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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 APPROPRIATIONS¹
(Budget authority, in millions of dollars)

	2018	
	Security ²	Nonsecurity ²
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 APPROPRIATIONS¹—Continued

[Budget authority, in millions of dollars]		
	2018	
	Security ²	Nonsecurity ²
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

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS¹

[Budget authority, in millions of dollars]		
	2019	
	Security ²	Nonsecurity ²
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

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 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: ^{a,b}			
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) ^{b,c,d}	7,504	4,050	–12,424
Consolidated Appropriations Act, 2018, Divisions M–V (P.L. 115–141) ^e	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 ^a	849.6	849.6	0.0
Social Security Revenues	873.3	872.9	–0.4

Source: Congressional Budget Office.

^a Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 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) ^{c,f,g}	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 ^h	3,557,239	3,327,620	2,500,304
Total Senate Resolution ⁱ	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.

^aIncludes 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).

^bEmergency 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

^cThe 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.

^dPursuant 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.

^eSections 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.

^fPursuant 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.

^gSection 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).

^hFor 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.

ⁱPeriodically, 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 ^a	908.8	908.8	0.0
Social Security Revenues	899.2	899.2	0.0

Source: Congressional Budget Office.

^aExcludes 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) ^a	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 ^b	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.
^a 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.
^b 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 ^a	0	0	0	0
Enacted Legislation: ^{b,c}				
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) ^d	*	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) ^e	*	*	*	*
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.
^a 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.
^b The amounts shown represent the estimated effect of the public laws on the deficit.
^c Excludes off-budget amounts.
^d 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.
^e 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. 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, 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 Mr. 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.

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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”;

(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)”;

(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) UNIFORM SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—Section 2114(d) of title 10, United States Code, is amended—

(1) by inserting “(1)” after “(d)”;

(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 otherwise 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).”;

(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”; and

(ii) by inserting “and Territories” after “their home States”; and

(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.”; and

(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 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 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 (i)(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 DEFERENCE 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”; and

(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”; and

(iv) in subclause (III), by inserting “adequate and appropriate” before “remedies or enforcement tools”; and

(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.”; and

(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.”; and

(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”;

(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”; and

(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)”;

(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
MODIFICATION OF AIRCRAFT			
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
GROUND SUPPORT AVIONICS			
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
OTHER SUPPORT			
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
TOTAL AIRCRAFT PROCUREMENT, ARMY		3,782,558	3,782,558
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
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
AIR-TO-SURFACE MISSILE SYSTEM			
6	JOINT AIR-TO-GROUND MSLS (JAGM)	276,462	276,462
ANTI-TANK/ASSAULT MISSILE SYS			
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
MODIFICATIONS			
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
SPARES AND REPAIR PARTS			
23	SPARES AND REPAIR PARTS	27,737	27,737
SUPPORT EQUIPMENT & FACILITIES			
24	AIR DEFENSE TARGETS	6,417	6,417
25	PRODUCTION BASE SUPPORT	1,202	1,202
TOTAL MISSILE PROCUREMENT, ARMY		3,355,777	3,775,777
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	479,801	379,801
	Program decrease		[-100,000]
MODIFICATION OF TRACKED COMBAT VEHICLES			
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	
	WEAPONS & OTHER COMBAT VEHICLES			
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	
	MOD OF WEAPONS AND OTHER COMBAT VEH			
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	
	SUPPORT EQUIPMENT & FACILITIES			
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	
	TOTAL PROCUREMENT OF W&TCV, ARMY	4,489,118	4,175,118	
	PROCUREMENT OF AMMUNITION, ARMY			
	SMALL/MEDIUM CAL AMMUNITION			
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	
	MORTAR AMMUNITION			
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	
	TANK AMMUNITION			
12	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	168,101	168,101	
	ARTILLERY AMMUNITION			
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]
	MINES			
17	MINES & CLEARING CHARGES, ALL TYPES	15,905	15,905	
	ROCKETS			
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	4,503	4,503	
19	ROCKET, HYDRA 70, ALL TYPES	211,211	211,211	
	OTHER AMMUNITION			
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	
	MISCELLANEOUS			
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	
	PRODUCTION BASE SUPPORT			
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
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,234,761	2,128,061
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
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
	NON-TACTICAL VEHICLES		
16	HEAVY ARMORED VEHICLE	790	790
17	PASSENGER CARRYING VEHICLES	1,390	1,390
18	NONTACTICAL VEHICLES, OTHER	15,415	15,415
	COMM—JOINT COMMUNICATIONS		
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
	COMM—SATELLITE COMMUNICATIONS		
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
	COMM—C3 SYSTEM		
36	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	20,500	20,500
	COMM—COMBAT COMMUNICATIONS		
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
	COMM—INTELLIGENCE COMM		
50	CI AUTOMATION ARCHITECTURE (MIP)	9,740	9,740
51	DEFENSE MILITARY DECEPTION INITIATIVE	2,667	2,667
	INFORMATION SECURITY		
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
	COMM—LONG HAUL COMMUNICATIONS		
59	BASE SUPPORT COMMUNICATIONS	34,434	34,434
	COMM—BASE COMMUNICATIONS		
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
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
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
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
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
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
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: LHMCB XM32	8,553	8,553
98	MORTAR FIRE CONTROL SYSTEM	21,489	21,489
99	COUNTERFIRE RADARS	162,121	162,121
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
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
	ELECT EQUIP—AUTOMATION		
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
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	TACTICAL DIGITAL MEDIA	4,392	4,392
118	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	1,970	1,970
	ELECT EQUIP—SUPPORT		
119	PRODUCTION BASE SUPPORT (C-E)	506	506
	CLASSIFIED PROGRAMS	4,501	4,501
	CLASSIFIED PROGRAMS		
	CHEMICAL DEFENSIVE EQUIPMENT		
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
	BRIDGING EQUIPMENT		
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
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
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
	COMBAT SERVICE SUPPORT EQUIPMENT		
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
	PETROLEUM EQUIPMENT		
149	QUALITY SURVEILLANCE EQUIPMENT	1,770	1,770
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	39,730	39,730
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	57,752	57,752
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	37,722	37,722
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	4,985	4,985
	CONSTRUCTION EQUIPMENT		
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
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
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
GENERATORS			
165	GENERATORS AND ASSOCIATED EQUIP	133,772	133,772
166	TACTICAL ELECTRIC POWER RECAPITALIZATION	8,333	8,333
MATERIAL HANDLING EQUIPMENT			
167	FAMILY OF FORKLIFTS	12,901	12,901
TRAINING EQUIPMENT			
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
TEST MEASURE AND DIG EQUIPMENT (TMD)			
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
OTHER SUPPORT EQUIPMENT			
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
OPA2			
184	INITIAL SPARES—C&E	9,817	9,817
TOTAL OTHER PROCUREMENT, ARMY		7,999,529	7,736,329
AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
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]
AIRLIFT AIRCRAFT			
18	C-40A	206,000	0
	Funded in FY18 Omnibus		[-206,000]
OTHER AIRCRAFT			
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]
MODIFICATION OF AIRCRAFT			
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
	AIRCRAFT SPARES AND REPAIR PARTS		
64	SPARES AND REPAIR PARTS	1,792,920	1,842,920
	F-35B and F-35C spares quantity increase		[50,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
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
	TOTAL AIRCRAFT PROCUREMENT, NAVY	19,041,799	19,217,199
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,078,750	1,078,750
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	6,998	6,998
	STRATEGIC MISSILES		
3	TOMAHAWK	98,570	98,570
	TACTICAL MISSILES		
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
	MODIFICATION OF MISSILES		
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]
	SUPPORT EQUIPMENT & FACILITIES		
23	WEAPONS INDUSTRIAL FACILITIES	2,006	2,006
24	FLEET SATELLITE COMM FOLLOW-ON	66,779	66,779
	ORDNANCE SUPPORT EQUIPMENT		
25	ORDNANCE SUPPORT EQUIPMENT	62,008	62,008
	TORPEDOES AND RELATED EQUIP		
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
	MOD OF TORPEDOES AND RELATED EQUIP		
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
	SUPPORT EQUIPMENT		
32	TORPEDO SUPPORT EQUIPMENT	79,371	79,371
33	ASW RANGE SUPPORT	3,872	3,872
	DESTINATION TRANSPORTATION		
34	FIRST DESTINATION TRANSPORTATION	3,726	3,726
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	15,067	15,067
	MODIFICATION OF GUNS AND GUN MOUNTS		

