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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of our forebears, Author of liberty, search our hearts and minds in order that we might better know ourselves. Lord, help us to comprehend what we need to better represent You. Empower us to live exemplary lives that are worthy of Your great love.

Give our lawmakers a renewed loyalty to protecting the freedoms that Americans hold dear. May our Senators use their stewardship of position and influence to ensure that America is a shining city upon a hill. May their highest incentive be not to win over one another but to win with one another by doing Your will for all.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Ms. COLLINS). The majority leader is recognized.

NATIONAL SECURITY LEGISLATION

Mr. MCCONNELL. Madam President, I wish we had been able to move the cloture and amendment votes we will consider today to yesterday. I made an offer to do so because it is hard to see the point in allowing yet another day to elapse when everyone has already had a chance to say their piece, when the end game appears obvious to all, and when the need to move forward in a thoughtful but expeditious manner seems perfectly clear. But this is the Senate, and Members are entitled to different views and Members have tools to assert those views. It is the nature of the body where we work.

Moreover, it is important to remember that it was not just the denial of consent which brought us to where we are. The kind of short-term extension that would have provided the Senate with the time and space it needed to advance bipartisan compromise legislation through regular order was also blocked in a floor vote.

But what has happened has happened, and we are where we are. Now is the time to put all that in the past and work together to diligently make some discrete and sensible improvements to the House bill.

Before scrapping an effective system that has helped protect us from attack in favor of an untried one, we should at least work toward securing some modest degree of assurance that the new system can, in fact, actually work. The Obama administration also already told us that it would not be able to make any firm guarantees in that regard—that it would work—at least the way the bill currently reads. And the way the bill currently reads, there is also no requirement—no requirement—for the retention and availability of significant data for analysis. These are not small problems.

The legislation we are considering proposes major changes to some of our Nation's most fundamental and necessary counterterrorism tools. That is why the revelations from the administration shocked many Senators, including a lot of supporters of this legislation. It is simply astounding that the very government officials charged with implementing the bill would tell us, both in person and in writing, that if it turns out this new system doesn't work, then they will just come back to us and let us know. If it doesn't work, they will just come back and let us know. This is worrying for many reasons, not the least of which is that we don't want to find out the system doesn't work in a far more tragic way. That is why we need to do what we can today to ensure that this legislation is as strong as it can be under the circumstances.

Here are the kinds of amendments I hope every Senator will join me in supporting today.

One amendment would allow for more time for the construction and testing of a system that does not yet exist. Again, one amendment would allow for more time for the construction and testing of a system that does not yet exist.

Another amendment would ensure that the Director of National Intelligence is charged with at least reviewing and certifying the readiness of the system.

Another amendment would require simple notification if telephone providers—the entities charged with holding data under this bill—elect to change their data-retention policies. Let me remind my colleagues that one provider has already said expressly and in writing that it would not commit to holding the data for any period of time under the House-passed bill unless compelled by law. So this amendment represents the least we can do to ensure we will be able to know, especially in an emergency, whether the dots we need to connect have actually been wiped away.

We will also consider an amendment that would address concerns we have heard from the nonpartisan Administrative Office of the U.S. Courts—in other words, the lifetime Federal judges who actually serve on the FISA Court. In a recent letter, they wrote that the proposed amicus provision ''could impede the FISA Courts' role in

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

protecting the civil liberties of Americans.''

I ask unanimous consent that the full text of that letter be printed in the RECORD at the conclusion of my remarks.

So the bottom line is this: The basic fixes I have just mentioned are common sense. Anyone who wants to see the system envisioned under this bill actually work will want to support them. And anyone who has heard the administration's ''we will get back to you if there is a problem'' promise should support these modest safeguards as well.

We may have been delayed getting to the point at which we have arrived, but now that we are here, let's work cooperatively, seriously, and expeditiously to move the best legislation possible and prevent any more delay and uncertainty.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, DC, May 4, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 2048, the ''USA Freedom Act,'' which was recently ordered reported by the Judiciary Committee, to provide perspectives on the legislation, particularly an assessment that the pending version of the bill could impede the effective operation of the Foreign Intelligence Surveillance Courts.

In letters to the Committee on January 13, 2014 and May 13, 2014, we commented on various proposed changes to the Foreign Intelligence Surveillance Act (FISA). Our comments focused on the operational impact of certain proposed changes on the Judicial Branch, particularly the Foreign Intelligence Surveillance Court (''FISC'') and the Foreign Intelligence Surveillance Court of Review (collectively ''FISA Courts''), but did not express views on core policy choices that the political branches are considering regarding intelligence collection. In keeping with that approach, we offer views on aspects of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the ongoing efforts of the bipartisan leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee's report to the House on the bill.

SUMMARY OF CONCERNS

We have three main concerns. First, H.R. 2048 proposes a ''panel of experts'' for the FISA Courts which could, in our assessment, impair the courts' ability to protect civil liberties by impeding their receipt of complete and accurate information from the government (in contrast to the helpful amicus curiae approach contained in the FISA Improvements Act of 2013 (''FIA''), which was approved in similar form by the House in 2014). Second, we continue to have concerns with the prospect of public ''summaries'' of FISA Courts' opinions when the opinions themselves are not released to the public. Third, we have a few other specific technical concerns with H.R. 2048 as drafted.

NATURE OF THE FISA COURTS

With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law to a set of facts presented by the government—a process not dissimilar to the ex parte consideration of ordinary criminal search warrant applications. Review of entire programs of collection and applications involving bulk collection are a relatively small part of the docket, and applications involving novel legal questions, though obviously important, are rare.

In all matters, the FISA Courts currently depend on—and will always depend on—prompt and complete candor from the government in providing the courts with all relevant information because the government is typically the only source of such information.

A ''read copy'' practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISC with an advance draft of each planned application, is the major avenue for court modification of government-sought surveillance. About a quarter of ''read copies'' are modified or withdrawn at the instigation of the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved by the Court because modifications at the ''read copy'' stage have addressed the Court's concerns in cases where final applications are submitted.

The FISC typically operates in an environment where, for national security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including for discovery, would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-government source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur easily (e.g., by providing for precleared experts with whom the Court can share and receive information to the extent it deems necessary).

THE ''PANEL OF EXPERTS'' APPROACH OF H.R. 2048 COULD IMPEDE THE FISA COURTS' WORK

H.R. 2048 provides for what proponents have referred to as a ''panel of experts'' and what in the bill is referred to as a group of at least five individuals who may serve as an ''amicus curiae'' in a particular matter. However, unlike a true amicus curiae, the FISA Courts would be required to appoint such an individual to participate in any case involving a ''novel or significant interpretation of law'' (emphasis added)—unless the court ''issues a finding'' that appointment is not appropriate. Once appointed, such amici are required to present to the court, ''as appropriate,'' legal arguments in favor of privacy, information about technology, or other ''relevant'' information. Designated amici are required to have access to ''all relevant'' legal precedent, as well as certain other materials ''the court determines are relevant.''

Our assessment is that this ''panel of experts'' approach could impede the FISA Courts' role in protecting the civil liberties of Americans. We recognize this may not be the intent of the drafters, but nonetheless it is our concern. As we have indicated, the full cooperation of rank- and-file government personnel in promptly conveying to the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a ''panel of experts'' officially charged with opposing the government's efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that imposing the mandatory ''duties''—contained in subparagraph (i)(4) of proposed section 401 (in combination with a quasi-mandatory appointment process)—could create such a perception within the government that a standing body exists to oppose intelligence activities.

Simply put, delays and difficulties in receiving full and accurate information from Executive Branch agencies (including, but not limited to, cases involving non-compliance) present greater challenges to the FISA Courts' role in protecting civil liberties than does the lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome a means of facilitating the FISA Courts' obtaining assistance from non-governmental experts in unusual cases, but it is critically important that the means chosen to achieve that end do not impair the timely receipt of complete and accurate information from the government.

It is on this point especially that we believe the ''panel of experts'' system in H.R. 2048 may prove counterproductive. The information that the FISA Courts need to examine probable cause, evaluate minimization and targeting procedures, and determine and enforce compliance with court authorizations and orders is exclusively in the hands of the government—specifically, in the first instance, intelligence agency personnel. If disclosure of sensitive or adverse information to the FISA Courts came to be seen as a prelude to disclosure to a third party whose mission is to oppose or curtail the agency's work, then the prompt receipt of complete and accurate information from the government would likely be impaired—ultimately to the detriment of the national security interest in expeditious action and the effective protection of privacy and civil liberties.

In contrast, a ''true'' amicus curiae approach, as adopted, for example, in the FIA, facilitates appointment of experts outside the government to serve as amici curiae and render any form of assistance needed by the court, without any implication that such experts are expected to oppose the intelligence activities proposed by the government. For that reason, we do not believe the FIA approach poses any similar risk to the courts' obtaining relevant information.

''SUMMARIES'' OF UNRELEASED FISA COURT OPINIONS COULD MISLEAD THE PUBLIC

In our May 13, 2014, letter to the Committee on H.R. 3361, we shared the nature of our concerns regarding the creation of public ''summaries'' of court opinions that are not themselves released. The provisions in H.R. 2048 are similar and so are our concerns. To be clear, the FISA Courts have never objected to their opinions—whether in full or in redacted form—being released to the public to the maximum extent permitted by the Executive's assessment of national security concerns. Likewise, the FISA Courts have always facilitated the provision of their full opinions to Congress. See, e.g., FISC Rule of Procedure 62(c). Thus, we have no objection to the provisions in H.R. 2048 that call for maximum public release of court opinions. However, a formal practice of creating summaries of court opinions without the underlying opinion being available is unprecedented in American legal administration. Summaries of court opinions can be inadvertently incorrect or misleading, and may

omit key considerations that can prove critical for those seeking to understand the import of the court's full opinion. This is particularly likely to be a problem in the fact-focused area of FISA practice, under circumstances where the government has already decided that it cannot release the underlying opinion even in redacted form, presumably because the opinion's legal analysis is inextricably intertwined with classified facts.

ADDITIONAL TECHNICAL COMMENTS ON H.R. 2048

The Judiciary, like the public, did not participate in the discussions between the Administration and congressional leaders that led to H.R. 2048 (publicly released on April 28, 2015 and reported by the Judiciary Committee without changes on April 30). In the few days we have had to review the bill, we have noted a few technical concerns that we hope can be addressed prior to finalization of the legislation, should Congress choose to enact it. These concerns (all in the amicus curiae subsection) include:

Proposed subparagraph (9) appears inadvertently to omit the ability of the FISA Courts to train and administer amici between the time they are designated and the time they are appointed.

Proposed subparagraph (6) does not make any provision for a ''true amicus'' appointed under subparagraph (2)(B) to receive necessary information.

We are concerned that a lack of parallel construction in proposed clause (6)(A)(i) (apparently differentiating between access to legal precedent as opposed to access to other materials) could lead to confusion in its application.

We recommend adding additional language to clarify that the exercise of the duties under proposed subparagraph (4) would occur in the context of Court rules (for example, deadlines and service requirements).

We believe that slightly greater clarity could be provided regarding the nature of the obligations referred to in proposed subparagraph (10). These concerns would generally be avoided or addressed by substituting the FIA approach. Furthermore, it bears emphasis that, even if H.R. 2048 were amended to address all of these technical points, our more fundamental concerns about the ''panel of experts'' approach would not be fully assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.

Finally, although we have no particular objection to the requirement in this legislation of a report by the Director of the AO, Congress should be aware that the AO's role would be to receive information from the FISA Courts and then simply transmit the report as directed by law.

For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to H.R. 2048. However, the issues raised in those letters continue to be of importance to us.

We hope these comments are helpful to the House of Representatives in its consideration of this legislation. If we may be of further assistance in this or any other matter, please contact me or our Office of Legislative Affairs at 202–502–1700.

Sincerely,

JAMES C. DUFF,
Director.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate stand in recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

USA FREEDOM ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2048, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Pending:

McConnell/Burr amendment No. 1449, in the nature of a substitute.

McConnell amendment No. 1450 (to amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1451 (to amendment No. 1450), relating to appointment of amicus curiae.

McConnell/Burr amendment No. 1452 (to the language proposed to be stricken by amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1453 (to amendment No. 1452), to change the enactment date.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 2 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING HADIYA PENDLETON AND COMMEMORATING NATIONAL GUN VIOLENCE AWARENESS DAY

Mr. DURBIN. Mr. President, on January 29, 2013, Hadiya Pendleton was gunned down while standing in a park on the South Side of Chicago. Hadiya was a talented, beautiful, caring young woman with a bright future ahead of her. She was 15 years old, a sophomore honor student at King College Prep. Her family described her as a spectacular source of joy and pride for them.

One week before her death, Hadiya was here in Washington with her school band, performing for President Obama's second inauguration. She was thrilled by that opportunity. But a few days later, she was gone, murdered by men who mistook her and friends for members of a rival gang.

What a senseless tragedy to lose children to gun violence. It happens every day in America. Overall, on average, 88 Americans are killed by gun violence every day.

Today, June 2, 2015, would have been Hadiya Pendleton's 18th birthday. Today also marks the first annual National Gun Violence Awareness Day. It is an idea that was inspired by Hadiya's family and friends in Chicago. They decided they would ask us to wear something orange today. It is a color that hunters use when they are in the woods to make sure that no one shoots them.

All across the Nation, Americans are wearing orange in tribute to Hadiya Pendleton, in tribute to the tens of thousands of other Americans killed by gun violence every year, and in support of a simple goal: Keep our kids safe. I am proud to join them in wearing orange today. I want to commend Hadiya's parents—my friends—Nate and Cleo, her brother Nate, Jr., and her friends who have turned their pain into purpose.

They are working to reduce the scourge of gun violence and to spare other families and loved ones what they have gone through. I hope lawmakers here in Washington and throughout the Nation will pay attention and commit themselves to do something about these terrible shootings and deaths. We need to do all that we can to keep guns out of the hands of those who would misuse them and, especially, keep our children safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, in the aftermath of the terrorist attacks on our country on 9/11/2001—terrorist attacks that killed some 3,000 people—I authored legislation, along with former Senator Joe Lieberman of Connecticut, to implement the recommendations of the 9/11 Commission to reform and restructure the intelligence community, to improve its capabilities, and also to increase accountability and oversight.

Now, this law is different and distinct from the PATRIOT Act. Our law established the Office of the Director of National Intelligence to coordinate all of the agencies involved in intelligence gathering so that we would reduce the possibility of the dots not being connected and to allow terrorist attacks and plots to be detected and thwarted.

Our legislation also created the National Counterterrorism Center, which helps to synthesize the information across government and share it with State and local governments to help keep us safer. Our bill created the Privacy and Civil Liberties Oversight Board, and it installed privacy officers in the major intelligence agencies.

But our law, the Intelligence Reform and Terrorism Protection Act, shared the common goal of the PATRIOT Act of better protecting our Nation from terrorist attacks because none of us who lived through that terrible day

ever wanted to see Americans die again because our Nation failed to use the tools and capabilities it had to prevent terrorist attacks.

We have had terrorist attacks since that time. The Boston Marathon is an example of a terrorist attack that occurred despite our best efforts, but we have been able to thwart and uncover and detect and stop terrorist attacks—both here and abroad—due to the important tools and capabilities our government has. Like the Presiding Officer, I serve on the Senate Select Committee on Intelligence. I have sat through countless hours of briefings, I have asked the hard questions about our intelligence programs, and I have challenged those who have come before us.

I wish to explain how the current program works at NSA because I believe there is so much misinformation about this important program. One of the most egregious misinformation points that have been made is that the NSA is listening to the content of calls made by American citizens to other American citizens. That is simply not true.

Let me tell you how this program works. First, it starts with a call, a phone number from a foreign terrorist or a foreign terrorist organization. When we get a foreign terrorist's—who is based overseas—telephone number, the NSA is allowed to query a database to see if that foreign-based terrorist is calling someone in our country. Why is that important? Well, we know ISIS and other terrorist groups have been recruiting Americans and trying to train them to attack our country. That is why it is important.

Only 34 highly trained, vetted Federal employees are allowed to query that database, and even then they are allowed to do so only if a Federal judge finds that a standard has been reached to allow that query to be made. Even if that query is approved by that Federal judge, the analyst can only see the phone numbers called by the terrorist, the date, the time, and the duration of the call.

If there is a match, then the case is turned over to the FBI for further investigation. The FBI must get a court order to wiretap the phone of the American who is talking to that foreign terrorist.

Last month, during a Senate Appropriations Committee hearing, I asked the Attorney General whether there have ever been any privacy violations regarding that telephone data. She replied no.

I am truly perplexed that anyone would argue that telephone data are better protected in the hands of 1,400 telecom companies and 160 wireless carriers than in a secure NSA database that only 34 carefully vetted and trained employees are allowed to query under the supervision of a Federal judge.

Under the USA FREEDOM Act—the House bill—when we get the telephone number of an overseas terrorist, we potentially are going to have to go to each one of those 1,400 telecom companies, 160 wireless carriers, which potentially will involve thousands of people. The privacy implications are far greater if we have the telecoms control the data, far greater.

