriation”; and

(ii) in subparagraph (B), in the first sentence, by inserting “for a fiscal year beginning before October 1, 2018” after “any discretionary appropriation”; and

(2) in section 254 (2 U.S.C. 904)—

(A) in subsection (c)(2), by striking “2021” and inserting “2018”;

(B) in subsection (f)(2)(A), by striking “2021” and inserting “2018”; and

(C) in subsection (g), by striking “If” and inserting “For each fiscal year beginning before October 1, 2018, if”.

**SA 2322.** Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. FIRE-RETARDANT MATERIALS.**

Section 3503 of title 46, United States Code, is amended to read as follows:

**“§ 3503. Fire-retardant materials**

“(a)(1) A passenger vessel of the United States having berth or stateroom accommodations for at least 50 passengers shall be granted a certificate of inspection only if—

“(A) the vessel is constructed of fire-retardant materials; and

“(B) the vessel—

“(i) is operating engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators that meet current Coast Guard regulations; and

“(ii) is operating boilers and main electrical generators that are contained within noncombustible enclosures equipped with fire suppression systems.

“(2) Before December 1, 2028, this subsection does not apply to any vessel in operation before January 1, 1968, and operating only within the Boundary Line.

“(b)(1) The owner or managing operator of an exempted vessel described in subsection (a)(2) shall—

“(A) notify in writing prospective passengers, prior to purchase, and each crew member that the vessel does not comply with applicable fire safety standards due primarily to the wooden construction of passenger berthing areas;

“(B) display in clearly legible font prominently throughout the vessel, including in each state room the following: ‘THIS VESSEL FAILS TO COMPLY WITH SAFETY RULES AND REGULATIONS OF THE U.S. COAST GUARD.’;

“(C) acquire prior to the vessel entering service, and maintain, liability insurance in an amount to be prescribed by the Federal Maritime Commission;

“(D) make annual structural alteration to not less than 10 percent of the areas of the vessel that are not constructed of fire retardant materials;

“(E) prioritize alterations in galleys, engineering areas of the vessel, including all spaces and compartments containing, or ad-

jacent to spaces and compartments containing, engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators;

“(F) ensure, to the satisfaction of the Secretary, that the combustible fire-load has been reduced pursuant to subparagraph (D) during each annual inspection for certification;

“(G) ensure the vessel has multiple forms of egress off the vessel's bow and stern;

“(H) provide advance notice to the Coast Guard regarding the structural alterations made pursuant to subparagraph (D) and comply with any noncombustible material requirements prescribed by the Coast Guard;

“(I) annually notify all ports of call and State emergency management offices of jurisdiction that the vessel does not comply with the requirement under subsection (a)(1);

“(J) provide crewmembers manning such vessel shipboard training that—

“(i) is specialized for exempted vessels;

“(ii) exceeds requirements related to standards for firefighting training under chapter I of title 46, Code of Federal Regulations, as in effect on October 1, 2017; and

“(iii) is approved by the Coast Guard; and

“(K) to the extent practicable, take all steps to retain previously trained crew knowledgeable of such vessel or to hire crew trained in operations aboard exempted vessels.

“(2) The owner or managing operator of an exempted vessel described in subsection (a)(2) may not disclaim liability to a passenger or crew member of such vessel for death, injury, or any other loss caused by fire due to the negligence of the owner or managing operator.

“(3) The Secretary shall—

“(A) conduct an annual audit and inspection of each exempted vessel described in subsection (a)(2);

“(B) in implementing subparagraph (b)(1)(F), consider, to the extent practicable, the goal of preservation of the historic integrity of such vessel in areas carrying or accessible to passengers or generally visible to the public; and

“(C) prescribe regulations to carry out this section, including to prescribe the manner in which prospective passengers are to be notified under paragraph (1)(A).

“(4) The penalties provided in section 3504(c) of this title shall apply to a violation of this subsection.

“(c) In addition to otherwise applicable penalties, the Secretary may immediately withdraw a certificate of inspection for an exempted vessel described in subsection (a)(2) that does not comply with any requirement under subsection (b).”.

**SA 2323.** Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**SEC. \_\_\_\_ . PILOT PROGRAM ON COMMUNITY CARE COORDINATION AND SUPPORTIVE SERVICES FOR FAMILIES OF VETERANS AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES WHO LACK ADEQUATE ACCESS TO SERVICES.**

(a) PILOT PROGRAM REQUIRED.—Commencing not later than one year after the

date of the enactment of this Act, the Secretary of Veterans Affairs shall, after consultation with the Secretary of Defense, carry out a pilot program with community partners to assess the feasibility and advisability of providing intensive community care coordination and supportive services to covered families who lack adequate access to services furnished by the Department of Veterans Affairs or other entities of Federal, State, and local governments.

(b) **COMMUNITY CARE COORDINATION AND SUPPORTIVE SERVICES DESCRIBED.**—For purposes of the pilot program, intensive community care coordination and supportive services are services provided by a community partner to improve the well-being and address the needs of covered families who live in rural or underserved areas or who otherwise lack access to adequate services furnished by the Department of Veterans Affairs, the Federal Government, or State and local governments. Intensive community care coordination and supportive services may include the following:

(1) Care coordination and case management services.

(2) Outreach services.

(3) Assistance in obtaining any benefits from the Department which the veteran (or member of a reserve component of the Armed Forces) may be eligible to receive, including the following:

(A) Vocational and rehabilitation counseling.

(B) Employment and training services.

(C) Educational assistance.

(D) Health care services.

(4) Assistance in obtaining and coordinating the provision of other public benefits or available services provided by the Federal Government, State or local governments, or other community partners, including the following:

(A) Marriage counseling.

(B) Services for children.

(C) Suicide prevention.

(D) Substance abuse awareness and treatment.

(E) Mental health awareness and treatment.

(F) Financial counseling.

(G) Employment assistance.

(H) Transportation services.

(I) Child care.

(J) Housing counseling.

(K) Preparing and updating family care plans.

(L) Development of strategies for living with a veteran with post traumatic stress disorder or traumatic brain injury.

(M) Accessing emergency financial assistance through philanthropic efforts.

(N) Such other services as may be appropriate to improve the well-being and address the unique needs of veterans families who live in rural or underserved areas or otherwise lack access to adequate services furnished by the Department of Veterans Affairs, the Federal Government, or State and local governments.

(5) Providing direct services, described in paragraph (4), that are necessary to address the needs of the covered families but are otherwise unavailable through existing public or private programs.

(c) **AGREEMENTS AND GRANTS.**—

(1) **AGREEMENTS.**—The Secretary of Veterans Affairs shall carry out the pilot program by entering into partnership agreements with community partners to provide intensive community care coordination and supportive services.

(2) **GRANTS.**—

(A) **IN GENERAL.**—The Secretary shall, using a competitive and merit-based process, award grants to community partners with

whom the Secretary has entered into agreements under paragraph (1).

(B) **USE OF FUNDS.**—The amounts of grants awarded under subparagraph (A) shall be used to provide intensive community care coordination and supportive services under the pilot program and to assess service delivery efficiencies.

(C) **LOCATIONS.**—The Secretary may award grants under subparagraph (A) on an individual location basis and may award grants for the provision of certain services at locations that also provide other services.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Department of Veterans Affairs to carry out the pilot program \$5,000,000 for each of fiscal years 2019, 2020, and 2021.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than 340 days before the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the pilot program.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) The number of covered families served under the pilot program.

(B) The number of covered families who received service linkages or referrals under the pilot program.

(C) A description and assessment of the effectiveness and achievements of the pilot program with respect to services and treatments and mitigation of risks, including risks relating to homelessness, unemployment, and suicide.

(f) **DEFINITIONS.**—In this section:

(1) **COMMUNITY PARTNER.**—The term “community partner” means a private nonprofit organization.

(2) **COVERED FAMILY.**—The term “covered family” means a family with respect to which the head of the household or the spouse of the head of the household is a veteran or a member of a reserve component of the Armed Forces. A family that consists of a single individual who is a veteran or a member of a reserve component of the Armed Forces shall be considered a covered family.

**SA 2324.** Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

**SEC. 598. TRANSPORTATION OF REMAINS OF CASUALTIES; TRAVEL EXPENSES FOR NEXT OF KIN.**

(a) **TRANSPORTATION FOR REMAINS OF A MEMBER WHO DIES NOT IN A THEATER OF COMBAT OPERATIONS.**—Section 562 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 10 U.S.C. 1482 note) is amended—

(1) in the heading, by striking “DYING IN A THEATER OF COMBAT OPERATIONS”; and

(2) in subsection (a), by striking “in a combat theater of operations” and inserting “outside of the United States”.

(b) **TRANSPORTATION FOR FAMILY.**—The Secretary of Defense shall revise Department of Defense Instruction 1300.18 to extend travel privileges via Invitational Travel Authorization to family members of members of the

Armed Forces who die outside of the United States and whose remains are returned to the United States through the mortuary facility at Dover Air Force Base, Delaware.

**SA 2325.** Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

**SEC. 7. PROVISION OF BEHAVIORAL HEALTH READINESS SERVICES TO CERTAIN MEMBERS OF THE SELECTED RESERVE BASED ON NEED.**

(a) **PROVISION AUTHORIZED.**—Section 1074a(g) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Secretary concerned may also provide to any member of the Selected Reserve not described in subsection (d)(1) or (f) care for behavioral health conditions if the Secretary determines, based on the most recent medical exam or mental health assessment of such member, that the receipt of such care by such member will ensure that such member meets applicable standards of medical readiness.”.

(b) **FUNDING.**—Subject to applicable provisions of appropriations Acts, amounts available to the Department of Defense for the Defense Health Program shall be available for the provision of behavioral health services under section 1074a(g) of title 10, United States Code, as amended by subsection (a).

(c) **BUDGETING FOR HEALTH CARE.**—In determining the amounts to be required for behavioral health services for members of the Selected Reserve under section 1074a(g) of title 10, United States Code, as amended by subsection (a), for purposes of the budget of the President for fiscal years after fiscal year 2019, as submitted to Congress pursuant to section 1105 of title 31, United States Code, the Assistant Secretary of Defense for Health Affairs shall consult with appropriate officials having responsibility for the administration of the reserve components of the Armed Forces, including the Chief of the National Guard Bureau with respect to the National Guard.

**SA 2326.** Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

**SEC. 558. IMPROVEMENT OF AUTHORITY ON LANGUAGE TRAINING CENTERS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.**

(a) **REQUIREMENT FOR PROGRAM.**—

(1) **IN GENERAL.**—Subsection (a) of section 529 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2001 note



prec.) is amended by striking “may carry out” and inserting “shall carry out”.

(2) CONFORMING AMENDMENTS.—Such section is further amended by striking “authorized by subsection (a)” each place it appears and inserting “required by subsection (a)”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for fiscal year 2019 for the Department of Defense, \$10,000,000 to carry out the program of language training centers required by section 529 of the National Defense Authorization Act for Fiscal Year 2010, as amended by subsection (a).

**SA 2327.** Mr. YOUNG (for himself, Mr. MERKLEY, Mr. RUBIO, Mr. COONS, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. NATIONAL ECONOMIC SECURITY STRATEGY.**

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

(1) the national security of the United States depends in large part on a vibrant, growing, and secure United States economy;

(2) the United States confronts more international economic competition and threats today than at any time in the Nation's history;

(3) a failure of the United States to compete economically will undermine the prosperity and security of the people of the United States;

(4) the United States is stronger when the national security strategy integrates economic tools in the service of foreign policy objectives;

(5) it is in the national security and economic interests of the United States—

(A) to promote free, fair, and reciprocal economic relationships between the United States and foreign individuals and entities;

(B) to promote and protect the United States innovation base, including the defense industrial base;

(C) to ensure that the United States leads in research, technology, and innovation;

(D) to counter anticompetitive economic behavior, policies, and strategies by foreign individuals and entities;

(E) to promote environmental stewardship; and

(F) to ensure workers and families in the United States have the opportunity to thrive with competitive wages and are not unfairly disadvantaged;

(6) the Federal Government has a limited, but important, role in facilitating the ability of the United States to compete successfully in the international economic competition described in paragraph (2); and

(7) the Federal Government should periodically produce a national economic security strategy—

(A) to ensure Federal policies, statutes, regulations, procedures, data gathering, and assessment practices are optimally designed and implemented to facilitate the competitiveness, prosperity, and security of the United States; and

(B) maximally advance economic opportunity for present and future generations of United States citizens.

(b) STRATEGY REQUIRED.—

(1) INITIAL STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President, in coordination with the National Security Council and the National Economic Council and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a report setting forth a national economic security strategy of the United States to support the national security strategy for 2017.

(2) SUBSEQUENT STRATEGIES.—Beginning in 2021, the President, in coordination with the National Security Council and the National Economic Council and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a national economic security strategy—

(A) in any year in which a new President is inaugurated, not later than October 1 of that year; and

(B) in any other year, not later than 90 days after the transmission to Congress in that year of the national security strategy.

(c) ELEMENTS.—Each report required by subsection (b) shall set forth a national economic security strategy of the United States and shall, at a minimum, include the following:

(1) An assessment of the global competitive position of key United States economic sectors, including strengths, weaknesses, opportunities, and threats.

(2) An assessment of the national debt and its implications for the economic and national security of the United States.

(3) A description and discussion of the prioritized economic security interests and objectives of the United States, including key economic sectors vital to economic security of the United States.

(4) A description of the leading threats, challenges, and opportunities associated with the interests and objectives described in paragraph (3), including—

(A) an assessment of the severity and likelihood of the threats, both foreign and domestic, and an explicit linking of each such threat to a national interest or objective;

(B) an assessment of the nature of the challenges and how each challenge will evolve if left unaddressed; and

(C) an assessment of the opportunities and associated potential benefits to United States interests or objectives.

(5) An overview of the public and private sector tools necessary to address or minimize the leading threats and challenges described in paragraph (4) and to take advantage of the leading opportunities described in that paragraph.

(6) An assessment of whether the United States Government or private sector possesses those tools.

(7) For each such threat, challenge, or opportunity that the United States Government or private sector lack sufficient tools to address, minimize, or take advantage of, a detailed plan to develop, improve, or foster those tools.

(8) A plan to utilize available tools to address or minimize the leading threats and challenges and to take advantage of the leading opportunities, including—

(A) a discussion of the optimal allocation of finite resources and an identification of the risks associated with that allocation;

(B) specific objectives, tasks, metrics, and milestones for each relevant Federal agency;

(C) specific plans to eliminate obstacles for the private sector in areas supportive of the national economic security strategy and to maximize the prudent use of public-private partnerships;

(D) specific plans to eliminate obstacles to strengthening United States energy security, sustainability, and resilience in areas supportive of the national economic security strategy, including energy diversity and sustainable management and use of energy resources;

(E) specific plans to promote environmental stewardship and fair competition for United States workers;

(F) a description of—

(i) how the national economic security strategy supports the national security strategy; and

(ii) how the national economic security strategy is integrated and coordinated with the most recent national defense strategy under section 113(g) of title 10, United States Code;

(G) a plan to encourage the governments of countries that are allies or partners of the United States to cooperate with the execution of the national economic security strategy, where appropriate; and

(H) a plan to encourage certain international and multilateral organizations to support the implementation of the national economic security strategy.

(9) An identification of any additional resources or statutory authorizations necessary to implement the national economic security strategy.

(d) FORM OF REPORT.—Each report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Finance, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(2) NATIONAL SECURITY STRATEGY.—The term “national security strategy” means the national security strategy required by section 108 of the National Security Act of 1947 (50 U.S.C. 3043).

**SA 2328.** Mr. BURR submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

**SEC. \_\_\_\_ . REPEAL OF REQUIREMENT FOR NOTIFICATION ON THE PROVISION OF DEFENSE SENSITIVE SUPPORT.**

Section 1055 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 113 note) is hereby repealed.

**SA 2329.** Mr. CARDIN (for himself, Mr. MCCAIN, Mr. DURBIN, and Mr.



MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle H—Matters Relating to Burma**

**SEC. 1281. LIMITATION ON SECURITY ASSISTANCE AND SECURITY COOPERATION.**

(a) **LIMITATION ON MILITARY AND SECURITY SECTOR COOPERATION.**—Except as provided in subsection (b), during the 8-year period beginning on the date of the enactment of this Act, the United States may not provide any security assistance or engage in any security cooperation with the military or security forces of Burma until the date on which the Secretary of State certifies to the appropriate congressional committees with respect to security assistance, as such term is defined in section 502B(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)), and, in consultation with the Secretary of Defense, with respect to security cooperation programs and activities of the Department of Defense, as such term is defined in section 301 of title 10, United States Code, that the military and security forces of Burma have demonstrated significant progress in abiding by international human rights standards and are undertaking meaningful and significant security sector reform, including reforms that enhance transparency and accountability, to prevent future abuses, such as the following:

(1) The Burmese military and security forces adhere to international humanitarian law, demonstrate significant progress in abiding by international standards for human rights, and pledge to stop future human rights abuses.

(2) The Burmese military and security forces support efforts to carry out meaningful and comprehensive investigations of alleged abuses and are taking steps to hold accountable those members of such military and security forces responsible for human rights abuses.

(3) The Government of Burma, including the military and security forces, allow immediate and unfettered humanitarian access to communities in areas affected by conflict, including Rohingya communities in the State of Rakhine.

(4) The Government of Burma, including the military and security forces, cooperates with the United Nations High Commissioner for Refugees and organizations affiliated with the United Nations to ensure the protection of displaced persons and the safe, voluntary, and dignified return of refugees and internally displaced persons.

(5) The Burmese military and security forces cease their attacks against ethnic minority groups and constructively participate in the conclusion of a credible, nationwide ceasefire agreement, political accommodation, and constitutional change, including the restoration of the citizenship of the Rohingya.

(6) The Government of Burma, including the military and security forces, defines a transparent plan with a timeline for professionalizing the military and security forces and includes a process by which the military withdraws from private-sector business enterprises and ceases involvement in the illegal trade in natural resources and narcotics.

(7) The Government of Burma establishes effective civilian control over the finances of

its military and security forces, including by ensuring that the military does not have access to off-budget income and that military expenditures are subject to adequate civilian oversight.

(b) **EXCEPTIONS.**—

(1) **CERTAIN EXISTING AUTHORITIES.**—The Secretary of Defense shall retain the authority to conduct consultations with Burma pursuant to the authorization under section 1253 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (22 U.S.C. 2151 note).

(2) **HOSPITALITY.**—The Secretary of State and the United States Agency for International Development may provide assistance authorized under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to provide hospitality during research, dialogues, meetings, or other activities by the parties attending the Union Peace Conference 21st Century Panglong or related processes seeking inclusive, sustainable reconciliation.

(c) **MILITARY REFORM.**—The certification required under subsection (a) shall include a written justification in unclassified form that may contain a classified annex describing the efforts of the Burmese military to implement reforms, end impunity for human rights abuses, and increase transparency and accountability.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees a report, in unclassified form with a classified annex, on the strategy and plans for military-to-military engagement between the United States Armed Forces and the military and security forces of Burma.

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

(A) A description and assessment of the strategy of the Government of Burma for security sector reform, including plans to withdraw the military from owning or controlling private-sector business entities and end involvement in the illicit trade in jade and other natural resources, reforms to end corruption and illicit drug trafficking, and constitutional reforms to ensure civilian control.

(B) A list of ongoing military activities conducted by the United States Government with the Government of Burma, and a description of the United States strategy for future military-to-military engagements between the United States and Burma’s military and security forces, including the military of Burma, the Burma Police Force, and armed ethnic groups.

(C) An assessment of the progress of the military and security forces of Burma towards developing a framework to implement human right reforms, including—

(i) cooperation with civilian authorities to investigate and prosecute cases of serious, credible, or gross human rights abuses;

(ii) steps taken to demonstrate respect for and implementation of the laws of war; and

(iii) a description of the elements of the military-to-military engagement between the United States and Burma that promote such implementation.

(D) An assessment of progress on the peaceful settlement of armed conflicts between the Government of Burma and ethnic minority groups, including actions taken by the military of Burma to adhere to cease-fire agreements, allow for safe and voluntary returns of displaced persons to their homes, and withdraw forces from conflict zones.

(E) An assessment of the recruitment and use, by the Burmese military, of children as soldiers.

(F) An assessment of the use, by the Burmese military, of violence against women, sexual violence, or other gender-based violence as a tool of terror, war, or ethnic cleansing.

(e) **REGULAR CONSULTATIONS.**—Any new program or activity carried out under this section shall be subject to prior consultation with the appropriate congressional committees.

**SEC. 1282. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN FOREIGN PERSONS.**

(a) **IN GENERAL.**—For the 8-year period beginning on the date that is 270 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to each foreign person that the President determines—

(1) is a current or former senior official of the military or security forces of Burma who knowingly—

(A) perpetrated or is responsible for ordering or otherwise directing serious human rights abuses in Burma; or

(B) has taken significant steps to impede investigations or prosecutions of serious human rights abuses allegedly committed by one or more subordinates of such official, including against the Rohingya community in the state of Rakhine;

(2) is an entity owned or controlled by any person described in paragraph (1);

(3) has knowingly provided or received significant financial, material, or technological support to or from a foreign person, including the immediate family members of such person, described in paragraph (1) for any of the acts described in subparagraph (A) or (B) of such paragraph.

(b) **SANCTIONS.**—The sanctions described in this section are the following:

(1) **ASSET BLOCKING.**—Notwithstanding the requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701), the exercise of all powers granted to the President by such Act to the extent necessary to block and prohibit all transactions in all property and interests in property of a person the President determines meets one or more of the criteria described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.**—

(A) **VISAS, ADMISSION, OR PAROLE.**—An alien whom the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, meets any of the criteria described in subsection (a) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) **CURRENT VISAS REVOKED.**—

(i) **IN GENERAL.**—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to an alien who meets any of the criteria described in subsection (a) regardless of when issued.

(ii) **EFFECT OF REVOCATION.**—A revocation under clause (i)—

(I) shall take effect immediately; and

(II) shall automatically cancel any other valid visa or entry documentation that is in the possession of the alien.

(3) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (2) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out subsection (b) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) IMPLEMENTATION.—The President may exercise the authorities provided under section 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(e) WAIVER.—

(1) IN GENERAL.—The President may annually waive the application of sanctions required by subsection (a) with respect to a person if the President—

(A) determines that such waiver is in the national interest of the United States; and

(B) not later than the date on which such waiver will take effect, submits to the congressional committees listed in paragraph (2) a notice of and justification for such waiver.

(2) CONGRESSIONAL COMMITTEES LISTED.—The congressional committees listed in this paragraph are the following:

(A) The Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(B) The Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives.

(f) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted” and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1001).

(2) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(3) KNOWINGLY.—The term “knowingly” means, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen, an alien lawfully admitted for permanent residence to the United States, or any other individual subject to the jurisdiction of the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such entity.

#### SEC. 1283. RESPONSIBILITY AND TRANSPARENCY IN THE MINING SECTOR.

(a) LIST OF PARTICIPATING ENTITIES.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and not less than annually thereafter until the date described in subsection (e), the Secretary of State shall submit to the appropriate congressional committees a list of the entities described in each of subparagraphs (A) and (B) of paragraph (2) that—

(A) participate in the mining sector of Burma;

(B) meet the criterion described in subsection (b)(1); and

(C) meet or have made significant progress towards meeting the criteria in paragraphs (2) through (5) of subsection (b).

(2) ENTITIES DESCRIBED.—The entities described in this paragraph are the following:

(A) Entities that produce or process precious and semiprecious gemstones.

(B) Entities that sell or export precious and semiprecious gemstones from Burma or articles of jewelry containing such gemstones.

(b) CRITERIA DESCRIBED.—The criteria described in this subsection are the following with respect to an entity:

(1) The entity publicly discloses beneficial ownership, as such term is defined for purposes of the Myanmar Extractive Industry Transparency Initiative (Myanmar EITI), and the entity is not owned or controlled, either directly or indirectly, by the Burmese military or security forces, any current or former senior Burmese military officer, or any person sanctioned by the United States pursuant to any relevant sanctions authority.

(2) The entity publicly discloses any politically exposed persons, as defined by the Myanmar EITI, who are beneficial owners, as defined under the Myanmar EITI.

(3) The entity publicly discloses valid authorization, license, or permit to produce, process, sell, or export minerals or gemstones, as applicable.

(4) The entity publicly discloses payments to the Government of Burma, including tax and non-tax, license, or royalty payments, and other payments or contract terms as may be required under Myanmar Extractive Industry Transparency Initiative standards.

(5) The entity undertakes robust due diligence, in line with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, including public reporting.

(c) PUBLICATION OF LIST.—The Secretary of State shall publish the list under subsection (a) and shall periodically update such list as appropriate.

(d) GUIDANCE.—The Secretary of State shall issue guidance to relevant companies regarding supply-chain due diligence best practices applicable to importation of gemstones or minerals that may be of Burmese origin or articles of jewelry containing such gemstones to mitigate the potential risks associated with the importation of such items.

(e) TERMINATION.—The requirement under subsection (a) shall terminate on the date on which the President certifies to the appropriate congressional committees that the Government of Burma has taken substantial measures to reform the mining sector in Burma, including the following:

(1) Requiring the mandatory disclosure of payments, permit and license allocations, project revenues, relevant contract terms, and beneficial ownership, including identifying any politically exposed persons who are beneficial owners, consistent with the approach agreed under the Myanmar EITI and with due regard for civil society participation.

(2) Separating the commercial, regulatory, and revenue collection responsibilities within the Myanmar Gems Enterprise and other key state-owned enterprises to remove existing conflicts of interest.

(3) Monitoring and undertaking enforcement actions, as warranted, to ensure that entities fully adhere to environmental and social impact assessment and management standards in accordance with international responsible mining practices, the country's environmental conservation law and other applicable laws and regulations, and that en-

tities uphold occupational health and safety standards and codes of conduct that are aligned with the core labor standards of the International Labour Organisation and domestic law.

(4) Actively seeking a comprehensive peace agreement that addresses the transparent and fair distribution of benefits from natural resources, including local benefit-sharing, taking into consideration proposals on fiscal federalism for new governance arrangements in resource-rich regions.

(5) Implementing on a timely basis policy reforms aligned with the recommendations of the multi-stakeholder Jade and Gemstone Support Committee and reporting regularly on such reforms.

(6) Reforming the process for valuation of gemstones at the mine site, including developing an independent valuation system to prevent undervaluation and tax evasion.

(7) Requiring companies bidding for jade and ruby permits to be independently audited upon the request of Myanmar Gems Enterprise or the Minister of Natural Resources and Environmental Conservation, and making the results of all such audits public.

(8) Establishing a credible and transparent permitting process that closely scrutinizes applicants, including based on past performance, and prevents unscrupulous entities from gaining authorized access to concessions or the right to trade in minerals or gemstones.

(9) Establishing effective oversight of state-owned enterprises operating in such sector, including through parliamentary oversight or requirements for independent financial auditing.

#### SEC. 1284. DETERMINATION AND REPORT ON ACCOUNTABILITY FOR ETHNIC CLEANSING, CRIMES AGAINST HUMANITY, AND GENOCIDE IN BURMA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that—

(1) describes—

(A) allegations of ethnic cleansing, crimes against humanity, and genocide in Burma; and

(B) potential transitional justice mechanisms in Burma; and

(2) includes a determination whether the events that took place in the state of Rakhine in Burma, starting on August 25, 2017, constitute ethnic cleansing, crimes against humanity, or genocide.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) a description of—

(A) incidents that may constitute ethnic cleansing, crimes against humanity, or genocide committed by the Burmese military against the Rohingya minority and the identities of any other actors involved in such incidents;

(B) the role of the civilian government in the commission of such incidents;

(C) incidents that may constitute ethnic cleansing, crimes against humanity, or genocide committed by violent extremist groups or anti-government forces;

(D) incidents that may violate the principle of medical neutrality and, to the extent possible, the identities of any individuals who engaged in or organized such incidents; and

(E) to the extent possible, a description of the conventional and unconventional weapons used for such crimes and the sources of such weapons;

(2) a description and assessment by the Department of State, the United States Agency

for International Development, the Department of Justice, and other appropriate Federal departments and agencies of programs that the United States has already undertaken or is planning to undertake to ensure accountability for ethnic cleansing, crimes against humanity, and genocide perpetrated against the Rohingya by the military and security forces of Burma, the state government of Rakhine, Buddhist militias, and all other armed groups fighting in Rakhine, including groups—

(A) to train civilian investigators within and outside of Burma and Bangladesh on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of ethnic cleansing, crimes against humanity, or genocide in Burma;

(B) to promote and prepare for a transitional justice process or processes for the perpetrators of ethnic cleansing, crimes against humanity, and genocide occurring in the State of Rakhine in 2017; and

(C) to document, collect, preserve, and protect evidence of ethnic cleansing, crimes against humanity, and genocide in Burma, including by providing support for Burmese, Bangladeshi, foreign, and international non-governmental organizations, the United Nations Human Rights Council's investigative team, and other entities engaged in such investigative activities; and

(3) a detailed study of the feasibility and desirability of potential transitional justice mechanisms for Burma, including a hybrid tribunal, to address ethnic cleansing, crimes against humanity, and genocide perpetrated in Burma, including recommendations on which transitional justice mechanisms the United States should support, why such mechanisms should be supported, and what type of support should be offered.

(c) **PROTECTION OF WITNESSES AND EVIDENCE.**—The Secretary of State shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Burma.

(d) **AUTHORIZATION TO PROVIDE TECHNICAL ASSISTANCE.**—

(1) **IN GENERAL.**—The Secretary of State is authorized to provide assistance to support appropriate entities that are undertaking the efforts described in paragraph (2) with respect to ethnic cleansing, crimes against humanity, and genocide perpetrated by the military and security forces of Burma, the state government of Rakhine, Buddhist militias, and all other armed groups fighting in Rakhine.

(2) **EFFORTS AGAINST HUMAN RIGHTS ABUSES.**—The efforts described in this paragraph are the following:

(A) Identifying suspected perpetrators of ethnic cleansing, crimes against humanity, and genocide.

(B) Collecting, documenting, and protecting evidence of such crimes and preserve the chain of custody for such evidence.

(C) Conducting criminal investigations.

(D) Supporting investigations conducted by other countries, as appropriate.

(3) **ADDITIONAL SUPPORT.**—The Secretary of State, taking into account any relevant findings in the report required by subsection (a), is authorized to support the creation and operation of transitional justice mechanisms, including a potential hybrid tribunal, to prosecute individuals suspected of committing ethnic cleansing, crimes against humanity, or genocide in Burma.

**SEC. 1285. APPROPRIATE CONGRESSIONAL COMMITTEES.**

In this subtitle, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

**SA 2330.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle H—Combating Public Corruption**

**SEC. 1281. DEFINITIONS.**

In this subtitle:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) **CORRUPT ACTOR.**—The term “corrupt actor” means—

(A) any foreign person or entity that is a government official or government entity responsible for, or complicit in, an act of public corruption; and

(B) any company, in which a person or entity described in subparagraph (A) has a significant stake, which is responsible for, or complicit in, an act of public corruption.

(3) **DEPARTMENT.**—The term “Department” means the Department of State.

(4) **FOREIGN ASSISTANCE.**—The term “foreign assistance” means assistance made available under—

(A) the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); or

(B) the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(5) **GRAND CORRUPTION.**—The term “grand corruption” means public corruption committed at a high level of government that—

(A) distorts policies or the central functioning of the country; and

(B) enables leaders to benefit at the expense of the public good.

(6) **PETTY CORRUPTION.**—The term “petty corruption” means the unlawful exercise of entrusted public power for private gain by low- or mid-level public officials in their interactions with ordinary citizens, including by bribery, nepotism, fraud, or embezzlement.

(7) **PUBLIC CORRUPTION.**—The term “public corruption” means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of State.

**SEC. 1282. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) it is in the foreign policy interest of the United States to help other countries promote good governance and combat public corruption, particularly grand corruption;

(2) multiple departments and agencies across the United States Government operate programs that promote good governance in foreign countries and enhance foreign countries' ability to combat public corruption;

(3) the Department should promote coordination among programs described in paragraph (2) to improve their effectiveness and efficiency; and

(4) the Department should identify areas in which United States efforts to help other countries promote good governance and combat public corruption could be enhanced.