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
	SPARES AND REPAIR PARTS		
43	SPARES AND REPAIR PARTS	135,688	135,688
	TOTAL WEAPONS PROCUREMENT, NAVY	3,702,393	3,680,493
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
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
	MARINE CORPS AMMUNITION		
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
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	1,006,209	993,209
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE AP	3,005,330	3,005,330
	OTHER WARSHIPS		
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]
	AMPHIBIOUS SHIPS		
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
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
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]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	21,871,437	23,126,937
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	19,700	19,700
	GENERATORS		
3	SURFACE COMBATANT HM&E	23,495	23,495
	NAVIGATION EQUIPMENT		
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
OTHER SHIPBOARD EQUIPMENT			
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
REACTOR PLANT EQUIPMENT			
25	REACTOR POWER UNITS	346,325	346,325
26	REACTOR COMPONENTS	497,063	497,063
OCEAN ENGINEERING			
27	DIVING AND SALVAGE EQUIPMENT	10,706	10,706
SMALL BOATS			
28	STANDARD BOATS	49,771	49,771
PRODUCTION FACILITIES EQUIPMENT			
29	OPERATING FORCES IPE	225,181	225,181
OTHER SHIP SUPPORT			
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
LOGISTIC SUPPORT			
36	LSD MIDLIFE & MODERNIZATION	4,784	4,784
SHIP SONARS			
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
ASW ELECTRONIC EQUIPMENT			
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
ELECTRONIC WARFARE EQUIPMENT			
45	AN/SLQ-32	420,344	420,344
RECONNAISSANCE EQUIPMENT			
46	SHIPBOARD IW EXPLOIT	220,883	220,883
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	4,028	4,028
OTHER SHIP ELECTRONIC EQUIPMENT			
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
AVIATION ELECTRONIC EQUIPMENT			
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
OTHER SHORE ELECTRONIC EQUIPMENT			
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]
	SHIPBOARD COMMUNICATIONS		
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
	SUBMARINE COMMUNICATIONS		
75	SUBMARINE BROADCAST SUPPORT	30,897	30,897
76	SUBMARINE COMMUNICATION EQUIPMENT	78,580	78,580
	SATELLITE COMMUNICATIONS		
77	SATELLITE COMMUNICATIONS SYSTEMS	41,205	41,205
78	NAVY MULTIBAND TERMINAL (NMT)	113,885	113,885
	SHORE COMMUNICATIONS		
79	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,292	4,292
	CRYPTOGRAPHIC EQUIPMENT		
80	INFO SYSTEMS SECURITY PROGRAM (ISSP)	153,526	153,526
81	MIO INTEL EXPLOITATION TEAM	951	951
	CRYPTOLOGIC EQUIPMENT		
82	CRYPTOLOGIC COMMUNICATIONS EQUIP	14,209	17,009
	SOUTHCOM CCO Sensor (2 suites)		[2,800]
	OTHER ELECTRONIC SUPPORT		
86	COAST GUARD EQUIPMENT	40,713	40,713
	SONOBUOYS		
88	SONOBUOYS—ALL TYPES	177,891	213,891
	Navy UPL		[36,000]
	AIRCRAFT SUPPORT EQUIPMENT		
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
	SHIP GUN SYSTEM EQUIPMENT		
98	SHIP GUN SYSTEMS EQUIPMENT	5,337	5,337
	SHIP MISSILE SYSTEMS EQUIPMENT		
99	SHIP MISSILE SUPPORT EQUIPMENT	213,090	213,090
100	TOMAHAWK SUPPORT EQUIPMENT	92,890	92,890
	FBM SUPPORT EQUIPMENT		
101	STRATEGIC MISSILE SYSTEMS EQUIP	271,817	271,817
	ASW SUPPORT EQUIPMENT		
102	SSN COMBAT CONTROL SYSTEMS	129,501	129,501
103	ASW SUPPORT EQUIPMENT	19,436	19,436
	OTHER ORDNANCE SUPPORT EQUIPMENT		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	14,258	14,258
105	ITEMS LESS THAN \$5 MILLION	5,378	5,378
	OTHER EXPENDABLE ORDNANCE		
106	SUBMARINE TRAINING DEVICE MODS	65,543	65,543
107	SURFACE TRAINING EQUIPMENT	230,425	230,425
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
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
	SUPPLY SUPPORT EQUIPMENT		
117	SUPPLY EQUIPMENT	18,786	18,786
118	FIRST DESTINATION TRANSPORTATION	5,375	5,375
119	SPECIAL PURPOSE SUPPLY SYSTEMS	580,371	580,371
	TRAINING DEVICES		
120	TRAINING SUPPORT EQUIPMENT	3,400	3,400
121	TRAINING AND EDUCATION EQUIPMENT	24,283	24,283
	COMMAND SUPPORT EQUIPMENT		
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
	OTHER		
133	NEXT GENERATION ENTERPRISE SERVICE	96,269	96,269
	CLASSIFIED PROGRAMS	15,681	15,681
	CLASSIFIED PROGRAMS		
	SPARES AND REPAIR PARTS		
134	SPARES AND REPAIR PARTS	326,838	326,838
	TOTAL OTHER PROCUREMENT, NAVY	9,414,355	9,373,855
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
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
	ARTILLERY AND OTHER WEAPONS		
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
	OTHER SUPPORT		
8	MODIFICATION KITS	22,904	22,904
	GUIDED MISSILES		
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
	COMMAND AND CONTROL SYSTEMS		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,467	35,467
	REPAIR AND TEST EQUIPMENT		
14	REPAIR AND TEST EQUIPMENT	46,081	46,081
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	971	971
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
16	ITEMS UNDER \$5 MILLION (COMM & ELEC)	69,203	69,203
17	AIR OPERATIONS C2 SYSTEMS	14,269	14,269
	RADAR + EQUIPMENT (NON-TEL)		
18	RADAR SYSTEMS	6,694	6,694
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	224,969	224,969
	INTELL/COMM EQUIPMENT (NON-TEL)		
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
	OTHER SUPPORT (NON-TEL)		
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
	CLASSIFIED PROGRAMS		
	ADMINISTRATIVE VEHICLES		
36	COMMERCIAL CARGO VEHICLES	25,441	25,441
	TACTICAL VEHICLES		
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
	ENGINEER AND OTHER EQUIPMENT		
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
	MATERIALS HANDLING EQUIPMENT		
46	PHYSICAL SECURITY EQUIPMENT	28,306	28,306
	GENERAL PROPERTY		
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
	OTHER SUPPORT		
51	ITEMS LESS THAN \$5 MILLION	11,608	11,608
	SPARES AND REPAIR PARTS		
53	SPARES AND REPAIR PARTS	25,804	25,804
	TOTAL PROCUREMENT, MARINE CORPS	2,860,410	2,746,934
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		