Moreover, we know private sector data is far more susceptible to hackers, to criminals. Look at all the breaches of sensitive data that have occurred during the past year alone. Plus, I simply don't think the system will work without a data-retention requirement now that most carriers have flat-rate telephone plans that don't require detailed call data records. The telecom companies have made very clear they will oppose any bill with a data-retention requirement, and there will be a race to the bottom to market the data in a way that says to people: Sign up with us and your data will be safe from the government.

That kind of demagoguery—even though the commerce committee has done an excellent study that shows the data broker companies sell our personal data, including our names, our phone numbers, our addresses to the highest bidder for telemarketing and other purposes, and some of that data ends up in the hands of con artists.

So I don't see how vesting the authority in the telecom communications companies increases the privacy of our data, safeguards it. I think just the opposite is the case. It is going to be less secure because it is going to be more exposed to hackers and criminals who will attempt to do data breaches and have successfully done so. It is going to be less secure because instead of 34 people having access to just the phone numbers and call duration data, we are going to have potentially thousands of people who are going to be asked to query their database. The system is going to be less effective because there is absolutely no guarantee this data will be retained by the telecom companies and the wireless carriers.

Finally, I am persuaded by the cautions given to us, by the direct warnings of former Director of the FBI Robert Mueller and the former Deputy Director of the CIA Mike Morell, who tell us that had this program been in place prior to 9/11, it is likely that terrorist plot would have been uncovered and thwarted.

The fact is the House bill substantially weakens a vital tool in our counterterrorism efforts at a time when the terrorist threat has never been higher. The current program has never been abused. The government cannot listen to your phone calls or read your emails unless there is a court order—because you are directly communicating with an overseas terrorist—and then it goes to the FBI for investigation.

It is a false choice that we have to choose between our civil liberties and keeping our country safe. There are actions we can and should take to strengthen the privacy protections in the NSA program. Several were included in the bipartisan bill reported by the Intelligence Committee last year. Unfortunately, the USA FREEDOM Act provides a false sense of privacy at the expense of our national security.

For these reasons, while I will support the amendments today to try to make modest improvements to the House bill, I simply cannot support the bill on final passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for an additional 7 minutes, to be divided between Senator LEAHY and myself.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the Senator from Utah for his courtesy.

The fact is the USA FREEDOM Act that was passed overwhelmingly in the House of Representatives—that has strong bipartisan support here—is supported by the Director of National Intelligence. It is also supported by our Attorney General. It is supported by our intelligence community. And it is a step forward because, ultimately, the legislation protects the privacy of individuals.

I agree with the Senator from Maine that we have strong restrictions at the NSA on the information. However, they were not strong enough, of course, to stop Edward Snowden from walking off with all the information that was there.

We had six public hearings on these issues in the Senate Judiciary Committee last Congress. The original USA FREEDOM Act was introduced by Senator LEE and me and Congressman JIM SENSENBRENNER in the other body.

We all knew section 215, the roving wiretap authority, and ''lone wolf'' provision, would expire June 1, 2015. That is why we started working to change it. We are also well aware of the Second Circuit Court of Appeals decision that made part of the program illegal.

I think what we have in the USA FREEDOM Act is a carefully crafted bill by both Republicans and Democrats in the House and the Senate. That is why it passed 338 to 88 in the House. If we start amending it, we don't know how much longer it is going to take and we end up with no protections. I think that is not a choice we want to make.

On Sunday night, with only a few hours before the sunset of section 215 and the other two expiring FISA authorities, Republican leadership in the Senate finally agreed to begin debate on the USA FREEDOM Act.

For nearly 2 years, I have been working on a bipartisan basis with members in both the Senate and the House to address these matters. As chairman of the Senate Judiciary Committee last Congress, I convened six public hearings to examine the NSA's bulk collection program and consider reforms to

section 215 and other surveillance authorities.

In October 2013, I introduced the original USA FREEDOM Act with Congressman JIM SENSENBRENNER, Senator LEE, and others. We introduced an updated version of the USA FREEDOM Act in 2014 and pushed for the Senate to pass that bill last November, months before Sunday's expiration date.

The American people were demanding meaningful reforms, but the intelligence community also needed operational certainty.

We all knew that section 215, the roving wiretap authority, and the lone wolf provision would expire on June 1. That is why I started working months ago with Members of Congress from both parties and both Chambers to forge a compromise that protects both Americans' privacy and our national security.

We were able to reach agreement on a bill that certainly does not go as far as I would like, but that definitively ends the NSA's bulk collection of phone records, improves transparency and accountability, and includes other important reforms. Our bill—the USA FREEDOM Act of 2015—is a carefully crafted bill that has now earned the support of the intelligence community, privacy and civil liberties groups, librarians, the tech industry, and a bipartisan super-majority of the Republican-led House of Representatives. Our bill represents significant progress toward real surveillance reform.

Unfortunately, the Republican leadership in the Senate has tried to block this progress at every turn. They blocked the Senate from debating the USA FREEDOM Act last November. They again blocked the Senate from debating the bill 2 weeks ago, despite knowing full well that failure to swiftly consider the House-passed bill would lead to expiration of these critical surveillance authorities. This brinksmanship is not a responsible way to govern.

The expiration of the PATRIOT Act provisions on Sunday night was entirely avoidable, and the unfortunate consequence of a manufactured crisis. The Senate must now act responsibly and swiftly. It is time to pass the USA FREEDOM Act, which would restore the expired provisions and add much needed improvements and reforms.

I hope that we will invoke cloture and then quickly dispense with any germane amendments so that we can move to passage of the bill. The House passed the USA FREEDOM Act almost 3 weeks ago by an overwhelming 338 to 88 vote.

Senator LEE and I sought an open amendment process in the Senate, but we were blocked. Now, we simply do not have any time to spare. The Senate must pass this bill without any amendments so that the President can sign it into law immediately and restore these expired provisions today.

A vote for any amendment is a vote to prolong the expiration of the surveillance authorities that ended on Sunday. If the Senate changes the underlying bill in any way, it must go back to the House for its consideration, and there are no guarantees that it will pass the new bill.

In fact, Chairman GOODLATTE of the House Judiciary Committee, Ranking Member CONYERS, Congressman SENSENBRENNER, and Congressman NADLER warned that ''[t]he House is not likely to accept the changes proposed by Senator MCCONNELL. Section 215 has already expired. These amendments will likely make that sunset permanent.''

Let us have no more unnecessary delay or political brinksmanship. It is time to do our jobs for the American people—to protect their privacy and maintain our national security. Now is not the time to seek unnecessary changes to this bill. If Senators believe that the Senate should consider some of these changes, we can consider them after we pass the USA FREEDOM Act.

I urge Senators to vote for cloture because we need to move forward. We cannot afford to waste any more time. The USA FREEDOM Act includes important reforms, and we need to give the intelligence community the tools they need to keep us safe. That means we must pass the USA FREEDOM Act without change and without any more unnecessary delay.

Mr. President, I yield to the Senator from Utah.

Mr. LEE. Mr. President, I first want to thank my friend and colleague, the senior Senator from Vermont, for his tireless work on this issue. Senator LEAHY and I, along with Senator HEINRICH and so many others who are participating in this process, have worked together to develop a legislative strategy that is both bicameral and bipartisan. This legislation we are about to vote on today was passed with an overwhelming supermajority in the House of Representatives—338 votes to 88 votes. This is a testament to the fact that in so many instances there is more that unites us than divides us in today's political environment. This is an example of the type of win-win situation we can develop.

This bill protects America's national security, and it does so in a way that is respectful of the privacy interests and both the letter and the spirit of the Fourth Amendment.

The American people understand intuitively that it is none of the government's business whom they are calling, when they are calling them, who calls them, and how long their calls last. The American people intuitively understand what graduate researchers have confirmed, which is that this type of calling data—even just the data itself, not anything having to do with recorded conversations, just the data—reveals a lot about an individual, about his or her political preferences, religious views, marital status, the number of children the person may have, and all kinds of interests that are none of the government's business.

Moreover, the way this data is collected is inconsistent with the way our government is supposed to operate. Rather than going out and demonstrating some type of connection between the data set requested and a particular investigation, under the current system the government simply issues orders saying: Send us all of your data. Send us all your data on all calls made by all of your customers. We want all of it. If that means 300 million phone numbers, we want all of that regardless of its connection to any suspected terrorist operation.

That is wrong. Our bill would change that, and it would change it quite simply by requiring the government to request information connected to a particular phone number—a phone number that is itself suspected of being involved in some type of terrorist activity.

This bill represents a good compromise. This bill represents reason. This bill would protect America's national security while also protecting privacy. This bill, in so doing, recognizes that our privacy is not and ought not ever be deemed to be in conflict with our security. Our privacy is, in fact, part of our security.

We are, unfortunately, considering this bill with too little time left. In effect, we are considering this bill after the PATRIOT Act provisions at issue have expired. This is unfortunate. It was unnecessary, and it represents a longstanding bipartisan problem within the Senate—a problem pursuant to which we establish cliffs. We establish these artificially designed deadlines.

We have known about this particular deadline for 4 years. For 4 years, we knew these provisions were going to expire. We should have taken up these provisions far in advance of now. Many of us tried. We did so unsuccessfully. Senator LEAHY and I and others have been working on this legislation for years. We have been ready, willing, eager, and anxious to do so, and we haven't been able to do so until very recently. Now, because of the fact that these provisions have expired, it is incumbent upon us to move these things forward in all deliberate speed.

Whatever the outcome of this vote and of those votes which will follow later today, the American people deserve better than this. Vital national security programs that touch on our fundamental civil liberties deserve a full, open, honest, and unrushed debate. This should not be subject to cynical, government-by-cliff brinksmanship. If Members of Congress—particularly Republican Members of Congress—ever want to improve their standing among the American people, then we must abandon this habit of political gamesmanship.

Finally, it is time for us to pass this bill—this bill which passed overwhelmingly in the House of Representatives, this bill which carefully balances important interests the American people care deeply about.

I urge my colleagues to support this legislation.

Mr. President, this week the Senate will consider the USA FREEDOM Act of 2015, H.R. 2048. I am proud to have introduced the Senate companion to this bill, S. 1123, along with Senator PATRICK LEAHY, ranking member of the Senate Judiciary Committee. We have worked closely with our partners in the House of Representatives, House Judiciary Committee Chairman BOB GOODLATTE, Ranking Member JOHN CONYERS, and Congressmen JIM SENSENBRENNER and JERROLD NADLER.

Since revelations in June 2013 that the National Security Agency was secretly and indiscriminately collecting Americans' telephone records, Senator LEAHY and I have worked together on legislation to end this mass surveillance program and to enact greater transparency and oversight over the government's intelligence gathering operations. The USA FREEDOM Act of 2015 is the result of that 2-year collaboration, and it contains strong reforms. Most importantly, it would definitively end the NSA's bulk collection of Americans' telephone metadata and ensure that the Foreign Intelligence Surveillance Act pen register statute and the national security letter statutes cannot be used to justify bulk collection.

On May 13, 2015, the House passed the USA FREEDOM Act by an overwhelming, bipartisan 338-to-88 vote. More than 80 percent of House Republicans and 75 percent of House Democrats voted for the bill, including the chairmen and ranking members of the House Judiciary and Intelligence Committees, as well as the leadership of both parties.

The resounding vote in the House is a direct result of the commonsense and meaningful reforms contained in the bill. It is also a testament to the will of the American people, who have been unequivocal in their demand for reform and their demand that the NSA stop the indiscriminate collection of their private records.

As our colleagues in the Senate consider the USA FREEDOM Act of 2015, Senator LEAHY and I want to detail the extensive legislative process undertaken to develop this bill and provide additional clarity on the bill's provisions.

Senator LEAHY, I know that you have a long history of pushing for meaningful oversight and transparency of our government's intelligence gathering operations.

Mr. LEAHY. I thank the Senator from Utah for his advocacy on behalf of Americans' privacy rights and for his dedicated efforts to end the NSA's illegal program.

In June 2013, Americans learned for the first time that section 215 of the USA PATRIOT Act has for years been secretly interpreted to authorize the collection of Americans' phone records on an unprecedented scale. And they learned that the NSA has engaged in repeated, substantial legal violations in its implementation of section 215 and other surveillance authorities.

Since that time, Congress and the American public have been engaged in an important debate about the breadth of government surveillance powers and the legal rationale used to authorize the collection of Americans' data. Under my chairmanship last Congress, the Senate Judiciary Committee held six open and public hearings that sharpened the committee's thinking and furthered the public dialogue on these important issues. Senator LEE, Congressman JIM SENSENBRENNER, Congressman JOHN CONYERS, and I introduced bicameral, bipartisan legislation, the USA FREEDOM Act of 2013, S. 1599/H.R. 3361, on October 29, 2013, to end bulk collection and reform our surveillance laws. The President announced his support for ending the bulk collection of Americans' phone records in March 2014. The House of Representatives passed a new version of the USA FREEDOM Act in May 2014, and after lengthy discussions with the executive branch, the technology industry, privacy advocates, and other stakeholders, Senator LEE and I introduced the USA FREEDOM Act of 2014, S. 2685, on July 29, 2014. On November 18, 2014, the full Senate failed to invoke cloture on the motion to proceed to the USA FREEDOM Act of 2014, by a vote of 58 to 42.

Despite falling two votes shy last Congress, Senator LEE and I knew that the May 31, 2015, expiration date was approaching, and we continued to work on a bill to reform these authorities. Senator LEE, can you explain the process we have undertaken this year?

Mr. LEE. Since November 2014, Senator LEAHY and I have been engaged in conversations with House Judiciary Committee Chairman GOODLATTE, Ranking Member CONYERS, and Congressmen SENSENBRENNER and NADLER to develop a new version of the USA FREEDOM Act. After extensive negotiations with the administration, intelligence community officials, privacy and civil liberties groups, the technology industry, and other stakeholders, we introduced the USA FREEDOM Act of 2015, S. 1123/H.R. 2048, on April 28, 2015.

Of course, the USA FREEDOM Act of 2015 was not introduced in a vacuum. Nearly 2 years ago, on June 5, 2013, the Guardian newspaper published an article and posted a classified FISA Court order revealing that the U.S. Government had been engaging in the bulk collection of Americans' telephone metadata. One day later, on June 6, 2013, the Washington Post published an article and posted further classified information about a separate government surveillance program called PRISM involving the collection of the contents of Internet communications. The administration subsequently acknowledged that the NSA's bulk collection of telephone metadata was being conducted pursuant to section 215 of the USA PATRIOT Act. The NSA's PRISM program to collect the contents of Internet communications of certain overseas targets was being conducted pursuant to section 702 of FISA, which was enacted as part of the FISA Amendments Act.

Once these programs were revealed, then-Chairman LEAHY convened a number of hearings so that the American people could better understand what the NSA was doing.

Senator LEAHY, can you remind us of the Judiciary Committee's activities in the 113th Congress?

Mr. LEAHY. As I mentioned, during the last Congress, the Senate Judiciary Committee held six open, public hearings to examine the legal basis, effectiveness, and impact of these programs on Americans' privacy rights and civil liberties. We heard testimony from a wide range of government officials, legal scholars, technologists, and outside experts as the Committee sought to understand and evaluate the numerous issues raised by these activities.

On July 31, 2013, I chaired the first full Judiciary Committee hearing to examine government surveillance programs with administration officials and outside experts. At the hearing, the NSA Deputy Director confirmed that the NSA's bulk telephony program did not help to thwart dozens of terrorist plots, as some administration officials defending the program had been contending. He confirmed that section 215 was only uniquely valuable in thwarting one terrorist ''plot''—the case of Basaaly Moalin, a Somali immigrant who was convicted of material support for sending $8,500 to al-Shabaab in Somalia.

As a result of continued public debate about the government's surveillance activities, on August 9, 2013, President Obama announced that he was ordering the Director of National Intelligence, DNI, to establish a group of outside experts to review the government's intelligence and communications technologies and provide recommendations on possible reforms to surveillance authorities. He also announced the public release of additional documents, including a Department of Justice white paper outlining the legal justification for the section 215 bulk collection program.

Over the course of the following months, the DNI declassified and released a host of documents related to activities conducted under section 215 of the USA PATRIOT Act and section 702 of FISA. The released documents detailed serious incidents of noncompliance and violations of law in implementing both of these programs. For example, the documents revealed that for several years, the NSA was unlawfully collecting thousands of wholly domestic emails and other electronic communications as part of its section 702 collection. In addition, FISA Court orders relating to the section 215 program revealed significant compliance problems and were highly critical of the NSA's oversight and operation of the program.

On October 2, 2013, I chaired a second full Judiciary Committee hearing on government surveillance authorities. NSA Director Alexander revealed for the first time that the NSA had previously conducted a pilot program to test its capability of handling location data as part of the section 215 phone records program, although he emphasized that it was only a test. The second panel of witnesses at the hearing testified about the government's legal justification for the collection of telephone records under section 215. A technologist and computer scientist provided testimony to illustrate the power of metadata and the blurring distinction between content and metadata in the digital age.

Shortly after that hearing, on October 29, 2013, I joined with Senator LEE, Congressman SENSENBRENNER, and Congressman CONYERS to introduce the bipartisan, bicameral USA FREEDOM Act of 2013 to comprehensively reform a range of surveillance authorities. This legislation served as the basis for many of the reforms Congress is now debating.