**SEC. 1283. ANNUAL REPORT.**

The Secretary shall annually submit to the appropriate congressional committees and publish, on a publicly accessible website, a report that—

(1) groups foreign countries, by quintile, based on—

(A) the World Bank Worldwide Governance Indicator on Control of Corruption; and

(B) the World Bank Worldwide Governance Indicator on Voice and Accountability;

(2) adds context and commentary, as appropriate, to the World Bank Worldwide Governance Indicator on Control of Corruption and the World Bank Worldwide Governance Indicator on Voice and Accountability groupings under paragraph (1), as appropriate, based on the factors outlined in section 1284;

(3) describes, based on the World Bank Worldwide Governance Indicators and the factors outlined in section 1284, the status of foreign governments' efforts to combat public corruption; and

(4) describes the status of each foreign country's active membership in voluntary multi-sectoral global governance initiatives as evidence of the country's government-led efforts to combat public corruption.

**SEC. 1284. ADDITIONAL FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT PUBLIC CORRUPTION.**

(a) **FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT PUBLIC CORRUPTION.**—In assessing a government's efforts to combat public corruption, the Secretary should consider, to the extent reliable information is available—

(1) whether the country—

(A) has enacted laws and established government structures, policies, and practices that prohibit public corruption, including grand corruption and petty corruption; and

(B) enforces such laws through a fair judicial process;

(2) whether the country prescribes appropriate punishment for grand corruption that is commensurate with the punishment prescribed for serious crimes;

(3) whether the country prescribes appropriate punishment for petty corruption that provides a sufficiently stringent deterrent and adequately reflects the nature of the offense;

(4) the extent to which the government of the country—

(A) vigorously investigates and prosecutes acts of public corruption; and

(B) convicts and sentences persons responsible for such acts that take place wholly or partly within such country, including, as appropriate, requiring the incarceration of individuals convicted of such acts;

(5) the extent to which the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate public corruption, including nationals of the country who are deployed in foreign military assignments, trade delegations abroad, or other similar missions who engage in or facilitate severe forms of public corruption;

(6) the extent to which the government of the country has adopted measures to prevent public corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of public corruption;

(7) steps taken by the government of the country to prohibit government officials

from participating in, facilitating, or condoning public corruption, including the investigation, prosecution, and conviction of such officials;

(8) the extent to which the country government provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat public corruption, including reporting, investigating, and monitoring;

(9) the extent to which an independent judiciary or judicial body in the country is responsible for, and effectively capable of, deciding public corruption cases impartially, on the basis of facts and in accordance with the law, without any improper restrictions, influences, inducements, pressures, threats, or interferences (direct or indirect) from any source or for any reason;

(10) the extent to which the government of the country is assisting in international investigations of transnational public corruption networks and in other cooperative efforts to combat grand corruption, including cooperating with the governments of other countries to extradite corrupt actors;

(11) the extent to which the government of the country recognizes the rights of victims of public corruption, ensures their access to justice, and takes steps to prevent victims from being further victimized or persecuted by corrupt actors, government officials, or others;

(12) the extent to which the government of the country refrains from prosecuting legitimate victims of public corruption or whistleblowers due to such persons having assisted in exposing public corruption, and refrains from other discriminatory treatment of such persons; and

(13) such other information relating to public corruption as the Secretary considers appropriate.

#### **SEC. 1285. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.**

(a) **DESIGNATED COUNTRIES.**—The Secretary shall annually designate an anti-corruption point of contact at the United States Mission to each country that he or she determines is in need of such a point of contact.

(b) **POINTS OF CONTACT DUTIES.**—Each designated anti-corruption point of contact shall be responsible for coordinating a whole-of-government approach to combating public corruption in his or her posted country among relevant United States Government departments or agencies with a presence in that country, including, as applicable, the Department of State, the Department of Justice, the Department of the Treasury, the Department of Homeland Security, and USAID.

(c) **TRAINING.**—The Secretary shall develop and implement appropriate training for designated anti-corruption points of contact.

(d) **INTERNAL REPORTING.**—Each anti-corruption point of contact shall submit an annual report to the Secretary regarding anti-corruption activities within his or her posted country that—

(1) evaluates the effectiveness of current programs that promote good governance and have an effect of combating public corruption; and

(2) identifies areas in which the United States Government's approach could be enhanced, including specific programs that could be used to enhance the whole-of-government approach.

#### **SEC. 1286. INTERAGENCY WORKING GROUP.**

(a) **IN GENERAL.**—The Secretary shall have primary responsibility for managing a whole-of-government effort to improve coordination among United States Government departments and agencies that have a role in promoting good governance in foreign countries and enhancing foreign countries' ability to combat public corruption.

(b) **TASK FORCE.**—

(1) **INITIAL MEETING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish and convene an initial meeting of an interagency task force, which shall be composed of—

(A) representatives appointed by the President from the departments and agency listed in section 1285(b); and

(B) representatives from any other United States Government departments or agencies, as determined by the Secretary.

(2) **ADDITIONAL MEETINGS.**—The task force described in paragraph (1) shall meet not less frequently than twice per year.

(c) **TASK FORCE DUTIES.**—The task force established pursuant to subsection (b) shall—

(1) assist the Secretary in managing the whole-of-government effort described in subsection (a);

(2) evaluate, on a general basis, the effectiveness of current programs that have an effect of combating public corruption;

(3) identify general areas in which the United States Government's approach could be enhanced; and

(4) identify specific programs for specific countries that could be used to enhance the whole-of-government approach.

#### **SEC. 1287. TRANSPARENCY AND ACCOUNTABILITY.**

(a) **IN GENERAL.**—Not later than 60 days after publishing the report required under section 1283, and prior to obligation by any United States agency of foreign assistance to the government of a country ranked in the lowest 2 quintiles in the World Bank Worldwide Governance Indicator on Control of Corruption grouping described in section 1283(1), the Secretary, in coordination with the Administrator of USAID, as appropriate, shall—

(1) conduct a corruption risk assessment and create a corruption mitigation strategy for all United States foreign assistance programs to that country;

(2) require the inclusion of anti-corruption clauses for all foreign assistance contracts, grants, and cooperative agreements, which allow for the termination of the contract, grant, or cooperative agreement without penalty if credible indicators of public corruption are discovered;

(3) require the inclusion of appropriate clawback clauses for all foreign assistance that has been misappropriated through corruption;

(4) require the appropriate disclosure to the United States Government, in confidential form, if necessary, of the beneficial ownership of contractors, subcontractors, grantees, cooperative agreement participants, and other organizations receiving funding from the United States Government for foreign assistance programs; and

(5) establish a mechanism for investigating allegations of misappropriated foreign assistance funds or equipment.

(b) **EXCEPTIONS AND WAIVER.**—

(1) **EXCEPTIONS.**—Subsection (a) shall not apply to humanitarian assistance, disaster assistance, or assistance to combat corruption.

(2) **WAIVER.**—The Secretary may waive the requirement to delay foreign assistance under subsection (a) if the Secretary certifies to the appropriate congressional committees that such waiver is important to the national security interests of the United States.

#### **SEC. 1288. RESOURCES AND REPORTING REQUIREMENTS.**

(a) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a report to the appropriate congress-

sional committees that outlines the resources needed to meet the objectives of this subtitle, including—

(A) personnel needs; and

(B) a description of the bureaucratic structure of the offices within the Department and USAID that are engaged in anti-corruption activities.

(b) **ANNUAL BRIEFING.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall brief the appropriate congressional committees on the implementation of this subtitle, including—

(A) the designation of anti-corruption points of contact for countries under section 1285(a);

(B) the training implemented under section 1285(c);

(C) the reports received from anti-corruption points of contact under section 1285(d);

(D) the management of the whole-of-government effort to improve coordination under section 1286(a);

(E) the establishment of the task force under section 1286(b); and

(F) the activities of the task force under section 1286(c).

(2) **FORM OF BRIEFING.**—The briefings under subsection (b) shall be conducted on an in-person basis to members or staff of the appropriate congressional committees. Portions of the briefings may be conducted in a classified setting, as needed.

(c) **ONLINE PLATFORM.**—The Secretary and the USAID Administrator shall consolidate existing reports with anti-corruption components into one online, public platform, which shall—

(1) include—

(A) the Human Rights Report;

(B) the Fiscal Transparency Report;

(C) the Investment Climate Statement reports;

(D) the International Narcotics Control Strategy Report; and

(E) any other relevant public reports; and

(2) link to third-party indicators and compliance mechanisms used by the United States Government to inform policy and programming, such as—

(A) the International Finance Corporation's Doing Business surveys;

(B) the International Budget Partnership's Open Budget Index; and

(C) multilateral peer review anti-corruption compliance mechanisms, such as the Organisation for Economic Co-operation and Development's Working Group on Bribery in International Business Transactions and the United Nations Convention Against Corruption, done at New York October 31, 2003, to further highlight expert international views on country challenges and country efforts.

(d) **TRAINING.**—The Secretary and the USAID Administrator shall incorporate anti-corruption components into existing Foreign Service and Civil Service training courses—

(1) to increase the ability of Department and USAID personnel to support anti-corruption as a foreign policy and development priority; and

(2) to strengthen their ability to design, implement, and evaluate more effective anti-corruption programming around the world, including enhancing skills to better evaluate and mitigate public corruption risks in assistance programs.

**SA 2331.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XVI, add the following:

**Subtitle G—Commission to Examine the Legal Authorities for the Use of Nuclear Weapons**

**SEC. 1671. FINDINGS.**

Congress makes the following findings:

(1) Since the advent of the nuclear age, the nuclear arsenal of the United States has played a critical role in ensuring United States national security interests and provided a vital extended deterrent to United States allies around the globe.

(2) In 1946, the Atomic Energy Act (Public Law 79-585), also known as the McMahon Act, established into law civilian control of nuclear weapons.

(3) In 1948, President Harry S. Truman, during a meeting with David Lilienthal, Chairman of the Atomic Energy Commission, and other military and Cabinet members, articulated the inherently political nature of nuclear weapons, stating, "You have got to understand that this isn't a military weapon. It is used to wipe out women and children and unarmed people, and not for military uses. So we have got to treat this thing differently from rifles and cannons and ordinary things like that."

(4) During the Cold War, the United States faced a rival nuclear power in the Soviet Union that had the ability to rapidly launch nuclear weapons and potentially destroy United States retaliatory strike capabilities.

(5) The United States Government developed nuclear command and control protocols to counter the Soviet nuclear threat by providing the President with the unilateral authority to swiftly identify, assess, communicate, decide, and, if necessary, launch a nuclear strike.

(6) Today, the Soviet Union no longer exists and the primary nuclear threats that the United States faces are far different from the threats of the Cold War, but United States nuclear command and control protocols remain rooted in Cold War strategy.

**SEC. 1672. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**

In this subtitle, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 1673. ESTABLISHMENT OF THE JOINT COMMISSION.**

(a) **ESTABLISHMENT.**—There is established the Commission to Examine the Legal Authorities for the Use of Nuclear Weapons (referred to in this title as the "Commission").

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of 8 members, of whom—

(A) 2 members shall be appointed by the Majority Leader of the Senate;

(B) 2 members shall be appointed by the Minority Leader of the Senate;

(C) 2 members shall be appointed by the Speaker of the House of Representatives; and

(D) 2 members shall be appointed by the Minority Leader of the House of Representatives.

(2) **QUALIFICATIONS.**—

(A) **IN GENERAL.**—The appointments under paragraph (1) shall include—

- (i) 2 former military officers;
- (ii) 2 lawyers or legal experts;
- (iii) 2 former members of Congress or senior officials in the executive branch; and
- (iv) 2 civilian nuclear experts.

(B) **RESTRICTION ON CURRENT OFFICIALS AND MILITARY MEMBERS.**—The Commission may not include any individual currently serving as a Member of Congress, officer or employee of the Federal Government, officer or employee of a State or local government, or member of the Armed Forces.

(C) **POLITICAL AFFILIATION.**—Not more than 4 members of the Commission may be affiliated with the same political party.

(D) **OTHER QUALIFICATIONS.**—The individuals appointed to the Commission shall—

- (i) be United States citizens;
- (ii) be prominent and nationally recognized persons with considerable previous experience in the United States Armed Forces, public and government service, law, foreign and national security policy, and emerging technologies; and
- (iii) have deep expertise in subjects including the United States nuclear command and control architecture, nuclear strategy, the law of armed conflict, and use of force matters.

(3) **DATE FOR APPOINTMENT.**—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(c) **PERIOD OF APPOINTMENT; VACANCIES.**—

(1) **IN GENERAL.**—A member of the Commission shall be appointed for the life of the Commission.

(2) **VACANCIES.**—Any vacancy in the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment.

(d) **INITIAL MEETING.**—Not later than 60 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) **MEETINGS.**—

(1) **IN GENERAL.**—The Commission shall meet at the call of the Chairperson or a majority of the members of the Commission, and at least once every 30 days for the duration of the Commission.

(2) **QUORUM.**—Six members present for a meeting shall constitute a quorum, but a lesser number of members may hold hearings.

(f) **CHAIRPERSON AND VICE CHAIRPERSON.**—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission. The Chairperson and Vice Chairperson may not be of the same political affiliation.

**SEC. 1674. DUTIES OF THE COMMISSION.**

The Commission shall carry out the following duties:

(1) Examining the full range of nuclear threats facing the United States and the potential response options available to the United States, including threats from—

- (A) the Russian Federation;
- (B) the People's Republic of China;
- (C) the Democratic People's Republic of Korea (DPRK);
- (D) non-state actors and terrorist organizations; and
- (E) countries seeking to acquire nuclear weapons, materials, and commensurate delivery systems.

(2) Examining how different response options and declaratory policies would impact United States nuclear command and control protocols.

(3) Investigating whether the current United States nuclear command and control protocols, which are rooted in Cold War era practices for rapidly responding to a massive

surprise nuclear attack from the Soviet Union, remain the optimal structure for responding to the current and future nuclear threats the United States faces.

(4) Assessing whether Congress, as the institutional body authorized to declare war under Article I of the United States Constitution, has sufficient oversight and input into the United States nuclear command and control structure, and how greater inputs from Congress could affect decision-making within the nuclear command and control chain.

(5) Exploring the constitutional and legal relationship between a declaration of war or an authorization of military force by Congress and the use of nuclear weapons.

(6) Exploring the legal obligations of military and civilian leaders in carrying out a nuclear strike.

(7) Exploring and evaluating potential changes or alternatives to the current United States nuclear command and control structure and protocols in comparison to the current model.

(8) Preparing and submitting the report required under section 1675.

**SEC. 1675. REPORT.**

(a) **IN GENERAL.**—Not later than one year after the Commission convenes its first meeting, the Commission shall submit to the appropriate congressional committees a report on the United States nuclear strike decision making process.

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

(1) A detailed statement of the activities, findings, and conclusions of the Commission under section 1674.

(2) A set of recommendations for congressional consideration, including the following matters:

(A) Determinations on whether and how to strengthen Congress's role and input into the nuclear strike decision-making process, including potential legislation.

(B) Suggested improvements, changes, or alternative structures to the United States nuclear command and control protocols that—

(i) allow the United States to best respond to all current and future nuclear threats; and

(ii) maintain the constitutional and legal authorities inherent to the legislative, executive, and judicial branches of the United States Government.

(C) Policy proposals for best responding to the various nuclear threats examined pursuant to section 1674.

(D) Best practices for ensuring that nuclear weapons remain under civilian control due to their inherently political nature.

(3) Detailed summaries of the advice and recommendations provided by all outside organizations and leaders to the Commission.

(c) **CLASSIFICATION.**—The report required under subsection (a) shall be submitted and published in unclassified form, but may include a classified annex.

**SEC. 1676. POWERS OF COMMISSION.**

(a) **HEARINGS.**—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this subtitle.

(b) **INFORMATION FROM FEDERAL AGENCIES.**—

(1) **IN GENERAL.**—All Federal departments and agencies shall, in accordance with applicable procedures for the handling of classified information, provide reasonable access to documents, statistical data, and other such information that the Commission determines necessary to carry out the functions described under section 1674.

(2) OBTAINING CLASSIFIED INFORMATION.—The Chairman of the Commission, in consultation with the Vice Chairman, shall submit a written request to the head of a Federal department or agency for access to documents, statistical data, and other information described in paragraph (1) that is under the control of such department or agency.

(c) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, administrative support and other services for the performance of the Commission's functions, as well as sufficient office space for the day-to-day activities of the Commission.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), Federal departments and agencies may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(d) AUTHORITY TO CONTRACT.—

(1) IN GENERAL.—Subject to subtitle I of title 40, United States Code, and division C of subtitle I of title 41, United States Code, the Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of the functions of the Commission under section 1674.

(2) DURATION.—Any contract, lease, or other legal agreement entered into by the Commission under this subsection may not extend beyond the termination date of the Commission.

(e) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(f) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

**SEC. 1677. COMMISSION PERSONNEL MATTERS.**

(a) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(2) FEDERAL MEMBERS.—A member of the Commission who is an officer or employee of the United States shall serve without compensation in addition to that received for service as an officer or employee of the United States.

(b) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their home or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—An executive director of the Commission may be appointed and terminated by a majority of 6 members of the Commission without regard to the civil service laws (including regulations). The executive director may, without regard to such laws and regulations, appoint and terminate such other additional personnel as may be necessary to enable the Commission to perform its duties.

(2) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel with-

out regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of that title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may, with the approval of 6 members of the Commission, procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of that title.

**SEC. 1678. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PROTECTION OF INFORMATION IN PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required under any applicable statute, regulation, or executive order.

**SEC. 1679. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.**

(a) IN GENERAL.—No person shall be provided with access to classified information under this subtitle without the appropriate security clearances. The appropriate Federal agencies or departments shall cooperate with the Commission to provide, to the extent possible, appropriate security clearances to Commission members and staff in accordance with existing procedures and requirements.

**SEC. 1680. TERMINATION OF COMMISSION.**

The Commission shall terminate 30 days after the date on which the Commission submits the report required under section 1675.

**SA 2332.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

**SEC. 12. CONGRESSIONAL REVIEW AND CONTINUED APPLICABILITY OF SANCTIONS UNDER THE SERGEI MAGNITSKY RULE OF LAW ACCOUNTABILITY ACT OF 2012.**

Section 216(a)(2)(B)(i) of the Russia Sanctions Review Act of 2017 (22 U.S.C. 9511(a)(2)(B)(i)) is amended—

(1) in subclause (II), by striking “; or” and inserting a semicolon;

(2) in subclause (III), by striking “; and” and inserting “; or”; and

(3) by adding at the end the following:

“(IV) the Sergei Magnitsky Rule of Law Accountability Act of 2012 (title IV of Public Law 112–208; 22 U.S.C. 5811 note); and”.

**SA 2333.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize

appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . EXCLUSION OF INDEPENDENT RESEARCH AND DEVELOPMENT EXPENSES FROM ANNUAL RECEIPTS.**

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

“(10) EXCLUSION OF INDEPENDENT RESEARCH AND DEVELOPMENT EXPENSES FROM RECEIPTS.—In determining the average annual gross receipts of a business concern, the Administrator, at the request of the concern, may exclude from consideration any expenses or expenditures for independent research and development.”.

**SA 2334.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . SIZE STANDARDS FOR SMALL BUSINESS CONCERNS.**

(a) CALCULATION ON THE BASIS OF ANNUAL AVERAGE GROSS RECEIPTS.—Section 3(a)(2)(C)(ii)(II) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(ii)(II)) is amended by striking “over a period of not less than 3 years” and inserting “, which shall be calculated by using the 3 lowest annual average gross receipts of the business concern during the preceding 5-year period”.

(b) REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Small Business Administration shall promulgate regulations as necessary to implement the amendment made by subsection (a).

**SA 2335.** Mrs. GILLIBRAND (for herself, Mr. RISCH, Mr. YOUNG, Mr. BOOKER, and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFF (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. IMPROVING SMALL BUSINESS LOAN PROGRAMS FOR EMPLOYEE-OWNED BUSINESS CONCERNS.**

(a) SHORT TITLE.—This section may be cited as the “Main Street Employee Ownership Act of 2018”.

(b) DEFINITIONS.—In this section—

(1) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively;



(2) the term “cooperative” has the meaning given the term in section 7(a)(35) of the Small Business Act, as added by subsection (c);

(3) the term “employee-owned business concern” means—

(A) a cooperative; and

(B) a qualified employee trust;

(4) the terms “qualified employee trust” and “small business concern” have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632), as amended by this section; and

(5) the term “small business development center” means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648).

(c) EXPANSION OF 7(A) LOANS.—

(1) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(A) in paragraph (15)—

(i) in subparagraph (A)—

(I) by striking “this subsection to qualified employee trusts” and inserting “this subsection—

“(i) to qualified employee trusts”;

(II) in clause (i), as so designated—

(aa) by inserting “, and for any transaction costs associated with purchasing,” after “purchasing”;

(bb) by striking the period at the end and inserting “; and”;

(III) by adding at the end the following:

“(ii) to a small business concern under a plan approved by the Administrator, if the proceeds from the loan are only used to make a loan to a qualified employee trust, and for any transaction costs associated with making that loan, that results in the qualified employee trust owning at least 51 percent of the small business concern.”;

(i) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting “or by the small business concern” after “the trustee of such trust”;

(II) in clause (ii), by striking “and” at the end;

(III) in clause (iii), by striking the period at the end and inserting “, and”;

(IV) by adding at the end the following:

“(iv) with respect to a loan made to a trust, or to a cooperative in accordance with paragraph (35)—

“(I) a seller of the small business concern may remain involved as an officer, director, or key employee of the small business concern when a qualified employee trust or cooperative has acquired 100 percent of ownership of the small business concern; and

“(II) any seller of the small business concern who remains as an owner of the small business concern, regardless of the percentage of ownership interest, shall be required to provide a personal guarantee by the Administration.”;

(iii) by adding at the end the following:

“(F) A small business concern that makes a loan to a qualified employee trust under subparagraph (A)(ii) is not required to contain the same terms and conditions as the loan made to the small business concern that is guaranteed by the Administration under such subparagraph.

“(G) With respect to a loan made to a qualified employee trust under this paragraph, or to a cooperative in accordance with paragraph (35), the Administrator may, as determined appropriate by the Administrator, elect to not require any mandatory equity to be provided by the qualified employee trust or cooperative to make the loan.”; and

(B) by adding at the end the following:

“(35) LOANS TO COOPERATIVES.—

“(A) DEFINITION.—In this paragraph, the term ‘cooperative’ means an entity that is determined to be a cooperative by the Ad-

ministrator, in accordance with applicable Federal and State laws and regulations.

“(B) AUTHORITY.—The Administration shall guarantee loans made to a cooperative for the purpose described in paragraph (15).”.

(2) DELEGATION OF AUTHORITY TO PREFERRED LENDERS.—Section 5(b)(7) of the Small Business Act (15 U.S.C. 634(b)(7)) is amended by inserting “, including loans guaranteed under paragraph (15) or (35) of section 7(a)” after “deferred participation loans”.

(d) SMALL BUSINESS INVESTMENT COMPANY PROGRAM OUTREACH.—The Administrator shall provide outreach and educational materials to companies licensed under section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 681(c)) to increase the use of funds to make investments in company transitions to employee-owned business concerns.

(e) SMALL BUSINESS MICROLOAN PROGRAM OUTREACH.—The Administrator shall provide outreach and educational materials to intermediaries under section 7(m) of the Small Business Act (15 U.S.C. 636(m)) to increase the use of funds to make loans to employee-owned business concerns, including transitions to employee-owned business concerns.

(f) SMALL BUSINESS DEVELOPMENT CENTER OUTREACH AND ASSISTANCE.—

(1) ESTABLISHMENT.—The Administrator shall establish a Small Business Employee Ownership and Cooperatives Promotion Program to offer technical assistance and training on the transition to employee ownership through cooperatives and qualified employee trusts.

(2) SMALL BUSINESS DEVELOPMENT CENTERS.—

(A) IN GENERAL.—In carrying out the program established under paragraph (1), the Administrator shall enter into agreements with small business development centers under which the centers shall—

(i) provide access to information and resources on employee ownership through cooperatives or qualified employee trusts as a business succession strategy;

(ii) conduct training and educational activities; and

(iii) carry out the activities described in subparagraph (U) of section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)), as added by subparagraph (B).

(B) ADDITIONAL SERVICES.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

(i) in subparagraph (S), by striking “and” at the end;

(ii) in subparagraph (T), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(U) encouraging and assisting the provision of succession planning to small business concerns with a focus on transitioning to cooperatives, as defined in section 7(a)(35), and qualified employee trusts (collectively referred to in this subparagraph as ‘employee-owned business concerns’), including by—

“(i) providing training to individuals to promote the successful management, governance, or operation of a business purchased by those individuals in the formation of an employee-owned business concern;

“(ii) assisting employee-owned business concerns that meet applicable size standards established under section 3(a) with education and technical assistance with respect to financing and contracting programs administered by the Administration;

“(iii) coordinating with lenders on conducting outreach on financing through programs administered by the Administration that may be used to support the transition of ownership to employees;

“(iv) supporting small business concerns in exploring or assessing the possibility of

transitioning to an employee-owned business concern; and

“(v) coordinating with the cooperative development centers of the Department of Agriculture, the land grant extension network, the Manufacturing Extension Partnership, community development financial institutions, employee ownership associations and service providers, and local, regional and national cooperative associations.”.

(g) INTERAGENCY WORKING GROUP.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator or a designee of the Administrator shall coordinate and chair an interagency working group, which shall—

(A) develop recommendations on how Federal programs can promote, support, and increase the number of employee-owned business concerns;

(B) ensure coordination with Federal agencies and national and local employee ownership, cooperative, and small business organizations; and

(C) publish a report on the activities of the interagency working group that is indexed and maintained for public review.

(2) MEETINGS.—The interagency working group described in paragraph (1) shall meet in person or via electronic resources at such times as determined necessary by the Administrator, but not less frequently than biannually.

(h) AMENDMENT TO REPORT TO CONGRESS ON STATUS OF EMPLOYEE-OWNED FIRMS.—Section 7(a)(15) of the Small Business Act (15 U.S.C. 636(a)(15)), as amended by this section, is amended—

(1) in subparagraph (E), by striking “Administration.” and inserting “Administration, which shall include—

“(i) the total number of loans made to cooperatives and qualified employee trusts (collectively referred to in this subparagraph as ‘employee-owned business concerns’) that were guaranteed by the Administrator under this section or section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696), including the number of loans made—

“(I) to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

“(II) to cooperatives;

“(ii) the total number of financings made to employee-owned business concerns by companies licensed under section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 696(c)), including the number of financings made—

“(I) to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

“(II) to cooperatives; and

“(iii) any outreach and educational activities conducted by the Administration with respect to employee-owned business concerns.”; and

(A) by adding at the end the following:

“(H) In this paragraph—

“(i) the term ‘cooperative’ has the meaning given the term in paragraph (35); and

“(ii) the term ‘small business concern owned and controlled by socially and economically disadvantaged individuals’ has the meaning given the term in section 8(d)(3)(C).”.

(i) REPORT ON COOPERATIVE LENDING.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that cooperatives have a unique business structure and are unable to access the lending programs of the Administration effectively due to loan guarantee requirements that are incompatible with the business structure of cooperatives.

(2) STUDY AND REPORT.—

(A) STUDY.—The Administrator, in coordination with lenders, stakeholders, and Federal agencies, shall study and recommend



practical alternatives for cooperatives that will satisfy the loan guarantee requirements of the Administration.

(B) REPORT.—Not later than 120 days after the date of enactment of this Act, the Administrator shall submit to Congress the recommendations developed under paragraph (1) and a plan to implement those recommendations.

(J) AMENDMENT TO DEFINITION OF QUALIFIED EMPLOYEE TRUST.—Section 3(c)(2)(A)(ii) of the Small Business Act (15 U.S.C. 632(c)(2)(A)(ii)) is amended to read as follows:

“(ii) which provides that each participant is entitled to direct the plan trustee as to the manner of how to vote the qualified employer securities (as defined in section 4975(e)(8) of the Internal Revenue Code of 1986), which are allocated to the account of such participant with respect to a corporate matter which (by law or charter) must be decided by a vote conducted in accordance with section 409(e) of the Internal Revenue Code of 1986; and”.

**SA 2336.** Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

**SEC. \_\_\_\_ . INFORMATION REGARDING COUNTY VETERANS SERVICE OFFICERS.**

(a) PROVISION OF INFORMATION.—The Secretary of Defense, and with respect to members of the Coast Guard, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Navy, shall ensure that a member of the Armed Forces who is separating or retiring from the Armed Forces may elect to have the Department of Defense form DD-214 of the member transmitted to the appropriate county veterans service officer based on the mailing address provided by the member.

(b) DATABASE.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall maintain a database of all county veterans service officers.

(c) COUNTY VETERANS SERVICE OFFICER DEFINED.—In this section, the term “county veterans service officer” means an employee of a county government, local government, or Tribal government who is covered by section 14.629(a)(2) of title 38, Code of Federal Regulations.

**SA 2337.** Ms. HEITKAMP (for herself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

**SEC. 583. EXPANSION OF ELIGIBILITY FOR THE NUCLEAR DETERRENCE OPERATIONS SERVICE MEDAL OF THE AIR FORCE.**

The Secretary of the Air Force shall award the Nuclear Deterrence Operations Service Medal of the Air Force to any member of the Air Force for service before December 27, 1991, if service of the member before that date would otherwise qualify the member for award of the Medal.

**SA 2338.** Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 79, line 21, insert “, including research into systems that integrate the strengths and reliability of artificial intelligence and machine learning with the inductive reasoning power of a human” after “technologies”.

**SA 2339.** Mr. WARNER (for himself and Mr. Kaine) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

**SEC. 2838. REPORT ON TRANSFER OF THE CHEMICAL, BIOLOGICAL, AND RADIOLOGICAL DEFENSE DIVISION OF THE NAVY.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes—

(1) a detailed timeline for the proposed transfer of the Chemical, Biological, and Radiological Defense Division of the Navy from Virginia to another location;

(2) a full accounting of the costs associated with the proposed transfer, including—

(A) all personnel costs;

(B) all equipment costs; and

(C) all facility renovation costs for the existing facilities of the Division and the facilities to which the Division is proposed to be transferred;

(3) a risk assessment of the operational impact of the transfer during the transition period; and

(4) an explanation of the operational benefit expected to be achieved by collocating all Chemical, Biological, and Radiological elements of the Department of the Navy.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex as necessary.

**SA 2340.** Ms. SMITH (for herself, Mr. TILLIS, Mr. RUBIO, and Ms. KLOBUCHAR)

submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVIII, add the following:

**Subtitle E—Real Property and Facilities Administration**

**SEC. 2851. CLARIFICATION TO INCLUDE NATIONAL GUARD INSTALLATIONS IN READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION PROGRAM.**

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

(1) State-owned National Guard installations have always qualified as military installations under section 2684a of title 10, United States Code; and

(2) State-owned National Guard installations should continue to qualify as military installations under section 2684a of that section.

(b) CLARIFICATION.—

(1) IN GENERAL.—Section 2684a(a) of title 10, United States Code, is amended by inserting “, as well as a State-owned National Guard installation,” after “military installation”.

(2) RETROACTIVE EFFECT.—The amendment made by paragraph (1) shall take effect as of December 2, 2002.