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]
	OTHER COMBAT AIRCRAFT			
3	C-135B	222,176	222,176	
	TACTICAL AIRLIFT			
4	KC-46A TANKER	2,559,911	2,312,011	
	Interim contractor support			[-102,700]
	Restore program accountability			[-145,200]
	OTHER AIRLIFT			
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	
	HELICOPTERS			
11	COMBAT RESCUE HELICOPTER	680,201	680,201	
	MISSION SUPPORT AIRCRAFT			
13	CIVIL AIR PATROL A/C	2,719	2,719	
	OTHER AIRCRAFT			
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]
	STRATEGIC AIRCRAFT			
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]
	TACTICAL AIRCRAFT			
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	
	AIRLIFT AIRCRAFT			
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	
	TRAINER AIRCRAFT			
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	
	OTHER AIRCRAFT			
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	
	AIRCRAFT SPARES AND REPAIR PARTS			
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]	
	COMMON SUPPORT EQUIPMENT			
71	AIRCRAFT REPLACEMENT SUPPORT EQUIP	81,241	81,241	
	POST PRODUCTION SUPPORT			
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	
	INDUSTRIAL PREPAREDNESS			
86	INDUSTRIAL RESPONSIVENESS	17,378	17,378	
	WAR CONSUMABLES			
88	WAR CONSUMABLES	29,342	29,342	
	OTHER PRODUCTION CHARGES			
89	OTHER PRODUCTION CHARGES	1,502,386	1,502,386	
	CLASSIFIED PROGRAMS	28,278	28,278	
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	16,620,937	16,620,737	
	MISSILE PROCUREMENT, AIR FORCE			
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC			
1	MISSILE REPLACEMENT EQ-BALLISTIC	36,786	36,786	
	TACTICAL			
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]	
	INDUSTRIAL FACILITIES			
9	INDUSTRIAL PREPAREDNESS/POL PREVENTION	787	787	
	CLASS IV			
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	
	MISSILE SPARES AND REPAIR PARTS			
16	REPLENISH SPARES/REPAIR PARTS	97,481	97,481	
	SPECIAL PROGRAMS			
18	SPECIAL UPDATE PROGRAMS	188,539	188,539	
	CLASSIFIED PROGRAMS	895,183	895,183	
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,669,454	2,671,654	
	SPACE PROCUREMENT, AIR FORCE			
	SPACE PROGRAMS			
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	
	SPARES			
22	SPARES AND REPAIR PARTS	21,812	21,812	
	TOTAL SPACE PROCUREMENT, AIR FORCE	2,527,542	2,527,542	
	PROCUREMENT OF AMMUNITION, AIR FORCE			
	ROCKETS			
1	ROCKETS	345,911	345,911	
	CARTRIDGES			
2	CARTRIDGES	163,840	163,840	
	BOMBS			
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
	OTHER ITEMS		
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
	FLARES		
15	FLARES	125,286	125,286
	FUZES		
16	FUZES	109,358	109,358
	SMALL ARMS		
17	SMALL ARMS	64,502	64,502
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	1,587,304	1,587,304
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	6,949	6,949
	CARGO AND UTILITY VEHICLES		
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]
	SPECIAL PURPOSE VEHICLES		
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]
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,328	32,308
	Procurement of 7 DABs for PACOM		[8,980]
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	11,537	31,309
	Procurement of 7 DABs for PACOM		[19,772]
	BASE MAINTENANCE SUPPORT		
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
	COMM SECURITY EQUIPMENT(COMSEC)		
12	COMSEC EQUIPMENT	114,372	114,372
	INTELLIGENCE PROGRAMS		
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
	ELECTRONICS PROGRAMS		
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
	SPCL COMM-ELECTRONICS PROJECTS		
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
	AIR FORCE COMMUNICATIONS		
41	BASE INFORMATION TRANSPIT 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
	ORGANIZATION AND BASE		
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
	MODIFICATIONS		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
50	COMM ELECT MODS	10,654	10,654
	PERSONAL SAFETY & RESCUE EQUIP		
51	PERSONAL SAFETY AND RESCUE EQUIPMENT	51,906	51,906
	DEPOT PLANT+MTRLS HANDLING EQ		
52	MECHANIZED MATERIAL HANDLING EQUIP	88,298	88,298
	BASE SUPPORT EQUIPMENT		
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]
	SPECIAL SUPPORT PROJECTS		
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
	CLASSIFIED PROGRAMS		
	SPARES AND REPAIR PARTS		
63	SPARES AND REPAIR PARTS	86,365	86,365
	TOTAL OTHER PROCUREMENT, AIR FORCE	20,890,164	20,968,260
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
43	MAJOR EQUIPMENT, OSD	35,295	35,295
	MAJOR EQUIPMENT, NSA		
42	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,403	5,403
	MAJOR EQUIPMENT, WHS		
46	MAJOR EQUIPMENT, WHS	497	497
	MAJOR EQUIPMENT, DISA		
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]
	MAJOR EQUIPMENT, DLA		
18	MAJOR EQUIPMENT	5,225	5,225
	MAJOR EQUIPMENT, DSS		
21	MAJOR EQUIPMENT	1,196	1,196
	MAJOR EQUIPMENT, DCAA		
1	ITEMS LESS THAN \$5 MILLION	2,542	2,542
	MAJOR EQUIPMENT, TJS		
44	MAJOR EQUIPMENT, TJS	4,360	4,360
45	MAJOR EQUIPMENT, TJS—CE2T2	904	904
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
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
	MAJOR EQUIPMENT, DHRA		
3	PERSONNEL ADMINISTRATION	10,630	10,630
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
23	VEHICLES	207	207
24	OTHER MAJOR EQUIPMENT	5,592	5,592
	MAJOR EQUIPMENT, DODEA		
20	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,723	1,723
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	3,873	3,873
	MAJOR EQUIPMENT, DMACT		
19	MAJOR EQUIPMENT	13,106	13,106
	CLASSIFIED PROGRAMS	589,691	589,691
	CLASSIFIED PROGRAMS		
	AVIATION PROGRAMS		
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
	SHIPBUILDING		
60	UNDERWATER SYSTEMS	136,723	136,723
	AMMUNITION PROGRAMS		
61	ORDNANCE ITEMS <\$5M	357,742	357,742
	OTHER PROCUREMENT PROGRAMS		
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
	CBDP		
74	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	166,418	166,418
75	CB PROTECTION & HAZARD MITIGATION	144,519	144,519
	TOTAL PROCUREMENT, DEFENSE-WIDE	6,786,271	6,786,771
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	100,025	100,025
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	100,025	100,025
	TOTAL PROCUREMENT	130,526,043	131,998,763