On November 13, 2013, Senator FRANKEN chaired a Judiciary Committee subcommittee hearing on legislation that he had introduced, the Surveillance Transparency Act of 2013, components of which were included in the USA FREEDOM Act. Government witnesses testified about executive branch efforts to promote greater transparency of surveillance activities. In addition, several outside witnesses, including representatives from the U.S. technology industry, spoke about the economic harm and damage to American technology companies as a result of revelations of government surveillance activities. These witnesses testified that American businesses stand to lose billions of dollars in the coming years as a result of revelations about U.S. surveillance activities.

On November 18, 2013, the DNI declassified and released a host of documents related to a previously classified program that collected bulk Internet metadata. The documents included a FISA Court opinion authorizing the bulk collection of Internet metadata under the FISA pen register and trap and trace device authority. As with the section 215 telephone metadata program, the declassified documents revealed that the bulk Internet metadata collection program also encountered major compliance problems during its operation. In 2011, the program was ended by the government because it was not meeting operational expectations.

On December 9, 2013, eight leading technology companies—AOL, Apple, Facebook, Google, LinkedIn, Microsoft, Twitter, and Yahoo!—wrote an open letter to President Obama and Congress laying out five surveillance reform proposals. The companies called for a prohibition on the bulk collection of Internet data and argued that governments should limit surveillance to specific, known users for lawful purposes. The companies also urged stronger checks and balances, including an adversarial process at the FISA Court.

On December 11, 2013, the Judiciary Committee held its fourth hearing on these issues. At the hearing, government witnesses discussed the possibility of placing a privacy advocate at the FISA Court, the recently declassified documents about the bulk collection of Internet metadata, and the scope of collection that is permitted under traditional section 215 orders. We learned that the problems with the Internet metadata program were so severe that the FISA Court suspended the program entirely for a period of time before approving its renewal. But then, in 2011, the government ended this Internet metadata program because, as Director Clapper explained, it was no longer meeting ''operational expectations.'' However, senior government lawyers testified that under the statute, there was no legal impediment to restarting this bulk Internet data collection program. If the executive branch—or a future administration—wanted to do so, it would simply apply for an order from the FISA Court.

On December 18, 2013, the President's Review Group on Intelligence and Communications Technology publicly released its final report, which included 46 recommendations and findings to reform government surveillance activities. The review group members included Richard Clarke, former counterterrorism adviser to Presidents George H.W. Bush, Bill Clinton, and George W. Bush; Michael Morell, former Acting Director of the CIA; Geoffrey Stone, professor at the University of Chicago Law School; Cass Sunstein, Harvard Law School professor and former senior OMB official in the Obama administration; and Peter Swire, a professor at the Georgia Institute of Technology and former adviser to Presidents Obama and Clinton. They concluded that the section 215 phone records program had not been essential to national security, saying: ''The information contributed to terrorist investigations by the use of section 215 telephony meta-data was not essential to preventing attacks and could readily have been obtained in a timely manner using conventional section 215 orders.'' The review group further stated that ''Section 215 has generated relevant information in only a small number of cases, and there has been no instance in which NSA could say with confidence that the outcome would have been different without the section 215 telephony meta-data program.''

This sort of massive surveillance presents significant privacy implications in the digital age, and the review group's report provided valuable insights. The report explained that keeping a record of every phone call an individual has made over the course of several years ''can reveal an enormous amount about that individual's private life.'' The report further explained that in the 21st century, revealing private information to third party services ''does not reflect a lack of concern for the privacy of the information, but a necessary accommodation to the realities of modern life.'' And the report questioned whether we can continue to draw a rational line between communications metadata and content. This is a critically important question given that many of our surveillance laws depend upon the distinction between the two.

The review group also addressed the national security letter, NSL, statutes. Using NSLs, the FBI can obtain detailed information about individuals' communications records, financial transactions, and credit reports without judicial approval. Recipients of NSLs are subject to permanent gag orders. The review group report made a series of important recommendations to change the way national security letters operate. I have been fighting to impose additional safeguards on this controversial authority for years—to limit their use, to ensure that NSL gag orders comply with the First Amendment, and to provide recipients of NSLs with a meaningful opportunity for judicial review.

Following release of the review group's report, the Judiciary Committee then held its fifth hearing on the NSA's programs and called the members of the review group to testify. On January 14, 2014, the members of the review group testified before the Senate Judiciary Committee and explained that in light of changing technology and the creation of more and more data, it recommended transitioning to a system where the government does not hold massive databases of Americans' metadata. Rather, metadata could be held by providers or a third party, and could be searched by the government only with advance judicial approval. The five members of the panel made clear that while we must always consider ongoing threats to national security, policymakers should consider all of the risks associated with intelligence activities: the risk to individual privacy, to free expression and freedom of association, to an open and decentralized Internet, to America's relationships with other nations, to trade and commerce, and to maintaining the public trust.

Following the review group's report, in January 2014, President Obama took an important step to restore American's privacy and civil liberties by embracing the growing consensus that the section 215 phone records program should not continue in its current form. During a speech at the Department of Justice, the President announced that he had directed the intelligence community to develop alternatives to the program and asked the Justice Department to seek advance judicial approval from the FISA Court to query the section 215 phone call database. Additionally, he ordered the

government to limit searches of the section 215 database to two ''hops,'' instead of three. He also recommended reforms to the secrecy surrounding national security letters.

A January 23, 2014, report by the Privacy and Civil Liberties Oversight Board, PCLOB, added to the growing chorus calling for an end to the government's dragnet collection of Americans' phone records. On February 12, 2014, the Judiciary Committee held its sixth public hearing, this time with the members of the PCLOB to explain the conclusions in their report. As with the President's review group, the PCLOB report likewise determined that the section 215 program has not been effective, saying: ''We have not identified a single instance involving a threat to the United States in which the program made a concrete difference in the outcome of a counterterrorism investigation. Moreover, we are aware of no instance in which the program directly contributed to the discovery of a previously unknown terrorist plot or the disruption of a terrorist attack.''

The PCLOB report also provided the public with a detailed constitutional and statutory analysis of this program and concluded that the program ''lacks a viable legal foundation under Section 215'' and ''implicates constitutional concerns under the First and Fourth Amendments.'' The PCLOB report further revealed that although the FISA Court first authorized this program in 2006, it did not issue an opinion setting forth a full legal and constitutional analysis of the program until 2013.

In March 2014, after consulting with the intelligence community, President Obama announced that his administration would work with Congress to pass legislation to end the NSA's section 215 bulk phone records collection program and to transition to a new program in which the data is not held by the government. Ending bulk collection is a key element of what I, Senator LEE, and others have included in the various iterations of the USA FREEDOM Act.

After the President's announcement, the House of Representatives took action. Senator LEE, would you like to expand on what transpired in the House?

Mr. LEE. On May 5, 2014, House Judiciary Committee Chairman GOODLATTE announced that he had agreed with Representatives SENSENBRENNER and CONYERS on a new version of the USA FREEDOM Act. On May 7, 2014, the House Judiciary Committee voted unanimously to report this revised USA FREEDOM Act. The next day, the House Permanent Select Committee on Intelligence convened a markup to consider the version of the bill reported by the House Judiciary Committee and voted unanimously to report the bill to the full House.

Following action by the House Judiciary and Intelligence Committees, further changes to the text of the reported bill were considered and a substitute amendment to the USA FREEDOM Act was unveiled on May 20, 2014, when the House Rules Committee adopted a rule for floor consideration. Following the release of the substitute amendment, some concerns were raised that the substitute amendment did not effectively prohibit bulk collection, even though that was clearly its intent. On May 22, 2014, the House of Representatives passed the amended version of the USA FREEDOM Act by a vote of 303 to 121. Many of those who voted no on the bill did so because they were concerned that its reforms did not go far enough.

After the House passed its version of the USA FREEDOM Act, Senator LEAHY and I worked hard to build on that legislation.

Senator LEAHY, can you talk about what led to the USA FREEDOM Act of 2014, S. 2685?

Mr. LEAHY. Immediately following passage of the House version in May 2014, Senator LEE and I began working to address concerns that the text of the House bill, although clearly intended to end bulk collection, did not do so effectively. We spent several months in discussions with the intelligence community and a wide range of stakeholders, including other Senators, privacy and civil liberties groups, and the U.S. technology industry, to build on the framework established by the House-passed bill.

Those negotiations led to the introduction of the USA FREEDOM Act of 2014, S. 2685, on July 29, 2014. More than 50 organizations, interest groups, trade associations, and technology companies from across the political spectrum publicly endorsed the bill. On September 2, 2014, the Attorney General and DNI wrote a letter in support of the USA FREEDOM Act of 2014. The letter noted that the bill preserved the intelligence community's capabilities while also enhancing privacy and civil liberties and increasing transparency. Likewise, members of the President's review group wrote a letter to myself and Senator GRASSLEY, explaining that the USA FREEDOM Act of 2014 was consistent with the recommendations contained in their December 2013 report.

On November 12, 2014, Senator REID filed cloture on the motion to proceed to the USA FREEDOM Act of 2014. A few days later, on November 17, 2014, the Obama administration released a Statement of Administration Policy on the USA FREEDOM Act of 2014 strongly supporting passage.

Despite the wide-ranging support for these commonsense reforms, on November 18, 2014, the full Senate failed to invoke cloture on the motion to proceed to the USA FREEDOM Act of 2014, by a vote of 58 to 42. I was extremely disappointed that the Republican leadership in the Senate decided to use a procedural vote to block debate and amendments on such an important piece of legislation.

With the start of the 114th Congress, Senator LEE and I began discussions with the House to develop a new version of the USA FREEDOM Act. We knew that the June 1, 2015, sunset of several surveillance authorities, including section 215 of the USA PATRIOT Act, would come up fast. For several months, we engaged in conversations with House Judiciary Committee Chairman GOODLATTE, Representative SENSENBRENNER, and House Judiciary Committee Ranking Member CONYERS, as well as officials from the administration, intelligence community, privacy and civil liberties groups, the technology industry, and other stakeholders on a path forward. Those extensive deliberations produced another set of bipartisan, bicameral surveillance reforms to end the bulk collection of Americans' phone records and amend other surveillance laws.

On April 28, 2015, Senator LEE and I introduced the USA FREEDOM Act of 2015, S. 1123, and Representatives SENSENBRENNER, GOODLATTE, CONYERS, NADLER, and others in the House introduced the House companion, H.R. 2048. The Senate version of the bill was originally cosponsored by Senators HELLER, DURBIN, CRUZ, FRANKEN, MURKOWSKI, BLUMENTHAL, DAINES, and SCHUMER. It has also received the support of the administration, privacy groups, and the technology industry.

On May 11, 2015, the Attorney General and Director of National Intelligence wrote a letter in strong support of the USA FREEDOM Act of 2015. The letter notes that the legislation ''is a reasonable compromise that preserves vital national security authorities, enhances privacy and civil liberties and codifies requirements for increased transparency.'' The Obama administration also issued a Statement of Administration Policy on May 12, 2015, in strong support of the USA FREEDOM Act of 2015.

In early May, as the House and Senate were preparing to consider the USA FREEDOM Act of 2015, the Second Circuit issued a decision confirming what we knew all along.

Senator LEE?

Mr. LEE. It did. On May 7, 2015, a three-judge panel from the U.S. Court of Appeals for the Second Circuit unanimously concluded that the NSA's bulk collection program is illegal. The court held that section 215 of the USA PATRIOT Act does not authorize bulk collection of Americans' private records and roundly rejected the argument that all of our phone records can be ''relevant'' to any particular authorized investigation.

In ACLU v. Clapper, the Second Circuit provided a detailed statutory and legal analysis of section 215 and the bulk collection program. It stated that the government's ''expansive'' interpretation of ''relevance'' in the context of Section 215 ''is unprecedented and unwarranted.'' The court further stated:

The interpretation that the government asks us to adopt defies any limiting principle. The same rationale that it proffers for the ''relevance'' of telephone metadata cannot be cabined to such data, and applies

equally well to other sets of records. If the government is correct, it could use §215 to collect and store in bulk any other existing metadata available anywhere in the private sector, including metadata associated with financial records, medical records, and electronic communications (including e-mail and social media information) relating to all Americans.

Such expansive development of government repositories of formerly private records would be an unprecedented contraction of the privacy expectations of all Americans.

The court also rejected the government's attempt to compare the NSA's section 215 orders for bulk collection of telephony metadata to grand jury subpoenas, citing the expansive scope and breadth of the information requested. The court correctly noted:

The sheer volume of information sought is staggering; while search warrants and subpoenas for business records may encompass large volumes of paper documents or electronic data, the most expansive of such evidentiary demands are dwarfed by the volume of records obtained pursuant to the orders in question here. . . . The government can point to no grand jury subpoena that is remotely comparable to the real-time data collection undertaken under this program.

While the Second Circuit held that the NSA bulk collection program was illegal, it did not issue a preliminary injunction to enjoin the program. The Second Circuit remanded the case with instructions for the district court to consider whether an injunction was appropriate in light of the upcoming June 1, 2015, expiration of section 215 and ongoing efforts in Congress to enact legislation before the sunset.

As both Senator LEAHY and I have mentioned, the USA FREEDOM Act of 2015 passed the House of Representatives less than a week later by an overwhelming and bipartisan vote of 338 to 88.

In order to aid Senators' consideration of this bill, and to prevent misinterpretations of Congress's intent, we want to state clearly that we agree with the section-by-section analysis contained in House Report 114–109, ''UNITING AND STRENGTHENING AMERICA BY FULFILLING RIGHTS AND ENSURING EFFECTIVE DISCIPLINE OVER MONITORING ACT OF 2015,'' to accompany H.R. 2048 as adopted by the House Judiciary Committee on May 8, 2015. There are a few additional matters that Senator LEAHY and I should take an opportunity to clarify. Senator LEAHY?

Mr. LEAHY. The core of this legislation is its prohibition on the bulk collection of records under section 215 of the USA PATRIOT Act, the FISA pen register and trap-and-trace device statute, and the national security letter statutes. Though there are some minor wording changes, these provisions are substantively identical to the version in the USA FREEDOM Act of 2014. For section 215 and the FISA pen register and trap and trace device statutes, under the bill the government must use a ''specific selection term'' to limit its collection and demonstrate reasonable grounds to believe that the records sought are relevant to the underlying investigation, which cannot be a threat assessment. These requirements are independent of each other, and both must be satisfied.

The USA FREEDOM Act of 2015 is being considered with full knowledge of the Second Circuit's decision in ACLU v. Clapper and its interpretation of the term ''relevant,'' which rejects the prior reading of the Foreign Intelligence Surveillance Court. According to the Second Circuit, information that the government seeks to obtain must be presently relevant to the specific underlying investigation. The Second Circuit correctly noted:

''Relevance'' does not exist in the abstract; something is ''relevant'' or not in relation to a particular subject. Thus, an item relevant to a grand jury investigation may not be relevant at trial. In keeping with this usage, §215 does not permit an investigative demand for any information relevant to fighting the war on terror, or anything relevant to whatever the government might want to know. It permits demands for documents ''relevant to an authorized investigation.'' The government has not attempted to identify to what particular ''authorized investigation'' the bulk metadata of virtually all Americans' phone calls are relevant. Throughout its briefing, the government refers to the records collected under the telephone metadata program as relevant to ''counterterrorism investigations,'' without identifying any specific investigations to which such bulk collection is relevant. . . . Put another way, the government effectively argues that there is only one enormous ''anti-terrorism'' investigation, and that any records that might ever be of use in developing any aspect of that investigation are relevant to the overall counterterrorism effort. The government's approach essentially reads the ''authorized investigation'' language out of the statute. Indeed, the government's information-gathering under the telephone metadata program is inconsistent with the very concept of an ''investigation.''

The USA FREEDOM Act of 2015 reauthorizes section 215, but it does so in light of the understanding of how the Second Circuit interprets ''relevance.''

Mr. LEE. I agree that the new requirement for a ''specific selection term'' in the USA FREEDOM Act of 2015 is separate from the requirement of ''relevance.'' I would like to clarify one last point. Section 104 of the bill authorizes the FISA Court to impose additional, particularized minimization procedures for information obtained under section 501 of FISA. That section provides that the FISA Court may impose additional procedures related to ''the destruction of information within a reasonable time period.'' That provision therefore provides authority for the FISA Court to specify a time period within which the government must destroy information.

Mr. LEAHY. I have been proud to work with Senator LEE for nearly 2 years to develop the legislation that we have been discussing. It has involved many hours of hard work over many months. The result is a solid bill with a set of commonsense reforms that has overwhelming support. The Senate should pass it today.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant 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 H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mitch McConnell, John Cornyn, Ron Johnson, Dean Heller, Steve Daines, Cory Gardner, Johnny Isakson, Richard Burr, Tim Scott, James Lankford, Jeff Flake, Mike Lee, Lisa Murkowski, John Barrasso, Thom Tillis, Chuck Grassley, Richard C. Shelby.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

Mr. LEAHY. Mr. President, I ask unanimous consent that we waive the mandatory quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Is it the sense of the Senate that debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 83, nays 14, as follows:

[Rollcall Vote No. 197 Leg.]