**SA 2341.** Mr. MERKLEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

**SEC. 12 \_\_\_\_ . SENSE OF SENATE ON RETURN OF ROHINGYA REFUGEES TO BURMA.**

It is the sense of the Senate that the Senate—

(1) condemns the violence and displacement inflicted on Burma's Rohingya and other ethnic minorities;

(2) calls for an immediate halt to all hostilities by Burmese authorities;

(3) condemns the attacks by the Arakan Rohingya Salvation Army militant group;

(4) calls on the Government of Burma to allow full access to Rakhine State and ensure the full participation of the United Nations High Commissioner for Refugees (UNHCR), the internationally endorsed organization tasked with ensuring that refugee returns are voluntary, safe, dignified, and respect fundamental human rights, and that the voices of refugees are represented to ensure the sustainability of such returns and to prevent further waves of displacement;

(5) calls on the Government of Burma to allow the United Nations-backed Independent International Fact-Finding Mission on Myanmar immediate and unfettered access to Burma, including northern Rakhine

State, to establish the facts and circumstances of the alleged recent human rights violations by Burmese military and security forces against the Rohingya and other ethnic minorities;

(6) commends the positive role of the Government of Bangladesh in receiving Rohingya refugees to date and urges the Government of Bangladesh to continue allowing the full participation of the United Nations High Commissioner for Refugees and human rights organizations in accessing refugee camps;

(7) calls on the United Nations High Commissioner for Refugees and international nongovernmental organizations to play a role in monitoring repatriation efforts by the Governments of Bangladesh and Burma to ensure a process that meets international norms for voluntary, safe, and dignified repatriation;

(8) agrees that any return of Rohingya should include guarantees that any returns of refugees will be voluntary and dignified, that there will be no threats to protection or security upon return, that refugees will be able to return to their places of origin or other locations as desired, and be able to enjoy equal rights with others in Burma, including the restoration or granting of full citizenship, freedom of movement, and access to basic services;

(9) recognizes that any forced relocation of Rohingya refugees into temporary settlements, internally displaced persons (IDP) camps, “model villages,” or other areas not of refugees’ choosing is unacceptable;

(10) calls on the Government of Burma to allow for a flexible and practical approach to dealing with evidence of Rohingya residence in Burma, recognizing that the Rohingya refugees in Bangladesh possess a wide range of documents and that some refugees have no documents and will need to establish their residence by other means;

(11) calls on the Government of Burma to address root causes consistent with the Rakhine Advisory Commission recommendations and fully implement all of the recommendations of the Commission, including providing equal access to full restoration or granting of full citizenship for the Rohingya population;

(12) calls on the Government of Burma to acknowledge and address the issue of statelessness for the Rohingya, the deprivation of rights, and institutionalized and pervasive discrimination of the Rohingya population in order to bring about any sustainable solutions;

(13) commends the Government and the people of Bangladesh for their extraordinary generosity and efforts to provide shelter and relief for nearly 1,000,000 Rohingya refugees forced to flee their homes in Burma;

(14) calls on the Government of Bangladesh to ensure all refugees have freedom of movement and under no circumstances are subject to unsafe, involuntary, precipitous, or uninformed returns to Burma; and

(15) calls on the Government of Burma to immediately release journalists Wa Lone and Kyaw Soe Oo.

**SA 2342.** Mr. MERKLEY (for himself, Mr. PAUL, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

**SEC. 1271. SENSE OF CONGRESS ON CIVILIAN NUCLEAR COOPERATION AGREEMENT WITH SAUDI ARABIA.**

It is the sense of Congress that any United States-Saudi Arabia civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), commonly known as a “123 Agreement”, concluded in the future, must prohibit the Kingdom of Saudi Arabia from enriching uranium or separating plutonium on its own territory, in keeping with the strongest possible nonproliferation “gold standard”.

**SA 2343.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEPARTMENT OF DEFENSE FAMILY AND MEDICAL LEAVE BANKS.**

(a) IN GENERAL.—Subchapter V of chapter 63 of title 5, United States Code, is amended—

(1) by redesignating section 6387 as section 6388; and

(2) by inserting after section 6386 the following:

**“§ 6387. Department of Defense family and medical leave banks**

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered DOD employee’ means an individual described in section 6381(1)(A) who is employed by the Department, without regard to whether the individual meets the requirements of section 6381(1)(B);

“(2) the term ‘Department’ means the Department of Defense

“(3) the term ‘designated unit’ means any agency, component, or other administrative unit of the Department designated by the Secretary under subsection (b)(1);

“(4) the term ‘family and medical leave bank’ means a family and medical leave bank established under subsection (b)(2);

“(5) the term ‘leave recipient’ means a covered DOD employee whose application under subsection (e)(1) to receive leave from a family and medical leave bank is approved; and

“(6) the term ‘Secretary’ means the Secretary of Defense.

“(b) ESTABLISHMENT OF FAMILY AND MEDICAL LEAVE BANKS.—The Secretary, in consultation with the Director of the Office of Personnel Management, shall—

“(1) designate the agencies, components, or other administrative units of the Department for which it is appropriate to have a separate family and medical leave bank; and

“(2) establish a family and medical leave bank for each designated unit.

“(c) ESTABLISHMENT OF FAMILY AND MEDICAL LEAVE BANK BOARDS.—

“(1) IN GENERAL.—For each family and medical leave bank established by the Secretary, the Secretary shall establish a Family and Medical Leave Bank Board consisting of 3 members, at least 1 of whom shall represent a labor organization or employee group, to administer the family and medical leave bank, in consultation with the Office of Personnel Management.

“(2) DUTIES.—Each Family and Medical Leave Bank Board shall—

“(A) review and determine whether to approve applications to the family and medical leave bank under subsection (e)(1);

“(B) monitor each case of a leave recipient;

“(C) monitor the amount of leave in the family and medical leave bank and the number of applications for use of leave from the family and medical leave bank; and

“(D) maintain an adequate amount of leave in the family and medical leave bank to the greatest extent practicable.

“(3) QUALIFYING FAMILY AND MEDICAL EVENTS.—To the greatest extent practicable, each Family and Medical Leave Bank Board shall use the certification forms and standards established for purposes of section 6382 in determining whether, for purposes of this section, a circumstance described in section 6382(a)(1) exists.

“(d) CREDITING OF LEAVE.—

“(1) FORFEITED LEAVE.—Any annual leave lost by a covered DOD employee by operation of section 6304 shall be credited to the family and medical leave bank of the designated unit employing the covered DOD employee.

“(2) CONTRIBUTIONS OF USE OR LOSE LEAVE.—

“(A) IN GENERAL.—A covered DOD employee who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year under section 6304 may submit an application in writing requesting that a specified number of hours (not to exceed the number of hours projected to be subject to forfeiture) be transferred from the annual leave account of the covered DOD employee to the family and medical leave bank for the designated unit employing the covered DOD employee.

“(B) APPROVAL.—If a Family and Medical Leave Bank Board approves an application by a covered DOD employee under subparagraph (A), the Secretary shall transfer to the family and medical leave bank of the designated unit employing the covered DOD employee the amount of leave requested to be transferred.

“(e) APPLICATION FOR LEAVE.—

“(1) IN GENERAL.—A covered DOD employee who is or anticipates being absent from regularly scheduled duty because of a circumstance described in section 6382(a)(1) (without regard to whether the covered DOD employee is entitled to leave under section 6382(a)(1)) may submit an application to receive leave from the family and medical leave bank of the designated unit employing the covered DOD employee, which shall contain such information as the Secretary, in consultation with the Director of the Office of Personnel Management, shall by regulation prescribe.

“(2) DETERMINATION.—A Family and Medical Leave Bank Board may—

“(A) approve an application submitted under paragraph (1); and

“(B) specify the amount of leave that shall be transferred to a covered DOD employee whose application is approved.

“(3) MAXIMUM AMOUNT OF LEAVE.—

“(A) IN GENERAL.—A Family and Medical Leave Bank Board may not specify an amount of leave to be transferred to a covered DOD employee that is more than the amount of leave described in subparagraph (B).

“(B) AMOUNT.—The amount described in this subparagraph is—

“(i) with respect to a full-time covered DOD employee, 12 weeks; and

“(ii) with respect to a part-time covered DOD employee, the amount equal to the product obtained by multiplying—

“(I) 12 weeks; by

“(II) the quotient obtained by dividing—

“(aa) the number of hours in the regularly scheduled workweek of the part-time covered DOD employee; by

“(bb) the number of hours in the regularly scheduled workweek of a covered DOD employee serving in a comparable position on a full-time basis.

“(4) TRANSFER.—The Secretary shall transfer to a covered DOD employee whose application is approved under paragraph (2)(A) the number of hours of leave specified under paragraph (2)(B) from the family and medical leave bank for the designated unit employing the covered DOD employee.

“(f) USE OF LEAVE.—

“(1) COORDINATION WITH EXISTING FML.—A leave recipient who is entitled to leave under section 6382(a)(1) shall use any leave transferred to the leave recipient from a family and medical leave bank in accordance with section 6382(d)(2).

“(2) FAILURE TO USE LEAVE.—

“(A) IN GENERAL.—Any leave transferred to a leave recipient from a family and medical leave bank that is not used before the end of the 12-month period beginning on the date described in subparagraph (B)—

“(i) shall be forfeited by the leave recipient; and

“(ii) shall be credited to the family and medical leave bank from which the leave was transferred.

“(B) START OF PERIOD FOR USE.—The date described in this subparagraph is the later of—

“(i) the date on which the circumstance described in section 6382(a)(1) arises; or

“(ii) the date on which leave is transferred to the covered DOD employee under subsection (e)(4).”.

(b) USE OF FAMILY AND MEDICAL LEAVE.—Section 6382(d) of title 5, United States Code, is amended—

(1) by inserting “(1)” before “An employee may elect” the first place it appears; and

(2) by adding at the end the following:

“(2)(A) In this paragraph, the term ‘covered DOD employee’ has the meaning given that term in section 6387.

“(B) A covered DOD employee entitled to leave under subsection (a)(1) to whom leave is transferred from a family and medical leave bank under section 6387—

“(i) shall substitute for any leave without pay under subsection (a)(1) the amount of leave transferred to the employee from the family and medical leave bank; and

“(ii) may substitute for any leave without pay under subsection (a)(1) any annual or sick leave accrued or accumulated by such employee under subchapter I.

“(C) A covered DOD employee to whom leave is transferred from a family and medical leave bank shall first use all of the transferred leave before using leave described in subparagraph (B)(ii).

“(D) The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this paragraph.”.

(c) OPM AUTHORITY.—If the Director of the Office of Personnel Management determines expanding the family and medical leave bank program Governmentwide would be appropriate, the Director may prescribe regulations granting Executive agencies (as defined in section 105 of title 5, United States Code) the authority to establish family and medical leave banks, in the same manner as provided under the amendments made by subsections (a) and (b), to the maximum extent practicable.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 5, United States Code, is amended by striking the item relating to section 6387 and inserting the following:

“6387. Department of Defense family and medical leave banks.

“6388. Regulations.”.

**SA 2344.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

**SEC. 622. ONE-YEAR PERIOD FOR ENROLLMENT IN THE SURVIVOR BENEFIT PLAN FOR ELIGIBLE PARTICIPANTS WHO HAVE A SAME-SEX SPOUSE UNDER AN EARLIER OR CURRENT MARRIAGE.**

(a) IN GENERAL.—Notwithstanding any other provision of law, any individual eligible for participation, but not participating, in the Survivor Benefit Plan as of the date of the enactment of this Act who seeks to participate in the Plan for the benefit of the same-sex spouse of the individual under a marriage entered into or recognized as valid before that date may elect to participate in the plan at any time during the one-year period beginning on that date in accordance with section 1448(a)(5) of title 10, United States Code.

(b) OUTREACH ON ELECTION TO PARTICIPATE FOR SPOUSES UNDER MARRIAGE AFTER ELIGIBILITY.—The Secretary of Defense shall undertake an active campaign of outreach designed to inform individuals who are or may become eligible for participation in the Survivor Benefit Plan of the availability of the election to participate in the Plan under section 1448(a)(5) of title 10, United States Code, for individuals who marry, including individuals with same-sex spouses, after becoming eligible to participate in the Plan.

(c) SURVIVOR BENEFIT PLAN DEFINED.—In this section, the term “Survivor Benefit Plan” means the benefit plan established by subchapter II of chapter 73 of title 10, United States Code.

**SA 2345.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

**SEC. 1052. REPORTS ON ACTIVITIES UNDER THE AUTHORIZATIONS FOR USE OF MILITARY FORCE.**

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, and every six months thereafter, the President shall submit to Congress a report on the following under each covered Authorization for Use of Military Force:

(1) A list of the groups, organizations, and forces against which the United States is using force pursuant to each covered Authorization for Use of Military Forces as of the date of submittal of such report.

(2) For each group, organization, and force listed under paragraph (1)—

(A) the extent to which such group, organization, or force directly targeted any com-

peting United States interest during the six-month period ending on the date of submittal of such report (in this subsection referred to as the “reporting period”); and

(B) the extent to which such group, organization, or force continues to pose a threat to any compelling United States interest as of the date of submittal of such report.

(3) A list of the countries in which the United States used force pursuant to each covered Authorization for Use of Military Force during the reporting period, including the specific geographic location in each country in which the United States so used force.

(4) The number of combatant casualties in connection with the use of force pursuant to each covered Authorization for Use of Military Force during the reporting period.

(5) The number of civilian casualties in connection with the use of force pursuant to each covered Authorization for Use of Military Force during the reporting period, as determined by the following:

(A) The United States Government.

(B) Credible and reliable nongovernmental entities.

(6) An explanation for the differences, if any, between the number of civilian casualties reported pursuant to paragraph (5)(A) during the reporting period and the number of civilian casualties reported pursuant to paragraph (5)(B) during the reporting period.

(7) A description of the mechanisms used to prevent and limit civilian casualties in connection with the use of force pursuant to each covered Authorization for Use of Military Force during the reporting period.

(8) A current description of the process by which the United States investigates allegations of civilian casualties resulting from United States military operations.

(9) A description of the current national security, diplomatic, development, and humanitarian goals of the United States for each country listed under paragraph (3) in order to create the conditions for the end of use of United States military force in such country, and the strategy and expected timeline to execute such goals.

(10) An assessment, as of the date of submittal of such report, of the bilateral and multilateral impact of United States use of force pursuant to each covered Authorization for Use of Military Force in each country listed under paragraph (3), and an assessment of the engagement of the government of such country with United States use of force in such country.

(11) A comprehensive and current description, both for the reporting period and in aggregate as of the date of such report, of the amounts expended by the United States for and in support of military operations and activities in connection with use of force pursuant to each covered Authorization for Use of Military Force.

(b) FORM.—

(1) IN GENERAL.—Each report under subsection (a) shall be submitted in unclassified form.

(2) CLASSIFIED FORM.—Except as provided in paragraph (3), a portion of a report under subsection (a) may be submitted in classified form if strictly required to protect the national security interests of the United States.

(3) CERTAIN INFORMATION ONLY IN UNCLASSIFIED FORM.—The information required by subsection (a)(1), and the countries listed pursuant to subsection (a)(3), shall be submitted in unclassified form.

(c) BRIEFINGS.—The Department of Defense shall provide a briefing to any appropriate congressional committee or leadership upon request of such committee or leadership not

less often than every six months on activities undertaken pursuant to a covered Authorization for Use of Military Force.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees and leadership” means—

(A) the Majority Leader and the Minority Leader of the Senate;

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate;

(C) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and

(D) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “covered Authorization for Use of Military Force” means the following:

(A) The Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note).

(B) The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note).

**SA 2346.** Mr. CARDIN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

**SEC. \_\_\_\_ . CONGRESSIONAL NOTIFICATION OF PROPOSED EXPORTS OF DEFENSE ARTICLES FORMERLY INCLUDED ON UNITED STATES MUNITIONS LIST.**

Any license to export a defense article on the Commerce Control List that was controlled for export on the United States Munitions List (USML) maintained pursuant to part 121 of title 22, Code of Federal Regulations as of January 1, 2018, shall be subject to the provisions of section 36 of the Arms Export Control Act (22 U.S.C. 2776) regarding notification and review by Congress (and including all current procedures for consultation) if the authorized value of such license would meet or exceed the value thresholds applicable under such section to defense articles listed on the USML.

**SA 2347.** Mr. CARDIN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 12 \_\_\_\_ . SYRIAN WAR CRIMES ACCOUNTABILITY.**

(a) FINDINGS.—Congress makes the following findings:

(1) March 2017 marks the sixth year of the ongoing conflict in Syria.

(2) As of February 2017—

(A) more than 13,000,000 people are in need of humanitarian assistance in Syria;

(B) approximately 6,600,000 people are displaced from their homes inside Syria; and

(C) approximately 5,600,000 Syrians have fled to neighboring countries as refugees.

(3) Since the conflict in Syria began, the United States has provided more than \$8,000,000,000 to meet humanitarian needs in Syria, making the United States the world's single largest donor by far to the Syrian humanitarian response.

(4) In response to growing concerns over systemic human rights violations in Syria, the Independent International Commission of Inquiry on the Syrian Arab Republic (referred to in this subsection as “COI”) was established on August 22, 2011. The purpose of COI is to “investigate all alleged violations of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view to ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable”.

(5) On December 21, 2016, the United Nations General Assembly adopted a resolution to establish the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

(6) In 2017, then Secretary of State Rex Tillerson stated “ISIS is clearly responsible for genocide against Yazidis, Christians, and Shia Muslims in areas it controls or has controlled. ISIS is also responsible for crimes against humanity and ethnic cleansing directed at these same groups, and in some cases against Sunni Muslims, Kurds, and other minorities . . . . The protection of these groups, and others subject to violent extremism, is a human rights priority for the Trump administration.”.

(7) On February 7, 2017, Amnesty International reported that between 5,000 and 13,000 people were extrajudicially executed in the Saydnaya Military Prison between September 2011 and December 2015.

(8) In February 2017, COI released a report—

(A) stating that a joint United Nations-Syrian Arab Red Crescent convoy in Orum al-Kubra, Syria, was attacked by air on September 19, 2016;

(B) explaining that the attack killed at least 14 civilian aid workers, injured at least 15 others, and destroyed trucks, food, medicine, clothes, and other supplies; and

(C) concluding that “the attack was meticulously planned and ruthlessly carried out by the Syrian air force to purposefully hinder the delivery of humanitarian aid and target aid workers, constituting the war crimes of deliberately attacking humanitarian relief personnel, denial of humanitarian aid and targeting civilians.”.

(9) On October 26, 2017, the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism transmitted its sixth report, which concluded that the Syrian Arab Armed Forces and the Islamic State in Iraq and Syria (ISIS) have both used chemical weapons against villages in Syria, including the use of sarin by the forces of the Government of Syria in Khan Sheikhoun in April 2017.

(10) On August 8, 2017, COI released a report stating that certain offenses, including deliberately attacking hospitals, holding back humanitarian aid as a tactic to control civilian populations, and the continued use of chemical weapons against civilians, constitute war crimes and crimes against humanity.

(11) Physicians for Human Rights reported that, between March 2011 and the end of December 2017, Syrian government and allied forces—

(A) had committed 446 attacks on 330 separate medical facilities (including through the use of indiscriminate barrel bombs on at least 80 occasions); and

(B) had killed 847 medical personnel.

(12) The Department of State's 2017 Country Reports on Human Rights Practices—

(A) states that President Bashar al-Assad “engaged in frequent violations and abuses, including massacres, indiscriminate killings, kidnapping of civilians, arbitrary detentions, and rape as a war tactic.”;

(B) explains that “these attacks included bombardment with improvised explosive devices, commonly referred to as ‘barrel bombs’ . . .”; and

(C) reports that “[t]he government [of Syria] continued the use of torture and rape, including of children”.

(13) In February 2016, COI reported that—

(A) “crimes against humanity continue to be committed by [Syrian] Government forces and by ISIS”;

(B) the Syrian government has “committed the crimes against humanity of extermination, murder, rape or other forms of sexual violence, torture, imprisonment, enforce disappearance and other inhuman acts”; and

(C) “[a]ccountability for these and other crimes must form part of any political solution”.

(14) Credible civil society organizations collecting evidence of war crimes, crimes against humanity, and genocide in Syria report that at least 12 countries in western Europe and North America have requested assistance on investigating such crimes.

(15) In April 2018, the COI—

(A) reported at least 34 chemical attacks during the period beginning in 2013 and ending in January 2018, many of which—

(i) used chlorine or sarin, a nerve agent; and

(ii) were conducted by the Government of Syria.

(16) According to the World Health Organization, following the April 7, 2018, chemical weapons attack in Douma, Eastern Ghouta, an estimated 500 people were treated for “signs and symptoms consistent with exposure to toxic chemicals”.

(17) On April 13, 2018, United States Ambassador to the United States Nikki Haley stated: “The United States estimates that Assad has used chemical weapons in the Syrian war at least 50 times. Public estimates are as high as 200.”

(b) SENSE OF CONGRESS.—Congress—

(1) strongly condemns—

(A) the ongoing violence, use of chemical weapons, targeting of civilian populations with barrel, incendiary, and cluster bombs and SCUD missiles, and systematic gross human rights violations carried out by the Government of Syria and pro-government forces under the direction of President Bashar al-Assad; and

(B) all abuses committed by violent extremist groups and other combatants involved in the civil war in Syria;

(2) expresses its support for the people of Syria seeking democratic change;

(3) urges all parties to the conflict—

(A) to immediately halt indiscriminate attacks on civilians;

(B) to allow for the delivery of humanitarian and medical assistance; and

(C) to end sieges of civilian populations;

(4) calls on the President to support efforts in Syria, and on the part of the international community, to ensure accountability for war crimes, crimes against humanity, and genocide committed during the conflict; and

(5) supports the request in United Nations Security Council Resolutions 2139 (2014), 2165 (2014), and 2191 (2014) for the Secretary-General to regularly report to the Security Council on implementation on the resolutions, including of paragraph 2 of Resolution 2139, which “demands that all parties immediately put an end to all forms of violence [and] cease and desist from all violations of international humanitarian law and violations and abuses of human rights”.

(C) REPORT ON ACCOUNTABILITY FOR WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE IN SYRIA.—

(1) IN GENERAL.—The Secretary of State shall submit a report on war crimes, crimes against humanity, and genocide in Syria to the appropriate congressional committees not later than 90 days after the date of the enactment of this Act and another such report not later than 180 days after the Secretary of State determines that the violence in Syria has ceased.

(2) ELEMENTS.—The reports required under paragraph (1) shall include—

(A) a description of alleged war crimes, crimes against humanity, and genocide perpetrated during the civil war in Syria, including—

(i) incidents that may constitute war crimes, crimes against humanity, or genocide committed by the regime of President Bashar al-Assad and all forces fighting on its behalf;

(ii) incidents that may constitute war crimes, crimes against humanity, or genocide committed by violent extremist groups, anti-government forces, and any other combatants in the conflict;

(iii) any incidents that may violate the principle of medical neutrality and, if possible, the identification of the individual or individuals who engaged in or organized such incidents; and

(iv) if possible, a description of the conventional and unconventional weapons used for such crimes and the origins of such weapons; and

(B) a description and assessment by the Department of State Office of Global Criminal Justice, the United States Agency for International Development, the Department of Justice, and other appropriate agencies of programs that the United States Government has undertaken to ensure accountability for war crimes, crimes against humanity, and genocide perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including programs—

(i) to train investigators within and outside of Syria on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of war crimes, crimes against humanity, or genocide, including—

(I) the number of United States Government or contract personnel currently designated to work full-time on these issues; and

(II) the identification of the authorities and appropriations being used to support such training efforts;

(ii) to promote and prepare for a transitional justice process or processes for the perpetrators of war crimes, crimes against humanity, and genocide in Syria beginning in March 2011;

(iii) to document, collect, preserve, and protect evidence of war crimes, crimes against humanity, and genocide in Syria, including support for Syrian, foreign, and international nongovernmental organizations, and other entities, including the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic; and

(iv) to assess the influence of accountability measures on efforts to reach a negotiated settlement to the Syrian conflict during the reporting period.

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

(4) PROTECTION OF WITNESSES AND EVIDENCE.—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Syria, violent extremist groups, anti-government forces, or any other combatants or participants in the conflict.

(d) TRANSITIONAL JUSTICE STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice, the United States Agency for International Development, and other appropriate Federal agencies, shall—

(1) complete a study of the feasibility and desirability of potential transitional justice mechanisms for Syria, including a hybrid tribunal, to address war crimes, crimes against humanity, and genocide perpetrated in Syria beginning in March 2011; and

(2) submit a detailed report of the results of the study conducted under paragraph (1), including recommendations on which transitional justice mechanisms the United States Government should support, why such mechanisms should be supported, and what type of support should be offered, to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

(e) TECHNICAL ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice and other appropriate Federal agencies, is authorized to provide appropriate assistance to support entities that, with respect to war crimes, crimes against humanity, and genocide perpetrated by the regime of President Bashar al-Assad, all forces fighting on its behalf, and all non-state armed groups fighting in the country, including violent extremist groups in Syria beginning in March 2011—

(A) identify suspected perpetrators of war crimes, crimes against humanity, and genocide;

(B) collect, document, and protect evidence of crimes and preserve the chain of custody for such evidence;

(C) conduct criminal investigations;

(D) build Syria's investigative and judicial capacities and support prosecutions in the domestic courts of Syria, provided that

President Bashar al-Assad is no longer in power;

(E) support investigations by third-party states, as appropriate; or

(F) protect witnesses that may be helpful to prosecutions or other transitional justice mechanisms.

(2) ADDITIONAL ASSISTANCE.—The Secretary of State, after consultation with appropriate Federal agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under subsection (e), is authorized to provide assistance to support the creation and operation of transitional justice mechanisms, including a potential hybrid tribunal, to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide in Syria beginning in March 2011.

(3) BRIEFING.—The Secretary of State shall provide detailed, biannual briefings to the appropriate congressional committees describing the assistance provided to entities described in paragraph (1).

(f) STATE DEPARTMENT REWARDS FOR JUSTICE PROGRAM.—Section 36(b)(10) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)(10)) is amended by inserting “(including war crimes, crimes against humanity, or genocide committed in Syria beginning in March 2011)” after “genocide”.

(g) INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE SYRIAN ARAB REPUBLIC.—The Secretary of State, acting through the United States Permanent Representative to the United Nations, should use the voice, vote, and influence of the United States at the United Nations to advocate that the United Nations Human Rights Council, while the United States remains a member, annually extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic until the Commission has completed its investigation of all alleged violations of international human rights laws beginning in March 2011 in the Syrian Arab Republic.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) GENOCIDE.—The term “genocide” means any offense described in section 1091(a) of title 18, United States Code.

(3) HYBRID TRIBUNAL.—The term “hybrid tribunal” means a temporary criminal tribunal that involves a combination of domestic and international lawyers, judges, and other professionals to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide.

(4) TRANSITIONAL JUSTICE.—The term “transitional justice” means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes—

(A) to redress legacies of atrocities; and

(B) to promote long-term, sustainable peace.

(5) WAR CRIME.—The term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

**SA 2348.** Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and

Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

**SEC. 823. ENHANCEMENT OF MONITORING AND INVESTIGATION OF TRAFFICKING IN PERSONS.**

Section 1704 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 7104b) is amended by adding at the end the following new subsection:

“(e) SUPPLY CHAIN TRANSPARENCY.—

“(1) IN GENERAL.—To facilitate monitoring and investigation of human trafficking, the Office of Management and Budget shall ensure that the searchable public website established pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282) includes the following information on Federal awards at each tier to both domestic and foreign awardees:

“(A) The location of the entity receiving the award and the location of performance and production facilities under the award, including the name of a facility, street address, city, State if applicable, congressional district if applicable, and country.

“(B) Notice of whether a contractor must provide a compliance plan to prevent human trafficking under section 1703 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 1704a).

“(C) Notice of whether the location of performance or production facilities is within a country ranked at tier 2 or tier 3 in the most recent Human Trafficking Report of the Department of State.

“(D) Additional information that facilitates monitoring and investigation of human trafficking.

“(2) PHASE-IN PERIOD FOR REPORTING SUBCONTRACTS AND SUBGRANTS.—Pursuant to paragraph (1), the Director of the Office of Management and Budget shall—

“(A) issue a time-bound plan to phase in the new reporting not later than January 1, 2020; and

“(B) require reporting of subcontract and subgrant data at all tiers not later than January 1, 2022.

“(3) EXCEPTIONS.—

“(A) MINIMUM THRESHOLD.—Consistent with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), executive agencies need not disclose contracts, subcontracts, grants, subgrants, or cooperative agreements less than \$25,000 or contractors with gross income less than \$300,000 in the previous tax year.

“(B) SECURITY RISKS.—An awarding agency need not disclose the identity of a foreign awardee if the awarding agency certifies that disclosure of the contractor's identity would pose a security risk to the contractor or its contractual mission.

“(4) SCOPE.—For purposes of this section—

“(A) awards include contracts and subcontracts, grants and subgrants, and cooperative agreements; and

“(B) subcontracts include—

“(i) all tiers of the supply chain, not just those to which the prime contractor is a party; and

“(ii) supplier agreements with vendors, such as long-term arrangements for materials or supplies that benefit multiple contracts or with respect to which costs are normally applied to a contractor's general and administrative expenses or indirect costs.”.

**SA 2349.** Mr. MCCONNELL (for Ms. MURKOWSKI) proposed an amendment to the bill H.R. 88, to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; as follows:

In section 3(b), strike “, purchase from willing sellers with donated or appropriated funds.”.

**SA 2350.** Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

**SEC. 1052. REPORT ON THE X-47B UNMANNED COMBAT AERIAL VEHICLE.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commander of the Naval Air Systems Command shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on potential opportunities for the use of the X-47B Unmanned Combat Aerial Vehicle.

(b) ASSESSMENT.—The report required by subsection (a) shall include an assessment of the feasibility and advisability of using the X-47B Unmanned Combat Aerial Vehicle in support of unmanned aerial refueling and long-range penetrating strike missions, which assessment shall take into account and address the following in connection with such missions:

- (1) Development of concepts of operations.
- (2) Development of tactics, techniques, and procedures.
- (3) Software development.
- (4) Hardware development.
- (5) Other technological risk reduction activities.

**SA 2351.** Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

**SEC. 1018. BUSINESS CASE ANALYSIS OF READY RESERVE FORCE RECAPITALIZATION OPTIONS.**

(a) BUSINESS CASE ANALYSIS REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall, in consultation with the Administrator of the Maritime Administration and the Commander of United States Transportation Command, submit to the congressional

defense committees a report setting forth a business case analysis of recapitalization options for the Ready Reserve Force (RRF).

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

(1) Each sealift capability area, and the associated capacity, for which Ready Reserve Force vessels are required to be recapitalized through fiscal year 2048.

(2) The categories of vessels being considered in each area specified pursuant to paragraph (1), including the following:

(A) United States purpose-built vessels (such as Common Hull Auxiliary Multi-mission Platform).

(B) United States non-purpose built vessels (such as vessels formerly engaged in Jones Act trade).

(C) Foreign-built vessels that participated in the Maritime Security Program.

(D) Foreign-built vessels that did not participate in the Maritime Security Program.

(3) For each category of vessel specified pursuant to paragraph (2), the following:

(A) Anticipated availability of vessels within such category in the timeframe needed to meet United States Transportation Command sealift requirements.

(B) Anticipated purchase price, if applicable.

(C) Anticipated cost and scope of modernization.

(D) Anticipated duration of modernization period.

(E) Anticipated service life as a Ready Reserve Force vessel.

(F) Anticipated military utility.

(G) Ability of one such vessel to replace more than one existing Ready Reserve Force vessel.

(4) A cost-benefit determination on the mix of capabilities and vessels identified pursuant to paragraphs (1) through (3) that could ensure United States Transportation Command sealift requirements are met through fiscal year 2048, which determination shall include a comparison of the useful service life of each category of vessels specified pursuant to paragraph (2) with the costs of such category of vessels.

**SA 2352.** Mrs. CAPITO (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

**SEC. 1037. PRIORITY IN PROVISION OF FUNDS FOR NATIONAL GUARD DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES TO STATES EXPERIENCING SEVERE MORTALITY IN CONNECTION WITH THE OPIOID CRISIS.**

(a) ELEMENT ON SEVERITY IN STATE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES PLANS.—Subsection (c) of section 112 of title 32, United States Code, is amended—

(1) in paragraph (6), by striking the period at the end and inserting “; and”; and

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

“(7) certify the age-adjusted mortality rate of the State associated with opioid use disorders as based on the most recent ordinal



ranking of States according to the age-adjusted overdose mortality rates of the Centers for Disease Control and Prevention.”.