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
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	MQ-1 UAV	60,000	60,000
	ROTARY		
11	UH-60 BLACKHAWK M MODEL (MYP)	21,246	21,246
14	CH-47 HELICOPTER	25,000	25,000
	MODIFICATION OF AIRCRAFT		
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
	GROUND SUPPORT AVIONICS		
36	CMWS	84,387	84,387
37	COMMON INFRARED COUNTERMEASURES (CIRCM)	24,060	24,060
	TOTAL AIRCRAFT PROCUREMENT, ARMY	363,363	363,363
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
2	MSE MISSILE	260,000	260,000
	AIR-TO-SURFACE MISSILE SYSTEM		
5	HELLFIRE SYS SUMMARY	255,040	255,040
	ANTI-TANK/ASSAULT MISSILE SYS		
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
	MODIFICATIONS		
16	ATACMS MODS	225,580	225,580
21	MLRS MODS	122,000	122,000
	TOTAL MISSILE PROCUREMENT, ARMY	1,802,351	1,802,351
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	BRADLEY PROGRAM	205,000	205,000
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	230,359	230,359
	MODIFICATION OF TRACKED COMBAT VEHICLES		
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
	WEAPONS & OTHER COMBAT VEHICLES		
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
	MOD OF WEAPONS AND OTHER COMBAT VEH		
32	M2 50 CAL MACHINE GUN MODS	4,920	4,920
34	M240 MEDIUM MACHINE GUN MODS	7	7
	SUPPORT EQUIPMENT & FACILITIES		
39	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,397	1,397
	TOTAL PROCUREMENT OF W&TCV, ARMY	1,107,183	1,107,183
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
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
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	218	218
10	81MM MORTAR, ALL TYPES	484	484
	ARTILLERY AMMUNITION		
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
	ROCKETS		
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	22,242	22,242
19	ROCKET, HYDRA 70, ALL TYPES	39,974	39,974
	OTHER AMMUNITION		
21	DEMOLITION MUNITIONS, ALL TYPES	5	5
22	GRENADES, ALL TYPES	8	8
	MISCELLANEOUS		
27	ITEMS LESS THAN \$5 MILLION (AMMO)	66	66
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	309,525	309,525
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
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
	COMM—SATELLITE COMMUNICATIONS		
28	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	7,100	7,100
	COMM—COMBAT COMMUNICATIONS		
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
	COMM—INTELLIGENCE COMM		
50	CI AUTOMATION ARCHITECTURE (MIP)	9,800	9,800
	INFORMATION SECURITY		
55	COMMUNICATIONS SECURITY (COMSEC)	3	3
	COMM—LONG HAUL COMMUNICATIONS		
59	BASE SUPPORT COMMUNICATIONS	690	690
	COMM—BASE COMMUNICATIONS		
60	INFORMATION SYSTEMS	8,750	8,750
63	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	60,337	60,337
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
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
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
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
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
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
	ELECT EQUIP—AUTOMATION		
112	AUTOMATED DATA PROCESSING EQUIP	28,475	28,475
	CHEMICAL DEFENSIVE EQUIPMENT		
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
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
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
	COMBAT SERVICE SUPPORT EQUIPMENT		
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
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	17,527	17,527
	MAINTENANCE EQUIPMENT		
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	268	268
	CONSTRUCTION EQUIPMENT		
159	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	25,700	25,700
	GENERATORS		
165	GENERATORS AND ASSOCIATED EQUIP	569	569
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	9,495	9,495
	OTHER SUPPORT EQUIPMENT		
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
	TOTAL OTHER PROCUREMENT, ARMY	1,382,047	1,382,047
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
25	STUASLO UAV	35,065	35,065
	MODIFICATION OF AIRCRAFT		
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
	TOTAL AIRCRAFT PROCUREMENT, NAVY	80,119	80,119
	WEAPONS PROCUREMENT, NAVY		
	STRATEGIC MISSILES		
3	TOMAHAWK		82,800
	Buy-back Tomahawk		[82,800]
	TACTICAL MISSILES		
4	AMRAAM	1,183	1,183
5	SIDEWINDER	381	381
12	HELLFIRE	1,530	1,530
15	AERIAL TARGETS	6,500	6,500
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	1,540	1,540
	MODIFICATION OF GUNS AND GUN MOUNTS		
38	GUN MOUNT MODS	3,000	3,000
	TOTAL WEAPONS PROCUREMENT, NAVY	14,134	96,934
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
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]
	MARINE CORPS AMMUNITION		
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
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	246,541	244,541
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		

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
	SMALL BOATS		
28	STANDARD BOATS	19,060	19,060
	ASW ELECTRONIC EQUIPMENT		
43	FIXED SURVEILLANCE SYSTEM	56,950	56,950
	SATELLITE COMMUNICATIONS		
77	SATELLITE COMMUNICATIONS SYSTEMS	3,200	3,200
	CRYPTOLOGIC EQUIPMENT		
82	CRYPTOLOGIC COMMUNICATIONS EQUIP	2,000	2,000
	SONOBUOYS		
88	SONOBUOYS—ALL TYPES	21,156	21,156
	OTHER ORDNANCE SUPPORT EQUIPMENT		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	33,580	33,580
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
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
	SUPPLY SUPPORT EQUIPMENT		
118	FIRST DESTINATION TRANSPORTATION	500	500
	COMMAND SUPPORT EQUIPMENT		
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
	TOTAL OTHER PROCUREMENT, NAVY	187,173	187,173
	PROCUREMENT, MARINE CORPS		
	INTELL/COMM EQUIPMENT (NON-TEL)		
22	FIRE SUPPORT SYSTEM	5,583	5,583
	TACTICAL VEHICLES		
37	MOTOR TRANSPORT MODIFICATIONS	44,440	44,440
	ENGINEER AND OTHER EQUIPMENT		
45	EOD SYSTEMS	8,000	8,000
	TOTAL PROCUREMENT, MARINE CORPS	58,023	58,023
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRLIFT		
6	HC-130J	100,000	100,000
	OTHER AIRCRAFT		
17	MQ-9	339,740	339,740
18	RQ-20B PUMA	13,500	13,500
	STRATEGIC AIRCRAFT		
20	B-1B	4,000	4,000
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES	149,778	149,778
	TACTICAL AIRCRAFT		
23	A-10	10,350	10,350
	OTHER AIRCRAFT		
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
	AIRCRAFT SPARES AND REPAIR PARTS		
70	INITIAL SPARES/REPAIR PARTS	91,500	91,500
	COMMON SUPPORT EQUIPMENT		
71	AIRCRAFT REPLACEMENT SUPPORT EQUIP	32,529	32,529
72	OTHER PRODUCTION CHARGES	22,000	22,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	1,018,888	1,018,888
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
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
	CLASS IV		
13	AGM-65D MAVERICK	33,602	33,602
	TOTAL MISSILE PROCUREMENT, AIR FORCE	493,526	516,326
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
2	CARTRIDGES	29,587	29,587
	BOMBS		
4	GENERAL PURPOSE BOMBS	551,862	551,862
6	JOINT DIRECT ATTACK MUNITION	738,451	738,451
	FLARES		
15	FLARES	12,116	12,116
	FUZES		
16	FUZES	81,000	81,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Item		FY 2019 Request	Senate Authorized
	SMALL ARMS			
17	SMALL ARMS		8,500	8,500
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE		1,421,516	1,421,516
	OTHER PROCUREMENT, AIR FORCE			
	PASSENGER CARRYING VEHICLES			
1	PASSENGER CARRYING VEHICLES		9,680	9,680
	CARGO AND UTILITY VEHICLES			
2	MEDIUM TACTICAL VEHICLE		9,680	9,680
4	CARGO AND UTILITY VEHICLES		19,680	19,680
	SPECIAL PURPOSE VEHICLES			
6	SECURITY AND TACTICAL VEHICLES		24,880	24,880
7	SPECIAL PURPOSE VEHICLES		34,680	34,680
	FIRE FIGHTING EQUIPMENT			
8	FIRE FIGHTING/CRASH RESCUE VEHICLES		9,736	9,736
	MATERIALS HANDLING EQUIPMENT			
9	MATERIALS HANDLING VEHICLES		24,680	24,680
	BASE MAINTENANCE SUPPORT			
10	RUNWAY SNOW REMOV AND CLEANING EQU		9,680	9,680
11	BASE MAINTENANCE SUPPORT VEHICLES		9,680	9,680
	INTELLIGENCE PROGRAMS			
15	INTELLIGENCE COMM EQUIPMENT		6,156	6,156
	ELECTRONICS PROGRAMS			
16	AIR TRAFFIC CONTROL & LANDING SYS		56,884	56,884
	SPCL COMM-ELECTRONICS PROJECTS			
29	AIR FORCE PHYSICAL SECURITY SYSTEM		46,236	46,236
37	THEATER BATTLE MGT C2 SYSTEM		2,500	2,500
	ORGANIZATION AND BASE			
45	TACTICAL C-E EQUIPMENT		27,911	27,911
	PERSONAL SAFETY & RESCUE EQUIP			
51	PERSONAL SAFETY AND RESCUE EQUIPMENT		13,600	13,600
	BASE SUPPORT EQUIPMENT			
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
	SPECIAL SUPPORT PROJECTS			
59	DCGS-AF		2,000	2,000
	CLASSIFIED PROGRAMS		3,229,364	3,229,364
	TOTAL OTHER PROCUREMENT, AIR FORCE		3,725,944	3,725,944
	PROCUREMENT, DEFENSE-WIDE			
	MAJOR EQUIPMENT, DISA			
8	TELEPORT PROGRAM		3,800	3,800
17	DEFENSE INFORMATION SYSTEMS NETWORK		12,000	12,000
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY			
25	COUNTER IED & IMPROVISED THREAT TECHNOLOGIES		5,534	5,534
	CLASSIFIED PROGRAMS		41,559	41,559
	CLASSIFIED PROGRAMS			
	AVIATION PROGRAMS			
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
	AMMUNITION PROGRAMS			
61	ORDNANCE ITEMS <\$5M		100,850	100,850
	OTHER PROCUREMENT PROGRAMS			
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
	TOTAL PROCUREMENT, DEFENSE-WIDE		572,135	572,135
	TOTAL PROCUREMENT		12,782,468	12,886,068