YEAS—83

Alexander	Cardin	Donnelly
Ayotte	Carper	Durbin
Baldwin	Casey	Feinstein
Bennet	Cassidy	Fischer
Blumenthal	Coats	Flake
Booker	Cochran	Franken
Boozman	Collins	Gardner
Boxer	Coons	Gillibrand
Brown	Corker	Grassley
Burr	Cornyn	Hatch
Cantwell	Cruz	Heinrich
Capito	Daines	Heitkamp

Heller	McCaskill	Schatz
Hirono	McConnell	Schumer
Hoeven	Menendez	Scott
Inhofe	Merkley	Shaheen
Isakson	Mikulski	Stabenow
Johnson	Murkowski	Sullivan
Kaine	Murphy	Tester
King	Murray	Thune
Kirk	Nelson	Tillis
Klobuchar	Perdue	Toomey
Lankford	Peters	Vitter
Leahy	Portman	Warren
Lee	Reed	Whitehouse
Manchin	Reid	Wicker
Markey	Rounds	Wyden
McCain	Sasse	

NAYS—14

Barrasso	Moran	Sanders
Cotton	Paul	Sessions
Crapo	Risch	Shelby
Enzi	Roberts	Udall
Ernst	Rubio	

NOT VOTING—3

Blunt	Graham	Warner

The PRESIDING OFFICER. On this vote, the yeas are 83, the nays are 14.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority whip.

Mr. CORNYN. Madam President, the Senate will hold a series of votes this afternoon on the underlying bill, and I think it is important for all of us to understand exactly what those amendments will do.

The underlying House bill makes some changes in the way the National Security Agency operates and uses what the Supreme Court of the United States has held is not private information—in other words, the time, duration, and number involved in a telephone call that is contained in a typical telephone bill.

The Supreme Court of the United States has said there is no right of privacy in that information. As the Senate knows, what the House bill does is it leaves these phone records in the possession of the telephone company. Then, over a period of 6 months, the National Security Agency is supposed to come up with a means of querying those records in the possession of the various phone companies.

Some, like me, have wondered why it is that we are trying to fix a system that is not broken, because there is absolutely no documented record of any abuse of this information as it is currently retained by the NSA. The way it is used is to help the intelligence community discover people who have communicated with known or suspected terrorists abroad in a way that will help to provide an additional piece of data that will hopefully help them prevent terrorist attacks from occurring on our home soil.

The FBI Director has said that in the 56 field offices in the United States, every single one of these field offices has an open inquiry with regard to potential homegrown terrorist attacks.

As I mentioned before, in Garland, TX, just a few weeks ago, two men traveled from Phoenix, AZ, and obtained full-body armor and automatic weapons and were prepared to wreak havoc and murder innocent people in Garland, TX, because they were exercising their First Amendment rights and were displaying cartoons that these two jihadists felt insulted the Prophet Muhammad.

Thanks to the good police work of a Garland police officer, both of those people were taken out of action before they could kill anybody there at that site. But why in the world would we want to take away from our intelligence authorities the ability to detect whether individuals, such as these two jihadists from Phoenix who traveled to Garland, had been communicating with known terrorist telephone numbers in Syria or anywhere else in the world? These are foreign telephone numbers that are matched up and provide an essential link and, really, a tripwire for the intelligence community.

What the amendments that we will vote on this afternoon would do is to slow the transition from NSA storage to the telephone company stewardship from the 6 months prescribed in the underlying bill. For those who believe that the underlying bill is the correct policy, I do not know why they would object to a little bit of extra time so we can make sure that this is going to work as intended.

Indeed, the second amendment does relate specifically to that. It would require a certification by the Director of National Intelligence that the software is actually in place that will allow the National Security Agency to query the phone records in the possession of the telephone companies.

Another amendment would provide that the Foreign Intelligence Surveillance Court, which is a group of experienced Federal judges who review the requests from the FBI and other law enforcement authorities, would be able to query these telephone records. It would establish a panel of experts, so to speak, to argue against the government's case in front of the Foreign Intelligence Surveillance Court. As somebody who used to be a judge for some time, this is a rather strange provision because what it does, essentially, is to put a defense attorney in the grand jury room and create an adversarial process at the early stages of an investigation, which may or may not lead up to an indictment in that case.

The final amendment would require the phone companies to notify Congress if they are going to change their policy for retaining customer records. This is a serious concern because it could well be that some telephone companies will start marketing to potential customers that they will not retain any records, thus eliminating an important tool which helps keep Americans safe and has absolutely zero threat to civil liberties.

There has been so much misrepresentation about what this so-called metadata program has done. I think that is one of the reasons we find ourselves here today. Many who believe the program is useful are reluctant to even talk about it in public because, as we know, so much of what is done to protect our country is classified. So rather than have a public debate and actually correct the misstatements of fact and the demagoguery that unfortunately attends this subject, many people are simply confused about what exactly is going on and what Congress is doing. But I would just point out that oversight of these programs is absolutely rigorous. It is executive, judicial, and legislative oversight. It is not a matter of trust as to whether these programs work the way they are supposed to; it is actually verified on a regular basis, universally verified.

Also, we have to go before these Federal judges known as a FISA Court—a Foreign Intelligence Surveillance Court—in order to make our case. Unless we can make our case to these judges that there is reason to continue the investigation, they will shut it down.

One of the things I think we have forgotten is that we want to treat intelligence gathering and prevention as we do ordinary law enforcement. What I mean by that is that ordinarily, in the criminal law context, government doesn't get involved in a case unless something bad has already happened. If there has been an explosion or a murder or a bank robbery or something like that, it is after the fact that we try to figure out what happened and then, if we can, to identify the perpetrator and to bring them to justice. That satisfies an important need in our society to enforce our criminal law, but that is far different from what our intelligence community is supposed to be doing because they are supposed to be detecting threats and intervening in those ongoing schemes and stopping them before they ultimately occur.

That is the important lesson we learned on 9/11. Unfortunately, it has been so long ago now that many people have simply forgotten or they don't feel as though this is an imminent threat. But when Director Comey says they have open inquiries in all 56 FBI field offices about the potential threat of homegrown terrorists, I take that very seriously. I believe it is absolutely reckless for us to take any unnecessary chances.

There are some who say this underlying bill is important because instead of the National Security Agency collecting these telephone numbers, we are going to leave the data with the telephone companies. But none of the people who are going to be querying these records at the phone companies have security clearances. One can just imagine the potential for abuse at the phone companies of these phone records once they receive some sort of request from the government.

We know the current system as run at the National Security Agency is subject to rigorous oversight, as I mentioned. In addition to the executive, judicial, and legislative oversight, we actually have a private and civil liberties

oversight board which makes sure that we strike the right balance. Nobody wants to see the privacy rights of American citizens undermined, but we all are adult enough to know that there has to be a balance and that in order to provide for security and to avoid terrorist attacks such as occurred on 9/11, we are going to have to take some actions to reach the right balance, and I believe the current law does that.

Unfortunately, we have a traitor such as Edward Snowden who selectively leaked certain portions of this program, and it has created an uproar. I think that unfortunately, as a result of his leaks and the ensuing political environment after that, America is at greater risk, and that is a terrible shame.

So I think it is reckless to take a chance. We have been fortunate that there have been no terrorist attacks on our homeland since 9/11. Well, I take that back. Five years ago, at Fort Hood, MAJ Nidal Hasan killed 13 people and injured 30-something more. Of course, we know now that he had been in constant communication over the Internet with Anwar al-Awlaki, who subsequently was killed in a drone strike—even though he was an American citizen—overseas. He was overseas because he was recruiting people to Islamic extremism, including Nidal Hasan, who killed 13 people at Fort Hood 5 years ago.

It is simply a fact that the Fourth Amendment of the U.S. Constitution involving searches and seizures doesn't apply to foreign terrorists; it applies to Americans. Under the procedures used under current law, all requests for additional information are subject to Federal court supervision and permission.

So we will vote on a number of amendments this afternoon. I can tell my colleagues, after talking to a number of our colleagues, many of them have said they don't really have any disagreement over the content or the policy of these amendments. Actually, these amendments are designed to try to strengthen the underlying House bill.

We all understand that the House is going to prevail in the basic structure of the underlying piece of legislation, but since when did the U.S. Senate outsource its decisionmaking to the other body across the Capitol? We have a bicameral legislature—a Senate and a House—for a reason. We know we make better decisions when we have consultation between the two branches of the legislature—not capitulation but consultation. The Senate should not be a rubberstamp for the House or vice versa.

I have heard some of our colleagues say that if the Senate were to change a period or a comma or a dash in the underlying legislation, it would be a poison pill, that the House would reject it and we would have nothing to show for our efforts. But I have great faith that if the Senate will do its job and vote to pass these underlying amendments and strengthen this underlying bill, the House will take up the bill and vote on it and it will pass. So if my colleagues feel as though these amendments would actually strengthen the underlying House bill and represent good policy, why in the world would they vote against these amendments because of some fantasy that the House will simply reject any changes at all? Why would they essentially capitulate any of their prerogatives as U.S. Senators to represent their constituents in this body? We all know we make better decisions in consultation with other people.

Certainly I think it is true that the House's bill is not holy writ. It is not something we have to accept in its entirety without any changes. I think where the policy debate should go would be to embrace these amendments and to say that we understand the House wants to change the current custody policy of these phone records and leave them with the phone company, but we sure need to know the new system will actually work. Doesn't that make sense? That is why the certification from the Director of National Intelligence is so important. It makes sense to provide a little bit more time—from 6 months to a year—in order to make sure this transition goes smoothly.

I know no Member of the Senate and no Member of the House and no American wants to look back on our hasty treatment of this underlying legislation and say: If we were just a little more careful, if we had just taken a little bit more time, if we had just been a little more thoughtful, a little more deliberative, and talked about the facts as they are and not some misrepresentation of the facts, we could have actually prevented a terrorist attack on our home soil.

Unfortunately, by increasing the risk to the American people, as I believe this underlying legislation will do, we may not find out about that until it is too late. I hope and pray that is not the case, but why should we take the risk to the homeland? Why should we risk anyone being injured or potentially killed as a result of a homegrown terrorist attack on our own soil because we have simply blinded ourselves in a significant way to the risks? Not that this is a panacea, not that this is some litmus test, but it is one essential piece of information that will help law enforcement make the case to not just prosecute crimes after they occur but to prevent them from occurring in the first place through the good and sound use of constitutional intelligence gathering in a way that respects the privacy of all Americans but lives up to our first and foremost responsibility, and that is to keep the American people safe.

Madam President, I yield to the distinguished ranking member.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, nobody disputes that we all want to keep America safe. We all agree on that. We also want to make sure that we keep Americans free and that their constitutional freedoms are protected. None of us would think that we were making the country safer if we were to try to pass a law that said law enforcement or anybody else can walk into our homes at any time they want and go through any files we have, follow us anywhere they wanted just on a whim. We would be totally opposed to that. But some would say that in the aftermath of 9/11, in some of the aspects of the PATRIOT Act, we did just that.

Congressman Armey, who was the Republican leader, the majority leader of the House at the time—a very conservative Republican—he and I joined together after consultation to put into the PATRIOT Act sunset provisions which would require us to have the debate we are having right now.

We talk about consultation. The fact is that there have been hours and days and weeks and months of consultation between the House and the Senate on the USA FREEDOM Act. We had a bill before us last year that was filibustered. It still got 58 votes. That was done in consultation with the House. The majority leader of the House has already said—the Republican leader—he has warned the Senate not to move ahead with planned changes to the House bill because it could bring real challenges in getting the USA FREEDOM Act passed through the House again.

The fact is that we have had so much consultation. Senator LEE, I, Republicans and Democrats have met continuously for months—even a year—with House Republicans and House Democrats to get the bill that is before us now. That is probably why it passed by such a lopsided margin in the House of Representatives.

My distinguished friend from Texas says these are minor changes. Well, actually, they are not. One would weaken the FISA Court amicus authority. We know that for years the FISA Court secretly misinterpreted section 215. As a result, after the program leak, that is the only time the FISA Court finally heard the government's argument. Before that, they only heard the government. Once a legal reason justifying this program became public, challenges were brought, and the Second Circuit last month ruled unanimously that the program was unlawful.

Having amicus in there is not having a defense attorney in a grand jury room at all. Amicus on questions of law can be invited by the court to step in. This could be a relatively rare case, completely in the discretion of the court. It is hard to talk about weakening that further, especially when we are talking about a secret court.

I oppose the amendment to extend the current bulk collection program in place for a full year. We have a 180-day transition period. And the Director of

the NSA said: ''We are aware of no technical or security reason why this cannot be tested and brought online within the 180-day period.'' I think the NSA Director is as knowledgeable about this subject as anybody in this Chamber, and he says we can go forward with it.

I think all of these amendments that are talked about would simply delay passing an excellent piece of legislation, one that has been worked on by Republicans and Democrats for months and even years. Let's pass it today.

We hear about stopping terrorism attacks. We all want to do that. But I remember some of the statements made by a former NSA Director that this had stopped 54 terrorist attacks. When he was pressed on that claim, it came out that the bulk collection program was only important after the fact in one case—and that was not a terrorist attack.

We also know that 9/11 could have been avoided. The evidence was there. The information was there. But the dots had not been connected. Everybody was frantically taking information they already had—recordings they already had after 9/11—and saying: We ought to get around to translating what is in these things. We know that in Minnesota, the FBI warned that people were taking flight lessons and there was no good reason. That warning was ignored. They basically were told: We know better.

I remember the day or so after the attack, at FBI Headquarters, people were calling in with information from different field offices. Somebody would write it down and would hand it to somebody else who would rewrite it and hand it to somebody else who would put it in a file. They would charter planes to bring photographs around to different places so our offices could see them. And I said: Well, why don't we just email the photographs? They would say: Well, we don't have the ability to do that. I said: Well, my 11-year-old neighbor could do it for you if that would help.

The fact of the matter is we had the information prior to our own new laws, and it didn't make us safer—any more safer than when we voted for $2 to $3 trillion to go into Iraq because, as the Vice President and others were saying, they were about to attack us with nuclear weapons, and they were implying they were involved in 9/11.

Mr. WYDEN. Will the distinguished ranking member yield?

Mr. LEAHY. Yes.

Mr. WYDEN. I think the ranking member has made a number of very important points here.

The fact of the matter is that we are all here because the majority leader wasn't able to defeat the surveillance reform. So instead, he has chosen to introduce amendments designed to water it down. I am disappointed by this. I will oppose all of these amendments, and I want to have a colloquy briefly with the ranking minority member.

The ranking minority member and our colleague from Connecticut, Senator BLUMENTHAL, have done very good reform work with respect to the FISA Court. In particular, what the distinguished Senator from Vermont has done, with the help of the Senator from Connecticut, is to bring some very important sunshine and transparency to the court. As my two colleagues have pointed out on the Judiciary Committee, we really meet on the major questions—not all of them, as the Senator from Vermont has just said—but what is really needed is to make sure that both sides get a chance to be heard, not just the government side.

So what troubles me—and I am interested in the reaction of my colleague from Vermont, and I want to praise him and my colleague from Connecticut—is that it seems to me that what the Senate majority leader wants to do is basically to take us back to the days of secret law.

What is important, as we get into this, and particularly with this amendment, is that there is a difference between secret operations and secret law. Operations always have to be kept secret.

I see my friend Chairman BURR here. We serve on the Intelligence Committee together. The two of us feel so strongly about making sure secret operations are kept secret because otherwise Americans are going to die. We can't have secret operations splayed all hither and yon in the public square.

But the law always ought to be public. As Senator LEAHY has pointed out for some time—and I warned about it here on the floor—what we would see is, if you live in Connecticut or Vermont, the PATRIOT Act talked about collecting information relevant to investigation. Nobody thought that meant millions and millions of records on law-abiding people. That decision was made in secret. It was made without the reforms advocated by the Senator from Connecticut and the Senator from Vermont.

So I would be interested in my colleague from Vermont's reaction to the majority leader's amendment to scale back your very constructive reforms on the FISA Court. And my sense is that what the majority leader's approach would do would take us back to the days of secret law. I think that is a mistake, and I would be curious about the reaction of my colleague from Vermont on this.

Mr. LEAHY. I would say to my friend from Oregon that the American people want to know how the laws are being interpreted. They want to know what the courts are doing.

As to secret operations, of course, you have had briefings on those. I have had briefings on those. I have been in places I will not name here. They are places overseas where I was there in the operations center as operations were taking place and being briefed on what they did, where they got the information, and what they were going to do next. Of course, none of that you want to be reading in the press or seeing in real time.

But I also know that when we are dealing with Americans and with their lives and with their sense of privacy, we have to protect them. The USA FREEDOM Act makes very simple changes to the FISA court. The bill provides the FISA Court with the authority to designate individuals who have security clearances to be able to serve as an amicus or a friend of the court. It is triggered in only relatively rare cases involving a novel or significant issue of law, and the decision of appointment is left entirely up to the court. That is about as narrowly drawn as you can get. But I think we have to have this ability to know what the court is doing because we have known for years that the FISA Court secretly misinterpreted Section 215 to allow for the dragnet collection of Americans' phone records.