(b) **PRIORITY.**—Such section is further amended—

(1) by redesignating subsections (e) through (h) as subsections (f) through and (i), respectively; and

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

“(e) **PRIORITY IN PROVISION OF FUNDS TO STATES EXPERIENCING SEVERE MORTALITY IN CONNECTION WITH OPIOID CRISIS.**—In providing funds under subsection (a), the Secretary shall afford a priority to States with an overdose mortality rate that is above the national overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention, in connection with the opioid crisis.”.

(c) **ANNUAL REPORT MATTERS.**—Subsection (g) of such section, as redesignated by subsection (b)(1) of this section, is amended in paragraph (2) by inserting before the period at the end the following: “, including the effectiveness of such activities in assisting the State in addressing the opioid crises (in the case of States afforded a priority in the provision of funds pursuant to subsection (e))”.

**SA 2353.** Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 497, strike line 25 and insert the following:

(C) The Commander, Naval Air Forces.

**SA 2354.** Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

**SEC. 558. CONSTRUCTION AND REHABILITATION OF FACILITIES FOR SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTION.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Historically black colleges and universities (HBCUs) and minority-serving institutions play a vital role in educating low-income and underrepresented students in areas of national need.

(2) Historically black colleges and universities and minority-serving institutions presently contribute to the defense readiness and national security of the nation by administering Reserve Officers' Training Corps (ROTC) programs that prepare students to lead our Armed Forces.

(3) Racial and ethnic minority groups made up 40 percent of all active-duty members of the Armed Forces in 2015, up from 25 percent

in 1990. Minorities make up a significant and crucial number of the enlisted members in all four of the Armed Forces and also make up an increasingly important number of the officer corps, and yet the officer corps does not yet fully reflect the diversity of the nation. While 12 percent of the nation is African American, only 8 percent of active-duty officers were African American in the most recent report on minority officers in 2011. Similarly, Hispanic Americans make up 15 percent of the population and only 5 percent of the officer corps. And yet a higher number of the enlisted members of the Armed Forces are minorities.

(4) Providing a facility for Reserve Officers' Training Corps programs is one of the many financial challenges to increasing access to the officer track in minority settings. Considering the financial strains that face the historically black colleges and universities today, financial strains that are often even greater than those confronting all of the nation's colleges and universities in time with increasing State budget cuts, it is important to provide additional support to Reserve Officers' Training Corps programs at historically black colleges and universities across the country by authorizing the military departments to provide for the construction or rehabilitation of Reserve Officers' Training Corps program facilities at historically black colleges and universities and minority-serving institution campuses.

(b) **CONSTRUCTION AND REHABILITATION AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretaries of the military departments may provide for the construction and rehabilitation of facilities for Senior Reserve Officers' Training Corps programs at historically black colleges and universities and minority-serving institutions that host such programs.

(2) **SPECIAL CONSIDERATION.**—In determining whether to construct or rehabilitate facilities of historically black colleges and universities and minority-serving institutions using the authority in paragraph (1), the Secretary of a military department shall afford special consideration to the following:

(A) Colleges and universities, and institutions, located in States in which reside a high number of enlisted members of the Armed Forces who are members of a minority group.

(B) Colleges and universities, and institutions, with a high number of Reserve Officers' Training Corps program participants who are members of a minority group.

(C) Colleges and universities, and institutions, located in States that are reducing funding for higher education.

(3) **LIMITATION.**—The total number of facilities that may be constructed or rehabilitated using the authority in paragraph (1) in any fiscal year may not exceed five facilities.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is hereby authorized to be appropriated for fiscal year 2019 for the Department of Defense, \$20,000,000 for the construction and rehabilitation of facilities in that fiscal year as authorized by subsection (b).

**SA 2355.** Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

**SEC. 7. STUDY ON USE OF ACADEMIC PARTNERSHIPS IN NURSING WORKFORCE DEVELOPMENT BY DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.**

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

(1) Ensuring that the United States has an adequate number of trained nurses with the skills needed to provide special care for our active duty members of the Armed Forces and veteran population suffering from post-traumatic stress disorder and other unique health care needs is essential to maintaining readiness of the Armed Forces.

(2) The United States faces a serious challenge to meet the workforce needs to care for active duty members of the Armed Forces and veterans with special health care needs. Assessing the role of academic partnerships in meeting the challenge of ensuring that a pipeline of skilled nurses enter the workforce of the Department of Defense, the Department of Veterans Affairs, and public health is essential to establishing an effective national policy for nursing workforce development.

(3) There are a number of programs outside the Department of Defense that reinforce the special workforce training needs of members of the Armed Forces and veterans that should be included in a broader analysis of workforce development issues, including initiatives of the Health Resources and Services Administration of the Department of Health and Human Services.

(4) The workforce development framework for medical doctors entering service for the Department of Defense and the Department of Veterans Affairs should serve as a frame of reference for best practices in developing a similar nursing workforce pipeline.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, may conduct a study on improving the use of academic partnerships in nursing workforce development by the Department of Defense and the Department of Veterans Affairs.

(2) **ELEMENTS.**—The study conducted under paragraph (1) shall include the following:

(A) An assessment and definition of best practices for training of nurses and patient care by nurses.

(B) An identification of the impact of academic affiliations and partnerships in nursing education and nursing workforce development on the quality of care received by active duty members of the Armed Forces and veterans with respect to their special health care needs.

**SA 2356.** Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**SEC. . MENTORSHIP AND MATCHMAKING PROGRAMS TO SUPPORT MEMBERS OF THE ARMED FORCES AND VETERANS WHO ARE ENTREPRENEURS.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Programs of educational assistance administered by the Secretary of Veterans Affairs can be used by members of the Armed Forces and veterans to launch new businesses and such assistance can go underutilized.



(2) The Small Business Administration offers mentoring programs for veterans and the Administration can offer mentoring programs for veterans and members of the Armed Forces transitioning to civilian life.

(3) Helping members of the Armed Forces identify existing and conceivable business opportunities in their industry of interest or geographic location can be achieved through a process of integrating information about business leads sources like local chambers of commerce with data about service members interested in starting businesses provided to the Small Business Administration by the Department of Defense and Veterans Affairs.

(4) Enhancing the opportunity for success of members of the Armed Forces and veterans as entrepreneurs can be an important tool for economic development, especially in rural areas of the United States.

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

(1) it is important to establish a mentoring and matchmaking program to help members of the Armed Forces transition to civilian life;

(2) Small Business Development Centers of the Small Business Administration should help provide matchmaking services for members of the Armed Forces to help them identify existing and conceivable business opportunities in their industry of interest or geographic location; and

(3) a special emphasis should be made to assist members of the Armed Forces in rural areas of the United States.

(c) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, in partnership with the Administrator of the Small Business Administration and the Secretary of Defense, establish a program consisting of—

(A) providing mentors to covered individuals to assist them in pursuing goals relating to starting a business; and

(B) assistance in matching covered individuals with business opportunities relating to starting a business.

(2) COVERED INDIVIDUALS.—For purposes of the program required by paragraph (1), a covered individual is—

(A) a member of the Armed Forces who is transitioning to civilian life, a veteran, or a member of the family of such a member of the Armed Forces or veteran; and

(B) considering applying for a loan from the Small Business Administration to start a business.

**SA 2357.** Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. PROMOTING FEDERAL PROCUREMENT WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.**

(a) IN GENERAL.—The head of an executive agency, or a contracting officer where applicable, shall—

(1) assist historically Black colleges and universities and minority institutions to develop viable, self-sustaining businesses capable of competing on an equal basis in the mainstream of the United States economy; and

(2) promote Federal procurement with historically Black colleges and universities and minority institutions by establishing—

(A) participation goals of not less than 10 percent for historically Black colleges and universities and minority institutions;

(B) requirements that prime contractors and other recipients of Federal funds attain similar participation goals in their procurement; and

(C) other mechanisms that ensure historically Black colleges and universities and minority institutions have a fair opportunity to participate in Federal procurement.

(b) DEFINITIONS.—In this section:

(1) The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

(2) The term “historically Black college and university” has the meaning given the term in section 631 of the Higher Education Act of 1965 (20 U.S.C. 1132).

(3) The term “minority institution” has the meaning given the term in section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k).

**SA 2358.** Ms. STABENOW (for herself, Mr. GRASSLEY, Mrs. McCASKILL, and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XVII, add the following:

**SEC. 17. CONSIDERATION OF FOOD INSECURITY IN DETERMINATIONS OF THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.**

(a) IN GENERAL.—Section 721(f) of the Defense Production Act of 1950 (50 U.S.C. 4565(f)) is amended—

(1) in paragraph (10), by striking “; and” and inserting a semicolon;

(2) by redesignating paragraph (11) as paragraph (12); and

(3) by inserting after paragraph (10) the following:

“(11) the potential effects of the proposed or pending transaction on the security of the food and agriculture systems of the United States, including any effects on the availability of, access to, or safety and quality of food; and”.

(b) INCLUSION OF SECRETARIES OF AGRICULTURE AND HEALTH AND HUMAN SERVICES ON THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—Section 721(k)(2) of the Defense Production Act of 1950 (50 U.S.C. 4565(k)(2)) is amended—

(1) by redesignating subparagraphs (H), (I), and (J) as subparagraphs (J), (K), and (L), respectively; and

(2) by inserting after subparagraph (G) the following:

“(H) The Secretary of Agriculture.

“(I) The Secretary of Health and Human Services.”.

**SA 2359.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart-

ment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

**SEC. 12. ENHANCEMENT OF CONSIDERATION OF HUMAN RIGHTS IN ARMS EXPORTS.**

(a) ENHANCED CONGRESSIONAL OVERSIGHT.—

(1) IN GENERAL.—Any letter of offer to sell, or an application by a person for a license to export, defense articles or defense services controlled for export, regardless of monetary value, shall be subject to the requirements and procedures of section 36 of the Arms Export Control Act (22 U.S.C. 2776) relating to review and disapproval if the Secretary of State has credible information, with respect to a country to which the defense articles or defense services are proposed to be transferred, that—

(A) the government of the country—

(i) during the prior two-year period, has been subject to a coup; or

(ii) during the prior two-year period—

(I) has engaged in torture or ethnic cleansing of civilians; or

(II) has recruited and used child soldiers; or

(iii) during the preceding one-year period, has not prosecuted extrajudicial killings carried out by a military or security force (including paramilitary forces) of the country in accordance with a credible judicial legal process; or

(B) the country is a Tier 3 or Tier 2 Watch List Country pursuant to the Trafficking in Persons report submitted under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

(2) NOTICE TO CONGRESS.—The Secretary of State shall provide to the appropriate committees of Congress notice of any credible information described in paragraph (1).

(3) DURATION.—

(A) IN GENERAL.—With respect to a letter of offer to sell or an application for a license to export described in paragraph (1), the letter or application shall be subject to the requirements and procedures of section 36 of the Arms Export Control Act (22 U.S.C. 2776) referred to in that paragraph for not less than two years after the date on which the Secretary of State receives the information described in subparagraph (A) or (B) of that paragraph.

(B) TERMINATION.—With respect to such letter or application, the enhanced congressional oversight under paragraphs (1) and (2) shall terminate on the date on which the Secretary of State determines and informs the appropriate committees of Congress that—

(i) the credible information described in subparagraph (A) or (B) of paragraph (1) has been determined to be inaccurate;

(ii) in the case of an activity described in clause (ii) or (iii) of paragraph (1)(A), the activity has ceased and the government of the applicable country has taken appropriate steps to ensure that such activity does not recur; or

(iii) in the case of an activity described in paragraph (1)(A)(i), a democratically elected government has taken office.

**(b) LIMITATION ON SALES TO SECURITY FORCES INVOLVED IN EXTRAJUDICIAL KILLINGS.—**

(1) IN GENERAL.—No license for export shall be issued or a letter of offer for sale concluded for any defense article or defense service controlled for export to be provided to any unit or person involved in an extrajudicial killing until the date on which such extrajudicial killing has been investigated and adjudicated in accordance with a fair and credible legal judicial process.

## (2) WAIVER.—

(A) IN GENERAL.—The President may waive the limitation under paragraph (1) with respect to any specific license or letter of offer for sale if the President—

(i) makes a determination that such limitation would result in significant harm to United States national security interests; and

(ii) provides notice of, and justification for, such determination to the appropriate committees of Congress.

(B) EFFECTIVE DATE.—A waiver under subparagraph (A) shall not be effective before the date that is 30 days after the date on which the President provides notice under clause (ii) of that subparagraph.

(C) END USE MONITORING OF MISUSE OF ARMS IN HUMAN RIGHTS ABUSES.—In chapter 3A of the Arms Export Control Act (22 U.S.C. 2785), section 40A(a)(2)(B) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “and;” and

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

“(iii) such articles and services are not being used, including the intentional or reckless use against civilians, in the commission of violations of internationally recognized human rights.”

(D) HUMAN RIGHTS ELEMENTS IN AUXILIARY REPORTS.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended—

(1) in subparagraph (O), by striking “and” at the end;

(2) in subparagraph (P), by striking the period at the end and inserting “; and;” and

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

“(Q) an assessment whether such defense articles or defense services are at risk of being used, including the intentional or reckless use against civilians, in the commission of internationally recognized human rights violations, and a description of any measures to be taken by the recipient country or by the United States to guard against and monitor any such use.”

(E) SUPPORT FOR LEGITIMATE INTERNAL SECURITY NEEDS.—Section 4 of the Arms Export Control Act (22 U.S.C. 2754) is amended, in the first sentence, by inserting “legitimate” before “internal security”.

(F) MISUSE OF ARMS SALES FOR HUMAN RIGHTS ABUSES.—Section 3 of the Arms Export Control Act (22 U.S.C. 2753) is amended in subsection (a)—

(1) in paragraph (1)—

(A) by striking “and promote” and inserting “, promote”; and

(B) by inserting before the semicolon “, and is unlikely to contribute to human rights abuses”;

(2) in paragraph (3), by striking “and” at the end;

(3) by redesignating paragraph (4) as paragraph (5); and

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

“(4) the country or international organization has agreed not to use such article or service in the commission, or to enable the commission, of a violation of international humanitarian law or internationally recognized human rights; and”.

(G) CONSIDERATION OF HUMAN RIGHTS AND DEMOCRATIZATION IN ARMS SALES EXPORTS.—In considering an arms sale to a recipient, the Secretary of State shall—

(1) take into consideration the human rights and democratization record of the recipient; and

(2) ensure that the views and expertise of the Bureau of Democracy, Human Rights,

and Labor of the Department of State are fully used in such consideration.

**SA 2360.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

**SEC. 1018. TRANSFER OF EXCESS NAVAL VESSEL TO BAHRAIN.**

(a) TRANSFER BY GRANT.—The President is authorized to transfer to the Government of Bahrain the OLIVER HAZARD PERRY class guided missile frigate ex-USS ROBERT G. BRADLEY (FFG-49) on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) GRANT NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of the vessel transferred to the Government of Bahrain on a grant basis pursuant to authority provided by subsection (a) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(c) COSTS OF TRANSFER.—Any expense incurred by the United States in connection with the transfer authorized by this section shall be charged to the Government of Bahrain notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(d) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the Government of Bahrain have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(e) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the three-year period beginning on the date of the enactment of this Act.

**SA 2361.** Ms. KLOBUCHAR (for herself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**Subtitle —Honest Ads**

**SEC. .01. SHORT TITLE.**

This subtitle may be cited as the “Honest Ads Act”.

**SEC. .02. PURPOSE.**

The purpose of this subtitle is to enhance the integrity of American democracy and na-

tional security by improving disclosure requirements for online political advertisements in order to uphold the United States Supreme Court’s well-established standard that the electorate bears the right to be fully informed.

**SEC. .03. FINDINGS.**

Congress makes the following findings:

(1) On January 6, 2017, the Office of the Director of National Intelligence published a report titled “Assessing Russian Activities and Intentions in Recent U.S. Elections”, noting that “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. Presidential election . . .”. Moscow’s influence campaign followed a Russian messaging strategy that blends covert intelligence operation—such as cyber activity—with overt efforts by Russian Government agencies, State-funded media, third-party intermediaries, and paid social media users or “trolls.”

(2) On November 24, 2016, the Washington Post reported findings from 2 teams of independent researchers that concluded Russians “exploited American-made technology platforms to attack U.S. democracy at a particularly vulnerable moment . . . as part of a broadly effective strategy of sowing distrust in U.S. democracy and its leaders.”

(3) Findings from a 2017 study on the manipulation of public opinion through social media conducted by the Computational Propaganda Research Project at the Oxford Internet Institute found that the Kremlin is using pro-Russian bots to manipulate public discourse to a highly targeted audience. With a sample of nearly 1,300,000 tweets, researchers found that in the 2016 election’s 3 decisive States, propaganda constituted 40 percent of the sampled election-related tweets that went to Pennsylvanians, 34 percent to Michigan voters, and 30 percent to those in Wisconsin. In other swing States, the figure reached 42 percent in Missouri, 41 percent in Florida, 40 percent in North Carolina, 38 percent in Colorado, and 35 percent in Ohio.

(4) On September 6, 2017, the Nation’s largest social media platform disclosed that between June 2015 and May 2017, Russian entities purchased \$100,000 in political advertisements, publishing roughly 3,000 ads linked to fake accounts associated with the Internet Research Agency, a pro-Kremlin organization. According to the company, the ads purchased focused “on amplifying divisive social and political messages . . .”.

(5) In 2002, the Bipartisan Campaign Reform Act became law, establishing disclosure requirements for political advertisements distributed from a television or radio broadcast station or provider of cable or satellite television. In 2003, the Supreme Court upheld regulations on electioneering communications established under the Act, noting that such requirements “provide the electorate with information and insure that the voters are fully informed about the person or group who is speaking.”

(6) According to a study from Borrell Associates, in 2016, \$1,415,000,000 was spent on online advertising, more than quadruple the amount in 2012.

(7) The reach of a few large internet platforms—larger than any broadcast, satellite, or cable provider—has greatly facilitated the scope and effectiveness of disinformation campaigns. For instance, the largest platform has over 210,000,000 American users—over 160,000,000 of them on a daily basis. By contrast, the largest cable television provider has 22,430,000 subscribers, while the largest satellite television provider has 21,000,000 subscribers. And the most-watched television broadcast in U.S. history had 118,000,000 viewers.

(8) The public nature of broadcast television, radio, and satellite ensures a level of publicity for any political advertisement. These communications are accessible to the press, fact-checkers, and political opponents; this creates strong disincentives for a candidate to disseminate materially false, inflammatory, or contradictory messages to the public. Social media platforms, in contrast, can target portions of the electorate with direct, ephemeral advertisements often on the basis of private information the platform has on individuals, enabling political advertisements that are contradictory, racially or socially inflammatory, or materially false.

(9) According to comScore, 2 companies own 8 of the 10 most popular smartphone applications as of June 2017, including the most popular social media and email services—which deliver information and news to users without requiring proactivity by the user. Those same 2 companies accounted for 99 percent of revenue growth from digital advertising in 2016, including 77 percent of gross spending. 79 percent of online Americans—representing 68 percent of all Americans—use the single largest social network, while 66 percent of these users are most likely to get their news from that site.

(10) In its 2006 rulemaking, the Federal Election Commission noted that only 18 percent of all Americans cited the internet as their leading source of news about the 2004 Presidential election; by contrast, the Pew Research Center found that 65 percent of Americans identified an internet-based source as their leading source of information for the 2016 election.

(11) The Federal Election Commission, the independent Federal agency charged with protecting the integrity of the Federal campaign finance process by providing transparency and administering campaign finance laws, has failed to take action to address online political advertisements.

(12) In testimony before the Senate Select Committee on Intelligence titled, “Disinformation: A Primer in Russian Active Measures and Influence Campaigns,” multiple expert witnesses testified that while the disinformation tactics of foreign adversaries have not necessarily changed, social media services now provide “platform[s] practically purpose-built for active measures[.]” Similarly, as Gen. (RET) Keith B. Alexander, the former Director of the National Security Agency, testified, during the Cold War “if the Soviet Union sought to manipulate information flow, it would have to do so principally through its own propaganda outlets or through active measures that would generate specific news: planting of leaflets, inciting of violence, creation of other false materials and narratives. But the news itself was hard to manipulate because it would have required actual control of the organs of media, which took long-term efforts to penetrate. Today, however, because the clear majority of the information on social media sites is uncurated and there is a rapid proliferation of information sources and other sites that can reinforce information, there is an increasing likelihood that the information available to average consumers may be inaccurate (whether intentionally or otherwise) and may be more easily manipulable than in prior eras.”

(13) Current regulations on political advertisements do not provide sufficient transparency to uphold the public’s right to be fully informed about political advertisements made online.

#### SEC. 04. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the dramatic increase in digital political advertisements, and the growing cen-

trality of online platforms in the lives of Americans, requires the Congress and the Federal Election Commission to take meaningful action to ensure that laws and regulations provide the accountability and transparency that is fundamental to our democracy;

(2) free and fair elections require both transparency and accountability which give the public a right to know the true sources of funding for political advertisements in order to make informed political choices and hold elected officials accountable; and

(3) transparency of funding for political advertisements is essential to enforce other campaign finance laws, including the prohibition on campaign spending by foreign nationals.

#### SEC. 05. EXPANSION OF DEFINITION OF PUBLIC COMMUNICATION.

(a) IN GENERAL.—Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)) is amended by striking “or satellite communication” and inserting “satellite, paid internet, or paid digital communication”.

(b) TREATMENT OF CONTRIBUTIONS AND EXPENDITURES.—Section 301 of such Act (52 U.S.C. 30101) is amended—

(1) in paragraph (8)(B)—

(A) by striking “on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising” in clause (v) and inserting “in any public communication”;

(B) by striking “broadcasting, newspaper, magazine, billboard, direct mail, or similar type of general public communication or political advertising” in clause (ix)(1) and inserting “public communication”;

(C) by striking “but not including the use of broadcasting, newspapers, magazines, billboards, direct mail, or similar types of general public communication or political advertising” in clause (x) and inserting “but not including use in any public communication”;

(2) in paragraph (9)(B)—

(A) by striking clause (i) and inserting the following:

“(i) any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, print, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;”;

(B) by striking “on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising” in clause (iv) and inserting “in any public communication”.

(c) DISCLOSURE AND DISCLAIMER STATEMENTS.—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

(1) by striking “financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising” and inserting “financing any public communication”; and

(2) by striking “solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising” and inserting “solicits any contribution through any public communication”.

#### SEC. 06. EXPANSION OF DEFINITION OF ELECTORATE COMMUNICATION.

(a) EXPANSION TO ONLINE COMMUNICATIONS.—

(1) APPLICATION TO QUALIFIED INTERNET AND DIGITAL COMMUNICATIONS.—

(A) IN GENERAL.—Subparagraph (A) of section 304(f)(3) of the Federal Election Cam-

paign Act of 1971 (52 U.S.C. 30104(f)(3)(A)) is amended by striking “or satellite communication” each place it appears in clauses (i) and (ii) and inserting “satellite, or qualified internet or digital communication”.

(B) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

“(D) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—The term ‘qualified internet or digital communication’ means any communication which is placed or promoted for a fee on an online platform (as defined in subsection (j)(3)).”.

(2) NONAPPLICATION OF RELEVANT ELECTORATE TO ONLINE COMMUNICATIONS.—Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III)) is amended by inserting “any broadcast, cable, or satellite” before “communication”.

(3) NEWS EXEMPTION.—Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

“(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to communications made on or after January 1, 2018.

#### SEC. 07. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking “shall clearly state” each place it appears in paragraphs (1), (2), and (3) and inserting “shall state in a clear and conspicuous manner”; and

(2) by adding at the end the following flush sentence: “For purposes of this subsection, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.”.

(b) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

(1) IN GENERAL.—Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

“(e) SPECIAL RULES QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

“(1) SPECIAL RULES WITH RESPECT TO STATEMENTS.—In the case of any qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

“(A) state the name of the person who paid for the communication; and

“(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

“(2) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered to be made in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

“(A) TEXT OR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

“(i) appears in letters at least as large as the majority of the text in the communication; and

“(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

“(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

“(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

“(i) is included at either the beginning or the end of the communication; and

“(ii) is made both in—

“(I) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

“(II) an audible format that meets the requirements of subparagraph (B).

“(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraphs (A), (B), or (C).”.

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1)(i) and (ii) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in section 304(f)(3)(D) of the Federal Election Campaign Act of 1971).

(C) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

(A) by striking “which is transmitted through radio” and inserting “which is in an audio format”; and

(B) by striking “BY RADIO” in the heading and inserting “AUDIO FORMAT”;

(2) in paragraph (1)(B)—

(A) by striking “which is transmitted through television” and inserting “which is in video format”; and

(B) by striking “BY TELEVISION” in the heading and inserting “VIDEO FORMAT”;

(3) in paragraph (2)—

(A) by striking “transmitted through radio or television” and inserting “made in audio or video format”; and

(B) by striking “through television” in the second sentence and inserting “in video format”.

#### SEC. 108. POLITICAL RECORD REQUIREMENTS FOR ONLINE PLATFORMS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

“(j) DISCLOSURE OF CERTAIN ONLINE ADVERTISEMENTS.—

“(1) IN GENERAL.—

“(A) REQUIREMENTS FOR ONLINE PLATFORMS.—An online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any request to purchase on such online platform a qualified political advertisement which is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds \$500.

“(B) REQUIREMENTS FOR ADVERTISERS.—Any person who requests to purchase a qualified political advertisement on an online platform shall provide the online platform with such information as is necessary for the online platform to comply with the requirements of subparagraph (A).

“(2) CONTENTS OF RECORD.—A record maintained under paragraph (1)(A) shall contain—

“(A) a digital copy of the qualified political advertisement;

“(B) a description of the audience targeted by the advertisement, the number of views generated from the advertisement, and the date and time that the advertisement is first displayed and last displayed; and

“(C) information regarding—

“(i) the average rate charged for the advertisement;

“(ii) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the national legislative issue to which the advertisement refers (as applicable);

“(iii) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

“(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name, address, and phone number of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

“(3) ONLINE PLATFORM.—For purposes of this subsection, the term ‘online platform’ means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

“(A) sells qualified political advertisements; and

“(B) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months.

“(4) QUALIFIED POLITICAL ADVERTISEMENT.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘qualified political advertisement’ means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

“(i) is made by or on behalf of a candidate; or

“(ii) communicates a message relating to any political matter of national importance, including—

“(I) a candidate;

“(II) any election to Federal office; or

“(III) a national legislative issue of public importance.

“(5) TIME TO MAINTAIN FILE.—The information required under this subsection shall be made available as soon as possible and shall be retained by the online platform for a period of not less than 4 years.

“(6) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.”.

(b) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

(1) requiring common data formats for the record required to be maintained under section 304(j) of the Federal Election Campaign Act of 1971 (as added by subsection (a)) so that all online platforms submit and maintain data online in a common, machine-readable and publicly accessible format; and

(2) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchaser, and date.

(c) REPORTING.—Not later than 2 years after the date of the enactment of this Act, and biannually thereafter, the Chairman of the Federal Election Commission shall submit a report to Congress on—

(1) matters relating to compliance with and the enforcement of the requirements of section 304(j) of the Federal Election Campaign Act of 1971, as added by subsection (a);

(2) recommendations for any modifications to such section to assist in carrying out its purposes; and

(3) identifying ways to bring transparency and accountability to political advertisements distributed online for free.

#### SEC. 109. PREVENTING CONTRIBUTIONS, EXPENDITURES, INDEPENDENT EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121) is amended by adding at the end the following new subsection:

“(c) Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(j)(3)) shall make reasonable efforts to ensure that communications described in section 318(a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly.”.

**SA 2362.** Ms. KLOBUCHAR (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

#### SEC. 1066. ANNUAL STATE REPORT CARD.

Section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) is amended by striking “on active duty (as defined in section 101(d)(5) of such title)”.

**SA 2363.** Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, insert the following:

#### SEC. 1066. REQUIRING DISCLOSURE OF CREDIT VERIFICATION VALUE AS CONDITION OF ACCEPTANCE OF ONLINE CONTRIBUTIONS TO FEDERAL ELECTION.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102) is amended by adding at the end the following:

“(j)(1) No political committee shall accept any Internet credit card contribution unless—

“(A) the individual or entity making such contribution is required, at the time such individual makes such contribution, to disclose the credit verification value of such credit card; and

“(B)(i) the billing address associated with such credit card is located in the United States; or

“(ii) in the case of a contribution made by an individual who is a United States citizen living outside of the United States, the individual provides the committee with the United States mailing address the individual uses for voter registration purposes.

“(2) Notwithstanding subsection (b) or (c), in the case of an Internet credit card contribution—

“(A) no later than 10 days after receiving the contribution, the person who receives the contribution shall forward to the treasurer such contribution, the name and address of the person making the contribution, and the date of receipt; and

“(B) the treasurer of a political committee shall keep an account of the name and address of any person making any such contribution, together with the date and amount of such contribution by any person.

“(3) In this subsection, the term ‘Internet credit card contribution’ means a contribution that—

“(A) is made using a credit card; and

“(B) is received through an Internet website.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to contributions made after the expiration of the 180-day period which begins on the date of the enactment of this Act.

**SA 2364.** Ms. KLOBUCHAR (for herself, Mr. CORNYN, Mr. MANCHIN, Mr. KAINE, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**SEC. —. RESIDENCE OF SPOUSES OF SERVICEMEMBERS FOR TAX PURPOSES.**

(a) **RESIDENCE FOR TAX PURPOSES.**—Section 511(a)(2) of the Servicemembers Civil Relief Act (50 U.S.C. 4001(a)(2)) is amended by adding at the end the following new sentence: “The spouse of a servicemember may elect to use the same residence for purposes of taxation as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred.”.

(b) **APPLICABILITY.**—The amendment made by subsection (a) shall apply with respect to any return of State or local income tax filed for any taxable year beginning with the taxable year that includes the date of the enactment of this Act.

**SEC. —. RESIDENCE OF SPOUSES OF SERVICEMEMBERS FOR VOTING.**

(a) **IN GENERAL.**—Section 705(b) of the Servicemembers Civil Relief Act (50 U.S.C. 4025(b)) is amended—

(1) by striking “State or local office” and all that follows through the period at the end of paragraph (3) and inserting “State or local office—”; and

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

“(1) a person who is absent from a State because the person is accompanying the person’s spouse who is absent from that same

State in compliance with military or naval orders shall not, solely by reason of that absence—

“(A) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State; or

“(B) be deemed to have acquired a residence or domicile in any other State; or

“(C) be deemed to have become a resident in or a resident of any other State; and

“(2) the spouse of a servicemember may elect to use the same residence as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is 90 days after the date of the enactment of this Act.

**SA 2365.** Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.**

(a) **IN GENERAL.**—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

**“§ 7330C. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures**

“(a) **ESTABLISHMENT.**—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

“(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

“(A) the directives and policies of the Department in effect as of the date of the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019;

“(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

“(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1074 note).

“(b) **SELECTION OF SITE.**—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

“(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

“(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served

in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

“(3) have access to animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

“(4) have expertise in allergy, immunology, and pulmonary diseases.

“(c) **COLLABORATION.**—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

“(d) **RESPONSIBILITIES.**—The center of excellence shall have the following responsibilities:

“(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

“(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

“(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

“(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

“(7) To provide medical treatment to veterans diagnosed with medical conditions specific to exposure to burn pits and other environmental exposures.

“(e) **USE OF BURN PITS REGISTRY DATA.**—In carrying out its responsibilities under subsection (d), the center of excellence shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(f) **FUNDING.**—The Secretary shall carry out this section using amounts appropriated to the Department for such purpose.

“(g) **DEFINITIONS.**—In this section:

“(1) The term ‘burn pit’ means an area of land located in Afghanistan or Iraq that—

“(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

“(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

“(2) The term ‘other environmental exposures’ means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in

Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330B the following new item:

“7330C. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.”.