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
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
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]
		SUBTOTAL BASIC RESEARCH	445,895	463,395
		APPLIED RESEARCH		
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
		SUBTOTAL APPLIED RESEARCH	919,609	929,609
		ADVANCED TECHNOLOGY DEVELOPMENT		
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]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,026,698	1,129,698
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,329,393	1,386,393
		SYSTEM DEVELOPMENT & DEMONSTRATION		
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

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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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	3,192,689	3,084,761
		RD&E MANAGEMENT SUPPORT		
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
		SUBTOTAL RD&E MANAGEMENT SUPPORT	1,322,481	1,362,481
	9999999999	CLASSIFIED PROGRAMS	5,955	5,955
		OPERATIONAL SYSTEMS DEVELOPMENT		
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	WMCCS/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

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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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,922,614	1,922,614
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	10,159,379	10,278,951
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
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]
		SUBTOTAL BASIC RESEARCH	597,378	612,378
		APPLIED RESEARCH		
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
		SUBTOTAL APPLIED RESEARCH	891,471	911,471
		ADVANCED TECHNOLOGY DEVELOPMENT		
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]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	750,995	745,495
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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]

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		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
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,293,713	4,273,967
		SYSTEM DEVELOPMENT & DEMONSTRATION		
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

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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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,042,480	6,148,080
		MANAGEMENT SUPPORT		
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
		SUBTOTAL MANAGEMENT SUPPORT	1,020,569	1,011,569
	9999999999	CLASSIFIED PROGRAMS	1,549,503	1,549,503
		OPERATIONAL SYSTEMS DEVELOPMENT		
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

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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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	4,885,060	4,883,883
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	18,481,666	18,536,843
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
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]
		SUBTOTAL BASIC RESEARCH	517,819	530,319
		APPLIED RESEARCH		
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

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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]
		SUBTOTAL APPLIED RESEARCH	1,312,342	1,358,842
		ADVANCED TECHNOLOGY DEVELOPMENT		
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
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	814,797	862,297
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	6,529,943	6,764,566
		SYSTEM DEVELOPMENT & DEMONSTRATION		
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

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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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	5,272,191	5,557,191
		MANAGEMENT SUPPORT		
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
		SUBTOTAL MANAGEMENT SUPPORT	2,839,511	2,854,511
	999999999	CLASSIFIED PROGRAMS	16,534,124	16,534,124
		OPERATIONAL SYSTEMS DEVELOPMENT		
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

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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

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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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	22,891,740	22,825,518
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	40,178,343	40,753,244
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
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
		SUBTOTAL BASIC RESEARCH	708,114	735,614
		APPLIED RESEARCH		
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
		SUBTOTAL APPLIED RESEARCH	1,976,937	1,954,437
		ADVANCED TECHNOLOGY DEVELOPMENT		
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

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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]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	3,699,612	4,038,712
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
68	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT ROT&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

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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]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	8,709,725	8,752,525
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
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
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	831,189	816,327
	999999999	CLASSIFIED PROGRAMS	45,604	45,604
		MANAGEMENT SUPPORT		
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
		SUBTOTAL MANAGEMENT SUPPORT	1,117,030	1,132,030
	9999999999	CLASSIFIED PROGRAMS	3,877,898	3,887,898
		Classified increase		[10,000]
		OPERATIONAL SYSTEM DEVELOPMENT		
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
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,973,946	4,985,946
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	22,016,553	22,415,591
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
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]
		SUBTOTAL MANAGEMENT SUPPORT	221,009	231,909
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	221,009	231,909
		TOTAL RDT&E	91,056,950	92,216,538

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
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	28,500	28,500
		SYSTEM DEVELOPMENT & DEMONSTRATION		
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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	236,863	236,863
		OPERATIONAL SYSTEMS DEVELOPMENT		
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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	59,741	59,741
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	325,104	325,104
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	33,300	33,300
		SYSTEM DEVELOPMENT & DEMONSTRATION		
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,100	1,100
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	1,100	1,100
	9999999999	CLASSIFIED PROGRAMS	117,282	117,282
		OPERATIONAL SYSTEMS DEVELOPMENT		
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	16,130	16,130
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	133,412	133,412
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	167,812	167,812
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
65	1206438F	SPACE CONTROL TECHNOLOGY	1,100	1,100
70	1206857F	OPERATIONALLY RESPONSIVE SPACE	12,395	12,395
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	13,495	13,495
	9999999999	CLASSIFIED PROGRAMS	188,127	188,127
		OPERATIONAL SYSTEMS DEVELOPMENT		
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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	300,776	300,776
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	314,271	314,271

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		ADVANCED TECHNOLOGY DEVELOPMENT		
24	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	25,000	25,000
26	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	13,648	13,648
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	38,648	38,648
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
94	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING	242,668	242,668
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	242,668	242,668
	9999999999	CLASSIFIED PROGRAMS	192,131	192,131
		OPERATIONAL SYSTEM DEVELOPMENT		
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
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	219,228	219,228
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	500,544	500,544
		TOTAL RDT&E	1,307,731	1,307,731

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
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	25,905,788	25,920,088
	MOBILIZATION		
220	STRATEGIC MOBILITY	370,941	370,941
230	ARMY PREPOSITIONED STOCKS	573,560	573,560
240	INDUSTRIAL PREPAREDNESS	7,678	7,678
	SUBTOTAL MOBILIZATION	952,179	952,179
	TRAINING AND RECRUITING		
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
	SUBTOTAL TRAINING AND RECRUITING	5,141,369	4,941,369
	CLASSIFIED PROGRAMS	1,259,622	1,259,622
	ADMIN & SRVWIDE ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	10,009,981	10,009,981
	UNDISTRIBUTED		
1	UNDISTRIBUTED	0	-200,000
	Army misrepresentation of civilian pay budget request		[-200,000]
	SUBTOTAL UNDISTRIBUTED	0	-200,000
	TOTAL OPERATION & MAINTENANCE, ARMY	42,009,317	41,623,617
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	2,797,361	2,797,361
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	119,548	119,548
	TOTAL OPERATION & MAINTENANCE, ARMY RES	2,916,909	2,916,909
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	6,964,850	6,964,850
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	434,445	434,445
	TOTAL OPERATION & MAINTENANCE, ARNG	7,399,295	7,399,295
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	41,725,992	42,088,692
	MOBILIZATION		
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
	SUBTOTAL MOBILIZATION	1,165,532	1,165,532
	TRAINING AND RECRUITING		
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
	SUBTOTAL TRAINING AND RECRUITING	1,995,288	1,995,288
	CLASSIFIED PROGRAMS	574,994	574,994
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,116,821	4,116,821
	TOTAL OPERATION & MAINTENANCE, NAVY	49,003,633	49,366,333