I would be happy to yield to the Senator from Connecticut, who has worked so hard on this and is a former attorney general of his own State.

My own experience in getting search warrants for phone records or anything else as a prosecutor—and I realize it is not of the complexity of what we have today, but I realize we had to follow the law—is that, ultimately, that protects us more than anything else. I do not want this administration or any other administration to have the ability just to go anywhere they want. I am not encouraged by those who say this is so carefully maintained. We were given information earlier that just a small number of people can have access to those records. I guess it is one less since Edward Snowden walked out the door with all of it.

I will yield to the Senator from Connecticut if he would like to speak on this subject.

The Senator from Oregon has been such a strong and passionate leader on this, and I know from what I hear from the people of my State and when I am down in his State that people want us to be safe, but they also want their privacy protected.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Connecticut.

Mr. BLUMENTHAL. I thank the Chair.

Mr. President, I am very grateful for the opportunity to follow my distinguished colleague from Vermont and to emphasize some of the points that he has just made. But first let me thank Senator WYDEN for his leadership and his courage on this issue of foreign intelligence surveillance reform. He has helped to lead this effort, long before I was in the Senate, in favor of more transparency and accountability. Those are among the overarching objectives here.

My colleague from Vermont, who shares with me a background as a prosecutor, rightly makes a point that warrants and other means of surveillance when prosecutors seek them are sought

ultimately from judges. I want to speak to some of the myths and misconceptions here that endanger this key reform.

Our colleague from Texas, whom I greatly respect, has argued that the FISA Court is like a grand jury. In fact, he has said that an amicus should not be appointed, in effect, to intervene with a body that is like a grand jury. Well, the Foreign Intelligence Surveillance Court is not a grand jury, as my colleague from Oregon has said very well. The FISA Court makes law. It interprets the law in ways that are binding as legal precedents. Far from being like a grand jury, as a truly investigative tool of the court, the Foreign Intelligence Surveillance Court is a court. In fact, it is composed of article III judges who do as they do on their own district courts or appellate courts; that is, they interpret law and thereby, in effect, make law.

To keep that law secret is a disservice to the American people and to our legal system. To have only one side represented skews and, in effect, impedes the operations of that court because we know that judges make better decisions when they hear both sides and rights are better protected. Even so, the FISA Court needs to hear from that amicus panel only when it chooses to do so, ultimately.

It has the discretion under the statute, as it exists now, to decide to appoint an amicus in any particular matter. It is required to appoint an amicus in novel or significant cases unless—and the word ''unless'' is in the statute—it issues a finding that the appointment is not appropriate. It can make that finding whenever it wishes to do so. So the discretion is for the FISA Court in whether to hear from an amicus, even under the bill that the USA FREEDOM Act is now. It can permit the amicus to address privacy, technology or any other area relevant to the matter before the court—not just constitutional rights. And that leads to the second misinterpretation, if I may say so, in the remarks made by my colleague from Texas.

The bill does not direct an amicus to oppose intelligence activity or to oppose the government's view or position. In fact, it is to enlighten the court. In some instances it may oppose the government, but it is as part of that process of constructively arriving at the correct legal interpretation—not as a kind of knee-jerk reaction to oppose the government.

Again, I stress, a novel or significant issue in the discretion of the court may be addressed by the amicus. What the amendment does is to deprive the amicus or expert panel of the access it needs to facts and law to be the best that it can be in interpreting, arguing, and protecting rights. It, in effect, bars access to past precedents of the court, to briefings from intelligence experts, to facts that may be known to the Department of Justice or intelligence agencies. That hampering and hobbling of the amicus in no way serves the cause of justice. It in no way serves the cause of intelligent intelligence activities—in fact, it undermines that activity.

It undermines trust and confidence in the court. This court has operated in secret. It has heard arguments in secret. It has issued opinions in secret. It is the kind of court our Founders would have found an anathema to their vision of democracy and freedom. We may need such a court now to authorize surveillance activities that must be kept secret, but we need to strike a balance that protects very precious constitutional rights and liberties.

After all, what does our surveillance and intelligence system protect if not these fundamental values and rights of privacy and liberties that have lasted and served us well because we respect them?

More than a physical structure that we seek to protect through this system, it is those values and rights that are fundamentally paramount and important. So this FISA Court reform goes to the core of the changes—constructive changes that we seek to make. I hope my colleagues will defeat amendment 1451, along with all of the other amendments, because the practical effect of adopting amendments is it further delays implementation of the USA FREEDOM Act at a time when our country may be at risk from the expiration of the PATRIOT Act. We cannot afford for this country——

Mr. WYDEN. Will my colleague yield for a question on that point?

Mr. BLUMENTHAL. I will be happy to yield.

Mr. WYDEN. Because I think, again, my colleague from Connecticut has spoken to what the stakes are here. For the last decade, intelligence officials have been relying on secret interpretations of their authorities that have been very different from the plain reading of public law. The public has seen the consequences of that, and they are angry because the American people know we can have policies that promote both security and liberty.

I would just like to ask a question of my colleague with the respect to what the implications would be of hollowing out the good work you and Senator LEAHY have done with respect to having more transparency and both sides making a case on key questions with respect to the FISA Court. I would like to note that the majority leader's second amendment delays implementation of other important reforms that you all have dealt with.

For example, one question I was asked about at a townhall meeting just this past weekend in Tillamook, OR, where I was, is people were concerned about what would we do to protect our Nation when there was an emergency. You all, in your good work, have, in effect, said you would strengthen the language to make sure that when there was an emergency—government officials already can issue an emergency authorization to get the business records and you would then seek court approval, and you all strengthen that.

All of you on the Judiciary Committee said: We are going to provide another measure of security for the American people; in other words, we are going to protect their liberty and we are going to strengthen their security. It looks to me like the combination of the majority leader's two amendments scaling back the reforms, the transparency reforms in the FISA Court, and delaying the strengthening of emergency authorities that can protect the American people without jeopardizing their liberty would really roll back the kind of reforms the American people want.

I would be interested in my colleague's reaction to that.

Mr. BLUMENTHAL. I am happy for that very pertinent and important question from my colleague from Oregon. In fact, the majority leader's amendments would not only scale back and roll back the protections for the American people in the event of exigent or urgent situations, they would also undermine the confidence and trust of the American people in this system to protect the homeland.

Delaying these kinds of reforms undermines the goal of protecting our national security as well as preserving our fundamental constitutional rights. Delay is an enemy here. Uncertainty is an adversary. We owe it to the American people not only to restore their trust and confidence and sustain the faith of the American people in the intelligence agencies but also to make it more transparent, where it can be made so without compromising security and increasing accountability.

That is what the FISA Court reforms do. That is why the Director of National Intelligence as well as the Attorney General, the Privacy and Civil Liberties Oversight Board, the President's Review Group, at least two former FISA Court judges, civil rights advocates, and representatives of many of the most informed and able in our intelligence community all support these reforms.

The Director of National Intelligence and the Attorney General said in 2014, ''The appointment of an amicus in selected cases as appropriate need not interfere with the important aspects of the FISA process, including the process of ex parte consultation between the court and the government.''

Ex parte communication, in effect, secret conversation or consultation, can continue to go forward under this bill. The amendment would not alter that fact. The amendment simply makes the amicus less effective by depriving that amicus of access to facts and law that are necessary to do its job. So, in my view, these amendments fundamentally undermine the purpose of reforms that a vast bipartisan majority of this body has already approved today. It is an increasingly large margin that has voted for these

reforms, recognizing what I hear from Connecticut, what my colleagues hear in their States; that people want to believe the Foreign Intelligence Surveillance Court is, in fact, operating as a court, hearing both sides, keeping secrets but at the same time increasing public access to facts and laws that are important to them without compromising our national security.

I hope my colleagues will vote to reject these amendments. As the Senator from Oregon has said, adopting them will simply serve to delay reforms that are necessary.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, there are always two sides of every picture, two sides of every story. I have tremendous affection for Ranking Member LEAHY. We are friends. We look at this issue differently. I have deep respect for Senator BLUMENTHAL, Senator WYDEN.

The fact is I look at history a little bit differently and I look at the future a little bit differently because I think what the American people want to believe is that America is doing everything possible to keep them safe. I think, at the end of the day, that is the single most important issue: Are we doing everything we can to keep America safe?

Now, Senator WYDEN opposes section 215. He talked about changes. He is opposed to section 215. He is a member of the committee. I know exactly where he stands, and I respect it. The fact is that 215 is a very effective program. My colleagues are right. It was not a public program until Eric Snowden, a traitor to the United States, published a lot of information about what the intelligence community does. This was one small piece. Eric Snowden put the lives of Americans and foreigners at risk in what he released.

You cannot put the genie back in the bottle, but you also cannot hide from the fact that this program enabled us to thwart terrorist attacks here and abroad. I quoted the four of them yesterday. This program itself was what we were able to use post the Boston Marathon bombing to figure out whether the Tsarnaev brothers had an international connection that directed that horrific event at that marathon.

Yes, the FISA Court operates in secret. Why? It is the same reason the Senate sometimes clears the Galleries, shuts the doors, cuts off the TV, and as an institution only cleared people here—classified and top secret information—can make decisions. Therein describes the FISA Court. They always deal with classified and top secret documents. They are called on a minute's notice. No other court in the world responds like that. There is a FISA judge on the bench 24/7, 365 days a year. It rotates. These are the best of the best of the judicial system around the country, picked by the Chief Justice of the Supreme Court.

Could it be open? Sure. But we would then expose either classified and top secret documents or we could not use the documents to make the case to the FISA Court that we have a suspected individual of terrorism and we need the authority to see who that person is. Well, we have heard a lot about the FISA Court. A lot of it is true.

The people who serve on the bench are heroes because they take the toughest cases America is presented with, and they rule on them in the most judicial way they possibly can, demanding, over 25 percent of the time, that an application be resubmitted after changes because they did not think it had met the threshold.

Much has been focused on the changes to the amicus language or the ''friend of the court.'' This is not a normal court. When the choice is to go to the FISA Court, it is because we are concerned. We are concerned about an imminent threat.

Let me explain, once again, for my colleagues and for the American people what the section 215 program is. It is a program where at the NSA we collect raw telephone numbers from telephone companies—numbers, not names.

We have a number that does not have a person's name with it. They are deidentified. We collect a number, the date the call was made, and the duration of the call. For us to trigger any search or we call it query of that database, we have to have a foreign telephone number that we know is a telephone number used by a terrorist.

Those are all the components of the section 215 program. That is it. We can have a database, but without a foreign terrorist telephone number, we cannot search the database. If we have a foreign terrorist telephone number and no database, which is where we are moving to—I concede this legislation is going to move, and we are going to transition over to hundreds of telephone companies.

Now, rather than have a number of people controlled and supervised within the NSA to carry out these queries, we are going to have telephone company employees carry out a query with a known foreign terrorist's telephone number against all of the numbers in their database. Again, hopefully, they will not tie a person's name to it. We do not even get a person's name at the NSA.

The only people who should be worried are Americans who have actually had a communication with a known terrorist abroad. Now, I think when the American people hear me talk about this, up to this point they are saying: That is a good thing. We want to know if somebody here has talked to a terrorist because we want to be kept safe.

Well, not only are we shifting the database out of the NSA over to the telephone companies, which means our response time is going to be delayed—let me remind everybody that whether we search the meta database at NSA or whether we search the database at the telephone company, we first have to go to the FISA Court and get a court order that says: You have the authority to do this based upon what you have presented the court.

Now we have to go to the telephone companies, and in a timeframe that is conducive to them, they are going to search their database for a known terrorist's cell phone number, and now we are relying on hundreds of companies to search their database in a timely fashion and get back to us because we are trying to be in front of a threat versus behind a threat. In front of a threat, it is called intelligence; behind a threat, it is called an investigation.

When we thwarted the New York City subway bombing, we were in front of the threat. That was intelligence. When we reacted to the Boston Marathon, that was an investigation led by the FBI, not the NSA.

So when you inject this new requirement for a friend of the court—and I would disagree with my colleagues. This is not a voluntary thing for the FISA Court. It is something that is available to the FISA Court today if they choose to have somebody come in to counsel them on something. This is mandatory. In the legislation, it says ''shall.'' The court shall set up a panel. The court shall choose a friend of the court. A friend of the court is not there to facilitate a timely processing of information.

Let me remind everybody that we are dealing with the safety of the American people. They always stress this at the end of the conversation: We want the confidence and trust to be rebuilt that we are protecting our homeland. If you are moving a database, you are making it slower. Now you are setting up a mechanism inside to slow it down even more.

What we are doing is shifting from intelligence gathering to investigations. Nobody knows how long it is going to take from the time we present the FISA Court with a foreign terrorist's telephone number before we actually complete a search process within this new database.

I happen to be the one behind a 12-month transition versus a 6-month transition, and it was all stimulated off of exactly the same person whom Senator BLUMENTHAL or Senator WYDEN quoted. They said the Director of the NSA said: We think we can do this in 6 months.

Well, I am telling you, if I am the general public in America and I am concerned about my safety and the people who are supposed to be protecting me say ''I think I can do this in 6 months''—I would like somebody to say ''I am absolutely 100 percent sure I can do it in 6 months.'' But they think they can do it in 6 months. There is the reason for a year. There is the reason for a longer transition period.

If privacy were really the concern—and everybody has come down and said: I want to protect the privacy of the American people. Let me point out a couple of things.

No. 1, we didn't collect anybody's name in this program. It is hard to intrude on somebody's privacy when you didn't collect their name. We collected the number, the date of the call, and the duration of the call. That is it. Anything else that turns into an investigation is the Federal Bureau of Investigation going to a court and saying: We have to have more information because we know the President of the Senate is a potential threat to us. And then more information can be found out, such as his identity and anything else that might be part of the investigation. But from the standpoint of the NSA, those are the only things we have—a telephone number, a date, and the duration of the call.

If privacy is the concern, I don't think we have breached it. As a matter of fact, since this program has been in existence, there has not been one case of a breach of anybody's privacy—not one.

If they were truly concerned about privacy, they would be on the floor today with a bill abolishing the CFPB, which is a government agency, a government entity that collects every financial transaction of the American people by name, by date, by amount, by transaction. But they are not down here doing that. Why? Because they don't like the fact that the FISA Court operates in secret. They don't think there should be classified or top-secret documents. They believe everything should be transparent.

Well, let me say to my colleagues, my friends, and to the American people that we have done more over the last month to destroy the capacity of this program because of the debate we have had. There is not a terrorist in the world now who doesn't understand that using a cell phone or a land line is probably a pretty bad thing. It probably puts a target on their backs. We have done a great job of chasing people to alternative methods of communication, and I would suggest to you that is not making America any safer. If anything, maybe we should have had this debate in secret simply so we wouldn't give them a roadmap as to what we do.

Therein lies the reason that there are some things on which I think there is a determination made by the executive branch and by the legislative branch and I think in many cases at the dining room tables around America where Americans say: You know, you don't need to share everything with me. I am tired of hearing things on the nightly news that I think shouldn't be discussed.

This probably happens to be one of them because it doesn't make us more safe, it makes us less safe.

I will end the same way Senator BLUMENTHAL did. People want to believe—question mark. I think people want to believe we are doing everything we possibly can to strengthen our national security, to eliminate the threat of terrorism here and abroad. My fear, quite frankly, is that this bill doesn't accomplish that.

Again, I have deep affection for those whose names are on the bill and for what they believe is the intent. But I think that at the end of the day the only responsible thing to do right now is to accept three amendments—one, a substitute, and two, a first-degree and a second-degree amendment.

Let me say briefly that the substitute incorporates two changes. One change is that the telephone companies would be required to notify 6 months in advance of any change in their retention program—in other words, how long they hold the data. I have received calls from both big telecom companies today, and they have both said: We have no problem with that.

The second one would have the Director of National Intelligence certify at the end of the transition period that technologically we can make the transition. I don't find anybody who has really objected to that.

Then there is an amendment that extends the transition period from 6 months to 12 months. There have been people who object to that. I would only tell you we have a difference of opinion. They are willing to trust the NSA on their ability to make the transition in 6 months. I think that is ironic because the reason we are here having this debate is because they have made us believe we can't trust NSA. Yet, they are willing to trust the NSA relative to a transition time that is sufficient to accomplish the transition.

Let's err on the side of caution. Let's do it at 12 months. If they can do it sooner, then let them petition us, Congress can pass it, and we will turn to it sooner. But let's not get to 6 months and be challenged with not being ready to make that transition.

The last one is a change to amicus language. Clearly, that is the biggest difference we have. I would say to my colleagues that you either vote for the amendment or you vote against it. If you vote for it, you will delay the time it will take for us to connect the dots between a foreign terrorist's telephone number and a domestic telephone number they might have talked to. If that doesn't bother Members and it doesn't bother the public, I am all for giving the American people what they want. But I think most American citizens sit at home and say: You know, the faster you do this, the safer I am. I have a responsibility first and foremost to the protection of the American people. It is in our oath.

I also share something with the Presiding Officer and my colleagues who are here—to protect the rights and liberties of the American people. And as the chairman of the Intelligence Committee, I don't think we have in any way infringed on that.