**SA 2366.** Mr. LEE (for himself, Mrs. FEINSTEIN, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.**

(a) IN GENERAL.—Section 4001(a) of title 18, United States Code, is amended to read as follows:

“(a) No citizen or lawful permanent resident of the United States may be imprisoned or otherwise detained by the United States unless such imprisonment or detention is consistent with the Constitution and is carried out pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”.

(b) RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.—Section 4001 of title 18, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of this subsection.

“(3) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

**SA 2367.** Ms. CORTEZ MASTO (for herself, Mr. MORAN, and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

**SEC. 322. REPORT ON AIR FORCE TRAINING RANGE REQUIREMENTS TO ADDRESS FIFTH GENERATION THREATS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense needs to ensure that air training ranges are properly equipped to prepare pilots for operating in any battlespace where they may have to operate.

(2) The ongoing development of anti-aircraft technology among near-peer competitors of the United States, and the proliferation of that technology to a widening array of potential battlefields, necessitates maximum preparedness among United States fighter and bomber pilots.

(3) Years of focusing on low intensity stability operations and multiple budget cycles under spending caps have resulted in an under capitalization of fifth generation training resources.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the needs of the Air Force to ensure pilots can train against the full range of fifth generation threats at training ranges, including—

(1) the appropriate mix of live and virtual threats that should be available on the training ranges;

(2) the need to have threat representative simulators at those training ranges;

(3) the plan to meet those needs;

(4) the resources required to meet those needs; and

(5) the timeline for meeting those needs.

**SA 2368.** Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

**SEC. 1650. REPORT ON DEVELOPMENT OF LONG-RANGE STAND-OFF WEAPON.**

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until December 31, 2024, the Secretary of the Air Force shall, in coordination with the Administrator for Nuclear Security, submit to the congressional defense committees a report describing the joint development of the long-range stand-off weapon, including the missile developed by the Air Force and the W80-4 warhead life extension program conducted by the National Nuclear Security Administration.

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

(1) An estimate of the date on which the long-range stand-off weapon will reach initial operating capability.

(2) A description of any development milestones for the missile developed by the Air Force or the warhead developed by the National Nuclear Security Administration that depend on corresponding progress at the other agency.

(3) A description of coordination efforts between the Air Force and the National Nu-

clear Security Administration during the 180 days preceding submission of the report.

(4) A description of any schedule delays projected by the Air Force or the National Nuclear Security Administration and the anticipated effect such delays would have on the other agency's schedule of work.

(5) Plans to mitigate the effects of any delays described in paragraph (4).

(6) A description of any ways, including through the availability of additional funding or authorities, in which the development milestones described in paragraph (2) or the estimated date of initial operating capability referred to in paragraph (1), could be achieved more quickly.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

**SA 2369.** Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1066. SENSE OF SENATE ON MANAGEMENT OF UNMANNED AIRCRAFT SYSTEMS TRAFFIC WITHIN THE NATIONAL AIRSPACE SYSTEM.**

It is the sense of the Senate that the Department of Defense should collaborate with the National Aeronautics and Space Administration on the development of systems or technologies to manage unmanned aircraft systems traffic within the national airspace system in order to—

(1) ensure that unmanned aircraft systems owned or operated by the Department can be flown safely, wherever they are authorized to fly in the national airspace system; and

(2) enhance the ability of the Department to mitigate threats to its facilities and assets posed by unmanned aircraft as authorized by section 130i of title 10, United States Code.

**SA 2370.** Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. \_\_\_\_ . INCLUSION OF CERTAIN NAMES ON THE VIETNAM VETERANS MEMORIAL.**

The Secretary of Defense shall provide for the inclusion on the Vietnam Veterans Memorial in the District of Columbia the names of the seventy-four crew members of the USS Frank E. Evans killed on June 3, 1969.



# AUTHORITY FOR COMMITTEES TO MEET

Mr. INHOFE. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

## COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, June 6, 2018, at 10 a.m. to conduct a hearing.

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, June 6, 2018, at 2:30 p.m. to conduct a hearing on the nomination of Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior.

## COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, June 6, 2018, at 10 a.m. to conduct a hearing on the following nominations: David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Holly A. Brady, to be United States District Judge for the Northern District of Indiana, Andrew Lynn Brasher, to be United States District Judge for the Middle District of Alabama, James Patrick Hanlon, to be United States District Judge for the Southern District of Indiana, David Steven Morales, to be United States District Judge for the Southern District of Texas, and Lance E. Walker, of Maine, to be United States District Judge for the District of Maine.

## SUBCOMMITTEE ON SPACE, SCIENCE, AND COMPETITIVENESS

The Subcommittee on Space, Science, and Competitiveness of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, June 6, 2018, at 3 p.m. to conduct a hearing entitled "Examining the Future of the International Space Station: Stakeholder Perspectives."

## SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

The Subcommittee on Federal Spending Oversight and Emergency Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, June 6, 2018, at 2:30 p.m. to conduct a hearing entitled "War Powers and the Effects of Unauthorized Military Engagements on Federal Spending."

## SUBCOMMITTEE ON BORDER SECURITY AND IMMIGRATION

The Subcommittee on Border Security and Immigration of the Committee on the Judiciary is authorized

to meet during the session of the Senate on Wednesday, June 6, 2018, at 2:45 p.m. to conduct a hearing entitled "Student Visa Integrity: Protecting Educational Opportunity and National Security."

# PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Marta Aparicio, a fellow in my office, be granted privileges of the floor until August 3, 2018.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Jaime Hamre, have privileges of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

# SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 61, H.R. 88.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

## SECTION 1. SHORT TITLE.

*This Act may be cited as the "Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act".*

## SEC. 2. DEFINITIONS.

*In this Act:*

(1) **AFFILIATED AREA.**—The term "affiliated area" means the Parker's Crossroads Battlefield established as an affiliated area of the National Park System by section 4(a).

(2) **PARK.**—The term "Park" means Shiloh National Military Park, a unit of the National Park System.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

## SEC. 3. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.

(a) **ADDITIONAL AREAS.**—The boundary of the Park is modified to include the areas that are generally depicted on the map entitled "Shiloh National Military Park, Proposed Boundary Adjustment", numbered 304/80,011, and dated July 2014, and which are comprised of the following:

- (1) *Fallen Timbers Battlefield.*
- (2) *Russell House Battlefield.*
- (3) *Davis Bridge Battlefield.*

(b) **ACQUISITION AUTHORITY.**—The Secretary may acquire the land described in subsection (a) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(c) **ADMINISTRATION.**—Any land acquired under this section shall be administered as part of the Park.

## SEC. 4. ESTABLISHMENT OF AFFILIATED AREA.

(a) **IN GENERAL.**—Parker's Crossroads Battlefield in the State of Tennessee is established as an affiliated area of the National Park System.

(b) **DESCRIPTION OF AFFILIATED AREA.**—The affiliated area shall consist of the area generally depicted within the "Proposed Boundary" on the map entitled "Parker's Crossroads Battlefield, Proposed Boundary", numbered 903/80,073, and dated July 2014.

(c) **ADMINISTRATION.**—The affiliated area shall be managed in accordance with—

(1) this Act; and

(2) any law generally applicable to units of the National Park System.

(d) **MANAGEMENT ENTITY.**—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) **COOPERATIVE AGREEMENTS.**—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance for the marketing, marking, interpretation, and preservation of the affiliated area.

(f) **LIMITED ROLE OF THE SECRETARY.**—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) **GENERAL MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area in accordance with section 100502 of title 54, United States Code.

(2) **TRANSMITTAL.**—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan developed under paragraph (1).

Mr. MCCONNELL. I ask unanimous consent that the committee-reported amendment be agreed to, the Murkowski amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2349) was agreed to, as follows:

(Purpose: To modify the authorized methods for the acquisition of land to be added to the Shiloh National Military Park.)

In section 3(b), strike "purchase from willing sellers with donated or appropriated funds,".

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 88), as amended, was passed.

# JOHN MUIR NATIONAL HISTORIC SITE EXPANSION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 172, H.R. 1719.

The PRESIDING OFFICER. The clerk will report the bill by title.



The legislative clerk read as follows:

A bill (H.R. 1719) to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, for inclusion in the John Muir National Historic Site, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1719) was ordered to a third reading, was read the third time, and passed.

#### THE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following Calendar bills en bloc: Calendar Nos. 432, 433, 434, and 415.

There being no objection, the Senate proceeded to consider the bills en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title en bloc.

#### NATIONAL VETERANS MEMORIAL AND MUSEUM ACT

The legislative clerk read as follows:

A bill (H.R. 1900) to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes.

#### NATIONAL NORDIC MUSEUM ACT

A bill (S. 2857) to designate the Nordic Museum in Seattle, Washington, as the "National Nordic Museum," and for other purposes.

#### TO AUTHORIZE, DIRECT, FACILITATE, AND EXPEDITE THE TRANSFER OF ADMINISTRATIVE JURISDICTION OF CERTAIN FEDERAL LAND

A bill (H.R. 1397) to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land, and for other purposes.

#### NATIONAL EMERGENCY MEDICAL SERVICES COMMEMORATIVE WORK ACT

A bill (S. 1692) to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

Mr. McCONNELL. I ask unanimous consent that the bills, en bloc, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 1900) was ordered to a third reading and was read the third time.

The bill (S. 2857) was ordered to be engrossed for a third reading and was read the third time.

The bill (H.R. 1397) was ordered to a third reading and was read the third time.

The bill (S. 1692) was ordered to be engrossed for a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bills en bloc.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bills having been read the third time, the question is, Shall the bills pass en bloc?

The bill (H.R. 1900) was passed.

The bill (S. 2857) was passed, as follows:

#### S. 2857

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Nordic Museum Act".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the Nordic Museum in Seattle, Washington, is the only museum in the United States dedicated to Nordic history, culture, and art;

(2) Nordic people have long contributed to the rich cultural heritage of the United States;

(3) the Nordic Museum serves as a unique and valuable resource locally and nationally for expanding knowledge relating to—

(A) Nordic heritage; and

(B) the impact Nordic heritage has had throughout the United States;

(4) a new state-of-the-art facility was opened to house the Nordic Museum on May 5, 2018, making Nordic history, culture, and art even more engaging and accessible to the public;

(5) to provide funds and exhibits for the new Nordic Museum, numerous public and private entities and many private individuals partnered together, including—

(A) the State of Washington;

(B) King County, Washington;

(C) the Nordic Council, which is composed of representatives from the national parliaments of Nordic countries; and

(D) the national museums of Denmark, Finland, Iceland, Norway, and Sweden;

(6) the Nordic Museum is—

(A) a significant resource for preserving and celebrating the history, culture, and art of Nordic immigrants in the United States; and

(B) the only museum in the United States that exists for the exclusive purpose of preserving, interpreting, and providing education about Nordic culture and heritage; and

(7) the Nordic Museum promotes valuable international relations between the United States and the Nordic countries of Denmark, Finland, Iceland, Norway, and Sweden.

#### SEC. 3. DESIGNATION OF NATIONAL NORDIC MUSEUM.

(a) DESIGNATION.—The Nordic Museum located at 2655 N.W. Market Street, Seattle, Washington, is designated as the "National Nordic Museum".

(b) EFFECT OF DESIGNATION.—

(1) IN GENERAL.—The museum designated by subsection (a) is not a unit of the National Park System.

(2) USE OF FEDERAL FUNDS.—The designation of the museum by subsection (a) shall not require Federal funds to be expended for any purpose related to the museum.

The bill (H.R. 1397) was passed.

The bill (S. 1692) was passed, as follows:

#### S. 1692

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Emergency Medical Services Commemorative Work Act".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) each year, throughout the United States, the 850,000 first responders of Emergency Medical Services answer more than 30,000,000 calls to serve 22,000,000 patients in need of life-saving care and comfort at a moment of notice and without reservation;

(2) with little regard for their own safety and in the face of all hazards, the first responders of Emergency Medical Services respond across the spectrum of incidents from a medical emergency of a single person to naturally occurring or manmade disasters, including terrorist attacks that threaten the entire United States;

(3) the commitment of the first responders of Emergency Medical Services to others, at a moment of notice and despite risk, exemplifies the finest traditions of the spirit of the people of the United States;

(4) as an element of the homeland defense strategy of the United States, Emergency Medical Services stands on the "Nation's first line of defense in the prevention and mitigation of risk from terrorist attacks, man-made incidents, and natural disasters";

(5) the first responders of Emergency Medical Services, along with the members of Law Enforcement and Fire Services, serving in both the public and private sectors as career and volunteer emergency medical service providers—

(A) are a critical element of the homeland and national security efforts of the United States; and

(B) provide for the domestic tranquility of the citizens of the United States;

(6) all too often the risks associated with the critical role of Emergency Medical Services results in an unacceptable rate of injury and fatality to first responders;

(7) statistics compiled by the Department of Labor and the National Highway Safety Administration indicate that Emergency Medical Services providers—

(A) die in the line of duty at a rate more than twice the national average for all occupational fatalities; and

(B) experience an injury rate of virtually 100 percent during the careers of the providers;

(8) the United States has historically and continually relied on the selfless and ultimate sacrifices made by citizens in service to the United States and the families and loved ones of citizens in service to the United States, in order to maintain the domestic tranquility, safety, and security of the United States;

(9) the first responders of Emergency Medical Services continue to serve in this finest tradition, in the face of unacceptable sacrifice, risk, and danger in service to the United States and the citizens of the United States;

(10) the scope of responsibility assumed by the first responders of Emergency Medical Services is broad and unique; and

(11) the sacrifice and commitment of the first responders of Emergency Medical Services in service to the United States is deserving of a commemorative work that recognizes the sacrifice and commitment of the first responders.

**SEC. 3. AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK BY THE NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL FOUNDATION.**

(a) IN GENERAL.—The National Emergency Medical Services Memorial Foundation (referred to in this section as the “Foundation”) may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the commitment and service represented by Emergency Medical Services.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”).

(c) PAYMENT OF EXPENSES.—

(1) RESPONSIBILITY OF NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL FOUNDATION.—The Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(2) USE OF FEDERAL FUNDS PROHIBITED.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—

(1) IN GENERAL.—If on payment of all expenses for the establishment of the commemorative work (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the commemorative work under this section, the Foundation shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

(2) ON EXPIRATION OF AUTHORITY.—If on expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work under this section, the Foundation shall transmit the amount of the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or Administrator of General Services, as appropriate, in accordance with the process provided in section 8906(b)(4) of title 40, United States Code, for accounts established under paragraph (2) or (3) of section 8906(b) of title 40, United States Code.

Mr. McCONNELL. I ask unanimous consent that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

**ORDERS FOR THURSDAY, JUNE 7, 2018**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, June 7; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. I further ask that following leader remarks, the Senate proceed to executive session for the consideration of the Marcus nomination, under the previous order, with the time

until 12:30 p.m. equally divided between the two leaders or their designees; finally, that at 12:30 p.m., all debate time on the nomination be expired and the Senate vote on confirmation of the Marcus nomination with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDER FOR ADJOURNMENT**

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators TILLIS, BROWN, and PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION ACT**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the consent with respect to H.R. 88 be amended to reflect that the Murkowski amendment was an amendment to the committee-reported amendment and the committee substitute, as amended, be agreed to and the bill, as amended, passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

**AUTHORIZING DOCUMENT PRODUCTION BY THE SELECT COMMITTEE ON INTELLIGENCE**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 536, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 536) to authorize document production by the Select Committee on Intelligence.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PORTMAN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motionS to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 536) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

The PRESIDING OFFICER. The Senator from Ohio.

**CONSUMER FINANCIAL PROTECTION BUREAU**

Mr. BROWN. Mr. President, barely a day goes by that doesn't bring news of

another consumer protection rollback and another handout to Wall Street, day after day in this body or downtown.

This weekend, we heard that the Federal Reserve plans changes to the Volcker rule—the rule that stops big banks from taking big risks with Americans' money. The month before, the Federal Reserve Vice Chair, Randal Quarles, said the Fed wants to loosen rules on foreign megabanks. Those are the banks like Santander and Deutsche Bank. These are banks headquartered abroad, but they abuse the public trust in this country and have been fined in the past. The Federal Reserve Vice Chair—who once was in the Bush administration, and prediction after prediction missed the implosion of the economy in 2007 and 2008—wants to loosen the rules on foreign megabanks. I don't even understand the logic, let alone the sensibleness of it.

Today, we learned that Mick Mulvaney is continuing his systematic dismantling of the Consumer Financial Protection Bureau by disbanding the Consumer Advisory Board. It is a board of 25 advocates for American consumers and industry experts. It is required by law to meet twice a year, but Mulvaney now says they won't hold any meetings—not today, not tomorrow, not next week, not next month, period—they were supposed to meet with Mulvaney to advocate for American consumers, but they are done with that, I guess—not ever, until Mulvaney replaces all the members with his handpicked cronies.

Even though Federal law says: You have to meet with them—required by law to meet twice a year—Mulvaney said: I am not meeting with them until they quit and I get my handpicked friends of payday lenders, friends of Wall Street, friends of big banks, friends of financial service companies who think about politics and government and regulation the way I think. What is right about that?

Apparently, Director Mulvaney, who, as we know, has two jobs—Office of Budget and Management and also head of the Consumer Financial Protection Bureau—and that is peculiar, putting it mildly. He has two absolutely full-time jobs that he is supposed to do, apparently, although he has time to chat up payday lenders at golf resorts in the Bahamas, but he can't make time to meet with actual consumer experts, even though it is the law to do that twice a year. He doesn't like these consumer experts, so he is saying he is not going to do it.

The Board is supposed to advise the Director of the Consumer Financial Protection Bureau on trends that they are seeing so the Bureau can stay ahead of scams and fraud. It is one more tool—or should be one more tool—to try to prevent corporations from scamming consumers before it happens.

For a change, let's stop the corruption and stop the back-scratching and

stop the favors for Wall Street before they happen rather than taxpayers bailing out these companies after they scam the public and then the public is left penniless in far too many cases.

It is also an opportunity for the Director to hear what kinds of consumer problems Americans are facing. Here is fundamentally the reason why. Pope Francis, soon after he assumed the papacy, admonished his parish priests to go out and smell like the flock. Go out and smell like the flock. In other words, go out among people and see what troubles them, see what their problems are, try to experience their lives as much as a well-paid public servant can, including a Senator, including a Congressman or Congresswoman, including a city council person, whoever. Go out and smell like the flock. So instead of Mulvaney going and hanging around payday lenders in Bahamas, maybe he ought to go out and smell like the flock. Maybe he ought to follow the words of Pope Francis and listen to the problems people have. One of the ways of doing that is listening to these 25 advocates for American consumers and industry experts. As I said, they are required to meet twice a year, and if he is not listening to them—he clearly isn't listening to people who can share some of these thoughts.

Similarly, when Lincoln was President, his staff wanted him to stay in the White House and win the war and free the slaves and preserve the Union, and Lincoln said: No, I have to go out and get my public opinion baths. Well, Director Mulvaney could use some public opinion baths. He could use some going out and smelling like the flock. Maybe he then would understand consumers' problems. But he really doesn't seem to want to do that.

Over and over again, he has used his position at the Consumer Financial Protection Bureau to do favors for corporate special interests rather than look out for the people he is supposed to serve. He canceled an investigation into the payday lending industry, which preys on consumers and traps them in a downward spiral of debt. We know how that happens. People don't genuinely get one payday loan. Their car breaks down, and they borrow \$400 because they can't get to work. They will not be able to pay their rent if they can't get to work, so they borrow the \$400 because they don't have \$400 in their pocket. A quarter of Americans—more than that—don't have \$400 of discretionary money in their pockets to pay for an emergency. They go to a payday lender. They can't pay them back right away, so they get another payday loan. They can't pay that back, and by the end, they end up paying \$1,500. They never get out of that downward spiral. Does Director Mulvaney care? Apparently not. He is too busy hanging out with payday lending advocates and payday lenders themselves.

If that weren't bad enough, this week he ordered the Bureau to team up with

those same payday lenders. He joined a lawsuit to delay a rule protecting consumers from triple-digit interest rates. Do you know why I say triple digits? Again, that is what happens. Almost nobody gets one payday loan. They simply can't pay it back quickly enough, so they get a second and a third. You don't have to be very good in math. Even Senators can understand this. If you are getting three, four, five, six payday loans, you are into paying triple-digit interest rates. If you borrow \$300, you end up paying back \$500, \$600, \$700.

He has gutted the Office of the Consumer Financial Protection Bureau that was supposed to stop discrimination in lending. He has disbanded the team that protected student loan borrowers. Nobody who is even as conservative as anybody in this body might be, who is in the tank with Wall Street as much as anybody in this body might be—there are a whole lot of them in that category—nobody really believes that we created the Consumer Financial Protection Bureau to fleece consumers and to protect payday lenders, but that is what the new administrator seems to want. He has hired a bunch of political cronies. We know that. He has given them political salaries. We know that.

When he testified to the Banking Committee, sitting behind him were very well-dressed political cronies pulling down very big salaries, comparable to his salary and in some cases higher than Senators' salaries. I am not complaining about that; I am just saying that these are well-paid people who are political cronies who simply aren't looking out for consumers. It never ends. That is just the Consumer Financial Protection Bureau.

Step back and look at what is happening in Washington, and you see the same pattern—favors for Wall Street, favors for special interests, no matter what it costs American workers, no matter what it costs American families.

The White House looks like an executive retreat. It looks like a retreat for Wall Street executives, except when it looks like a retreat for drug company executives, except when it looks like a retreat for big bank lobbyists, or except when it looks like a retreat for payday lenders and Big Pharma lobbyists. That is the White House.

This place looks the same. The doors open wide around here for lobbyists from the big drug companies, for lobbyists from Wall Street, for lobbyists from the biggest insurance companies in the country—not so much for public interest. You can see that in this body.

Mick Mulvaney even admitted to a room full of bankers—get this. This is illuminating. It is illustrative. It doesn't shock me because I have watched him, and I have watched many people who are just like him here. Mick Mulvaney even admitted to a room full of bankers that he decided whom he would meet with based on

campaign contributions. I am not making this up. He was a Congressman before. These are his words:

We had a hierarchy in my office in Congress. If you're a lobbyist who never gave us money, I didn't talk to you. If you're a lobbyist who gave us money, I might talk to you.

Hear that again. This is Mick Mulvaney, who is now in charge of the Consumer Financial Protection Bureau. And consumers aren't writing big checks to Members of Congress; it is the interest groups.

He said:

We had a hierarchy in my office in Congress. If you're a lobbyist who never gave us money, I didn't talk to you. If you're a lobbyist who gave us money, I might talk to you.

Those are his words. What was particularly troubling about that was he was telling a room full of bankers that story, and he was saying: Come to me. Come to me. Give us money.

Not him per se because he is not running for office now, but give Members of Congress money. Get involved. Make contributions. Come into their offices—don't give them the money in the office. That would be perhaps vulgar and illegal. But give these politicians money, and then they may do things for you.

As the head of Consumer Financial Protection Bureau, he was basically inviting these bankers: Give more money. Give more money. Give more money. Imagine that. Imagine that. Talk about the White House looking like a retreat for payday lending executives and Wall Street executives.

Now we are seeing how devastating those priorities are for American consumers. Think about the 3½ million victims of Wells Fargo's fake account scandal. Think about the servicemembers who had their cars repossessed while serving their country overseas. They come back from combat, they come back from service overseas, and their car has been repossessed. Why? Because the Bureau is not on the beat anymore to protect those servicemembers from those kinds of scandals. Think about the grandmother who ended up paying 300 percent on a \$300 loan.

While Mick Mulvaney is looking out for Wall Street, who is looking out for the servicemember? Who is looking out for the grandmother? Who is looking out for the Wells Fargo fake account scandal victims?

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JCPOA

Mr. PORTMAN. Mr. President, today I want to talk about some new information regarding the Iran nuclear deal

negotiated by the Obama administration. This agreement is known sometimes as the JCPOA, or the Joint Comprehensive Plan of Action. This is an agreement that was reached by the Obama administration. It was voted on after the fact by this body. Actually, a majority of Members of the House and Senate chose to oppose the agreement, but not enough to be able to stop it. So it went into effect, and, as my colleagues know, it has gotten some play recently as the administration has pulled out the involvement of the United States in that agreement.

What I want to talk about this evening is new information that has come from the Permanent Subcommittee on Investigations, which I chair. We began an investigation into one aspect of this agreement nearly 2 years ago, and it was based on information that we received that despite the Obama administration's claims to the contrary, there may have been some undisclosed arrangement with Iran to grant them access to the U.S. financial system.

Recall that the basic deal with Iran went like this: In exchange for Iran agreeing to certain limitations regarding its nuclear arsenal, including limiting the new production of enriched uranium for 15 years, the United States and other members of the United Nations Security Council would agree to lift some economic sanctions on Iran. It was the basic construct of the agreement.

As part of that agreement, which included ongoing deadlines that needed to be met over a period of years, the United States lifted what are often referred to as "secondary sanctions." So these weren't direct sanctions on the United States, but these were sanctions on foreign companies, foreign entities, and foreign countries that do business with those under U.S. sanctions—in this case, Iran.

Under the Iran deal, other countries were now allowed, for the first time, to freely do business with Iran without the risk of the United States imposing sanctions on them. That was something that was very important to Iran. Iran was also allowed to access money that had been frozen abroad in other countries because the threat of U.S. sanctions against cooperating foreign partners no longer existed.

At the same time, really because of the nonnuclear concerns regarding Iran, including supporting terrorism, human rights violations, ballistic missile development, and basic destabilization of the region, U.S. sanctions against Iran remained in place. So our primary sanctions stayed in place. This means Iran was banned from directly accessing the U.S. financial system, and banks and other private institutions were still banned from accessing the U.S. financial systems on behalf of Iran.

This is a big deal. Any country that is sanctioned really wants access to our financial system because it is so

intertwined with the rest of the world, and they were still banned from directly accessing our U.S. financial system.

This was a key point that the Obama administration made clear throughout the negotiations with Iran. They repeatedly provided assurances to the American people that Iran would not be granted access to the U.S. financial system. They made the same claims publicly before congressional committees and in testimony here on the Hill.

On July 23, 2015, before the deal was implemented, a senior Treasury official, as an example, said: "Iranian banks will not be able to clear U.S. dollars through New York, hold correspondent account relationships with U.S. financial institutions, or enter into financing arrangements with U.S. banks." This testimony further stated: "Iran, in other words, will continue to be denied access to the world's largest financial and commercial market."

That is us. That is what they said.

On August 5, 2015, the then-Acting Under Secretary of Treasury for Terrorism and Financial Intelligence testified before the U.S. Senate Committee on Banking, Housing, and Urban Affairs that "Iran will be denied access to the world's most important market and unable to deal in the world's most important currency"—that being the dollar.

He also stated: "Iranian banks will not be able to clear U.S. dollars through New York, hold correspondent account relationships with U.S. financial institutions, or enter into financing arrangements with U.S. banks."

These claims were very clear: The U.S. financial system was not to be used.

Despite these claims, the very next year, just after implementation of the deal had begun, we started hearing reports that the Obama administration was considering changing course on this policy.

This obviously raised a lot of concerns from Members of Congress on both sides of the aisle because the Iranian regime remained a state sponsor of terrorism—the No. 1 state sponsor of terror. It continued to threaten ballistic missile activities, and it continued to commit egregious violations of human rights, as it still does today. In fact, in July of 2016, a bipartisan group of 35 Senators sent a letter to President Obama expressing deep concern over these rumors that Iran might be granted access to the U.S. dollar and to the U.S. financial system.

It was about that time when we started our investigation in the Permanent Subcommittee on Investigations. Again, we did so because we were hearing rumors that this might be happening.

Today, after a nearly 2-year investigation, we unveiled a report that detailed for the first time how, despite their claims to the contrary, the Obama administration secretly granted a specific license authorizing the con-

version of Iranian assets worth billions of dollars using the U.S. financial system.

Remember that this happened despite repeated assurances to the public and Congress that Iran would not be granted access to the U.S. financial system. Specifically, the Obama administration asked two banks—U.S. banks—to execute the transactions. Fortunately, these two big U.S. multinational banks refused to do so. The report outlines key findings and recommendations designed to prevent this from happening in the future.

What funds are we talking about? Well, before the Iran deal was implemented, Iran transferred approximately \$13 billion in oil revenue assets to bank accounts overseas. They deposited \$3.8 billion of that oil revenue in one bank account at Bank Muscat in Muscat, Oman.

Three days after implementation of the agreement on January 19, 2016, Bank Muscat contacted the Office of Foreign Assets Control, or OFAC, which is the agency within the Treasury Department responsible for enforcing U.S. sanctions. They did this on behalf of the Central Bank of Iran. This is the Oman bank contacting the U.S. Treasury Department saying: We need your help.

Bank Muscat sought to convert \$5.7 billion in Omani money—the rial—into euros on behalf of Iran. Because the rial is pegged to the U.S. dollar, the most efficient conversion was with an intermediary step through a U.S. bank using U.S. dollars, so that is what they asked for. Iran was eager to convert this money into a more universal currency and was adamant about getting this done quickly.

Despite its public stance that it would not provide Iran access to the U.S. financial system and U.S. banks, on February 24, 2016, OFAC again—this Department of the Treasury agency—issued a specific license to Bank Muscat authorizing Iranian assets worth nearly \$5.7 billion to flow through the U.S. financial system.

Today I heard some say that this specific license was just a narrow exemption or just a minor fix. To that I direct my colleagues to an email from a Bank Muscat official, which said that the license was "a gigantic breakthrough which has assured Iran of almost full global financial inclusion." That doesn't sound like a narrow fix to me.

Anyone suggesting that the specific license didn't grant access to the U.S. financial system hasn't read the report from the Permanent Subcommittee on Investigations. I would encourage them to do that. But they also haven't read the Obama administration's emails that we cite in this report.

Don't take my word for it, though. As one State Department official wrote to his Iranian counterpart: "OFAC informed Bank Muscat and the Central Bank of Oman today that they have a license to convert Iranian assets in its

account to euros through the U.S. financial system.”

That is from the State Department at the time.

Members of the Obama administration clearly understood that something was wrong here; this was not part of the Iran deal. A senior State Department official wrote at the time in 2016 that the transaction was “prohibited by U.S. sanctions that are still in place and which we were clear we would not be removing as part of the JCPOA.” That same official wrote that granting the transaction “exceeded” the JCPOA commitments because it authorized the use of the U.S. financial system.

Let me repeat that so it is crystal clear. The Obama administration State Department completely understood this concession—that giving Iran access to the U.S. financial system was “prohibited by U.S. sanctions” that “we were clear we would not be removing.”

Those aren’t my words. They aren’t the words of the subcommittee. Those are the words of the senior State Department official at the time. There was no confusion about this as far as we can tell.

Shortly after issuing the specific license to use the U.S. financial system to convert the rials, a Treasury official wrote in an email on the matter: “I think we earned the right to never discuss this matter ever again.”

I disagree. I think we have to talk about this and to talk about how before, during, and after the Treasury Department and the State Department officials testified in front of Congress that Iran would not have access to the U.S. financial system, they worked behind the scenes to allow exactly that. We have to talk about this to be sure it doesn’t happen again.

Following the issuance of the specific license, OFAC contacted these two U.S. banks urging them to convert Iran’s rials to U.S. dollars. It appears the administration was becoming desperate. Iran was making both public and private claims that they were not getting the benefit of the deal they expected and asserting that the deal could fall apart. You all may remember that time period, when there were threats by Iran to pull out of the deal.

We discovered an email where a State Department official even suggested that the Secretary of State or the Secretary of the Treasury should contact these U.S. banks themselves and encourage them to facilitate this conversion. By the way, we have no evidence that those calls were made, and I am not suggesting that.

Both U.S. banks declined to complete the transaction. According to the

banks, they refused to do so due to compliance, reputational, and legal risks associated with doing business with Iran. They did the right thing.

Because U.S. banks were unwilling to convert the funds despite requests from the Obama administration, ultimately, Bank Muscat was unable to effectuate the conversion using the U.S. dollar. The State Department has now told us that Iran, over time, converted the funds into euros in small increments using European banks.

The only reason the transaction wasn’t executed through the U.S. financial system was that these two U.S. banks refused, despite pressure, even though the administration asked them to help convert the money.