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
OPERATION & MAINTENANCE, MARINE CORPS			
OPERATING FORCES			
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
	SUBTOTAL OPERATING FORCES	5,547,397	5,547,397
TRAINING AND RECRUITING			
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
	SUBTOTAL TRAINING AND RECRUITING	818,144	818,144
	CLASSIFIED PROGRAMS	50,859	50,859
ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE TRANSPORTATION	29,735	29,735
170	ADMINISTRATION	386,375	386,375
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	466,969	466,969
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	6,832,510	6,832,510
OPERATION & MAINTENANCE, NAVY RES			
OPERATING FORCES			
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
	SUBTOTAL OPERATING FORCES	1,009,112	1,009,112
ADMIN & SRVWD ACTIVITIES			
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,894	17,894
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,027,006	1,027,006
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
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
	SUBTOTAL OPERATING FORCES	260,394	260,394
ADMIN & SRVWD ACTIVITIES			
050	ADMINISTRATION	11,176	11,176
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	11,176	11,176
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	271,570	271,570
OPERATION & MAINTENANCE, AIR FORCE			
	CLASSIFIED PROGRAMS	1,164,810	1,164,810
OPERATING FORCES			
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]
	SUBTOTAL OPERATING FORCES	33,797,280	34,699,980
	MOBILIZATION		
230	AIRLIFT OPERATIONS	1,307,695	1,307,695
240	MOBILIZATION PREPAREDNESS	144,417	144,417
	SUBTOTAL MOBILIZATION	1,452,112	1,452,112
	TRAINING AND RECRUITING		
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
	SUBTOTAL TRAINING AND RECRUITING	2,178,214	2,178,214
	CLASSIFIED PROGRAMS	1,222,456	1,222,456
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,632,962	4,632,962
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	42,060,568	42,963,268
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	3,152,279	3,207,079
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
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
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	107,955	107,955
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,260,234	3,315,034
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
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]
	SUBTOTAL OPERATING FORCES	6,345,376	6,357,976
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
070	ADMINISTRATION	45,711	45,711
080	RECRUITING AND ADVERTISING	36,535	36,535
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	82,246	82,246
	TOTAL OPERATION & MAINTENANCE, ANG	6,427,622	6,440,222
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	6,421,651	6,424,151
	TRAINING AND RECRUITING		
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
	SUBTOTAL TRAINING AND RECRUITING	648,749	648,749
	CLASSIFIED PROGRAMS	15,645,192	15,645,192
	ADMIN & SRVWIDE ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	29,282,225	29,441,825

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	36,352,625	36,514,725
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,662	14,662
	SUBTOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	14,662	14,662
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	107,663	107,663
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	107,663	107,663
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION	335,240	335,240
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	335,240	335,240
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
010	ACQ WORKFORCE DEV FD	400,000	400,000
	SUBTOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	400,000	400,000
	ENVIRONMENTAL RESTORATION, ARMY		
060	ENVIRONMENTAL RESTORATION, ARMY	203,449	203,449
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	203,449	203,449
	ENVIRONMENTAL RESTORATION, NAVY		
080	ENVIRONMENTAL RESTORATION, NAVY	329,253	329,253
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	329,253	329,253
	ENVIRONMENTAL RESTORATION, AIR FORCE		
100	ENVIRONMENTAL RESTORATION, AIR FORCE	296,808	285,808
	PFAS Transfer		[-11,000]
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	296,808	285,808
	ENVIRONMENTAL RESTORATION, DEFENSE		
120	ENVIRONMENTAL RESTORATION, DEFENSE	8,926	8,926
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	8,926	8,926
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
140	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	212,346	212,346
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	212,346	212,346
	TOTAL MISCELLANEOUS APPROPRIATIONS	1,908,347	1,897,347
	UNDISTRIBUTED		
	UNDISTRIBUTED		
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]
	SUBTOTAL UNDISTRIBUTED	0	-216,520
	TOTAL UNDISTRIBUTED	0	-216,520
	TOTAL OPERATION & MAINTENANCE	199,469,636	200,351,316

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
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	15,876,377	15,876,377
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	158,753	158,753
	SUBTOTAL MOBILIZATION	158,753	158,753
	CLASSIFIED PROGRAMS	1,074,270	1,074,270
	ADMIN & SRVWIDE ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,175,370	2,175,370
	TOTAL OPERATION & MAINTENANCE, ARMY	18,210,500	18,210,500
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	20,700	20,700
060	FORCE READINESS OPERATIONS SUPPORT	700	700
090	BASE OPERATIONS SUPPORT	20,487	20,487
	SUBTOTAL OPERATING FORCES	41,887	41,887
	TOTAL OPERATION & MAINTENANCE, ARMY RES	41,887	41,887
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	109,974	109,974
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE COMMUNICATIONS	755	755
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	755	755
	TOTAL OPERATION & MAINTENANCE, ARNG	110,729	110,729
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
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
	SUBTOTAL AFGHAN NATIONAL ARMY	1,908,277	1,908,277
	AFGHAN NATIONAL POLICE		
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
	SUBTOTAL AFGHAN NATIONAL POLICE	767,014	767,014
	AFGHAN AIR FORCE		
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
	SUBTOTAL AFGHAN AIR FORCE	1,822,130	1,822,130

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
AFGHAN SPECIAL SECURITY FORCES			
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
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	702,029	702,029
TOTAL AFGHANISTAN SECURITY FORCES FUND			
		5,199,450	5,199,450
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
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
	SUBTOTAL OPERATING FORCES	4,418,623	4,418,623
MOBILIZATION			
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS	12,902	12,902
390	COAST GUARD SUPPORT	165,000	165,000
	SUBTOTAL MOBILIZATION	177,902	177,902
TRAINING AND RECRUITING			
430	SPECIALIZED SKILL TRAINING	51,138	51,138
	SUBTOTAL TRAINING AND RECRUITING	51,138	51,138
CLASSIFIED PROGRAMS			
		16,076	16,076
ADMIN & SRVWD ACTIVITIES			
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	109,492	109,492
TOTAL OPERATION & MAINTENANCE, NAVY			
		4,757,155	4,757,155
OPERATION & MAINTENANCE, MARINE CORPS			
OPERATING FORCES			
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
	SUBTOTAL OPERATING FORCES	1,023,283	1,023,283
TRAINING AND RECRUITING			
120	TRAINING SUPPORT	30,459	30,459
	SUBTOTAL TRAINING AND RECRUITING	30,459	30,459
CLASSIFIED PROGRAMS			
		4,650	4,650
ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
170	ADMINISTRATION	2,108	2,108
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	68,158	68,158
TOTAL OPERATION & MAINTENANCE, MARINE CORPS			
		1,121,900	1,121,900

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
020	INTERMEDIATE MAINTENANCE	500	500
030	AIRCRAFT DEPOT MAINTENANCE	11,400	11,400
080	COMBAT SUPPORT FORCES	13,737	13,737
	SUBTOTAL OPERATING FORCES	25,637	25,637
	TOTAL OPERATION & MAINTENANCE, NAVY RES	25,637	25,637
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,550	2,550
040	BASE OPERATING SUPPORT	795	795
	SUBTOTAL OPERATING FORCES	3,345	3,345
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	3,345	3,345
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	7,408,887	7,408,887
	MOBILIZATION		
230	AIRLIFT OPERATIONS	1,287,659	1,287,659
240	MOBILIZATION PREPAREDNESS	107,064	107,064
	SUBTOTAL MOBILIZATION	1,394,723	1,394,723
	TRAINING AND RECRUITING		
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
	SUBTOTAL TRAINING AND RECRUITING	29,330	29,330
	CLASSIFIED PROGRAMS	51,108	51,108
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	452,849	452,849
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	9,285,789	9,285,789
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	51,000	51,000
060	BASE SUPPORT	9,500	9,500
	SUBTOTAL OPERATING FORCES	60,500	60,500
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	60,500	60,500

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,560	3,560
060	BASE SUPPORT	12,310	12,310
	SUBTOTAL OPERATING FORCES	15,870	15,870
	TOTAL OPERATION & MAINTENANCE, ANG	15,870	15,870
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	28,671	28,671
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	3,733,161	3,733,161
	SUBTOTAL OPERATING FORCES	3,761,832	3,761,832
	CLASSIFIED PROGRAMS	1,944,813	1,944,813
	ADMIN & SRVWIDE ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	4,788,076	4,238,076
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	8,549,908	7,999,908
	TOTAL OPERATION & MAINTENANCE	47,382,670	46,832,670