I am now in year 21. I have come a lot closer to the line than I ever dreamed when I came to Congress in 1995. But I also never envisioned an event as horrific as 9/11. I never envisioned an enemy as brutal as ISIL or Al Qaeda or the Houthis. I could go on and on.

What has changed since 9/11? On 9/11, we had one terrorist organization that had America in its crosshairs. Today, we have tens to twenties of organizations that are offshoots of terrorist organizations that would like to commit something right here in the United States. The threat hasn't become less; it has become more. We are on the floor today talking about taking away some of the tools that have been effective in helping us thwart attacks. It is the wrong debate to have, but we are here.

I would only ask my colleagues to show some reason. Extend by 6 months the transition period. Make sure it doesn't take longer to search these databases. Make sure we are ready for the telephone companies to carry out the searches because there is one certainty on which I think I would find agreement from all of my colleagues here: The terrorists aren't going away. America is still their target. No matter what we say on this floor, we are still in the crosshairs of their terrorist acts.

Only by providing the intelligence community and the law enforcement community the tools to carry out their job can they actually fulfill their obligation of making sure America is safe well into the future.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from South Dakota.

Mr. THUNE. Mr. President, I hope our colleagues in the Senate and the American people are listening to this discussion because there isn't anything that is more important than defending our country. The debate we are having in the Senate today is really about the tools our intelligence community uses to prevent terrorist attacks.

As we look at and discuss the legislation in front of us, I think it is very important that we not forget we are living in dangerous times. This is the most dangerous time, literally, since 9/11 in terms of the terrorist activity that is out there. As the Senator from North Carolina pointed out, we have a big bull's-eye. The United States and people in this country, the things we believe in—the terrorists would love nothing more than to be able to take out and destroy, through some terrorist act, Americans and American interests. So I think it is very critical.

The Senator from North Carolina did a great job. I know the Senator from Indiana is going to speak here on the subject in a few minutes. But I hope everyone listens carefully because we are on the cusp of doing something that does weaken the very tools that have been used, the very capabilities that have been used to prevent those terrorist attacks.

The ironic thing about it, as you frame this up, you look at the threats that are out there, the dangerous times in which we live, and the success of these programs and how effective they have been in the past at preventing a terrorist attack, and what is being

talked about are potential abuses, hypothetical examples of how these programs could be abused, but they haven't been. The fact is, they haven't been.

We have a long period of time now in which to examine the effectiveness of these tools relative to the arguments that are being made about their abuse. They just don't exist. There isn't a documented case, in the time these tools have been in existence, of anybody's privacy being breached.

So it is very important that we look at these issues in light of what we are up against and what our No. 1 responsibility is; that is, defending Americans and Americans' interests. And this discussion is critical to that.

THE ECONOMY

Mr. President, I wish to speak on another subject this morning, and that has to do with the headline of the New York Times from Friday morning of last week, which I thought was pretty grim, and that is ''U.S. Economy Contracted 0.7% in First Quarter.'' Let me repeat that. Not only did our economy fail to grow in the first quarter of 2015, it actually shrank.

That is pretty discouraging news for millions of Americans still struggling in the Obama economy, and the Obama administration didn't offer them any consolation. Too often the administration has met stories of economic woe with excuses: uncertainty in the eurozone, not enough foreign demand, the Japanese tsunami, too much snow, too many congressional Republicans, and of course the Obama administration's favorite excuse, the Bush administration.

This time, among other things, the administration is blaming the measurements themselves. The administration claims the Bureau of Economic Analysis is not accurately measuring economic growth from quarter to quarter. Now, of course, the Department of Commerce should always be looking for ways to modernize our measurements and adjust for seasonal changes, but no arithmetical sleight of hand can disguise the fact that our underlying economy is so weak that isolated events can shut down economic growth altogether and actually push our economy into the red.

Economic growth has averaged an abysmal 2.2 percent under this administration since the end of the recession. That is one of the weakest economic recoveries in the past 70 years. If the Obama recovery had met the average economic growth experienced in all post-World War II recoveries, our economy would be $1.9 trillion larger than it is today.

If you look at the President's record, it is easy to see why our economy is still sputtering along: a failed $1 trillion stimulus, $1.6 trillion in new taxes, the President's health care law, which raised premiums for families and increased costs for small businesses, 2,222 new regulations costing more than $653 billion in new compliance costs, a Federal debt that has doubled on the President's watch, a financial reform bill that has overreached and is stifling community banks and lending across the country, and a runaway EPA that wants to increase electricity rates on families who are already struggling with stagnant wages and now—now—wants to regulate ditches and ponds in farm fields across the country.

All of this has led some economists to wonder if 2 percent growth is the new normal. If it is, it is very bad news for American families who will face a future that is less prosperous with less economic opportunity and mobility.

During the entire postwar period, from 1947 to 2013, our Nation averaged 3.3 percent growth. At that pace, the standard of living in America almost doubles every 30 years. Incomes rise, financial security increases, and more people are able to afford homes, take vacations, and save for higher education. At the pace of growth we have seen since 2007, on the other hand, it will take closer to 99 years for the standard of living to double.

Unfortunately, our recent weak economic growth shows every sign of continuing. The Congressional Budget Office projects our economy will grow at an average pace of 2.5 percent through 2018 and just 2.2 percent from 2020 through 2025.

That is not good news for American families. For generations, individuals have clung to the promise America has always held out: If you work hard, you could build a better life for yourself and an even better one for your children. But after years of economic stagnation, that promise is now in jeopardy.

A survey released last September reported that nearly half of Americans over 18 believe their children will be worse off financially than they are. A similar percentage of Americans no longer believe if you work hard you will get ahead.

Their disillusionment is not surprising. The weak economic growth we have experienced over the past several years has left families struggling to make ends meet. Americans are struggling to make health care costs and to make mortgage payments. They are no longer sure they can put their children through college and retire comfortably. Some have even lost their homes. Good-paying jobs are few and far between.

The U.S. Census Bureau reports that for the time since the government began tracking the number, more businesses are closing each year than are being opened. Think about that. More businesses are closing. There are more business deaths than there are business births in this country today.

Millions of Americans are unemployed, and millions more are being forced to work part time because they can't find full-time work. Forty percent of unemployed Americans have become so disillusioned with the lack of opportunity, they have given up entirely looking for work—40 percent. That is a staggering number. If the unemployment rate were changed to reflect the number of unemployed who have given up looking for work, our current unemployment rate would be well over 9 percent.

The good news is that things don't have to stay that way. We can enact progrowth policies that will return our economy to a more prosperous path in the 21st century. According to former CBO Director Douglas Holtz-Eakin, the differences between 2.5 percent growth and 3.5 percent growth would have a major impact on the quality of life for low- and middle-income families.

If our economy grows at a rate that is just 1 percentage point faster than what is projected, we will have 2½ million more jobs and average incomes will be $9,000 higher. Average incomes would be $9,000 higher if we grow just 1 percentage point faster than what is projected. For a lot of Americans, that is the difference between owning your home and renting one. It is the difference between being able to send your kids to college or forcing them to go deeply into debt to pay for their education. It is the difference between a secure retirement and being forced to work well into old age.

Additionally, the CBO estimates that for every additional one-tenth percent increase in economic growth, it reduces our deficits by $300 billion over the next 10 years. That means an additional percentage point in economic growth will reduce our deficits by $3 trillion over the next 10 years, and that in turn—reducing deficits—would further enhance economic growth.

Senate Republicans have laid out a number of policies to help grow the economy and open up opportunities for low- and middle-income Americans. We proposed energy policies that will expand domestic energy development which will help drive down energy prices. We are advancing trade policies that will help create more opportunities for American workers here at home by increasing the market for U.S. goods and services abroad. We have proposed tax reform that will simplify our outdated Tax Code and make our businesses more competitive, which will open up new jobs and opportunities for American workers. We have laid out entitlement reforms that will keep our promises to our seniors while protecting our economy by reducing our long-term deficits. We are pushing for regulatory reforms that will rein in the out-of-control government bureaucracies that are stifling economic growth.

Years and years of government overspending, burdensome taxation, massive government programs—many of which don't work—and excessive regulation have taken their toll on our economy, but we can still undo that damage. For generations, America has held out the promise of hope and opportunity, and Republicans are committed to ensuring it does so again. We invite

our colleagues to join us because we can have a better, brighter, and more prosperous future for future generations of Americans by changing directions, changing the policies, doing away with the regulations, the overreaching government that has made it so difficult for so many Americans to get ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, we are fortunately moving forward on this issue of extreme importance to the security of the American people. These are necessary procedures we should take to do everything we can to ensure our safety, to publicly discuss and debate the issue of terrorist threat and the measures the people's government is taking to defend our country and to defend each individual American from being a victim of terrorism.

As Senator BURR, chairman of the Intelligence Committee, just related, the threat to our certain security and to our safety has never been stronger, never been more threatening, with the proliferation of terrorist organizations, the unfortunate proliferation of the inspiration that is being provided through social media to any number of American citizens—and those who may not be citizens but are residing in this country—to take up arms or to create a bomb or bring harm to Americans in the name of support for jihad, in the name of ISIS, in the name of Al Qaeda, in the name of support for the extreme fundamentalist activities of terrorists that are prevailing not only through the Middle East but affecting the world in various places.

We know through intelligence gathering and through public statements, the United States has been put in the crosshairs. ''Kill Americans, no matter how you do it, take it up. We will learn today, if we haven't learned already,'' something that has just come across the wires of someone who was attempting to do just that, and we just see more and more references to these types of attacks.

Unfortunately, we are in a period of time when one of the methods we had to try to detect these threats is no longer in operation. It is not in operation because the authorization for going forward with this program, described as section 215 of the PATRIOT Act—the collection of raw telephone numbers, not anybody's name but raw telephone numbers—that we could use as a base to determine whether, from a foreign source, a known terrorist or someone connected to a terrorist organization is talking to somebody in the United States. That is the program. Unfortunately, that program is dark. It is shut down. It shut down at midnight Sunday.

The program was shut down because we could not achieve support for even a minimum extension of time for which to better understand the program, to better debate and discuss the program, to make adjustments necessary to ensure that Americans' privacy was not being breached. Several requests were made and, unfortunately, one Member, exercised his right to say no to a unanimous consent request, and we were in a position where we had to ask for consent driven by our procedural process we have to go through to achieve a vote. But, that vote was rejected time after time after time. So on the basis of one Member's objection, we have what I believe, what many believe, and what those who better understand this now that we have been able to disclose what it is believe is a necessary tool that ought to be in place.

This program ought to be in place for the very purpose of doing everything we can to prevent another 9/11, to prevent something much worse than 9/11, which would involve a 9/11 type of action coupled and married with a weapon of mass destruction. Where an attack in New York would not result in 3,000 in casualties—it would potentially result in 3 million casualties or even more or something concocted by a small group of people who would shoot up a shopping mall or rush into an elementary school or just simply take down someone on the subway system or an individual attack by someone with a knife or an ax or a gun.

One of the essential programs we have had that has been successful has been under attack in terms of breaching the privacy of American citizens. I think it has been made clear in the last few days that there has been no abuse of this program and that no one's privacy has been breached. The only allegation that holds true is that it has the potential to breach someone's privacy. Over the years, there has never been documented abuse. No one's privacy has been breached. To shut down a program with that kind of record on the basis that something could happen, that government could use this, I know resonates with a number of people in the United States. I really don't blame them.

This current administration's policies have created great distrust among the American people as to their leadership, as to their operations, as to their policies.

When we look at what has taken place with the IRS, definitely breaching people's privacy for political purposes, when we look at Benghazi and the coverup that has taken place in Benghazi, with the administration refusing to stand up and take responsibility for not responding adequately and changing the narrative and rewriting the intelligence. And when we look at Fast and Furious and the agency responsible there. I fully understand not just the frustration but the anger that American people have and the distrust they have.

One of the most difficult issues those of us in the Intelligence Committee have had to deal with is that when there are descriptions of policies that are implemented in terms of providing for an intelligence gathering and necessary response to prevent terrorist attacks, that information is classified. So when we see the program being misrepresented and described as something that it isn't, we don't have the ability to respond. We can't go to the press without breaching our oath to secrecy. We do not and cannot release classified material.

So while we now are in a position of having to unclassify this material, we have to understand that everything we say is not only listened to by the American people in an attempt to ensure their privacy is not being breached—and that this is an essential tool to help prevent terrorist attacks. Terrorist groups know everything that is being said and done, and they will make behavioral changes. They will make changes in terms of how they communicate.

So the program is being compromised by the very fact that we have had to come on the floor and publicly address it and release information as to what it is to help assure the American people that, in fact, what has been said about the program is simply false.

I have been on the floor several times raising that issue, using the quotes of what has been said by Members on this floor—particularly one Member. That is blatantly false. It is a blatant misrepresentation of what the program is. Now, I am not questioning their motive. I am not questioning the individual's decision in terms of whether he is for or against or wants to support or not support. All I want to do is clarify so that the public has the facts and they can make their own determination. We make a valid case that privacy is not breached. If someone comes to the conclusion that they don't trust what we say, don't believe what we say or don't agree with what we say, that is their decision. All I want is for them to have the facts in front of them so that when they make that decision, it is based on fact and not based on what has been misrepresented.

That is why I took the actual words stated on this floor relative to the program—which I believe misrepresented the program—and challenged them. I challenged them with the factual information. I am not going to repeat them. That is a matter of record.

We now are at the point, however—because we were not able to achieve any support for any kind of extension to either clarify what the bill does and doesn't do or to clarify with the House of Representatives how we best can coordinate this process and come up with a good solution to the issue—where, procedurally, we only have two options.

One option is essentially to do nothing. The program does not secure the votes to be reauthorized, and that program is taken off the books and is no longer there. In my opinion and in the opinion of many, that makes us more vulnerable. That gives us less access to be able to stop a terrorist attack.

The second option is to support an effort that was passed by the House of Representatives, the USA FREEDOM Act, which I wish I could say addressed the issue and doesn't compromise the program. But it severely goes against what this program attempts to do. It compromises the program to the point where I am not even sure the program can exist under the provisions that have been enacted by the House of Representatives.

Three very experienced and trustworthy individuals who don't have to salute the Commander in Chief and can give their own unbiased opinions on this came before our Intelligence Committee and basically said that with the structure of the USA FREEDOM Act, you might as well not have the program in it because it will take down the program. There are a couple of major issues here that these amendments try to address but don't technically address. I am going to be supporting those amendments. I think they make a bad piece of legislation a little bit better. But I have real questions as to whether it addresses the problems that really render the program inoperable.

The first is retention. There is no mandatory retention among telephone companies that they keep the information—the phone numbers—that we need in order to create a haystack of numbers from which we can identify connections between foreign terrorist organizations and operatives inside the United States. That is not done by somebody looking at anybody's records. Before the NSA can even use a phone number, it needs to have outside approval—legal approval—to query that.

If the telephone companies don't retain those numbers, we can't go out and match them up. And there is no mandatory retention of those numbers. It is simply an amendment now that would basically say they would have to give us notice that they don't retain them. But there is no mandatory retention.

I can just see a lot of companies saying—and I have heard from a lot of companies: We don't want to be responsible for trying to build in the protections and hire the people who have the background checks and the security clearances to put a regulatory process in place to make sure our people don't abuse this or use it for the wrong purpose.

So here we have a program that is accessible only by a very limited number of people at the National Security Agency, overseen by layers and layers of lawyers and legal experts and others to make sure it is not abused in any way. They have been successful because there has not been one case of an abusiveness process against anybody's personal liberties. There are six layers of oversight that are in place before they can even take it to the court and say: We think we have a problem here. We think there is a suspicion—a reasonable suspicion—that a phone number may be associated with a terrorist organization.

Then the court looks at that and says: We think you have something here. But let's check it further before we give you the authority to turn this over to the FBI so they can then look into this in greater detail to determine whether this is a live terrorist act.

As Senator BURR said, it works on the negative side, also, and there are some examples of live situations—as in the Boston bombing and so forth—that proved the negative. It proved there wasn't a conspiracy. It proved that just two people were involved in this. There were no connections. So they didn't have to waste a lot of time trying to query and pull up a bunch of information about whom they had talked to, and the police were then allowed to focus their efforts on Boston and what then took place in Boston and not throw the alarm out to New York City—the allegation was that they were on the way to New York City—and shut down New York City, causing panic and causing scare and alerting police and so forth. They were able to prove the negative of that. So it works both ways. But without that retention, we are not going to be able to accomplish that.

So I don't understand how the USA FREEDOM Act is a better way of protecting privacy and a better way of dealing with the fact that time is of the essence here. Instead of querying one area, we now have to go to multiple telephone companies, and there are 1,400 in the country. Let's say there are 100 major companies or let's say there are 10 major companies. We have to go to all 10 or to all 100 or more in order to find out whether in their database that telephone number exists. Time is of the essence here. If you are detecting a terrorist attempt and you build in all kinds of steps you have to take in order to get to the point where you think you really have something here, the act could have already been undertaken.

So those two issues, I think, are major problems with the FREEDOM Act.