After the Iran deal was implemented—and after the Treasury Department had issued a specific license—the Obama administration continued to maintain the false notion that it had not provided Iran access to the U.S. financial system.

On April 5, 2016, Ambassador Thomas Shannon said: “There is no exchange of dollars inside the U.S. financial system, and we have not allowed an access to our larger financial system.”

On May 25, 2016, the Acting Under Secretary of Treasury for Terrorism and Financial Intelligence said: “But Secretary Lew has said exactly what I have said here today, and I know he was looking forward to me being here to be able to relay his views on this. Iran will not have access to our financial system.”

On June 7, 2016, Treasury wrote a letter to Senators Kirk and RUBIO saying: “The administration has not been and is not planning to grant Iran access to the U.S. financial system.”

Time after time—before, during, and after the Iran deal—the Obama administration misled the American people and misled Congress on this point. I believe it was because the administration was so eager to make sure this deal was going to work. They wanted to keep Iran in the deal.

Our report also shows that the State Department and Treasury Department held at least 200 meetings, or “road shows,” around the world to encourage other countries to do business with Iran. In the road shows, Treasury Department officials also downplayed any potential future penalties or fines that might result from sanctions.

During one road show, the head of OFAC reportedly told the audience that “95 percent of the time OFAC sees an apparent violation it results in a simple warning letter or no enforcement action.”

So this is the head of the agency at Treasury responsible for enforcing

sanctions saying that 95 percent of the time it results in a simple warning letter or no enforcement action. We shouldn’t be telling anyone that we enforce sanctions—one of our most important foreign policy tools—only 5 percent of the time.

One European regulator who attended an OFAC road show commented that foreign financial institutions felt, in his words, “political pressure” to conduct business with Iran and Iranian companies. Sanctions are a vital foreign policy tool, yet, in this case, the Obama administration seemed to be sending the wrong message about their enforcement and effectiveness.

The PSI report released today outlines key transparency recommendations to ensure that undisclosed side deals like this never happen again, including requiring the current administration to keep congressional committees of jurisdiction up to date on the status of any future negotiations with Iran, disclosing to Congress any specific licenses that are proposed, and putting in place stronger enforcement of U.S. sanctions. Going forward, this report also underscores how important the U.S. financial system is to global finance markets, and it gives us a substantial amount of leverage in negotiations. We should choose to use it.

We now have an opportunity to fix the fundamental flaws in the Iran deal and put in place a stronger agreement that truly protects America’s national security interests and the interests of our allies in the region. Recall that the Iran deal was opposed again by a bipartisan majority of this body.

I support our efforts to work with our European allies to put in place a better deal that truly represents our own national security interests and those of our allies in the region. I hope this report helps us to avoid the kinds of problems that occurred last time the next time around.

Mr. President, I yield the floor.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:32 p.m., adjourned until Thursday, June 7, 2018, at 10 a.m.

#### CONFIRMATION

Executive nomination confirmed by the Senate June 6, 2018:

##### THE JUDICIARY

ANNEMARIE CARNEY AXON, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

# EXTENSIONS OF REMARKS

IN HONOR OF CAPTAIN CHRIS D.  
JANKE

**HON. JULIA BROWNLEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Ms. BROWNLEY of California. Mr. Speaker, I rise to recognize a true American leader and patriot, Captain Chris D. Janke, on the momentous occasion of his retirement after 27 years of honorable service in the United States Navy. In March 2015, Captain Janke assumed his duties as commanding officer of Naval Base Ventura County, California. With great distinction, he dutifully oversaw a diverse installation that supported more than 100 tenant commands with a base population of more than 19,000 personnel, as well as 11 deployable commands and three warfare centers.

Captain Janke's career at Naval Base Ventura County was underscored by exemplary leadership, perceptive planning, and focus on both mission execution and community engagement. These efforts were clearly demonstrated by Captain Janke's remarkable command of major aviation, shore, and port facilities, comprised of three primary sites: Point Mugu, Port Hueneme, and San Nicolas Island. His leadership of Naval Base Ventura County supported numerous tenants—including the renowned Naval Construction Group ONE—who carried out missions for the security and the safety of our nation.

Naval Base Ventura County is home to three runways and the only deep water military port between San Diego, California, and Kitsap County, Washington. Captain Janke directed the day-to-day operations of a 1,000-person organization providing comprehensive support services to the Fleet, Fighter, and Family. He brilliantly directed diverse installation programs, including fleet support operations, facilities maintenance and construction, utilities, environmental stewardship, housing, childcare, recreation, safety, resource management, protocol, public affairs, family support service, and IT technology management.

His visionary leadership was key to the successful execution of 104,237 tower and 26,105 flight operations per annum, supporting 35 different series of aircraft. The air terminal launched and recovered 3,631 flights, processed 42,817 passengers and moved over 2.7 million pounds of cargo and baggage. The port adeptly supported over 1410 tenants and 91 visiting ship movements—handling tons of military cargo in support of major joint operations and military exercises per annum. During his tour, Naval Base Ventura County hosted multiple visits from the Littoral Combat Ships and quickly became a major port of choice for visiting warships and other platforms in support of the Navy's worldwide mission.

Naval Base Ventura County plays a critically important role in our national defense, and will continue to do so for many years to come.

This is in large part due to Captain Janke, and this is a profound testament to his outstanding leadership. For these reasons, on the occasion of his retirement, I am pleased to join a grateful community to extend my most sincere congratulations and appreciation for his countless contributions to Ventura County, and our nation as a whole.

COMMEMORATING THE 74TH ANNIVERSARY OF D-DAY AND REMEMBERING THE MEMBERS OF THE GREATEST GENERATION WHO SAVED FREEDOM IN THE WORLD

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Ms. JACKSON LEE. Mr. Speaker, today, June 6, marks the 74th anniversary of D-Day, the Allied Forces' audacious amphibious landing at Normandy, France, on June 6, 1944.

This joint undertaking to liberate the continent of Europe from the clutches of an evil and aggressor enemy was the first and most emphatic demonstration of the invincible strength of democratic nations when acting collectively.

For nearly seventy years, from April 4, 1949 to January 20, 2017, peace in Europe has been secured and no adversary, not the old Soviet Union or the contemporary Russian Federation, has dared to risk war by attacking a European ally of the United States because every American president has made clear that the United States is committed to Article V of the North Atlantic Treaty which holds that an attack on any NATO member is regarded as an attack on all of them.

Mr. Speaker, "Operation Overlord," as D-Day was formally known, was the largest single amphibious assault in the history of warfare.

The success of D-Day, which was far from certain at the outset, led to the liberation of Western Europe, signaled the death knell of the German Wehrmacht, and paved the way to unconditional victory by the Allied Forces over the evils of Nazism, fascism, and Japanese imperialism.

It is no exaggeration to say that D-Day changed the course of human history.

The aim of the meticulously planned D-Day operation was to open a second front in the European war theater from which the Allied Forces could attack the German army and push east to capture Berlin.

With the Russian Army advancing from the east, coupled with the southern front opened by the Allied invasion of Italy from North Africa in 1942, the opening of a western front would set in motion the pincer movement that would catch the German Army in a trap from which there would be no escape.

The formidable German Army expected that the Allied Forces would try to launch an invasion from the western beaches of France.

They just did not know when or where.

So in anticipation of an Allied invasion, the Nazis constructed the infamous Atlantic Wall, an extensive system of coastal fortifications built along the western coast of Europe and Scandinavia.

Under the direction of Field Marshal Rommel, the Atlantic Wall was reinforced by the addition of concrete pillboxes built along the beaches to house machine guns, antitank guns and light artillery.

Mines and antitank obstacles were planted on the beaches themselves and underwater obstacles and mines were placed in waters just off shore.

By the time of the D-Day landing, the Nazis had laid almost six million mines in northern France.

And awaiting Allied soldiers who made their way onto and away from the beaches were gun emplacements and minefields extended inland.

"War is hell," said General William Tecumseh Sherman during the Civil War.

And that is an apt description of what awaited the brave Allied warriors who set sail from England to the beaches of Normandy in the early morning of June 6, 1944, at the beginning of what has rightly been called "The Longest Day."

But they were buoyed in their resolve by the millions of prayers from Americans and others back home, of all races, religions, and creeds, invoking the Lord's blessing, mercy, and grace.

With the outcome in doubt, President Franklin Roosevelt asked the nation to join him in this solemn prayer:

"Almighty God: Our sons, pride of our nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity."

"Lead them straight and true; give strength to their arms, stoutness to their hearts, steadfastness in their faith."

"They will need Thy blessings."

"For these men are lately drawn from the ways of peace."

"They fight not for the lust of conquest."

"They fight to end conquest."

"They fight to liberate."

"They fight to let justice arise, and tolerance and goodwill among all Thy people."

"They yearn but for the end of battle, for their return to the haven of home."

The prayers were needed because the cost of D-Day was high; U.S. casualties on D-Day totaled more than 2,499 dead, 3,184 wounded, 1,928 missing, and 26 captured.

Our British and Canadian allies suffered terrible losses on D-Day as well: approximately 2,700 for the British and 946 for the Canadians.

German casualties are estimated at 4,000 to 9,000.

In total, the number of combatants killed, wounded or missing in the Battle of Normandy for both sides exceeded 425,000, not including the estimated 15,000 to 20,000 French civilians killed.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

But the operation was a success.

More than 156,000 troops or paratroopers came ashore on D-Day, 73,000 from the U.S., 83,000 from Great Britain and Canada.

By the end of June 11, D-Day+5, 326,547 troops, 54,186 vehicles and 104,428 tons of supplies had come ashore.

And with them came the seeds for the victory in Europe that would come less than a year later, on May 8, 1945, with the fall of Berlin and the unconditional surrender of the Nazis.

On the eve of the Normandy invasion, General Dwight D. Eisenhower, the Supreme Commander of the Allied Forces, addressed the soldiers, sailors, and airmen of the Allied Expeditionary Forces and said to them that they were about to embark upon a "Great Crusade," and that the "eyes of the world" were upon them.

He told them that their task would not be easy because the "enemy is well trained, well equipped and battle-hardened. He will fight savagely."

But, General Eisenhower said, "this is the year 1944. The tide has turned. The free men of the world are marching together to victory."

And march to victory they did, fully justifying General Eisenhower's "confidence in their courage, devotion to duty, and skill in battle."

Because of the heroism of these men who willingly risked their lives to be the tip of the spear of liberty, the war was won and a world was saved for freedom.

Mr. Speaker, D-Day was, and remains, a day like no other in the history of man's sojourn on earth.

We remember Gettysburg.

There, President Lincoln paid tribute to those "who gave their lives so that the nation might live."

It is equally fitting and proper that we never forget D-Day and that we continue to honor those who risked all and gave all so that the light of freedom would never be extinguished in the world.

#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call votes 231, 232, and 233 on Tuesday, June 5, 2018. Had I been present, I would have voted Yea.

#### CELEBRATING THE LIFE OF GORDON WALTER SONDKER

### HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Ms. HERRERA BEUTLER. Mr. Speaker, we lost a beloved Southwest Washington resident and Navy veteran this past month. Gordon Walter Sondker passed away on May 13th at the age of 91, leaving a legacy his family will carry on for generations.

Born on February 10, 1927, in Holton, Kansas, Gordon lived his life full of passion and

pride for his community and country. Gordon served in the Navy and was very active in the Monticello Lions Club and Toastmasters. He was also a founding member of the Southwest Washington Canoe Club. Gordon and his wife, Barbara, were also very involved in their community and gave back whenever they had the opportunity. Gordon was also involved with the Longview Community Church, American Field Service, Kelso Methodist Church and the Columbia Theatre Guild.

To say Gordon dedicated his life to helping others and working to better his community would be an understatement. Gordon was an exceptional example of what it means to be an American patriot, and he will be missed by everyone who was blessed to know him.

#### PERSONAL EXPLANATION

### HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Mr. GONZALEZ of Texas. Mr. Speaker, I was unable to cast my vote for Roll Call votes 231, 232, and 233 on June 5, 2018. Had I been present, my vote would have been the following: Yea on Roll Call vote 231, Yea on Roll Call vote 232, and Yea on Roll Call vote 233.

#### IN RECOGNITION OF THE 175TH ANNIVERSARY OF THE INDEPENDENCE FIRE DEPARTMENT

### HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Mr. CLEAVER. Mr. Speaker, I rise today to recognize and honor the 175th Anniversary of the Independence Fire Department in Missouri's Fifth Congressional District, which I proudly represent.

Throughout the first half of the 18th Century, Independence, Missouri was a prospering village on the cusp of achieving the noteworthy status of an industrialized community. As people planted their roots and a community flourished, there emerged an evident need to protect what they had established. In 1843, community members petitioned the state legislature, and the 12th General Assembly of Missouri approved the establishment of a volunteer fire department known as the "Independence Fire Company".

At that time, it is my understanding that these volunteers carved out an indelible mark of innovation in the community, with a manpowered wooden engine and buckets of water to put out fires as their only tools. In August of 1894, the Independence Fire Company transitioned from a volunteer based organization to a professionally paid department. Furthermore, it gives me great pride to know just how far this company has come over the years.

By the end of the 1950's, the department boasted the employment of more than 100 firemen, nearly five times the amount the company had at the beginning of the decade. Furthermore, with eight stations total, the department expanded its protection of a population

of 16,000 to nearly 100,000 citizens. This period of rapid expansion was initiated by the Missouri Inspection Bureau; however, it is my belief that these achievements would not have been possible without the hard work and determination of each and every individual within the department.

Today, the department encompasses 10 fire stations, 165 firefighters, and an area of 78 square miles. Under the current leadership of the Fire Chief Douglas Short, the Independence Fire Department remains an institution that protects and serves the community. Just as those who established the company 175 years ago, they maintain the same selfless sacrifice regarding the protection of countless lives and the community as a whole.

Mr. Speaker, please join me and all of Missouri's Fifth Congressional District in honoring the Independence Fire Department for their 175 years of dedicated service to the community. Let us join in recognizing the bravery of the men and women, past and present, who have honorably served the community and preserved the integrity and excellence of this establishment.

#### RECOGNIZING AND COMMENDING DARLENE QUICHOCHO AS THE RECIPIENT OF THE JANE WHA- YOUNG KIM AWARD FOR TEACH- ING EXCELLENCE

### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and commend Darlene Quichocho as the recipient of the first Jane Wha-Young Kim Award for Teaching Excellence sponsored by the Jane Wha-Young Kim Foundation. Darlene currently teaches English and Speech and Drama at George Washington High School in Guam.

The Jane Wha-Young Kim Award for Teaching Excellence was established in 2017 to recognize one full-time middle or high school teacher on Guam who models excellence as a teaching professional. Darlene was chosen for her effective use of instructional practices and materials, her ability to inspire, enable, and assist students to achieve their full potential. She was also recognized for encouraging community engagement and service by students.

Darlene was chosen unanimously by a selection committee, made up of Jane Wha-Young Kim's family and prominent members of the education community on island. Darlene was chosen from among nine outstanding nominees based on her exemplary teaching record at the George Washington High School, her strong support for various extracurricular activities, and her exceptionally positive impact on her students, colleagues, and community. The award was presented to Darlene on Monday, April 23, 2018 at George Washington High School.

I join the people of Guam in congratulating Darlene, her family, and school community on this accomplishment. I look forward to her continued success and future contributions to our island.



FLORIDA INVENTORS HALL OF  
FAME 2018

**HON. GUS M. BILIRAKIS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the seven inventors who have been recognized as the 2018 Inductees of the Florida Inventors Hall of Fame. In order to be named as an inductee, these inventors were nominated by their peers nationwide and have undergone the scrutiny of the Florida Inventors Hall of Fame Selection Committee. As a result, their innovations have been identified as significantly impacting the quality of life, economic development, and welfare of their communities, the citizens of Florida, and the United States.

The Florida Inventors Hall of Fame was founded in 2013 by Paul R. Sanberg, Senior Vice President for Research, Innovation and Knowledge Enterprise, and Judy Genshaft, President, at the University of South Florida. It was recognized by the Florida Senate with Senate Resolution 1756, adopted on April 30, 2014. Its mission is to encourage individuals of all backgrounds to strive toward the betterment of Florida and society through continuous, groundbreaking innovation by celebrating the incredible scientific work that has been or is being accomplished in Florida and by its citizens.

Nomination to the Florida Inventors Hall of Fame is open to all Florida inventors (living or dead) who are or have been residents of Florida. The nominee must be a named inventor on a patent issued by the United States Patent and Trademark Office. The impact of the inventor and his or her invention should be significant to society as a whole, and the invention should have been commercialized, utilized, or led to important innovations.

The 2018 inductees of the Florida Inventors Hall of Fame are:

Sara Blakely, Tampa Bay native and graduate of Florida State University in Tallahassee, who invented the renowned undergarment SPANX and built a billion dollar enterprise that has influenced fashion worldwide;

Emery N. Brown, born and raised in Ocala, anesthesiologist-statistician at Massachusetts General Hospital, MIT and Harvard professor, who made significant contributions to the advancement of the science and practice of anesthesiology;

Phillip A. Furman, St. Augustine resident and distinguished alumnus of the University of South Florida in Tampa, whose revolutionary discoveries led to the development of antiviral drugs that are used to treat some of the most insidious viral diseases;

Richard A. Houghten, founder and CEO of Torrey Pines Institute for Molecular Studies, headquartered in Port St. Lucie, who has made a significant impact on the pharmaceutical industry through his novel approaches to drug discovery;

Edwin A. Link (1904–1981), former trustee and vice president for the Harbor Branch Oceanographic Institute at Florida Atlantic University in Boca Raton, who invented the flight simulator, commercialized in 1929;

Sudipta Seal, Trustee Chair, Pegasus and University Distinguished Professor at the University of Central Florida in Orlando, whose

discoveries led to groundbreaking therapeutic applications in regenerative nano-medicine;

Herbert Wertheim, optometric physician, graduate of the University of Florida in Gainesville, and honorary alumnus of Florida International University in Miami, who was the first to discover and produce ultraviolet light dye absorbers for eyeglass lenses.

Innovation and invention are the building blocks of our nation. I applaud these highly accomplished individuals and the organizations that support them in their quest to change the world in ways that truly benefit humanity. Furthermore, it is because of the perseverance of these inventors that future generations are encouraged to reach beyond their limits and push the boundaries of innovation.

IN RECOGNITION OF THE 74TH AN-  
NIVERSARY OF THE D-DAY INVA-  
SION

**HON. GEORGE HOLDING**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Mr. HOLDING. Mr. Speaker, today marks the 74th anniversary of the D-Day invasion. Today in 1944, more than 160,000 allied troops crossed the English Channel and landed on the heavily-fortified French coastline of Normandy. This was the largest amphibious military operation in history, and establishing a foothold in Continental Europe was critical to the ultimate defeat of Nazi Germany. The bravery and heroism displayed by American soldiers will forever be remembered.

There is an annual D-Day ceremony in Normandy, and this year 137 members of the University of North Carolina at Charlotte "Pride of Niner Nation" Marching Band will participate in the event. The University originally began as an education center for World War II veterans, and this is a terrific opportunity for the students to connect with the University's roots.

Nine of these members of the "Pride of Niner Nation" Marching Band are from North Carolina's Second Congressional District. Those students include Jeffrey Bubar, Michelle Dunbar, Hope Dunn, Kerriona Jones, Kelsey Lane, Victoria Mitchell, Abraham Ogden, Jonathan Shough, and Hailey Waynor.

Mr. Speaker, these students represent the best of our state and our nation, and it is an honor to represent them in Congress. Not only are these students part of the first university band from North Carolina that will represent the United States at this ceremony, they are the only college marching band from the United States that were selected to perform in today's ceremony.

Mr. Speaker, we will always owe a debt of gratitude to the brave men and women in uniform, and today's anniversary is a solemn reminder of the sacrifices that they have made to keep our nation secure. I thank the students of the University of North Carolina at Charlotte "Pride of Niner Nation" Marching Band for their dedication to honoring our nation and our veterans.

HONORING ALBUQUERQUE HIGH  
SCHOOL STEAM TEAM

**HON. MICHELLE LUJAN GRISHAM**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor a talented group of students from the Albuquerque High School STEAM (Science, Technology, Engineering, Art, and Math) Team, which placed third overall and was the top placing United States team at the 2018 RoboRAVE International Entrepreneurial Challenge.

This impressive team, made up of Asael Diaz, Mary Cherino, and Dante Van Orten, created a robotic dog intended for fun and companionship. They also created a logo, brochure, and 30-second commercial video in order to present their invention to judges and competition attendees.

This competition represents an outstanding opportunity for students to gain valuable exposure to STEM disciplines, and I am so pleased that high schoolers from Albuquerque were able to participate and perform so well. I am hopeful that New Mexico will continue to be a leader in STEM fields and that our students will continue to apply their skills through outlets like this competition.

I would also like to recognize the team's sponsor, science teacher Valerie Kovach, as well as educational assistant Jean Hart, for the sacrifices they made in order to provide the team with valuable supervision and guidance.

Mr. Speaker, I want to congratulate the students and staff from the Albuquerque High School STEAM Team on their impressive performance at the 2018 RoboRAVE International Entrepreneurial Challenge. I wish them the best of luck in all their future endeavors.

IN SUPPORT OF LGBTQ PRIDE  
MONTH AND HOUSTON PRIDE  
WEEK

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate LGBTQ Pride Month and the remarkable progress that has been made in making our country more diverse and tolerant and embracing of differences in the 18 years since the cruel murder of Matthew Shepherd, a college student from Laramie, Wyoming.

As a country, America has made and continues to make great progress in the area of social equality, as evidenced most dramatically by the seismic shift in public support for marriage equality over the past decade.

Today, supporters of marriage equality dramatically outnumber opponents by 61–35 percent; a near total reversal from 2004, when opponents outnumbered supporters 58–39 percent.

Our country made progress in bringing our LGBTQ brothers and sisters, mother and fathers out of the shadows with the repeal of "Don't Ask, Don't Tell," which I was proud to support.

Our nation is now stronger and our people are safer thanks to the sacrifices made by these brave Americans, who no longer need to choose between service and silence.

There have been other changes for the better.

In April 2015, President Obama issued a landmark Executive Order prohibiting discrimination against LGBTQ persons in the workplace.

This civil rights victory ensures the tax dollars used to pay government contractors support contractors that are committed to equal employment opportunity for all persons regardless of sexual orientation.

This legislation marks a major shift from a time when the U.S. Civil Service Commission prohibited the hiring of LGBTQ persons to a time when the Secretary of Defense has selected an openly gay man as his chief of staff.

And we are making progress in realizing the goal of making H.R. 2282, the "Equality Act of 2017," the law of the land so LGBTQ people will finally be guaranteed explicit, permanent protection under the nation's existing civil rights laws against discrimination in vital areas of life, like employment, access to public spaces, housing, credit, education, jury service, and federally-funded programs.

Mr. Speaker, it is unacceptable that in 31 states LGBTQ people can get married on Sunday and remain at risk of being fired or evicted on Monday simply because of who they are.

This year marks the 49th anniversary of the LGBTQ Civil Rights Movement, where activist such as Frank Kamney led the struggle for the voices of the LGBTQ community to be heard.

Frank Kamney's courageous demonstrations inspired others to resist mistreatment and we witnessed in 1969 what happens when a community says enough is enough.

Our country has made much progress since the Stonewall uprising of 1969 but more remains to be done to realize the full promise of America that all are equally treated and protected by the law.

So there is much reason for joy and optimism when my home city of Houston hosts the Ruby Anniversary celebration of Pride Week later this month, June 14–24, 2018.

According to the 2010 U.S. Census, the 16th largest LGBTQ community in the nation is located in the Houston metropolitan area, which I am privileged to represent.

The Houston LGBTQ community is culturally diverse, economically dynamic, and artistically vibrant.

Houston Pride Week has been an annual event for the last 39 years, since 1979, and promotes the individuality of Houston's ever-growing LGBTQ community.

The Pride Festival and Parade are at the center of a celebration annually attended by more than 700,000 people from Houston and around the world.

Mr. Speaker, as the Rev. Dr. Martin Luther King, Jr. reminded us, "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."

All Americans should be deeply concerned over the increase in violence and acts of hate perpetrated against members of the LGBTQ community we have witnessed in recent months.

Especially troubling is the rise in bigotry and violent crimes against transgender people, particularly transgender women of color.

According to statistics compiled by the Human Rights Campaign, at least 22 trans

gender people in the United States lost their lives due to fatal violence, the most ever recorded.

Sadly, we are on pace to break this record in 2017, as 11 transgender persons have been killed in the first five months.

Mr. Speaker, I invite all Americans to visit Houston during Houston Pride Week to observe how we live out our conviction that "Love Will Conquer Hate."

Progress is made through the efforts of courageous men and women who actively engage their communities and face adversity to ensure that the rights of all are clearly recognized and protected.

People like the legendary Bayard Rustin, who organized the 1947 Journey of Reconciliation which inspired the Freedom Rides of the 1960s and helped Dr. King organize the Southern Christian Leadership Conference and who was the driving force behind the historic 1963 March on Washington.

Texas natives such as Sheryl Swoopes, a 3-time WNBA Most Valuable Player and champion for the Houston Comets, and former Houston Mayor Annise Parker.

These leaders have set an example of what can happen when we lift the limits of inequality and support our fellow Americans in their pursuits of their inalienable rights.

Other members of the LGBTQ community whose contributions have enriched American culture and made our country better include the great poet Langston Hughes; Mandy Carter, 2008 national co-chair of Obama Pride and lifelong activist; Billy Strayhorn the musician and gifted composer whose 30-year collaboration with Duke Ellington gave the world some of the greatest jazz music ever; Tom Waddell, army medical doctor and Olympic athlete; and James Baldwin, one of the towering figures in the history of American literature.

Mr. Speaker, I am proud to acknowledge the achievements of just a few of the countless number of Americans who overcame prejudice and discrimination to make America a more welcoming place for succeeding generations of LGBTQ community members.

#### RECOGNIZING AND COMMENDING PAYU-TA, INC. ON THEIR 10TH ANNIVERSARY SERVING THE GUAM COMMUNITY

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and commend Payu-ta, Inc. as they celebrate their 10th anniversary as a nonprofit organization serving the people of Guam. Payu-ta is Guam's umbrella association of non-governmental organizations. It was established in 2008 to address the need to enhance the services and effectiveness of non-governmental agencies on Guam. The mission of Payu-ta, Inc. is to support system that promotes and strengthens member organizations' capacity and advocates for a progressive and sustainable Guam community. The organization seeks to create collaborative partnerships that maximize resources and responds efficiently and effectively for positive community impact.

For the last 10 years, Payu-ta, Inc. has demonstrated that all those in our community are called to work together for the betterment of the island of Guam. The work of Payu-ta, Inc. has been a true investment in our community on Guam. The organization has recognized that non-profit organizations are a vital part of our society that contribute to the improved quality of life for all those in the community. Payu-ta, Inc. is made up of 27 member organization who provide a range of services to supplement the needs of the people of Guam. The members of Payu-ta, Inc. continue to deliver and enhance services to strengthen the island community. I am proud of the good work Payu-ta, Inc. has done over the last 10 years. I join the people of Guam in recognizing and commending Payu-ta, Inc. on its 10th anniversary as a nonprofit organization serving our island and people. I look forward to their continued success and contributions to our community.

#### INTRODUCTION OF A RESOLUTION RECOGNIZING PEOPLE OF AFRICAN DESCENT AND BLACK EUROPEANS

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Mr. HASTINGS. Mr. Speaker, I rise today to highlight a resolution that I have introduced with my good friends, Congressman GREGORY MEEKS of New York and Congresswoman GWEN MOORE of Wisconsin. Our resolution recognizes the history and current situation of People of African Descent living in Europe and Black Europeans, and encourages the Secretary of State to take a number of steps to ensure their situation is improved following recommendations from the People of African Descent Week (PADWEEK) held by our colleagues in the European Parliament in Brussels, Belgium from May 13–17, 2018.

As European Parliamentarian Cecile Kyenge has noted, "The People of African Descent Week reaffirms European values by developing strategic and coherent responses to make our society more inclusive in the face of rising racial prejudice and violence across Europe." Recommendations from the week included a European Black History Month and Remembrance Day for Victims of Colonialism and Enslavement, a fund for Black European led initiatives to address continuing disparities and discrimination and support empowerment initiatives, European-wide strategies for the inclusion of People of African Descent, and support for transatlantic exchanges on common issues of racial prejudice and discrimination.

The need for recognition of Black populations in Europe became clear ten years ago when I chaired a U.S. Helsinki Commission hearing entitled, "The State of (In)visible Black Europe: Race, Rights, and Politics," where we learned that the situation in Europe is very similar to the one in the United States. While the presence of Blacks in Europe can be traced to enslavement, colonization, military deployments, voluntary or forced migration, the movement of refugees and asylum seekers, or educational and other professional exchanges, the story of Europeans of African Descent and Black Europeans still remains

largely untold, rendering many of their past and present contributions to the very fabric of Europe unseen or forgotten, which is unacceptable.

Mr. Speaker, on May 14, 2018, Congressman MEEKS, Congresswoman MOORE, and I had the pleasure of being U.S. Honorary Hosts during PADWEEK. I include in the RECORD, the statement we made to our friends in the European Parliament. It is my hope that when we gather in the years to come to review the efforts of the United Nations designated International Decade for People of African Descent, we will not only speak of how our efforts resulted in our respective nations publicly recognizing the injustices and long-term impact of slavery and colonialism, but also of how our societies reconciled these issues in a manner that ensured equal opportunity, access, and justice for all People of African Descent.

STATEMENT OF U.S. HONORARY HOSTS: HONORABLE ALCEE L. HASTINGS—HONORABLE GREGORY MEEKS—HONORABLE GWEN MOORE  
HONORING BLACK EUROPEANS: PEOPLE OF AFRICAN DESCENT WEEK (PADWEEK), EUROPEAN PARLIAMENT, BRUSSELS, MAY 14, 2018

I, Congressman Hastings, am extremely honored to speak at the inaugural People of African Descent Week at the European Parliament in Brussels, Belgium on behalf of myself and Honorary Hosts Representatives to the U.S. Congress Gwen Moore and Gregory Meeks.

Ten years ago, on April 29, 2008, I chaired a U.S. Helsinki Commission hearing entitled, "The State of (In)visible Black Europe: Race, Rights, and Politics," which featured then Swedish Parliamentarian Joe Frans whom I am pleased is here today.

At that hearing, we discovered that Spanish poet Juan Latino, Italian Duke Alessandro Medici, French novelist Alexandre Dumas, German scholar Anthony William Amo, French Composer Le Chevalier de St. George, British abolitionist Oludiah Equiano, Russian General and Governor Abram Hannibal, great-grandfather of Russian poet Aleksandr Pushkin and so many others are largely unknown People of African Descent who have made significant contributions to Europe.

Whether the presence of Blacks in Europe can be traced to enslavement, colonization, military deployments, voluntary or forced migration, the movement of refugees and asylum seekers, or educational and other professional exchanges, the story of Europeans of African Descent and Black Europeans remains largely untold, rendering many of their past and present contributions to the very fabric of Europe unseen or forgotten.

A visit to Each One Teach One in Berlin or a tour through the Black Archives in Amsterdam demonstrates that European history is also American history. A history where from 1884-85, 13 European nations and the United States met in Berlin to divide and occupy Africa. 2019 will mark the 100 year anniversary of the first Pan-African Congress in Paris co-organized by African-American WEB Dubois to decolonize Africa and end racial discrimination.

Eric Gamero, Tamir Rice, Aiyana Jones, Trayvon Martin, Michael Brown, Stephen Lawrence, Oury Jalloh, Mark Duggan, Zyed Benna, Bouna Traore and the names of so many others exemplify the fact that despite the significant achievements and contributions of African descendants to our societies, and their efforts to address the past, the protections, rights and opportunities of European and American democracies still do not wholly include Black people.

Since that hearing in 2008, Members of Congress have worked with European legislators and civil society to convene annual events—from the 2009 Black European Summit held in this very Parliament—to Transatlantic Minority Political Leadership Conferences in the U.S. Congress, and particularly to address political inclusion by co-founding the Transatlantic Inclusion Leaders Network in cooperation with the U.S. State Department and German Marshall Fund.