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2019 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
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]
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	140,689,301	137,627,221
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	7,533,090	7,533,090
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	7,533,090	7,533,090
TOTAL MILITARY PERSONNEL	148,222,391	145,160,311

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
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	4,660,661	4,660,661
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	4,660,661	4,660,661
TOTAL MILITARY PERSONNEL	4,660,661	4,660,661

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
010	Industrial Operations	59,002	59,002
020	Supply Management—Army	99,763	99,763
	SUBTOTAL WORKING CAPITAL FUND, ARMY	59,002	59,002
	SUBTOTAL WORKING CAPITAL FUND, ARMY	99,763	99,763
	WORKING CAPITAL FUND, AIR FORCE		
020	Supplies and Materials	69,054	69,054
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	69,054	69,054
	WORKING CAPITAL FUND, DEFENSE-WIDE		
020	Supply Chain Management—Def	48,096	48,096
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	48,096	48,096
	WORKING CAPITAL FUND, DECA		
010	Working Capital Fund, DECA	1,266,200	1,266,200
	SUBTOTAL WORKING CAPITAL FUND, DECA	1,266,200	1,266,200
	TOTAL WORKING CAPITAL FUND	1,542,115	1,542,115
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION AND MAINTENANCE		
1	Chem Demilitarization—O&M	105,997	105,997
	SUBTOTAL OPERATION AND MAINTENANCE	105,997	105,997
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	Chem Demilitarization—RDT&E	886,728	886,728
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	886,728	886,728
	PROCUREMENT		
3	Chem Demilitarization—Proc	1,091	1,091
	SUBTOTAL PROCUREMENT	1,091	1,091
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	993,816	993,816
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
010	Drug Interdiction and Counter-Drug Activities, Defense	547,171	547,171
	SUBTOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	547,171	547,171
	DRUG DEMAND REDUCTION PROGRAM		
020	Drug Demand Reduction Program	117,900	117,900
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	117,900	117,900
	READINESS COUNTERDRUG ACTIVITIES		
040	Drug Interdiction and Counter-Drug Activities, Defense	5,276	5,276
	SUBTOTAL READINESS COUNTERDRUG ACTIVITIES	5,276	5,276
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
030	National Guard Counter-Drug Program	117,178	117,178
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	117,178	117,178
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	787,525	787,525
	OFFICE OF THE INSPECTOR GENERAL		
	OPERATION AND MAINTENANCE		
010	Office of the Inspector General	327,611	327,611
	SUBTOTAL OPERATION AND MAINTENANCE	327,611	327,611
	RDT&E		
020	Office of the Inspector General	1,602	1,602
	SUBTOTAL RDT&E	1,602	1,602
	PROCUREMENT		
030	Office of the Inspector General	60	60
	SUBTOTAL PROCUREMENT	60	60
	TOTAL OFFICE OF THE INSPECTOR GENERAL	329,273	329,273
	DEFENSE HEALTH PROGRAM		

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2019 Request	Senate Authorized
OPERATION & MAINTENANCE			
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
SUBTOTAL OPERATION & MAINTENANCE		32,145,395	32,147,895
RD&E			
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
SUBTOTAL RD&E		710,637	710,637
PROCUREMENT			
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
SUBTOTAL PROCUREMENT		873,160	873,160
TOTAL DEFENSE HEALTH PROGRAM		33,729,192	33,731,692
TOTAL OTHER AUTHORIZATIONS		37,381,921	37,384,421

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	
	WORKING CAPITAL FUND			
	WORKING CAPITAL FUND, ARMY			
020	Supply Management—Army	6,600	6,600	
	SUBTOTAL WORKING CAPITAL FUND, ARMY	6,600	6,600	
	WORKING CAPITAL FUND, AIR FORCE			
020	Supplies and Materials	8,590	8,590	
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	8,590	8,590	
	TOTAL WORKING CAPITAL FUND	15,190	15,190	
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF			
	DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES			
010	Drug Interdiction and Counter-Drug Activities, Defense	153,100	153,100	
	SUBTOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	153,100	153,100	
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	153,100	153,100	
	OFFICE OF THE INSPECTOR GENERAL			
	OPERATION AND MAINTENANCE			
010	Office of the Inspector General	24,692	24,692	
	SUBTOTAL OPERATION AND MAINTENANCE	24,692	24,692	
	TOTAL OFFICE OF THE INSPECTOR GENERAL	24,692	24,692	
	DEFENSE HEALTH PROGRAM			
	OPERATION & MAINTENANCE			
010	In-House Care	72,627	72,627	
020	Private Sector Care	277,066	277,066	
030	Consolidated Health Support	2,375	2,375	
	SUBTOTAL OPERATION & MAINTENANCE	352,068	352,068	
	TOTAL DEFENSE HEALTH PROGRAM	352,068	352,068	
	COUNTER-ISIS TRAIN AND EQUIP FUND			
	COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)			
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
	SUBTOTAL COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)	1,400,000	1,400,000
	TOTAL COUNTER-ISIS TRAIN AND EQUIP FUND	1,400,000	1,400,000
	TOTAL OTHER AUTHORIZATIONS	1,945,050	1,945,050

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
MILITARY CONSTRUCTION				
ARMY				
	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
	SUBTOTAL ARMY		1,011,768	1,119,368
NAVY				
	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
SUBTOTAL NAVY			2,543,189	2,572,752
AIR FORCE				
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

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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
SUBTOTAL AIR FORCE			1,725,707	1,752,157
DEFENSE-WIDE				
	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			

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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

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Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
ARMY NATIONAL GUARD				
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
SUBTOTAL ARMY NATIONAL GUARD			180,122	306,122
AIR NATIONAL GUARD				
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
SUBTOTAL AIR NATIONAL GUARD			129,126	183,126
ARMY RESERVE				
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
SUBTOTAL ARMY RESERVE			64,919	64,919
NAVY RESERVE				
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
SUBTOTAL NAVY RESERVE			43,065	43,065
AIR FORCE RESERVE				
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

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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
SUBTOTAL AIR FORCE RESERVE			50,163	64,563
NATO SECURITY INVESTMENT PROGRAM				
NATO SECURITY INVEST- MENT PROGRAM	Worldwide Unspecified NATO Security Investment Program	NATO Security Investment Program	171,064	171,064
SUBTOTAL NATO SECURITY INVESTMENT PROGRAM			171,064	171,064
TOTAL MILITARY CONSTRUCTION			8,612,447	8,680,424
FAMILY HOUSING CONSTRUCTION, ARMY				
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
SUBTOTAL CONSTRUCTION, ARMY			330,660	330,660
OPERATION AND MAINTENANCE, ARMY				
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
SUBTOTAL OPERATION AND MAINTENANCE, ARMY			376,509	376,509
CONSTRUCTION, NAVY AND MARINE CORPS				
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
SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS			104,581	104,581
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS				
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

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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
SUBTOTAL OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS			314,536	314,536
CONSTRUCTION, AIR FORCE				
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
SUBTOTAL CONSTRUCTION, AIR FORCE			78,446	78,446
OPERATION AND MAINTENANCE, AIR FORCE				
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
SUBTOTAL OPERATION AND MAINTENANCE, AIR FORCE			317,274	317,274
OPERATION AND MAINTENANCE, DEFENSE-WIDE				
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
SUBTOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE			58,373	58,373
IMPROVEMENT FUND				
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
SUBTOTAL IMPROVEMENT FUND			1,653	1,653
UNACCOMP HSG IMPRV FUND				
UNACCOMP HSG IMPRV FUND	Worldwide Unspecified Unaccompanied Housing Improvement Fund	Administrative Expenses—UHIF	600	600
SUBTOTAL UNACCOMP HSG IMPRV FUND			600	600
TOTAL FAMILY HOUSING			1,582,632	1,582,632
DEFENSE BASE REALIGNMENT AND CLOSURE				
ARMY				
ARMY	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	62,796	62,796
NAVY				
NAVY	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	151,839	151,839
AIR FORCE				
AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	52,903	52,903
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			267,538	267,538
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			10,462,617	10,530,594