The third is simply to think that the layers of protection and judicial oversight, executive oversight, and congressional oversight that take place to make sure we don't abuse the program through NSA—every telephone company has to insert that same level of oversight, and they simply won't be able to do it. It will take months. It takes months to get background checks and security clearances. Many telephone companies don't have the capacity to do that. They do not have the financial ability to do that. The irony is that individuals' privacy is more at risk by the telephone companies holding the numbers than the NSA holding the numbers, but, of course, we have not been able to convince the American people of that partly because the program has been so distortedly reported. But this as the saving grace to protect everybody's privacy by turning it over to the phone companies instead of turning it over to NSA just doesn't add up.

It is going to be very difficult for me and I think for many of my colleagues to think—while many of us are going to support these very limited amendments, which we don't even know the House will accept, it does not resolve the issue and does not solve the problem that we are dealing with here and, in effect, could render the program inoperable.

I think when Members are making decisions about which option to choose, it is a devil's choice. Is something better than nothing or is something really nothing and you end up with nothing and nothing? None of us wants our country to be put into that position, but that is where we are. If we are not able to secure passage of these amendments to improve this and the House rejects it—or we reject it or the House rejects it, then the program will stay inoperable.

I think the American people will then be picking up their phones and writing and emailing us and urging us to rethink this program through now that they know more about it, now that they know that much of what has been said irresponsibly by Members of this body and others is not true. Once they learn more about it, I think they will be calling on us to take a new look, and they will take a new look.

The arguments simply do not hold up because they are not factual. Now that we have been able to release some of this classified information and now that people have the ability to understand, if they so choose—to take another look at this and the proof we have provided relative to the success of the program and relative to the need for the program.

That is what is before us. There has been a constitutional argument here regarding the Fourth Amendment, and it is important to note: ''The right of the people to be secure in the persons, houses, papers, and effects against unreasonable searches.'' Unreasonable. I think we have proven this is not an unreasonable search. It does not identify anybody's name. Only after a court approves and gives the NSA the authority to go forward, similar to seeking the authority of a judge for other suspected criminal activity taking place in every jurisdiction across America, every town, every police department going to court. We tune in to ''Law & Order'' and ''CSI'' and all these programs and we see exactly how this works. You cannot go barging into a house without a warrant. You cannot collect information without a warrant.

The case being made that there is a violation here of the Fourth Amendment simply has not held up with legal authorities. Secondly—this is interesting. This was just pointed out to me. I am not a constitutional scholar. I took constitutional law in law school

and probably have forgotten half of it. But I do carry it around. I do look at it, but I am not a scholar. But I think it is pretty clear and pretty interesting that article I, section 5, talking about the legislature, says:

Each House shall keep a Journal of its Proceedings, and from time to time publish the same—

It is on our desks here. Every day, our CONGRESSIONAL RECORD, these are our proceedings—

excepting such Parts as may in their Judgment require secrecy.

That is why we have an Intelligence Committee. There are some things that require secrecy. Unfortunately, we have had to unclassify information to try to let the public know that what they have been told by their government, elected members of their government, is breaching their privacy, which is not true. We have a constitutional right as a body to make a decision and a judgment requiring secrecy. On this program, we require secrecy because once our adversaries know what we are doing, they are going to change what they are doing and it will not be worthwhile anymore.

Also, relative to the statements made by the Senator from Connecticut, who opposes the amendment on the amicus issue, it is my understanding that the Administrative Office of the United States Courts, Director Duff, sent a letter to the House asking for their concerns about the amicus issue effect on the court be placed in the bill. That was turned down by the House, unfortunately.

The letter says, ''We respectfully request that, if possible, this letter be included with your Committee's report to the House on the bill.''

It was sent to the chairman of the Permanent Select Committee on Intelligence, United States House of Representatives. It is in regard to H.R. 2048, the USA FREEDOM Act.

Mr. President, I ask unanimous consent that the letter I am referencing be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS
Washington, DC, May 4, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 2048, the ''USA Freedom Act,'' which was recently ordered reported by the Judiciary Committee, to provide perspectives on the legislation, particularly an assessment that the pending version of the bill could impede the effective operation of the Foreign Intelligence Surveillance Courts.

In letters to the Committee on January 13, 2014 and May 13, 2014, we commented on various proposed changes to the Foreign Intelligence Surveillance Act (FISA). Our comments focused on the operational impact of certain proposed changes on the Judicial Branch, particularly the Foreign Intelligence Surveillance Court (''FISC'') and the Foreign Intelligence Surveillance Court of Review (collectively ''FISA Courts''), but did not express views on core policy choices that the political branches are considering regarding intelligence collection. In keeping with that approach, we offer views on aspects of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the ongoing efforts of the bipartisan leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee's report to the House on the bill.

SUMMARY OF CONCERNS

We have three main concerns. First, H.R. 2048 proposes a ''panel of experts'' for the FISA Courts which could, in our assessment, impair the courts' ability to protect civil liberties by impeding their receipt of complete and accurate information from the government (in contrast to the helpful amicus curiae approach contained in the FISA Improvements Act of 2013 (''FIA''), which was approved in similar form by the House in 2014). Second, we continue to have concerns with the prospect of public ''summaries'' of FISA Courts' opinions when the opinions themselves are not released to the public. Third, we have a few other specific technical concerns with H.R. 2048 as drafted.

NATURE OF THE FISA COURTS

With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law to a set of facts presented by the government—a process not dissimilar to the ex parte consideration of ordinary criminal search warrant applications. Review of entire programs of collection and applications involving bulk collection are a relatively small part of the docket, and applications involving novel legal questions, though obviously important, are rare.

In all matters, the FISA Courts currently depend on—and will always depend on—prompt and complete candor from the government in providing the courts with all relevant information because the government is typically the only source of such information.

A ''read copy'' practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISC with an advance draft of each planned application, is the major avenue for court modification of government-sought surveillance. About a quarter of ''read copies'' are modified or withdrawn at the instigation of the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved by the Court because modifications at the ''read copy'' stage have addressed the Court's concerns in cases where final applications are submitted.

The FISC typically operates in an environment where, for national security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including for discovery, would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-government source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur easily (e.g., by providing for precleared experts with whom the Court can share and receive information to the extent it deems necessary).

THE ''PANEL OF EXPERTS'' APPROACH OF H.R. 2048 COULD IMPEDE THE FISA COURTS' WORK

H.R. 2048 provides for what proponents have referred to as a ''panel of experts'' and what in the bill is referred to as a group of at least five individuals who may serve as an ''amicus curiae'' in a particular matter. However, unlike a true amicus curiae, the FISA Courts would be required to appoint such an individual to participate in any case involving a ''novel *or* significant interpretation of law'' (emphasis added)—unless the court ''issues a finding'' that appointment is not appropriate. Once appointed, such amici are required to present to the court, ''as appropriate,'' legal arguments in favor of privacy, information about technology, or other ''relevant'' information. Designated amici are required to have access to ''all relevant'' legal precedent, as well as certain other materials ''the court determines are relevant.''

Our assessment is that this ''panel of experts'' approach could impede the FISA Courts' role in protecting the civil liberties of Americans. We recognize this may not be the intent of the drafters, but nonetheless it is our concern. As we have indicated, the full cooperation of rank- and-file government personnel in promptly conveying to the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a ''panel of experts'' officially charged with opposing the government's efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that imposing the mandatory ''duties''—contained in subparagraph (i)(4) of proposed section 401 (in combination with a quasi-mandatory appointment process)—could create such a perception within the government that a standing body exists to oppose intelligence activities.

Simply put, delays and difficulties in receiving full and accurate information from Executive Branch agencies (including, but not limited to, cases involving non-compliance) present greater challenges to the FISA Courts' role in protecting civil liberties than does the lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome a means of facilitating the FISA Courts' obtaining assistance from non-governmental experts in unusual cases, but it is critically important that the means chosen to achieve that end do not impair the timely receipt of complete and accurate information from the government.

It is on this point especially that we believe the ''panel of experts'' system in H.R. 2048 may prove counterproductive. The information that the FISA Courts need to examine probable cause, evaluate minimization and targeting procedures, and determine and enforce compliance with court authorizations and orders is exclusively in the hands of the government—specifically, in the first instance, intelligence agency personnel. If disclosure of sensitive or adverse information to the FISA Courts came to be seen as a prelude to disclosure to a third party whose mission is to oppose or curtail the agency's work, then the prompt receipt of complete and accurate information from the government would likely be impaired—ultimately to the detriment of the national security interest in expeditious action and the effective protection of privacy and civil liberties.

In contrast, a ''true'' amicus curiae approach, as adopted, for example, in the FIA,

facilitates appointment of experts outside the government to serve as amici curiae and render any form of assistance needed by the court, without any implication that such experts are expected to oppose the intelligence activities proposed by the government. For that reason, we do not believe the FIA approach poses any similar risk to the courts' obtaining relevant information.

''SUMMARIES'' OF UNRELEASED FISA COURT OPINIONS COULD MISLEAD THE PUBLIC

In our May 13, 2014, letter to the Committee on H.R. 3361, we shared the nature of our concerns regarding the creation of public ''summaries'' of court opinions that are not themselves released. The provisions in H.R. 2048 are similar and so are our concerns. To be clear, the FISA Courts have never objected to their opinions—whether in full or in redacted form—being released to the public to the maximum extent permitted by the Executive's assessment of national security concerns. Likewise, the FISA Courts have always facilitated the provision of their full opinions to Congress. See, e.g., FISC Rule of Procedure 62(c). Thus, we have no objection to the provisions in H.R. 2048 that call for maximum public release of court opinions. However, a formal practice of creating summaries of court opinions without the underlying opinion being available is unprecedented in American legal administration. Summaries of court opinions can be inadvertently incorrect or misleading, and may omit key considerations that can prove critical for those seeking to understand the import of the court's full opinion. This is particularly likely to be a problem in the fact-focused area of FISA practice, under circumstances where the government has already decided that it cannot release the underlying opinion even in redacted form, presumably because the opinion's legal analysis is inextricably intertwined with classified facts.

ADDITIONAL TECHNICAL COMMENTS ON H.R. 2048

The Judiciary, like the public, did not participate in the discussions between the Administration and congressional leaders that led to H.R. 2048 (publicly released on April 28, 2015 and reported by the Judiciary Committee without changes on April 30). In the few days we have had to review the bill, we have noted a few technical concerns that we hope can be addressed prior to finalization of the legislation, should Congress choose to enact it. These concerns (all in the amicus curiae subsection) include:

Proposed subparagraph (9) appears inadvertently to omit the ability of the FISA Courts to train and administer amici between the time they are designated and the time they are appointed.

Proposed subparagraph (6) does not make any provision for a ''true amicus'' appointed under subparagraph (2)(B) to receive necessary information.

We are concerned that a lack of parallel construction in proposed clause (6)(A)(i) (apparently differentiating between access to legal precedent as opposed to access to other materials) could lead to confusion in its application.

We recommend adding additional language to clarify that the exercise of the duties under proposed subparagraph (4) would occur in the context of Court rules (for example, deadlines and service requirements).

We believe that slightly greater clarity could be provided regarding the nature of the obligations referred to in proposed subparagraph (10).

These concerns would generally be avoided or addressed by substituting the FIA approach. Furthermore, it bears emphasis that, even if H.R. 2048 were amended to address all of these technical points, our more fundamental concerns about the ''panel of experts'' approach would not be fully assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.

Finally, although we have no particular objection to the requirement in this legislation of a report by the Director of the AO, Congress should be aware that the AO's role would be to receive information from the FISA Courts and then simply transmit the report as directed by law.

For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to H.R. 2048. However, the issues raised in those letters continue to be of importance to us.

We hope these comments are helpful to the House of Representatives in its consideration of this legislation. If we may be of further assistance in this or any other matter, please contact me or our Office of Legislative Affairs at 202–502–1700.

Sincerely,

JAMES C. DUFF,
Director.

Mr. COATS. There is a lot more that could be said. We will shortly be voting on the amendments here. I probably said more than I should.

Mr. ISAKSON. Will the Senator from Indiana yield?

Mr. COATS. I will be happy to yield.

This is one of the most important issues I have had to deal with during my times of service on behalf of our State and our country. I think getting the facts out has been necessary. It is a momentous decision that has momentous consequences. I hope each of us will take very seriously all that has been said and weigh that in their own judgment and hopefully make the right decisions for the future of this country.

I will be happy to yield to my colleague.

Mr. ISAKSON. I know we are about to adjourn for lunch, but I have to come to the floor and pay the Senator a great compliment. For the last 6 days, the Senator has tried to illuminate some misperceptions and, quite frankly, half-truths that have been talked about in terms of the NSA program. You have provided great information to the Senate and to the people of the United States of America, and I think it is ironic—and I do not believe the Senator from Indiana knows this—but today in the Finance Committee at 10:30 we had a hearing before the IRS Commissioner, Mr. Koskinen, who was trying to explain what the IRS was doing with the 104,000 identities that were stolen from the IRS, which included the Social Security numbers, church contributions, home residences, rent payments, debts, obligations, the entire amount of information of 104,000 American citizens. Nobody is talking about giving the IRS to the phone companies. Nobody is talking about the amount of information the IRS has and whether the government abuses or uses it. And here we are worried about 41 individuals who have the ability to know 2 telephone numbers, the origination of a call and the duration of that call, without its association to a name, unless a judge says it is OK.

I think there has been a lot of misdirection this week. The American people are starting to listen. I think the Senator from Indiana has done a great job of illuminating the truth behind this issue. We have a great country. You do not find anybody trying to break out of the United States of America. They are all trying to break in. They are because we are safe and secure. I commend the Senator for fighting for the safety, the security, and the rights of the American people.

I yield back.

Mr. COATS. I thank the Senator for those words. I think this is a fight for all of us. How I wish we had been putting our time and our passion into what the Senator from Georgia just mentioned—a clear breach of people's privacy on the record and a clear defense effort by this administration to not have us go forward and examine this. If we had been putting half of the passion into that, we would really be servicing the American people and the breaches of their privacy that are just apparent.

Here we have a program that has never had a case of a breach of privacy, that has more oversight than any other program in the entire U.S. Government, that involves all three branches of our government—the judicial, the legislative, and the executive—all with the intent of having something in place that can stop Americans from being killed by terrorists, and we have to spend weeks arguing just to correct the record, when so clearly in front of us are abuses by this administration that we are not putting attention to—the irony of that and the irony of the fact that every day we have more information about the scope of these potential terrorist attacks against Americans. Here we are releasing five known terrorist leaders from Guantanamo to a country. We are combing the world to see if somebody will take them because we do not want to retain them here, and we know they are going to go back. They are not going back to be baristas at Starbucks. They are not going back to do lawn work back home or start a microbusiness. They are going back to join the enemy attack against us. They are going back to the Taliban. They are going back to Al Qaeda. They are going back to do what they were arrested for in the first place.

How ironic and how uncertain our situation here is relative to our security, and we are arguing over a tool that can help protect us instead of focusing on the real threat.

Anyway, I got worked up during the 6 days a number of times. I appreciate the opportunity to, once again, try to clarify where we are. Hopefully, the American people are listening.

We have a momentous decision to make coming up here very shortly. I hope each of us will use not polls and not what the public perception is, I hope each of us will use the judgment that we have had and the access to information that we have had to make a

decision on the basis of what is best for the American people, not about what is best politically, not what gets us past the next election, not what is pleasing to people who want to hear things back at home, not on any other basis than what is necessary to do everything we can to keep us safe from known terrorist attacks that are multiplying faster than we can keep up with across the world, and Americans are in the crosshairs. Our decision should be based on that and that alone.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:59 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

USA FREEDOM ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I would like to inquire as to the order.

The PRESIDING OFFICER. The Senate is considering H.R. 2048 postcloture.

Mr. INHOFE. Mr. President, I ask that I be recognized.

The PRESIDING OFFICER. The Senator is recognized.

Mr. INHOFE. Mr. President, I know we have all had a chance to talk about this and the seriousness of what is now before us at this time. I look at the seriousness of this, and I listened to a lot of people standing on the floor and saying things that sound popular to people back home, and I have heard from some of the people in my State of Oklahoma, saying: They talk about the privacy problems and all these things that might be existing. Then I always think about my 20 kids and grandkids and think that they are the ones who are at stake.

This world we have right now is a much more dangerous world than it has ever been before. I look wistfully back at the good old days of the Cold War when we had a couple superpowers. We knew what they had—mutual assured destruction. It really meant something at that time. Now we have crazy people with capabilities, people in countries who have the ability to use weapons of mass destruction.

So right after 9/11 we formed the NSA. We have been talking about that down here. It is not perfect, but I think it is important at this last moment to point out the fact that a lot of lies have been told down here. I heard one person—I think two or three different ones talking about and making the statement that since the NSA procedure was set up after 9/11, that has not stopped one attack on America. I would like to suggest to you that a good friend of mine and a good friend of the Chair's, General Alexander, who is a very knowledgeable person and ran that program for a while, said—and this was way back 2 years ago, 2013—information ''gathered from these programs provided government with critical leads to prevent over 50 potential terrorist events in more than 20 countries around the world'' and that the phone database played a role in stopping 10 terrorist acts since the 9/11 attacks.