I am pleased and honored to join with past and present Parliamentarians and experts Cecile Kyenge of Italy, Claude Moraes of the UK, Soraya Post and Momodou Jallow of Sweden, Killian Munyama of Poland, Karamba Diaby of Germany, Joe Franz, Chibo Onyeji, Simon Woolley, Larry Olomofe, Daniel Gyamerah, Rohkaya Diallo, Hedwig Bvumburah, Alex Johnson, Karisia Gichuke, and many others whom we have worked with over the years to address the common issues of racism and discrimination we face on both sides of the Atlantic.

On the occasion of the inaugural People of African Descent Week, I encourage you to join in not only recognizing and celebrating the collective history and achievements made by People of African Descent in Europe, but also in acting to ensure that our nations develop concrete measurable national strategies to realize the goals of the United Nations designated International Decade for People of African Descent.

In the United States we have developed many strategies from the adoption and implementation of the historic Civil Rights Act by our government to the nonprofit Urban League's annual State of Black America report assessing racial equality across sectors, including in technology. Google has partnered with Historically Black Colleges and Universities such as Howard University to address the digital divide. For decades the United Negro College Fund has provided educational scholarships, while Black-owned banks increase wealth-building knowledge and provide loans to communities traditional banks have historically ignored. Philanthropic organizations have partnered with local governments and civil society to support young Black men.

Even so, our work in the United States remains undone, and we too could benefit from a holistic strategy.

The European Network Against Racism with the support of numerous African descent civil society groups across Europe have called for an Europe-wide framework for national strategies. In support of this effort, I introduced legislation in the U.S. Congress to establish within the U.S. State Department a Global Office of African Descent Affairs to establish global foreign policy and assistance strategies, fund civil society anti-discrimination and empowerment initiatives, and monitor the human rights situation of people of African descent in Europe in annual U.S. Country Reports. If adopted, this legislation would complement European efforts.

I and my Congressional colleagues stand poised to continue to work with all of you across sectors in support of the rights and inclusion of African descendants on both sides of the Atlantic.

In both the United States and Europe, our nations are becoming more racially, ethnically, and religiously diverse. The test for our democracies will be whether we can truly embrace and utilize that diversity to achieve the long term prosperity and stability needed for our futures.

Our hope is that when we gather in ten years to review the efforts of the International Decade we will not only speak of how our efforts resulted in our nations pub-

licly recognizing the injustices and long term impact of slavery and colonialism, but also of how our societies reconciled these issues such that equal opportunity, access, and justice have been realized for People of African Descent and the rest of our societies. Thank you.

# RECOGNIZING AND JOINING THE GUAM ASSOCIATION OF REALTORS IN CELEBRATING THE 50TH ANNIVERSARY OF THE FAIR HOUSING ACT

**HON. MADELINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Ms. BORDALLO. Mr. Speaker, I rise today to join the Guam Association of REALTORS in celebrating the 50th anniversary of the Fair Housing Act. The Fair Housing Act enunciates a national policy of fair housing for all who live in the United States.

For the last 50 years, the Fair Housing Act has prohibited discrimination based on race, color, religion, sex, handicap, familial status and national origin. There is no doubt that the Fair Housing Act has been a positive initiative for the island of Guam and our country. The Fair Housing Act has promoted diversity throughout communities, and this diversity and integration has promoted economic stability, community health, and human relations.

Additionally, Fair Housing is integral to the ethical commitment of members of the National Association of REALTORS and the Guam Association of REALTORS. The Fair Housing Act gives all real estate professionals the ability to serve their clients, customers and communities.

Again, I join the Guam Association of REALTORS in celebrating the 50th anniversary of the Fair Housing Act. I recognize the Guam Association of REALTORS as an inclusive community committed to fair housing and to promote appropriate activities by private and public entities intended to provide or advocate for equal housing opportunities for all residents and prospective residents of Guam. The Guam Association of REALTORS is the official voice of real estate on Guam with over 400 members involved in all aspects of the residential and commercial real estate industries. I look forward to their continued contributions to the island of Guam.

# WHY WE MUST CEASE AND DESIST THE CRUEL AND INHUMANE PRACTICE OF THE TRUMP ADMINISTRATION OF SEPARATING FAMILIES APPREHENDED ON THE SOUTHERN BORDER BY U.S. BORDER PATROL

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2018*

Ms. JACKSON LEE. Mr. Speaker, I rise today to call upon the President and the Congress of the United States to act without delay regarding the "zero-tolerance" policy that separates families apprehended on the southern border by U.S. Border Patrol.

As the Founder and Chair of the Children's Caucus and as a parent and grandparent, I cannot think of a situation more devastating than having the government forcibly separate a parent from her child to a place unknown, for a fate uncertain, absent any form of communication.

Everyday, hundreds of persons, ranging from infants and toddlers to adolescents and adults, flee violence, oppression, and economic desperation from Guatemala, Honduras, and El Salvador, seeking safe harbor in the United States.

They are not criminals or terrorists, they are refugees seeking asylum.

While they hope to receive asylum, none of us expected that they would be treated as criminals or that their children would be forcibly separated from them.

But shamefully that is exactly what is happening under this Administration.

A recent audit of the Office of Refugee Resettlement of the U.S. Department of Health and Human Services shows that more than 7,600 children have been forcibly separated from their parents after crossing the U.S. border.

Unconscionably, this cruel and unnecessary practice has resulted in the shameful fact that DHS cannot account for the 1,475 immigrant children.

The Trump Administration's practice of separating children from their parents inexplicably turns accompanied children into unaccompanied children, with all the attendant risks and dangers, which now must include human trafficking because over 1,000 children cannot be accounted for by this Administration.

It is a documented fact that if young children are traumatically removed from their parents, their physical and mental health and well-being will suffer.

The effects of these traumatic experiences—especially in children who have already faced serious adversity—are unlikely to be short lived and can last a lifetime.

The Trump Administration's "zero-tolerance" policy does not make our nation safer or more secure, nor is it a solution to the problem of illegal immigration and refugees seeking asylum.

It is, however, monstrously cruel, inhumane, and shameful and makes a mockery of America's reputation as the most welcoming and generous nation on earth.

The last time this nation had policies that promoted the forcible separation of children from newly arrived persons was slavery.

A dark chapter in this nation's history that we should not revisit.

Today the parents of these thousands of children once removed from the U.S. will do nothing less than to find ways to reunite with their children, even under the threat of imprisonment.

A second attempt to enter the U.S. will be threatened by a federal criminal offense punishable by prison.

It would be unconscionable to prosecute parents under these circumstances.

There must be strong and aggressive congressional oversight of this Administration's immigration enforcement.

The federal government policy regarding legislation should not to create greater fear for families already traumatized by intolerable conditions in their countries.

U.S. immigration policy should not deter refugees from seeking asylum within our borders.

We should welcome mothers carrying their babies to a safe haven and assure safety of children.

As we have seen with the recent volcanic activity and earthquakes in Guatemala, we should be seeking ways to help our neighbors in the Southern Hemisphere.

The Trump Administration is utterly failing in its basic duty to treat all persons with dignity and compassion, and is making a mockery of our national values and reputation as a champion of human rights.

This crisis is not just an immigration matter nor is it just a foreign policy matter.

It is a humanitarian crisis, executed by an administration that purports to be the champion of 'family values' but whose actions do not value families.

We are a great country with a long and noble tradition of providing sanctuary to the persecuted and oppressed.

And it is in that spirit that we should act.

We can do it; after all, we are Americans.

IN REMEMBRANCE OF MR. BENJAMIN HENRY BASCUM HUBBARD

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Mr. WITTMAN. Mr. Speaker, I rise today in solemn remembrance of the life of Mr. Benjamin Henry Bascum Hubbard, or "B.H." as he was affectionally known. B.H. served as a dedicated lawyer in the Northern Neck, and was a tireless advocate for his community as a member of numerous boards and organizations that greatly benefited the region.

B.H. was born January 19, 1946 in White Stone, a small town in Virginia's Tidewater. He graduated from the University of Virginia with a degree in English and earned his J.D. from the University of South Carolina. He was a founding member of the firm Hubbard, Terry, and Britt, in Irvington, and demonstrated total dedication to his clients through his work. Beyond his firm, B.H. was always striving to improve the quality of life for his neighbors and the community he loved dearly. Most notably, he was chairman of the board of Rappahannock General Hospital and a member of the Board of Directors of Chesapeake Health Services. He also served on the Board of Directors for Bon Secours Richmond Health System. One of his greatest achievements was the successful merger of Rappahannock General Hospital with Bon Secours. Beyond his work, he was known by all for his compassion, his deeply caring spirit, and his incredible capacity for service.

I am fortunate to have called B.H. a friend and I extend my deepest condolences to his wife of over 50 years, Terry; daughters Emory and Elizabeth; son, Beau; and the rest of his family. B.H. leaves a lasting legacy in the Northern Neck that has been felt by all of its residents. As it says in the book of Matthew, "Well done, thou good and faithful servant: thou has been faithful over a few things, I will make thee ruler over many things: enter thou into the joy of thy lord."

Mr. Speaker, I implore you and my colleagues to join me as we honor the memory of Mr. B.H. Hubbard.

BRYLEIGH BUCHANAN EARNS 3RD PLACE IN STATE FINALS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge Bryleigh Buchanan's athletic achievement. Bryleigh is a 2018 graduate of Harrisburg High School in the 15th District of Illinois. She earned the third-place medal in the high jump at the Illinois Class 2A Girls Track and Field State Final Meet for the second year in a row.

In her final high school track meet, Bryleigh just ticked the bar on what would have been a gold-medal winning jump of 5 feet, 7 inches and later settled for the bronze after reaching 5-6. I offer my congratulations to Bryleigh Buchanan on her outstanding athletic achievements and wish her well in her future goals.

HONORING THE WORLD WAR II AND KOREAN WAR VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II and Korean War veterans who traveled to Washington, D.C. on June 6, 2018 with Honor Flight Chicago, a program that provides World War II and Korean War veterans the opportunity to visit their memorials on The National Mall in Washington, D.C. These memorials were built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on June 6th answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorials. I am proud to include in the RECORD the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Robert Allen, Richard R. Atkinson, Delford Clarence Becke, Raymond V. Biliskov, Michael Bosak Jr., Patrick T. Brady, Julius E. Brasini, Jesse L. Bryant, Clifton C. Capp, Peter L. Carfagno, Percy Carroll, Anthony Cesaretti, Lloyd Keith Chapman, Edward Chatman, Walter A. Ciszak, Nealand J. Conway, John A. Cooper, Curtis Cowan, Willie C. Cross, John J. Danko, Eugene C. Donka, Peter Dykstra, Charles J. Everett, John M. Fitzgerald, Jules H. Fortin, Michael Conrad Gebhardt, James J. Godfrey, Jerry Goodman, William J. Haggerty, George A. Hartfield Jr., Harry R. Hinrich, Donald J. Hosek, Richard D. Houlihan, Alvin P. Izbicky, Robert A. Jaegers, Vilnis Jakobsons, Robert H. Keel, Joseph J. Kirasich, George R. Kleffel, Benjamin M. Kobit, Joseph C. Kremposky, Raymond J.

Kula, Alan H. Langefeld, Burton W. Lee, Sr., Gerald Lichtenberger, Roger G. Liddicoatt, Marvin G. Lloyd, Walter R. Magnuson, Thomas G. Maksud, Virgil W. Marsh, James H. Massey, Donald W. McKay, Ralph J. Melda, Richard G. Mikal, Nathaniel Moffett, Earl L. Morris, Merle C. Morris, Virgil A. Naumann, Gerald Wayne Newman, James R. Nichols, Howard Ralph Norberg, Dale R. Norton, Charles J. Novotny, James J. O'Hara, William T. O'Neill, Adolph E. Olivi, Richard H. Oosterhoff, Henry Albert Pahl, Arnold R. Painter Jr., Richard J. Pniewski, Robert F. Prior, Richard Champion Pruett, Marlyn Reishus, Ralph F. Riccio, Lloyd K. Richardson, Myron D. Sailer, James N. Sallwasser, Arthur J. Sawyer, Richard Schaap, John E. Senter, William B. Shoemaker, Vitus A. Skimina, John H. Smith, Edward Stanley, Richard E. Summit, Harley B. Tucker Jr., Carl R. Ulrich, Ronald J. Vergo, Henry L. Vervoort, Avelino C. Vidal, Walter C. Voss, Billy Joe Waterman, Donald R. Watson, Jerome N. Weinberg, Charles A. Wellman, Bernard D. Whitehead, James B. Wood, Wayne O. Woodbury, Thomas D. Woodward, Valentino Zazzetti, George A. Zykan.

#### HONORING THE LIFE AND LEGACY OF FRANCISCO "FRANK" C. BLAS

### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Ms. BORDALLO. Mr. Speaker, I rise today to honor the life and legacy of Francisco "Frank" C. Blas. Frank was a proud son of Guam and faithful public servant. He served as a Guam Mayor of the village of Tamuning-Tumon-Harmon from 2005 to 2013. Frank was born on February 17, 1942 and passed away on May 16, 2018 at the age of 76.

Frank was the son of Tomas Leon Gurrero Blas and Maria Castro Blas. He was one of 17 children and a member of Guam's greatest generation who survived the occupation of Guam during World War II. Frank graduated from George Washington High School in 1962 and attended the Guam Community College and the University of Guam. He then graduated from the Navy Apprentice Program in 1969.

In his first term as mayor, Frank established the Tamuning Skate Park. He was instrumental in cleaning up illegal trash dump sites, and putting a stop to illegal dumping throughout the village. Frank led the village of Tamuning-Tumon-Harmon through many community events and cleanups, and refurbished the senior citizens center and gymnasium. Frank was also very involved in the local community and volunteered his time with many organizations. He served as president of the U.S. Navy Moral & Welfare Association, vice president of the Central Little League Baseball, coach and manager for PWC Baseball League, president of Hafa Adai Kiwanis International Club, vice president of Tumon Parish Council Blessed Diego San Vitores Catholic Church, and so many more civic organizations.

I am deeply saddened by the passing of Francisco "Frank" C. Blas and I join the people of Guam in celebrating his life. He was a dedicated public servant who worked to improve our village of Tamuning-Tumon-Harmon, and the broader community during his tenure.

I extend my condolences to his children and their families. He will be deeply missed, and

his memory will live on in the hearts of the people of Guam.

#### PERSONAL EXPLANATION

### HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I missed three votes on 6/5/2018. Had I been present, I would have voted YEA on Roll Call No. 231; YEA on Roll Call No. 232; and YEA on Roll Call No. 233.

#### IN CELEBRATION OF THE 100TH ANNIVERSARY OF THE FIRST CAROLINE COUNTY FAIR

### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Mr. WITTMAN. Mr. Speaker, I rise today to commemorate the 100th Anniversary of the Caroline County Fair. The fair has long been a staple of the county, and provides a week-end of fun filled activities that allow for members of all communities to come and interact with each other. This year, the fair is proud to announce its first ever four-day fair, and the tenth year that the fair has been at the permanent fairgrounds, consisting of several major permanent fair structures. The fair is a rich tradition for the Caroline County residents, an area already steeped in rich Virginia history.

Mr. Speaker, my distinguished colleagues, I would like to take this time to congratulate all those who have made the fair a success throughout the years. This is a tradition that I personally enjoy immensely, and am so proud to have in my district.

#### RUSSIA WORLD CUP RESOLUTION

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Ms. KAPTUR. Mr. Speaker, I rise to introduce our bipartisan Resolution condemning Russian transgressions against international law during the upcoming World Cup. I want to thank my counterpart, Congresswoman ROSELEHTINEN for her work with this important Resolution.

Russia will host the 2018 World Cup this June 14 to July 15.

And the games have an expected global viewership of 3 billion, granting Russia global prestige, a platform to spread disinformation, and a tourism windfall. All undermine global sanctions.

This trivializes Russia's malicious efforts to weaken democracies through disinformation, election meddling and other violent measures. Russia illegally invaded and occupied Ukrainian territories since 2014, resulting in 10,000 deaths.

A dark cloud hangs over these games with allegations of corruption associated with the selection of Russia for the World Cup.

I call on my colleagues to support this resolution, which would call out Russia's malign behavior, and on FIFA to justify holding the World Cup in a country internationally sanctioned for military aggression.

Ideally, sports should be used to unite people for peace, not bankroll corrupt and violent regimes and their oligarch patrons.

#### RECOGNIZING AND COMMENDING SOROPTIMIST INTERNATIONAL OF GUAM AS THEY CELEBRATE THE 40TH CHARTER ANNIVERSARY

### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Ms. BORDALLO. Mr. Speaker, I rise to recognize and commend Soroptimist International of Guam (SI/Guam) as they celebrate the 40th Charter Anniversary. Soroptimist International of Guam is a global volunteer organization that economically empowers women and girls with more than 110,000 members in 21 countries and territories. Soroptimist members work to improve the lives of women and girls who face obstacles such as poverty, violence and teen pregnancy. Soroptimist clubs receive assistance in their volunteer efforts by participating locally in programs developed and sponsored by the Soroptimist organization. Soroptimist International of Guam advocates for the abolition of human trafficking, for equal access to education, for equality in the workplace and teen dating violence prevention.

I am proud to join Soroptimist International of Guam in celebrating 40 years of improving the lives of women and girls through programs leading to social and economic empowerment. On March 8, 1978, I joined with Former Guam Senator Pilar Lujan, Ann Roth, Grace Low, Doris Flores Brooks, Prudence Denight, Edwina Jose, Ana San Nicolas and others in chartering Soroptimist International of Guam from Soroptimist International of the Americas. For the last 40 years, Soroptimist International of Guam recognizes and honors women of all ages who have made a significant impact on the lives of women, girls and the community as a whole. SI/Guam has done this through various awards programs, scholarships, fundraising efforts, and so much more. Through the organization's various fundraising efforts throughout the years, SI/Guam provides financial support through monetary grants to local charitable organizations such as Island Girl Power, Salvation Army, Rigalu Foundation, Westcare Pacific, Big Brothers Big Sisters and others.

I join the people of Guam in recognizing and celebrating the 40th Charter Anniversary of Soroptimist International of Guam. I extend my sincere gratitude to the forty members of SI/Guam and its leadership. I look forward to their future success and continued contributions to the people of Guam.

HONORING THE RETIREMENT OF  
CYNTHIA M. GRINDY

**HON. RICHARD M. NOLAN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Mr. NOLAN. Mr. Speaker, I rise today to recognize Mrs. Cynthia Grindy of Duluth, Minnesota, an award-winning mentor, counselor and master educator, as she prepares to retire at the end of this academic year from Duluth Public Schools after more than three decades of dedicated service.

As a former teacher, I fully appreciate the tireless work educators like Mrs. Grindy perform in schools across the Nation every day. A great teacher can inspire children to do things they never thought possible.

Mrs. Grindy began her career at Murray Middle School in St. Paul after graduating from the University of Minnesota. There, she taught mathematics to middle school students and went on to earn a master's degree in education, also from the University of Minnesota. Moving to Duluth with her husband, Steven, she joined the teaching staff of Woodland Middle School in 1986, then East High School in 1992, and made such a difference in the lives of so many.

Mrs. Grindy's exceptional teaching gained statewide recognition in 2006 when she was a core member of the Duluth East staff that won then Senator and now Governor Mark Dayton's Award for Excellence in Education. Just a year earlier, she had been named Minnesota's American Star in Teaching by the U.S. Department of Education.

During her tenure, Mrs. Grindy advised student-led service and spirit organizations, including the Key Club and the Association. She taught Honors Chemistry, Introductory Chemistry, and Physics. In fact, countless Duluth East alumni have remarked that they had Mrs. Grindy to thank for making their college chemistry courses a relative breeze. It is telling that although she expected a great deal of her students, she was—and continues to be—beloved by them.

Mr. Speaker, I ask my colleagues in Congress to join me in recognizing Cynthia Grindy for her years of service on behalf of the students she inspired and the community she anchored. Her passion for teaching has inspired her students to strive for the best and never stop learning.

RECOGNIZING MAJOR JENNIFER  
GIBSON

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2018

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful for the professional support provided by Major Jennifer Gibson, United States Air Force, to the Readiness Subcommittee of the House Armed Services Committee. Over the past two years, Major Gibson, an active duty officer and engineer, has performed her duties as Legislative Liaison to the Congress in a superlative and valuable manner.

Major Gibson's analytical prowess and passion for Airmen has helped members and staff

develop and pass historic improvements in the National Defense Authorization Act in fiscal years 2018 and 2019, including targeted increases in authorization of appropriation, as well as innovative and forward-looking infrastructure policy initiatives that will help the Air Force achieve mission success well into the 21st century.

I appreciate Major Gibson enduring many late nights and long trips in support of subcommittee priorities. Her tireless work ethic, willingness to tackle new issues, and assistance in addressing critical Air Force issues have been truly commendable. I have no doubt that as Major Gibson continues her career she will achieve great things for the Air Force, the Department of Defense, and her country. I am thankful for her dedicated staff work and wish her the very best in all her future endeavors.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 7, 2018 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 11

2 p.m.

Committee on the Judiciary

To hold hearings to examine the Inspector General's first report on Department of Justice and Federal Bureau of Investigation actions in advance of the 2016 presidential election.

SH-216

JUNE 12

9:30 a.m.

Committee on Appropriations

Subcommittee on Department of the Interior, Environment, and Related Agencies

Business meeting to markup an original bill making appropriations for the Department of the Interior, Environmental Protection Agency, and related agencies for the fiscal year ending September 30, 2019.

SD-124

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Richard Clarida, of Connecticut, to be a Member of the Board of Governors, and to be Vice Chairman of the Board of Governors, and

Michelle Bowman, of Kansas, to be a Member of the Board of Governors, both of the Federal Reserve System.

SD-538

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the Federal Energy Regulatory Commission.

SD-366

Committee on Finance

To hold hearings to examine the nominations of Jeffrey Kessler, of Virginia, to be an Assistant Secretary of Commerce, Elizabeth Ann Copeland, of Texas, and Patrick J. Urda, of Indiana, both to be a Judge of the United States Tax Court, and Amy Karpel, of Washington, and Randolph J. Stayin, of Virginia, both to be a Member of the United States International Trade Commission.

SD-215

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the cost of prescription drugs, focusing on examining the President's blueprint 'American Patients First' to lower drug prices.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the Chemical Facility Anti-Terrorism Standards program.

SD-106

Committee on the Judiciary

To hold hearings to examine election interference, focusing on ensuring law enforcement is equipped to target those seeking to do harm.

SD-226

2:30 p.m.

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

Business meeting to markup an original bill making appropriations for the Department of Commerce, Department of Justice, and related agencies for the fiscal year ending September 30, 2019.

SD-192

JUNE 13

10 a.m.

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the National Telecommunications and Information Administration.

SR-253

Committee on Energy and Natural Resources

Subcommittee on Water and Power

To hold hearings to examine S. 3001, to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project, H.R. 132, to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and H.R. 1967, to amend the Reclamation Project Act of 1939 to authorize pumped storage hydropower development utilizing multiple Bureau of Reclamation reservoirs.

SD-366

Committee on Environment and Public Works

To hold hearings to examine innovation and America's infrastructure, focusing on the effects of emerging autonomous technologies on America's roads and bridges.

SD-406

## Committee on Foreign Relations

To hold hearings to examine the nominations of Kimberly Breier, of Virginia, to be an Assistant Secretary (Western Hemisphere Affairs), Kenneth S. George, of Texas, to be Ambassador to the Oriental Republic of Uruguay, and Joseph N. Mondello, of New York, to be Ambassador to the Republic of Trinidad and Tobago, all of the Department of State.

SD-419

## Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 2836, to assist the Department of Homeland Security in preventing emerging threats from unmanned aircraft and vehicles, S. 2392, to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to designate cybersecurity technologies that qualify for protection under systems of risk and litigation management, S. 2948, to improve efforts to identify and reduce Governmentwide improper payments, S. 1204, to authorize the United States Postal Service to carry out emergency suspensions of post offices in accordance with certain procedures, S. 2374, to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay Initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, S. 2397, to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, S. 2896, to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering, S. 2276, to require agencies to submit reports on outstanding recommendations in the annual budget justification submitted to Congress, S. 2549, to designate the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the “Major Robert Odell Owens Post Office”, S. 2692, to designate the facility of the United States Postal Service located at 4558 Broadway in New York, New York, as the “Stanley Michels Post Office Building”, H.R. 4581, to require the Secretary of Homeland Security to develop best practices for utilizing advanced passenger information and passenger name record data for counterterrorism screening and vetting

operations, H.R. 5079, to amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, H.R. 4567, to require a Department of Homeland Security overseas personnel enhancement plan, H.R. 1496, to designate the facility of the United States Postal Service located at 3585 South Vermont Avenue in Los Angeles, California, as the “Marvin Gaye Post Office”, H.R. 2673, to designate the facility of the United States Postal Service located at 514 Broadway Street in Pekin, Illinois, as the “Lance Corporal Jordan S. Bastean Post Office”, H.R. 3183, to designate the facility of the United States Postal Service located at 13683 James Madison Highway in Palmyra, Virginia, as the “U.S. Navy Seaman Dakota Kyle Rigsby Post Office”, H.R. 4301, to designate the facility of the United States Postal Service located at 201 Tom Hall Street in Fort Mill, South Carolina, as the “J. Elliott Williams Post Office Building”, H.R. 4406, to designate the facility of the United States Postal Service located at 99 Macombs Place in New York, New York, as the “Tuskegee Airmen Post Office Building”, H.R. 4463, to designate the facility of the United States Postal Service located at 6 Doyers Street in New York, New York, as the “Mabel Lee Memorial Post Office”, H.R. 4574, to designate the facility of the United States Postal Service located at 108 West Schick Road in Bloomingdale, Illinois, as the “Bloomingdale Veterans Memorial Post Office Building”, H.R. 4646, to designate the facility of the United States Postal Service located at 1900 Corporate Drive in Birmingham, Alabama, as the “Lance Corporal Thomas E. Rivers, Jr. Post Office Building”, H.R. 4685, to designate the facility of the United States Postal Service located at 515 Hope Street in Bristol, Rhode Island, as the “First Sergeant P. Andrew McKenna Jr. Post Office”, H.R. 4722, to designate the facility of the United States Postal Service located at 111 Market Street in Saugerties, New York, as the “Maurice D. Hinchey Post Office Building”, H.R. 4840, to designate the facility of the United States Postal Service located at 567 East Franklin Street in Oviedo, Florida, as the “Sergeant First Class Alwyn Crendall Cashe Post Office Building”, an original bill entitled, “Disaster Recovery Reform Act of 2018”, an original bill entitled, “Opportunities to Provide for Illicit Opioid Interdiction and De-

tection Act of 2018”, an original bill entitled, “Modernizing Congressional Reporting Act of 2018”, an original bill entitled, “Federal Personal Property Management Act of 2018”, and the nominations of Kelly Higashi, to be an Associate Judge of the Superior Court of the District of Columbia, Frederick M. Nutt, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget, and Emory A. Rounds III, of Maine, to be Director of the Office of Government Ethics.

SD-342

## Committee on the Judiciary

To hold hearings to examine confronting sexual harassment and other workplace misconduct in the Federal judiciary.

SD-226

## Joint Select Committee on Solvency of Multiemployer Pension Plans

To hold hearings to examine employer perspectives on multiemployer pension plans.

SD-215

2:30 p.m.

## Committee on Environment and Public Works

## Subcommittee on Superfund, Waste Management, and Regulatory Oversight

To hold an oversight hearing to examine the Army Corps’ regulation of surplus water and the role of states’ rights.

SD-406

## Committee on Indian Affairs

To hold an oversight hearing to examine the Government Accountability Office high risk list, focusing on turning around vulnerable Indian programs.

SD-628

## Committee on Veterans’ Affairs

To hold hearings to examine the nomination of John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans’ Employment and Training.

SR-418

JUNE 14

10 a.m.

## Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine an update from the Comptroller of the Currency.

SD-538

JUNE 19

10 a.m.

## Committee on Health, Education, Labor, and Pensions

To hold hearings to examine effective administration of the 340B Drug Pricing Program.

SD-430



# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S3001–S3268*

**Measures Introduced:** Twenty-one bills and two resolutions were introduced, as follows: S. 2999–3019, and S. Res. 535–536. **Pages S3034–35**

**Measures Reported:**

Special Report entitled “Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2019”. (S. Rept. No. 115–267)

S. 1872, to authorize the programs of the Transportation Security Administration relating to transportation security, with an amendment in the nature of a substitute. (S. Rept. No. 115–266) **Page S3234**

**Measures Passed:**

**Shiloh National Military Park Boundary Adjustment and Parker’s Crossroads Battlefield Designation Act:** Senate passed H.R. 88, to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker’s Crossroads Battlefield as an affiliated area of the National Park System, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

**Page S3263, S3265**

McConnell (for Murkowski) Amendment No. 2349, to modify the authorized methods for the acquisition of land to be added to the Shiloh National Military Park. **Page S3263, S3265**

**John Muir National Historic Site Expansion Act:** Senate passed H.R. 1719, to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, for inclusion in the John Muir National Historic Site. **Pages S3263–64**

**National Veterans Memorial and Museum Act:** Senate passed H.R. 1900, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum.

**Page S3264**

**National Nordic Museum Act:** Senate passed S. 2857, to designate the Nordic Museum in Seattle, Washington, as the “National Nordic Museum”.

**Page S3264**

**Federal Land:** Senate passed H.R. 1397, to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land.

**Page S3264**

**National Emergency Medical Services Commemorative Work Act:** Senate passed S. 1692, to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs.

**Pages S3264–65**

**Authorize Document Production:** Senate agreed to S. Res. 536, to authorize document production by the Select Committee on Intelligence. **Page S3265**

**Measures Considered:**

**National Defense Authorization Act—Cloture:** Senate began consideration of the motion to proceed to consideration of H.R. 5515, to authorize appropriations for fiscal year 2019 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.

**Pages S3005–23**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, June 8, 2018. **Page S3005**

Prior to the consideration of this measure, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S3005**

**Marcus Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at approximately 10 a.m., on Thursday, June 7, 2018, Senate begin consideration of the nomination of Kenneth L. Marcus, of Virginia, to be Assistant Secretary for Civil Rights, Department of Education, under the previous order of May 23, 2018; that the time until 12:30 p.m. be equally divided between the two Leaders or their designees; and that at 12:30 p.m., all debate time on the nomination be expired and Senate vote on confirmation of the nomination with no intervening action or debate. **Page S3265**

**Nomination Confirmed:** Senate confirmed the following nomination:

By 83 yeas to 11 nays (Vote No. EX. 117), Annemarie Carney Axon, of Alabama, to be United States District Judge for the Northern District of Alabama. **Pages S3001–05, S3268**

**Messages from the House:** **Page S3031**

**Measures Referred:** **Pages S3031–32**

**Measures Placed on the Calendar:** **Page S3032**

**Executive Communications:** **Pages S3032–34**

**Executive Reports of Committees:** **Page S3034**

**Additional Cosponsors:** **Pages S3035–36**

**Statements on Introduced Bills/Resolutions:**  
**Page S3036**

**Additional Statements:** **Pages S3029–31**

**Amendments Submitted:** **Pages S3039–S3262**

**Authorities for Committees to Meet:** **Page S3263**

**Privileges of the Floor:** **Page S3263**

**Record Votes:** One record vote was taken today. (Total—117) **Page S3005**

**Adjournment:** Senate convened at 10:02 a.m. and adjourned at 6:32 p.m., until 10 a.m. on Thursday, June 7, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3265.)

## Committee Meetings

(Committees not listed did not meet)

### DEFENSE INNOVATION AND RESEARCH

*Committee on Appropriations:* Subcommittee on Department of Defense concluded a closed hearing to examine defense innovation and research funding, after receiving testimony from Michael D. Griffin, Under Secretary for Research and Engineering, and Steven H. Walker, Director, Defense Advanced Research Projects Agency, both of the Department of Defense.