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
MILITARY CONSTRUCTION				
ARMY				
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
SUBTOTAL ARMY			261,250	192,250
NAVY				
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
SUBTOTAL NAVY			227,320	227,320
AIR FORCE				
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
SUBTOTAL AIR FORCE			345,800	345,800
DEFENSE-WIDE				
	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
SUBTOTAL DEFENSE-WIDE			87,050	87,050
TOTAL MILITARY CONSTRUCTION			921,420	852,420
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			921,420	852,420

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
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	136,090	136,090
Atomic Energy Defense Activities		
National nuclear security administration:		
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
Total, National nuclear security administration	15,091,050	15,091,050
Environmental and other defense activities:		
Defense environmental cleanup	5,630,217	5,630,217
Other defense activities	853,300	853,300
Defense nuclear waste disposal	30,000	0
Total, Environmental & other defense activities	6,513,517	6,483,517
Total, Atomic Energy Defense Activities	21,604,567	21,574,567
Total, Discretionary Funding	21,740,657	21,710,657
Nuclear Energy		
Idaho sitewide safeguards and security	136,090	136,090
Total, Nuclear Energy	136,090	136,090
Weapons Activities		
Directed stockpile work		
Life extension programs and major alterations		
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
Total, Life extension programs and major alterations	1,919,988	1,919,988
Stockpile systems		
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
Total, Stockpile systems	619,482	619,482
Weapons dismantlement and disposition		
Operations and maintenance	56,000	56,000
Stockpile services		
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
Total, Stockpile services	1,068,363	1,068,363
Strategic materials		
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
Total, Strategic materials	1,002,372	1,002,372
Total, Directed stockpile work	4,666,205	4,666,205
Research, development, test and evaluation (RDT&E)		
Science		
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
Total, Science	564,860	564,860
Engineering		
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
Total, Engineering	211,367	211,367
Inertial confinement fusion ignition and high yield		
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
Total, Inertial confinement fusion and high yield	418,927	418,927
Advanced simulation and computing		
Advanced simulation and computing	656,401	656,401
Construction:		
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
Total, Construction	47,000	47,000
Total, Advanced simulation and computing	703,401	703,401
Advanced manufacturing		
Additive manufacturing	17,447	17,447
Component manufacturing development	48,477	48,477
Process technology development	30,914	30,914
Total, Advanced manufacturing	96,838	96,838
Total, RDT&E	1,995,393	1,995,393
Infrastructure and operations		
Operations of facilities	891,000	891,000
Safety and environmental operations	115,000	115,000
Maintenance and repair of facilities	365,000	365,000
Recapitalization:		
Infrastructure and safety	431,631	431,631
Capability based investments	109,057	109,057
Total, Recapitalization	540,688	540,688

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
Program increase to address high-priority deferred maintenance		
Construction:		
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
Total, Construction	1,091,048	1,091,048
Total, Infrastructure and operations	3,002,736	3,002,736
Secure transportation asset		
Operations and equipment	176,617	176,617
Program direction	102,022	102,022
Total, Secure transportation asset	278,639	278,639
Defense nuclear security		
Operations and maintenance	690,638	690,638
Total, Defense nuclear security	690,638	690,638
Information technology and cybersecurity	221,175	221,175
Legacy contractor pensions	162,292	162,292
Total, Weapons Activities	11,017,078	11,017,078
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
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
Total, Global material security	337,108	337,108
Material management and minimization		
HEU reactor conversion	98,300	98,300
Nuclear material removal	32,925	32,925
Material disposition	200,869	200,869
Total, Material management & minimization	332,094	332,094
Nonproliferation and arms control	129,703	129,703
Defense nuclear nonproliferation R&D	456,095	456,095
Nonproliferation Construction:		
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
Total, Nonproliferation construction	279,000	279,000
Total, Defense Nuclear Nonproliferation Programs	1,534,000	1,534,000
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
Total, Defense Nuclear Nonproliferation	1,862,825	1,862,825
Naval Reactors		
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
Total, Construction	311,194	311,194
Program direction	48,709	48,709
Total, Naval Reactors	1,788,618	1,788,618

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
Total, Office Of The Administrator	422,529	422,529
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Richland:		
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
Construction:		
18-D-404 WESF Modifications and Capsule Storage	1,000	1,000
Total, Construction	1,000	1,000
Total, Hanford site	658,171	658,171
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	15,000	15,000
Rad liquid tank waste stabilization and disposition	677,460	677,460
Construction:		
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
Total, Construction	746,053	746,053
Total, Office of River protection	1,438,513	1,438,513
Idaho National Laboratory:		
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
Total, Idaho National Laboratory	349,226	349,226
NNSA sites and Nevada off-sites		
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
Total, NNSA sites and Nevada off-sites	271,069	271,069
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR-0041—D&D—Y-12	30,214	30,214
OR-0042—D&D—ORNL	60,007	60,007
Total, OR Nuclear facility D & D	90,221	90,221
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition		
OR cleanup and disposition	67,000	67,000
Construction:		
17-D-401 On-site waste disposal facility	5,000	5,000
14-D-403 Outfall 200 Mercury Treatment Facility	11,274	11,274
Total, Construction	16,274	16,274
Total, OR cleanup and waste disposition	83,274	83,274
OR community & regulatory support	4,711	4,711
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	226,206	226,206
Savannah River Sites:		
Nuclear Material Management	351,331	351,331
Environmental Cleanup		
Environmental Cleanup	166,105	166,105
Construction:		
18-D-402, Emergency Operations Center	1,259	1,259
Total, Environmental Cleanup	167,364	167,364
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
Construction:		
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
Total, Construction	143,693	143,693
Total, Savannah River site	1,472,823	1,472,823
Waste Isolation Pilot Plant		
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
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	84,212	84,212
15-D-412 Exhaust shaft, WIPP	1,000	1,000
Total, Construction	85,212	85,212
Total, Waste Isolation Pilot Plant	396,907	396,907
Program direction	300,000	300,000
Program support	6,979	6,979
Minority Serving Institution Partnership	6,000	6,000
Safeguards and Security		
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
Total, Safeguards and Security	324,434	324,434
Technology development	25,000	25,000
HQEF-0040—Excess Facilities	150,000	150,000
Total, Defense Environmental Cleanup	5,630,217	5,630,217
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	135,194	135,194
Program direction	70,653	70,653
Total, Environment, Health, safety and security	205,847	205,847
Independent enterprise assessments		
Independent enterprise assessments	24,068	24,068
Program direction	52,702	52,702
Total, Independent enterprise assessments	76,770	76,770
Specialized security activities	254,378	254,378
Office of Legacy Management		
Legacy management	140,575	140,575
Program direction	18,302	18,302
Total, Office of Legacy Management	158,877	158,877
Defense related administrative support		
Chief financial officer	48,484	48,484
Chief information officer	96,793	96,793
Project management oversight and Assessments	8,412	8,412
Total, Defense related administrative support	153,689	153,689
Office of hearings and appeals	5,739	5,739
Subtotal, Other defense activities	855,300	855,300
Rescission of prior year balances (OHA)	-2,000	-2,000
Total, Other Defense Activities	853,300	853,300
Defense Nuclear Waste Disposal		
Yucca mountain and interim storage	30,000	0
Program cut		[-30,000]
Total, Defense Nuclear Waste Disposal	30,000	0

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 preferral 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 preferral 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);”; and

(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.—

“(1) 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. 1704b) 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.