### INTERNATIONAL SPACE STATION

*Committee on Commerce, Science, and Transportation:* Subcommittee on Aviation Operations, Safety, and Security concluded a hearing to examine the future of the International Space Station, focusing on stakeholder perspectives, after receiving testimony from Michael T. Suffredini, Axiom Space, Inc., and Bob Mitchell, Bay Area Houston Economic Partnership, both of Houston, Texas; Jim Chilton, The Boeing Company, Arlington, Virginia; and Cynthia Bouthot, Center for the Advancement of Science in Space, Cambridge, Massachusetts.

### COUNTERING MALICIOUS DRONES

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine countering malicious drones, including S. 2836, to assist the Department of Homeland Security in preventing emerging threats from unmanned aircraft and vehicles, after receiving testimony from David J. Glawe, Under Secretary for Intelligence and Analysis, and Hayley Chang, Deputy General Counsel, both of the Department of Homeland Security; Scott Brunner, Deputy Assistant Director, Critical Incident Response Group, Federal Bureau of Investigation, Department of Justice; and Angela H. Stubblefield, Deputy Associate Administrator for Security and Hazardous Materials Safety, Federal Aviation Administration, Department of Transportation.

### AUMF AND FEDERAL SPENDING

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Spending Oversight and Emergency Management concluded a hearing to examine war powers and the effects of unauthorized military engagements on Federal spending, including S. J. Res. 59, to authorize the use of military force against the Taliban, al Qaeda, the Islamic State in Iraq and Syria, and designated associated forces, and to provide an updated, transparent, and sustainable statutory basis for counterterrorism operations, after receiving testimony from Andrew P. Napolitano, Fox News Channel, New York, New York; and Jonathan Turley, The George Washington University, and Christopher Anders, American Civil Liberties Union, both of Washington, D.C.

### BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported the nomination of Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior.

### NOMINATIONS

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, who was introduced by Senator Toomey, Holly A. Brady, to be United States District Judge for the Northern District of Indiana, and James Patrick Hanlon, to be United States District Judge for the Southern District of Indiana, who were both introduced by Senators Donnelly and Young, Andrew Lynn Brasher, to be United States District Judge for the Middle District of Alabama, David Steven Morales, to be United States District Judge for the Southern District of Texas, and Lance E. Walker, to be United States

District Judge for the District of Maine, who was introduced by Senator Collins, after the nominees testified and answered questions in their own behalf.

## STUDENT VISAS

*Committee on the Judiciary:* Subcommittee on Border Security and Immigration concluded a hearing to examine student visa integrity, focusing on protecting educational opportunity and national security, after receiving testimony from Joseph G. Morosco, Assistant Director, National Intelligence Manager—Counterintelligence, Office of the Director of National Intelligence; E.W. Priestap, Assistant Director, Coun-

terintelligence Division, Federal Bureau of Investigation, Department of Justice; Edward J. Ramotowski, Deputy Assistant Secretary for Visa Services, Bureau of Consular Affairs, Department of State; Louis Rodi, Deputy Assistant Director, National Security Investigations Division, Homeland Security Investigations, Immigration and Customs Enforcement, Department of Homeland Security; Kevin Gamache, Texas A and M University System, College Station; and Jill Welch, NAFSA: Association of International Educators, and Leon Rodriguez, Seyfarth Shaw LLP, both of Washington, D.C.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 14 public bills, H.R. 5012–5025; and 4 resolutions, H. Res. 922, 924–926, were introduced. **Pages H4848–49**

**Additional Cosponsors:** **Pages H4849–50**

**Report Filed:** A report was filed today as follows:

H. Res. 923, providing for further consideration of the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes, and providing for consideration of the bill (H.R. 3) to rescind certain budget authority proposed to be rescinded in special messages transmitted to the Congress by the President on May 8, 2018, in accordance with title X of the Congressional Budget and Impoundment Control Act 1974 (H. Rept. 115–712). **Page H4848**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker pro tempore for today. **Page H4779**

**Recess:** The House recessed at 10:27 a.m. and reconvened at 12 noon. **Page H4782**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Rabbi Aaron Krupnick, Congregation Beth El, Voorhees, New Jersey. **Page H4782**

**Journal:** The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 219 yeas to 177 nays with one answering "present", Roll No. 236. **Pages H4782, H4792–93**

**Moment of Silence:** The House observed a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families. **Page H4782**

**Unanimous Consent Agreement:** Agreed by unanimous consent that, during consideration of H.R. 8 in the Committee of the Whole pursuant to House Resolution 918, the amendment by Representative Moulton at the desk be considered as though printed as the last amendment printed in part A of House Report 115–711 and be debatable for 10 minutes. **Page H4793**

**Unanimous Consent Agreement:** Agreed by unanimous consent that, during further consideration of H.R. 8 in the Committee of the Whole pursuant to House Resolution 918, the following amendments printed in part A of H. Rept. 115–711 may be considered out of sequence: Amendments numbered 2, 3, 4, 5, 7, and 8. **Page H4815**

**Recess:** The House recessed at 6:54 p.m. and reconvened at 7:08 p.m. **Page H4844**

**Recess:** The House recessed at 7:09 p.m. and reconvened at 9 p.m. **Page H4844**

**Water Resources Development Act of 2018:** The House passed H.R. 8, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, by a recorded vote of 408 ayes to 2 noes, Roll No. 238. **Pages H4798–H4815, H4815–44, H4844–46**

Rejected the Velázquez motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 180 yeas to 227 nays, Roll No. 237. **Pages H4843–44, H4844–45**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–72 shall be considered as

adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill.

**Page H4804**

Agreed to:

Shuster amendment (No. 1 printed in part A of H. Rept. 115–711) that makes technical changes to the bill, as well as additional provisions relating to Corps of Engineers projects and reports; addresses direct spending issue in sec. 306;

**Page H4813**

Shuster amendment (No. 6 printed in part A of H. Rept. 115–711) that directs the Secretary to provide technical assistance on construction to a state agency that is carrying out congressionally authorized projects; such assistance would be reimbursed by the state agency; protects existing authorities under Davis-Bacon;

**Pages H4814–15**

Soto amendment (No. 2 printed in part A of H. Rept. 115–711) that directs the Secretary to expand the areas of consideration to include water storage;

**Page H4816**

Royce amendment (No. 4 printed in part A of H. Rept. 115–711) that adds flexibility in Section 120 so that future projects can also qualify for the pilot program;

**Page H4816**

Royce amendment (No. 5 printed in part A of H. Rept. 115–711) that authorizes Army Corps to give technical assistance to regional coalitions as they prepare for water resources development projects with potential connections to Army Corps projects or properties;

**Pages H4816–17**

Denham amendment (No. 7 printed in part A of H. Rept. 115–711) that extends authority of the U.S. Army Corps of Engineers to enter into cost recovery agreements for evaluation and processing of permits;

**Page H4817**

Esty amendment (No. 8 printed in part A of H. Rept. 115–711) that adds to a National Academy of Sciences report consideration of an analysis on whether the Corps considers cumulative benefits of locally developed projects, including Master Plans, and if the Corps uses these benefits for purposes of benefit-cost analysis for potential projects within such Master Plans;

**Pages H4817–18**

Soto amendment (No. 9 printed in part A of H. Rept. 115–711) that adds universities to the list of entities that the Secretary of the Army Corps should consider when submitting a report to Congress on the use of innovative materials in water resource development projects;

**Page H4818**

Krishnamoorthi amendment (No. 10 printed in part A of H. Rept. 115–711) that requires the Comptroller of the United States to provide rec-

ommendations to improve the capacity and preparedness of the Corp of Engineers workforce;

**Pages H4818–19**

Jayapal amendment (No. 11 printed in part A of H. Rept. 115–711) that adds to a GAO study consideration of how changes to the navigation industry workforce with which the Army Corps of Engineers collaborates may affect safety and operations within the navigation industry;

**Page H4819**

Soto amendment (No. 12 printed in part A of H. Rept. 115–711) that directs the GAO to specifically consider trough bars, coastal wetlands and barrier coral reefs for their study on the feasibility of projects for flood risk management, hurricane and storm damage reduction, and ecosystem restoration;

**Pages H4819–20**

Sanford amendment (No. 13 printed in part A of H. Rept. 115–711) that ensures timely payback for advanced funds paid for by a non-federal sponsor;

**Page H4820**

Nolan amendment (No. 14 printed in part A of H. Rept. 115–711) that requires the Secretary to conduct a study of the status of the project for flood damage reduction and environmental restoration for the Muddy River authorized by WRDA 2000; the Secretary is required to submit a report to Congress describing the study and reasons for deauthorizing the project;

**Pages H4820–21**

Moore amendment (No. 15 printed in part A of H. Rept. 115–711) that requires the Corps to take steps to better engage with and meaningfully consult with communities of color, low-income communities, tribes, and rural communities;

**Page H4821**

Meadows amendment (No. 16 printed in part A of H. Rept. 115–711) that prioritizes the operation, maintenance, and improvement of existing infrastructure;

**Pages H4821–22**

Mast amendment (No. 17 printed in part A of H. Rept. 115–711) that clarifies the Secretary's authority under WRDA 2000 to provide credit for Comprehensive Everglades Restoration in-kind work completed during design or construction, including work after a partnership agreement is signed; the Secretary and non-Federal sponsor must agree to the terms and conditions for in-kind work not expressly defined in the partnership agreement and the Secretary must determine the work is integral to the project;

**Page H4822**

Pearce amendment (No. 18 printed in part A of H. Rept. 115–711) that requires the U.S. Army Corps of Engineers to pay back the Federal cost share for projects carried out under section 593 of the Water Resources Development Act of 1999 in the next fiscal year;

**Pages H4822–23**

Kelly (PA) amendment (No. 19 printed in part A of H. Rept. 115–711) that states that in regards to

WRDA funding determinations, the Corps of Engineers may consider operation and maintenance of the locks on Allegheny River for purposes of recreational boat traffic levels and related economic benefits;

**Page H4823**

Schrader amendment (No. 20 printed in part A of H. Rept. 115–711) that provides the Army Corps of Engineers with the authority to help mitigate any detrimental impacts to municipal water supply resulting from a Corps construction project; **Page H4823**

Jayapal amendment (No. 21 printed in part A of H. Rept. 115–711) that requests from the Army Corps of Engineers a report to Congress on the potential opportunity for integrating noise abatement and noise mitigation technologies and practices into improvements and operations in harbors and inland harbors;

**Pages H4823–24**

Higgins (LA) amendment (No. 22 printed in part A of H. Rept. 115–711) that directs the Secretary to prefer acquiring the minimum interest necessary in real property needed to support a project or action; requires consideration of the use of a temporary easement estate or other interests designed to reduce overall costs, reduce project time, and minimize conflict with property owners related to such project or action;

**Page H4824**

Babin amendment (No. 23 printed in part A of H. Rept. 115–711) that expresses the sense of Congress stating the importance and benefits of projects to improve 2-way traffic safety on high volume, deep draft navigation channels;

**Pages H4824–25**

Bost amendment (No. 24 printed in part A of H. Rept. 115–711) that permits a non-federal flood control project sponsor to pay, or contribute to, the difference between the cost of repairing a damaged flood control project and its projected economic benefits;

**Pages H4825–26**

Heck amendment (No. 25 printed in part A of H. Rept. 115–711) that directs GAO to conduct a study on USACE's ability to comply with Federal stormwater runoff requirements;

**Pages H4826–27**

González-Colón amendment (No. 26 printed in part A of H. Rept. 115–711) that expresses the sense of Congress that the Corps of Engineers should consider urgently and favorably projects and proposals pending before them for flood control, dam repair, beach erosion, harbor navigation in Puerto Rico, as well as for repair and mitigation required by natural disasters in 2017–2018; and that the Secretary should advance the project for ecosystem restoration at Caño Martin Peña, San Juan, Puerto Rico;

**Page H4827**

Gibbs amendment (No. 27 printed in part A of H. Rept. 115–711) that instructs the Secretary to expedite the DMMP process in order that studies reach completion within two years of their initiation

and shall make maximum use of existing information and studies and avoid all redundant information collection and studies for purposes of Dredged Material Management Plans initiated in fiscal year 2018 and afterward;

**Pages H4827–28**

Rodney Davis (IL) amendment (No. 29 printed in part A of H. Rept. 115–711) that clarifies that operation and maintenance of any project authorized under the Chief's Report for the Brandon Road Study is done at an 80/20 Federal/non-Federal cost share; also requires the Corps, following construction of any project authorized under the Chief's Report for the Brandon Road Study, to consult with the governor of the state where the project is located and seek Congressional approval prior to implementing any additional technologies at the project; also, adds to the list of feasibility studies in the base bill the USACE must expedite completion of the Great Lakes Mississippi River Interbasin Study Brandon Road Study;

**Pages H4828–29**

González-Colón amendment (No. 30 printed in part A of H. Rept. 115–711) that directs the secretary to expedite reports for the navigation project for San Juan Harbor, Puerto Rico, per the study authorized by resolution of the House Committee on Transportation and Infrastructure in September 20, 2006;

**Page H4829**

Lance amendment (No. 31 printed in part A of H. Rept. 115–711) that directs the Secretary to expedite the completion of a feasibility study for the Warren Glen Dam Removal Project in the Musconetcong River, New Jersey;

**Pages H4829–30**

Ben Ray Lujan (NM) amendment (No. 32 printed in part A of H. Rept. 115–711) that authorizes the expansion of the Abiquiu Reservoir;

**Page H4830**

Larsen (WA) amendment (No. 33 printed in part A of H. Rept. 115–711) that increases the per project funding cap for Section 544 Puget Sound and Adjacent Waters Restoration (PSAW) to \$10 million—which is consistent with Section 206 Aquatic Ecosystem Restoration projects and raises the overall authorization level for PSAW;

**Pages H4830–31**

Keating amendment (No. 34 printed in part A of H. Rept. 115–711) that directs the Army Corps to expedite and complete dredging in Plymouth Harbor, Massachusetts as authorized;

**Page H4831**

Joyce amendment (No. 35 printed in part A of H. Rept. 115–711) that requires the U.S. Army Corps of Engineers to complete its Chief's Report for the Brandon Road Study by February 2019;

**Pages H4831–32**

Bishop (GA) amendment (No. 36 printed in part A of H. Rept. 115–711) that conveys three parcels of land, known as the Earle May Recreational Area,

from the Army Corps of Engineers to the City of Bainbridge; **Pages H4832–33**

Blum amendment (No. 37 printed in part A of H. Rept. 115–711) that expedites the completion of the Cedar River flood risk management project authorized in 2014; **Page H4833**

Keating amendment (No. 38 printed in part A of H. Rept. 115–711) that grants the Army Corps the authority to repair or replace bridges in New England that serve as emergency evacuation routes; **Pages H4833–34**

McMorris Rodgers amendment (No. 39 printed in part A of H. Rept. 115–711) that authorizes a land transfer between the Port of Whitman and the Army Corps of Engineers; **Page H4834**

Shea-Porter amendment (No. 40 printed in part A of H. Rept. 115–711) that directs the Secretary to use existing authority to mitigate severe shoaling at Hampton Harbor, New Hampshire; **Pages H4834–35**

Shea-Porter amendment (No. 41 printed in part A of H. Rept. 115–711) that directs the Secretary to expedite the navigation project for Portsmouth Harbor and the Piscataqua River; **Page H4835**

Lewis (MN) amendment (No. 42 printed in part A of H. Rept. 115–711) that encourages the Secretary to consider reasonable alternative agreements between state or local entities, private partners, and the U.S. Army Corps of Engineering to dispose of dredged material; **Pages H4835–36**

Olson amendment (No. 43 printed in part A of H. Rept. 115–711) that looks to expedite already authorized U.S. Army Corp of Engineers projects in the declared disaster areas of Texas, Florida, Georgia, Louisiana, South Carolina, Puerto Rico and the U.S. Virgin Islands; **Page H4836**

Culberson amendment (No. 44 printed in part A of H. Rept. 115–711) that requires the U.S. Army Corps of Engineers to carry out flood and storm damage reduction studies expeditiously in order to reduce the risk of damage from future floods and hurricanes in the Houston and Coastal Texas areas; **Pages H4836–37**

Weber (TX) amendment (No. 45 printed in part A of H. Rept. 115–711) that enhances the Levee Safety Action Classification (LSAC) risk categorization tool, developed internally by the U.S. Army Corps of Engineers; it supplements current duties by ensuring that individual levee system LSAC ratings are transparent; **Pages H4837–38**

Meeks amendment (No. 46 printed in part A of H. Rept. 115–711) that expedites the Army Corps of Engineers' reformulation project in certain Sandy Superstorm affected areas of Queens, NY; **Page H4838**

Schrader amendment (No. 47 printed in part A of H. Rept. 115–711) that requires the Army Corps of Engineers to include in future workplans, to the

maximum extent practicable, any project or facility for disposition for which the Corps has a final report from the Director of Civil Works; **Pages H4838–39**

Smith (MO) amendment (No. 48 printed in part A of H. Rept. 115–711) that ensures prompt restoration and rebuilding in the event of an activation of any floodway or backwater feature within the Mississippi Rivers and Tributaries system; **Page H3839**

Young (AK) amendment (No. 49 printed in part A of H. Rept. 115–711) that requires the Secretary to conduct an assessment of dams classified as Class III under the Dam Safety Action Classification of the Corps of Engineers; requires the Secretary to provide a report to Congress describing anticipated impacts on the local communities if the Secretary no longer assumes responsibility of the Class III dam, or what the effects would be if the Secretary continues to assume responsibility of the dams over a period of 15 years after the date of enactment of this Act; **Pages H4839–40**

Costa amendment (No. 50 printed in part A of H. Rept. 115–711) that authorizes the Army Corps to accept contributed funds from the owners of non-federal Section 7 reservoirs for the purpose of reviewing/revising operational documents, including flood control manuals and rule curves; **Pages H4840–41**

Soto amendment (No. 51 printed in part A of H. Rept. 115–711) that directs the Secretary, to the maximum extent practicable, to endeavor to provide information to all adjoining residential property stakeholders, next to property which the Army Corps of Engineers holds an interest; **Page H4841**

Paulsen amendment (No. 52 printed in part A of H. Rept. 115–711) that expedites the completion of a disposition study and requires the Secretary to report on the feasibility of preserving and enhancing recreational opportunities and the health of the ecosystem of Upper St. Anthony Falls Lock and Dam; and **Pages H4841–42**

Moulton amendment (No. 53 printed in part A of H. Rept. 115–711) that adds at the end of title I the following section entitled: Corps of Engineers Continuing Authorities Program. **Page H4842**

Withdrawn:

Gibbs amendment (No. 3 printed in part A of H. Rept. 115–711) that was offered and subsequently withdrawn that would have amended language to ensure all factors are considered in order for the mitigation bank to provide sufficient financial assurances. **Pages H4815–16**

H. Res. 918, the rule providing for consideration of the Senate amendment to the bill (H.R. 3249) and providing for consideration of the bills (H.R. 8) and (H.R. 5895) was agreed to by a recorded vote

of 223 ayes to 175 noes, Roll No. 235, after the previous question was ordered by a yea-and-nay vote of 224 yeas to 176 nays, Roll No. 234. **Pages H4785–92**

**Project Safe Neighborhoods Grant Program Authorization Act:** The House concurred in the Senate amendment to H.R. 3249, to authorize the Project Safe Neighborhoods Grant Program, by a yea-and-nay vote of 394 yeas to 13 nays with two answering “present”, Roll No. 239. **Pages H4793–98, H4846**

H. Res. 918, the rule providing for consideration of the Senate amendment to the bill (H.R. 3249) and providing for consideration of the bills (H.R. 8) and (H.R. 5895) was agreed to by a recorded vote of 223 ayes to 175 noes, Roll No. 235, after the previous question was ordered by a yea-and-nay vote of 224 yeas to 176 nays, Roll No. 234. **Pages H4785–92**

**Clerk to Correct Engrossment:** Agreed by unanimous consent that in the engrossment of H.R. 8, the Clerk be authorized to correct section numbers, punctuation, amendatory instructions, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House. **Page H4846**

**Senate Message:** Message received from the Senate today appears on page H4779.

**Quorum Calls—Votes:** Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H4791–92, H4792, H4793, H4844–45, H4845–46, and H4846. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 9:46 p.m.

## Committee Meetings

### MISCELLANEOUS MEASURE

*Committee on Appropriations:* Full Committee held a markup on the FY 2019 Interior, Environment and Related Agencies Appropriations Bill. The FY 2019 Interior, Environment, and Related Agencies Appropriations Bill was ordered reported, as amended.

### EXAMINING THE POLICIES AND PRIORITIES OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

*Committee on Education and the Workforce:* Full Committee held a hearing entitled “Examining the Policies and Priorities of the U.S. Department of Health and Human Services”. Testimony was heard from Alex M. Azar II, Secretary, Department of Health and Human Services.

### EXAMINING THE REAUTHORIZATION OF THE PANDEMIC AND ALL-HAZARDS PREPAREDNESS ACT

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “Examining the Reauthorization of the Pandemic and All-Hazards Preparedness Act”. Testimony was heard from Anna Abram, Deputy Commissioner for Policy, Planning, Legislation, and Analysis, Food and Drug Administration; Robert Kadlec, Assistant Secretary for Preparedness and Response, Department of Health and Human Services; Rear Admiral Upper Half Stephen Redd, Director, Centers for Disease Control and Prevention, Department of Health and Human Services; and public witnesses.

### LEGISLATIVE MEASURE

*Committee on Financial Services:* Subcommittee on Housing and Insurance held a hearing entitled “Legislative Review of H.R. 1511, the ‘Homeless Children and Youth Act of 2017’”. Testimony was heard from public witnesses.

### IMPROVING TRANSPARENCY AND ACCOUNTABILITY AT THE BUREAU OF CONSUMER FINANCIAL PROTECTION

*Committee on Financial Services:* Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Improving Transparency and Accountability at the Bureau of Consumer Financial Protection”. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Homeland Security:* Full Committee held a markup on H.R. 4627, the “Shielding Public Spaces from Vehicular Terrorism Act”; H.R. 4991, the “Supporting Research and Development for First Responders Act”; H.R. 5206, the “Office of Biometric Identity Management Authorization Act of 2018”; H.R. 5207, the “Immigration Advisory Program Authorization Act of 2018”; H.R. 5729, the “Transportation Worker Identification Credential Accountability Act of 2018”; H.R. 5730, the “Transportation Security Technology Innovation Reform Act of 2018”; H.R. 5733, the “DHS Industrial Control Systems Capabilities Enhancement Act of 2018”; H.R. 5762, the “Joint Task Force to Combat Opioid Trafficking Act of 2018”; H.R. 5766, the “Securing Public Areas of Transportation Facilities Act of 2018”; and H. Res. 898, directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to Department of Homeland Security policies and activities relating to homeland security information produced and disseminated regarding cybersecurity threats posed by the ZTE Corporation, headquartered



in Shenzhen, China. H.R. 5766, H.R. 4991, and H. Res. 898 were ordered reported, without amendment. H.R. 4627, H.R. 5206, H.R. 5207, H.R. 5729, H.R. 5730, H.R. 5733, and H.R. 5762 were ordered reported, as amended.

### MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Full Committee held a markup on H.R. 3777, the “Juab County Conveyance Act of 2017”; H.R. 4528, to make technical amendments to certain marine fish conservation statutes, and for other purposes; H.R. 4824, the “Rural Broadband Permitting Efficiency Act of 2018”; H.R. 5597, the “Desert Tortoise Habitat Conservation Plan Expansion Act, Washington County, Utah”; H.R. 5751, the “Golden Spike 150th Anniversary Act”; and H.R. 5875, to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Federal Aid in Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws, and for other purposes. H.R. 3777, H.R. 4824, H.R. 5597, and H.R. 5751 were ordered reported, as amended. H.R. 4528 and H.R. 5875 were ordered reported, without amendment.

### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on legislation to authorize the Secretary of the Interior to recover the cost of processing administrative protests for oil and gas lease sales, applications for permits to drill, and right of way applications, and for other purposes; legislation to clarify the categorical exclusions authorized by the Energy Policy Act of 2005 and authorize additional categorical exclusions to streamline the oil and gas permitting process, and for other purposes; legislation to amend the Mineral Leasing Act to authorize notifications of permit to drill, and for other purposes; and legislation to clarify that Bureau of Land Management shall not require permits for oil and gas activities conducted on non-Federal surface estate to access subsurface mineral estate that is less than 50 percent Federally owned, and for other purposes. Testimony was heard from John Baza, Director, Utah Division of Oil, Gas and Mining; Susana Martinez, Governor, New Mexico; Katharine MacGregor, Deputy Assistant Secretary for Land and Minerals Management, Department of the Interior; Ken McQueen, Secretary, Energy, Minerals and Natural Resources Department, New Mexico; and a public witness.

### PROTECTING AMERICA FROM A BAD DEAL: ENDING U.S. PARTICIPATION IN THE NUCLEAR AGREEMENT WITH IRAN

*Committee on Oversight and Government Reform:* Subcommittee on National Security held a hearing entitled “Protecting America from a Bad Deal: Ending U.S. Participation in the Nuclear Agreement with Iran”. Testimony was heard from public witnesses.

### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; SPENDING CUTS TO EXPIRED AND UNNECESSARY PROGRAMS ACT

*Committee on Rules:* Full Committee held a hearing on H.R. 5895, the “Energy and Water Development and Related Agencies Appropriations Act, 2019” [Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019] [Amendment Consideration]; and H.R. 3, the “Spending Cuts to Expired and Unnecessary Programs Act”. The Committee granted, by record vote of 9–2, a rule providing for the further consideration of the Senate amendment to H.R. 5895 under a structured rule. The rule provides that no further general debate shall be in order. The rule provides that the further amendment printed in part A of the Rules Committee report shall be considered as adopted. The rule makes in order only those further amendments printed in part B of the Rules Committee report, and available pro forma amendments described in section 4 of House Resolution 918. Each further amendment printed in part B of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except amendments described in section 4 of House Resolution 918, and shall not be subject to a demand for division of the question. The rule waives all points of order against further amendments printed in part B of the report. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides for the consideration of H.R. 3 under a closed rule. The rule provides one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in part C of the Rules Committee report shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The

rule provides one motion to recommit with or without instructions. Finally, in section 3, the rule provides that provisions of section 1017 of the Impoundment Control Act of 1974 shall not apply to a bill or joint resolution introduced with respect to the special message transmitted under section 1012 of that Act on May 8, 2018. Testimony was heard from Representatives Hastings, Torres, Renacci, Grothman, Moore, Aderholt, and Lowey.

### MILLENNIALS AND THE GIG ECONOMY

*Committee on Small Business:* Full Committee held a hearing entitled “Millennials and the Gig Economy”. Testimony was heard from public witnesses.

### LOWERING COSTS AND EXPANDING ACCESS TO HEALTH CARE THROUGH CONSUMER-DIRECTED HEALTH PLANS

*Committee on Ways and Means:* Subcommittee on Health held a hearing entitled “Lowering Costs and Expanding Access to Health Care through Consumer-Directed Health Plans”. Testimony was heard from public witnesses.

## Joint Meetings

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR THURSDAY, JUNE 7, 2018

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Appropriations:* business meeting to markup an original bill entitled, “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019”, and an original bill entitled, “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019”, 10:30 a.m., SD-106.

*Committee on the Judiciary:* business meeting to consider S. 2837, to improve the systems for identifying the diversion of controlled substances, S. 974, to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products, S. 2245, to include New Zealand in the list of foreign states whose nationals are eligible for admission into the United States as E-1 and E-2 nonimmigrants if United States nationals are treated similarly by the Government of New Zealand, and the nominations of Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit, J. Campbell Barker, and Jeremy D. Kernodle, both to be a United States District Judge for the Eastern District of Texas, Susan Brnovich, to be United States District Judge for the District of Arizona, Chad F. Kenney, to be United States District Judge for the Eastern District of Pennsylvania, Maureen K. Ohlhausen, of Virginia, to be Judge of the United States Court of Federal Claims, Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, Allen Cothrel Winsor, to be United States District

Judge for the Northern District of Florida, and Patrick R. Wyrick, to be United States District Judge for the Western District of Oklahoma, 10 a.m., SD-226.

*Select Committee on Intelligence:* to receive a closed briefing regarding certain intelligence matters, 2 p.m., SH-219.

#### House

*Committee on Appropriations,* Subcommittee on Defense, markup on the FY 2019 Defense Appropriations Bill, 12 p.m., H-140 Capitol. This markup will be closed.

*Committee on Energy and Commerce,* Subcommittee on Energy, hearing entitled “Improving the Hydropower Licensing Process”, 11 a.m., 2123 Rayburn.

*Committee on Financial Services,* Full Committee, markup on H.R. 3861, the “Federal Insurance Office Reform Act of 2017”; H.R. 4557, the “Reforming Disaster Recovery Act of 2017”; H.R. 5054, the “Small Company Disclosure Simplification Act of 2018”; H.R. 5756, to require the Securities and Exchange Commission to adjust certain resubmission thresholds for shareholder proposals; H.R. 5783, the “Cooperate with Law Enforcement Agencies and Watch Act of 2018”; H.R. 5877, the “Main Street Growth Act”; and legislation on the Streamlining Communications for Investors Act, 11 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled “A Bad Year for Human Rights in Vietnam”, 2 p.m., 2200 Rayburn.

Subcommittee on the Western Hemisphere, hearing entitled “Advancing U.S. Business Investment and Trade in the Americas”, 2 p.m., 2172 Rayburn.

*Committee on Natural Resources,* Subcommittee on Federal Lands, hearing entitled “Wildfire Risk, Forest Health, and Associated Management Priorities of the U.S. Forest Service”, 2 p.m., 1324 Longworth.

*Committee on Science, Space, and Technology,* Subcommittee on Energy, hearing entitled “The Electric Grid of the Future”, 1 p.m., 2318 Rayburn.

*Committee on Small Business,* Subcommittee on Investigations, Oversight, and Regulations, hearing entitled “Vets First? An Examination of VA’s Resources for Veteran-Owned Small Businesses”, 2 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Coast Guard and Maritime Transportation, hearing entitled “Maritime Transportation in the Arctic: The U.S. Role”, 11 a.m., 2167 Rayburn.

*Committee on Veterans’ Affairs,* Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled “Honoring Heroes: Memorializing our Nation’s Veterans”, 11:15 a.m., 334 Cannon.

Subcommittee on Health, hearing entitled “An Assessment of the Potential Health Effects of Burn Pit Exposure among Veterans”, 3 p.m., 334 Cannon.

*Committee on Ways and Means,* Subcommittee on Social Security, hearing entitled “Examining Social Security’s Solvency Challenge: The Status of Social Security’s Trust Funds”, 11 a.m., 1100 Longworth.

#### Joint Meetings

*Joint Economic Committee:* to hold hearings to examine the potential for health care savings accounts to engage patients and bend the health care cost curve, 3 p.m., SH-216.

*Next Meeting of the SENATE*

10 a.m., Thursday, June 7

## Senate Chamber

**Program for Thursday:** Senate will begin consideration of the nomination of Kenneth L. Marcus, of Virginia, to be Assistant Secretary for Civil Rights, Department of Education, and vote on confirmation of the nomination at 12:30 p.m.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, June 7

## House Chamber

**Program for Thursday:** Consideration of H.R. 5895—Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Beutler, Jaime Herrera, Wash., E780  
 Bilirakis, Gus M., Fla., E781  
 Bordallo, Madeleine Z., Guam, E780, E782, E783, E785, E785  
 Brownley, Julia, Calif., E779

Cleaver, Emanuel, Mo., E780  
 Gonzalez, Vicente, Tex., E780  
 Gutiérrez, Luis V., Ill., E780  
 Hastings, Alcee L., Fla., E782  
 Holding, George, N.C., E781  
 Jackson Lee, Sheila, Tex., E779, E781, E783  
 Kaptur, Marcy, Ohio, E785

Lujan Grisham, Michelle, N.M., E781, E785  
 Nolan, Richard M., Minn., E786  
 Quigley, Mike, Ill., E784  
 Shimkus, John, Ill., E784  
 Wilson, Joe, S.C., E786  
 Wittman, Robert J., Va., E784, E785



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