I was very pleased to hear from my good friend, Senator SESSIONS, a few minutes ago that a brand new poll that just came out of the field shows that almost two-thirds of the people in America want to go back and give back to the NSA those tools we took away 2 days ago.

Now we have a situation where we can talk about a few of the cases where major attacks on this country were stopped by the process we put in place after 9/11.

One was a planned attack in 2009. Najibullah Zazi was going to bomb the New York City subway system. The plan was for him and two high school friends to conduct coordinated suicide bombings, detonating backpack bombs on New York City subway trains near New York's two busiest subway stations; that is, Grand Central Station and Times Square.

Sean Joyce, the Deputy FBI Director, said that the NSA intercepted an email from a suspected terrorist in Pakistan communicating with someone in the United States ''about perfecting a recipe for explosives.''

On September 9, 2009, Afghan-American Zazi drove from his home in Aurora, CO, to New York City, after he emailed Ahmed—that was his Al Qaeda facilitator in Pakistan—that ''the marriage is ready.'' That was a code that meant ''We are ready now to perform our task.'' The FBI followed Zazi to New York and broke up the plan of attack, and they stated it was because of the email that was intercepted by the NSA that allowed them to do that.

How big of a deal is that? People do not stop and think about the fact that if you look at the New York City subway stations down there, we know that the average ridership of the New York City subway during peak hours averages just under 900,000 people—that is 900,000 people, Americans who are living in New York City.

What we do know is that when they came to New York City to perform their plan at Grand Central Station and Times Square, it was the NSA using the very tools we took away from them 2 days ago, and you wonder, how many lives would have been lost? If there are 900,000 riders on the subway and they are ready to do this at two stations, are we talking about 100,000 lives, 100,000 Americans being buried alive? That attack was precluded by the tools that were used by the NSA that we took away from them just 2 days ago. Many more have not been declassified.

GEN Michael Hayden and GEN Keith Alexander, who are both former Directors of the NSA, and others have confirmed to me personally that at least one of the three terrorist attacks on 9/11 could have been avoided, and perhaps all three could have been avoided if we had had the tools we gave the NSA right after 9/11, and also the attack on the USS Cole could have been prevented entirely.

So you have to stop and think, it is a dangerous thing to stand on the floor and say we have formed this thing in this dangerous world and it has not stopped any attacks on America. That is what we are faced with today.

I voted against the program the House passed that is going to be considered in just a few minutes. I felt it was better to leave it as we had it. Now that is gone. I look at it this way: I do support the amendments that are coming up. I do think the last opportunity we will have will be the program we will be voting on in just a few minutes.

So let's think about this, take a deep breath, and go ahead and pass something so we at least have some capability to stop these attacks and to gather information from those who would perpetrate these attacks and then have time to put together a program that will be very workable and make some changes if necessary.

With that, Mr. President, I yield the floor.

EXTENDING FISA PROVISIONS

Mr. LEAHY. It is unfortunate that we were unable to pass the USA FREEDOM Act before the June 1, 2015, sunset of sections 206 and 215 of the USA PATRIOT Act and the so-called ''lone wolf'' provision of the Intelligence Reform and Terrorism Prevention Act. Senator LEE and I both sought to bring up the USA FREEDOM Act well before the sunset date to avoid just this situation. Now that the roving wiretap, business records, and so-called ''lone wolf'' provisions have lapsed, it is important that we make clear our intent in passing the USA FREEDOM Act this week—albeit a few days after the sunset. Could the Senator comment on the intent of the Senate in passing the USA FREEDOM Act after June 1, 2015?

Mr. LEE. Although we have gone past the June 1 sunset date by a few days, our intent in passing the USA FREEDOM Act is that the expired provisions be restored in their entirety just as they were on May 31, 2015, except to the extent that they have been amended by the USA FREEDOM Act. Specifically, it is both the intent and the effect of the USA FREEDOM Act that the now-expired provisions of the Foreign Intelligence Surveillance Act, FISA, will, upon enactment of the USA FREEDOM Act, read as those provisions read on May 31, 2015, except insofar as those provisions are modified by the USA FREEDOM Act, and that they will continue in that form until December 15, 2019. Extending the effect of those provisions for 4 years is the reason section 705 is part of the act.

Mr. LEAHY. I would also point out that when we drafted the USA FREEDOM Act, we included a provision to allow the government to collect call detail records, CDRs, for a 180-day transition period, as it was doing pursuant to Foreign Intelligence Surveillance Court orders prior to June 1, 2015. This provision was intended to provide as seamless a transition as possible to the new CDR program under section 101 of the USA FREEDOM Act. I thank the junior Senator from Utah for his partnership on this bill.

Mr. HATCH. Mr. President, our terrorist enemies continue to present a clear and present danger to our Nation's safety. We must use a broad array of information gathering tools to be successful in thwarting their plots and preventing future attacks. As the top Republican on the Senate Judiciary Committee after 9/11, I worked across party lines to give our law enforcement and intelligence communities the authorities they need to keep us safe. Having served longer than any other Republican on the Intelligence Committee, I can personally attest to the critical importance of these authorities in combating real terrorist threats.

Given the extensive and effective privacy and civil liberties safeguards already in place, I strongly supported a clean reauthorization of the existing law. Unfortunately, such legislation could not gather sufficient support in today's climate of misinformation about our efforts to stay one step ahead of the terrorists. Contrary to the claims of its proponents, the so-called USA FREEDOM Act will hamper our ability to address serious terrorist threats. My concerns about this legislation were further enhanced when the Senate voted down several reasonable amendments that represented modest changes needed to preserve our security. Accordingly, I voted against the bill because it will not provide the protections we need and will put our Nation at risk.

One of the fundamental flaws of the USA FREEDOM Act is its creation of unnecessary delays and impediments to our efforts to protect the American people. Under this legislation, telephone metadata-consisting of information like the number calling and the length of the call-would no longer be collected by the government but instead be retained by private communications corporations. Proponents of the bill argue that this move is necessary to protect privacy. This argument is unpersuasive, given that the data collected does not include the identities of the callers or the content of their communications. I oppose this approach because the bill lacks any requirement for these companies to retain this data for any length of time. Without such a requirement, the effectiveness of a search of telephone metadata would obviously be compromised.

One of the other major flaws of the USA FREEDOM Act is its amicus curiae provision, which would insert a legal advisor into the FISA COURT process to make arguments to advance privacy and civil liberties. Such an approach threatens to insert leftwing activists into an incredibly sensitive and already well-functioning process, a radical move that would stack the deck against our law enforcement and intelligence communities. Given that previous law already provided intense scrutiny and oversight from the Justice Department, Congress, and the courts, this new provision is both unnecessary and potentially quite dangerous.

The Senate's action today undermines not only the operational effectiveness of one of our most critical tools to safeguard our national security. Going forward, I will do everything within my power to ensure that our law enforcement and intelligence professionals have all the tools they need to keep us safe.

Mrs. BOXER. Mr. President, Sunday night was just another self-inflicted crisis from Senator MCCONNELL and the Republican leadership. Playing politics with our national security is reckless. And allowing others to play politics with our national security, against the majority of the U.S. Senate and House, is not leadership.

The Republicans said, ''Put us in the majority and we will govern responsibly.'' They claimed there would be no more shutdowns, no more governing by crisis. Yet, on Sunday night our intelligence professionals were left without the important tools they need to fight terrorism. And now Republicans are at it again—proposing amendments that would delay the process and leave us without these critical capabilities for even longer.

FBI Director Comey said that his Agency uses section 215 fewer than 200 times per year, but when the FBI uses it, ''it matters tremendously.'' And the White House National Security Council's Ned Price said that a sunset would result ''in the loss, going forward, of a critical national security tool.''

I can't believe Republicans would take us to the brink and put our country at risk. It is shameful. The USA FREEDOM Act is supported by a wide, bipartisan majority in both Chambers. It passed the House with 338 votes. A little over a week ago, a clear majority of Senators, 57, voted to proceed to this legislation. That still wasn't enough. Senator MCCONNELL and his Republican colleagues blocked it from moving forward. On Sunday night, even more Senators did the right thing and voted in support of the USA FREEDOM Act. Mr. President, 77 Senators voted to proceed to a debate on the USA FREEDOM Act.

I want to thank my colleagues who worked tirelessly on this legislation, who reached out to the intelligence community, technology companies, and privacy and civil liberties groups to come up with a set of reforms that maintains the important balance between protecting privacy and keeping our country safe. It is not easy to get this level of support. The USA FREEDOM Act strikes an important balance between protecting our privacy and defending our country.

The bill reforms the PATRIOT Act by ending the bulk collection of Americans' telephone records while still providing the ability for investigators to get the records in a more targeted manner. It would improve the transparency of the government's surveillance activities by adding additional reporting requirements and giving private companies a greater ability to publically report when they receive requests for information from the FBI or NSA. And it would add a panel of experts to the FISA Court who can assist in providing additional points of view when cases involve significant or novel interpretations of the law.

We need to pass this bipartisan bill immediately and send it to the President, without amendments to water it down and further delay the intelligence community's access to these important authorities.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, thank you.

I rise today to urge prompt passage of the House-passed USA FREEDOM Act of 2015 and to urge opposition to the amendments offered by the majority leader. Those amendments are unnecessary. They would weaken the bill in unacceptable ways, and they would only serve to prolong and deepen the uncertainty around the reform and continuation of important national security authorities.

The House-passed USA FREEDOM Act is measured, compromise legislation that is the result of lengthy negotiations that bring much needed reforms to some of our surveillance authorities, ensuring that we safeguard Americans' rights while increasing the government's accountability. I am proud to have worked with Senator DEAN HELLER of Nevada to craft the bill's transparency provisions, which draw support from privacy advocates, the business community, and national security experts.

The USA FREEDOM Act works to end bulk collection programs that our intelligence community has told us are not necessary. At the same time, the bill makes sure our national security agencies have legal tools that are necessary to protect our Nation. Put simply, the USA FREEDOM Act of 2015 strikes the balance we need—making sure that our government can keep our Nation safe without trampling on our citizens' fundamental privacy rights.

Of course, the public cannot know if we are succeeding in striking that balance if they do not have access to even the most basic information about our major surveillance programs. That is why my focus has been on the legislation's transparency provisions. Under the provisions I wrote with Senator

HELLER, the American people will be better able to decide for themselves whether we are getting this right.

For all these reasons, the act has my strong support. And I am in good company. The House has passed it. The President is ready to sign it. We have the votes here to pass it. So what are we waiting for?

Senator MCCONNELL has offered several amendments. And here is the problem: They deviate from the House bill without improving the legislation. At best, the result of adopting these amendments would be further delay, further negotiation, and a highly uncertain outcome.

Now that we have allowed the national security authorities at issue to expire, we simply do not know how the House would proceed if we sent them back a modified bill. Maybe that kind of risk and delay would be justified if these amendments improved the bill, but they do not. I would like to talk a little bit about why these amendments are both unnecessary and problematic.

The majority leader's main substitute amendment makes two additions to the bill. The first is a requirement that electronic communications service providers notify the government if they plan to shorten the length of time they retain call detail records—records that the government may seek to query under the USA FREEDOM Act.

The fact is, based on how our country's telecom infrastructure is set up, the government only goes to a handful of companies for call detail records, and those companies have told us they have business reasons for retaining records. Based on a long history of working with these companies—under these authorities, other authorities—the Attorney General and the Director of National Intelligence have told us the USA FREEDOM Act is fine as it is. There simply is not a problem in need of a solution here. And look, this is the kind of thing that we can revisit if in the future some change in circumstances means that data retention threatens to become a problem. It certainly does not need to risk derailing the bill and its reforms now.

The second change in the majority leader's substitute amendment is a certification requirement asking the Director of National Intelligence to certify to Congress that the USA FREEDOM Act's transition from bulk collection of call detail records to a more targeted approach is operationally effective.

To be clear, this certification, whether issued or not, in no way affects the effective date of the bill or the timeline for the transition. It has no statutory limitations. It is a wholly unnecessary deviation from the House-passed bill. If there is a problem with the operational effectiveness of the transition, you can bet that the Director of National Intelligence is going to let us know, and I would certainly hope and expect that we would all be ready to listen and work with him at that point. Again, this is the kind of thing that should not risk derailing the bill now.

The majority leader has offered other amendments that seek to weaken the USA FREEDOM Act more directly. One amendment would lengthen the time before the bill with its various reforms goes into full effect. That would do nothing but unnecessarily extend bulk collection programs. NSA has told us they can transition in 6 months, as provided for in the bill as it stands. There is no justification for extending the timeline now.

Another amendment would render ineffective one of the safeguards for Americans' privacy rights and civil liberties in the bill. This amendment would weaken the role of outside, nongovernment experts in participating in certain cases before the FISA Court. That is an unacceptable change to a provision that has already been the subject of bipartisan negotiations and compromise.

That is really the thing to remember—this is a compromise bill. In writing our transparency provisions, Senator HELLER and I had to compromise a great deal. We didn't get everything we wanted when we initially negotiated these provisions last year, and we had to compromise further still this year. I am disappointed that the bill doesn't include all of the requirements that were agreed to in our discussions with the intelligence community and that were included in the Senate bill last Congress. But that is the nature of bipartisan compromise. And I recognize that right now we need to start by taking one big step in the right direction, and that is by passing the USA FREEDOM Act.

Down the road, we will have the opportunity to revisit these issues as needed. For my part, I am committed to pushing my colleagues to revisit the transparency provisions. We still have work to do, particularly with regard to section 702, which has to deal with the collection of communications of foreigners abroad. But, again, right now it is clear what needs to happen in this Chamber. We need to pass the House-passed USA FREEDOM Act without further amendment. If we do that, we can get these authorities back up and running. That is exactly what we should do.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I wish to thank the Senator from Minnesota for his words. The press and everybody else does not see the hundreds of hours of negotiations between Democrats and Republicans, Senators and Members of the House of Representatives working on this. The Senator from Minnesota is one of those who worked very hard to get us to the point where we are today. It has not been easy. Nobody got everything they wanted. I didn't get everything I wanted. Senator LEE didn't get everything he wanted. The Senator from Minnesota didn't get everything he wanted. But because of the work of people such as the Senator from Minnesota, we have a far better piece of legislation, and it is probably why it passed overwhelmingly in the other body, with Republicans and Democrats agreeing. In fact, that is why we have to reject these amendments and we have to cleanly pass the House-passed USA FREEDOM Act.

Again, I cannot emphasize to Senators how much time has gone into this by key Republicans and key Democrats in the House and key Republicans and key Democrats in the Senate. We have worked behind the scenes for days, weeks, and months to get here.

Cleanly passing the House-passed USA FREEDOM Act is the only way to avoid prolonging the uncertainty that the intelligence community now faces because of the lapse in the three authorities this past Sunday. I think both Senator LEE and I would agree the lapse in authorities was entirely avoidable. The Senate majority has put the intelligence community and the American people in this position because of a manufactured crisis, procedural delays.

Understand that any changes in this bill—as I have stated and as the distinguished senior Senator from California has indicated, as well as others, any changes in the bill will force it back to the House, and there is absolutely no guarantee that the House will accept the Senate's changes and pass the new bill. In fact, the House Republican majority leader said this morning that it would be a challenge to pass any bill that came back with changes. The Republican chairman of the House Judiciary Committee put it more bluntly. He warned that any amendments would likely make the sunsets permanent. Keep that in mind.

We can pass some amendments we may not think are major, although some of us think they are, but by passing them, all those who say they want to give the tools to the intelligence community—they are making the sunsets permanent if we pass these amendments.

So I urge Senators to oppose all of the amendments that are being offered by the majority leader. Senator BLUMENTHAL, Senator FRANKEN, and others have spoken about the reasons to oppose the FISA Court amicus amendment and the substitute amendment. I agree with them wholeheartedly, and I thank them for their leadership. As I said earlier to others, Senator BLUMENTHAL used his experience as a former attorney general, former U.S. attorney to work on the amicus provision.

I also urge Senators to oppose the amendment which would leave the current bulk collection program in place for a full year. Extending the current bulk collection program for a full year

is unnecessary. Beyond being unnecessary, it creates significant legal uncertainty for the government. Remember, a Federal appellate court has already ruled that the program is unlawful, and they upheld a provision assuming that Congress is going to change it. But it is very obvious when we read the Second Circuit opinion that they mean a relatively short time, not a year.

So the amendment to leave the bulk collection program in place for a full year is only going to invite further legal challenges. It will also delay implementation of tools the intelligence community has asked us to provide, including what is in this bill—a new emergency authority to request business records under section 215.

I can't say enough about all of the work we have put in for 2 years across the aisle and across the Capitol. This is a bill which brings much needed reform to the government's surveillance authorities, but it also ensures that the intelligence community has the tools to keep us safe.

The USA FREEDOM Act is milestone legislation. It will enact the most significant reforms of government surveillance powers since the USA PATRIOT Act. I am proud of the bipartisan and the bicameral effort that led to this bill.

Today, we can pass important surveillance reform legislation and then work to build on these reforms in coming years.

So I urge Senators to oppose all amendments and then vote to pass the USA FREEDOM Act, just as the House passed it. We don't need to inject any more uncertainty or delay into the process. None of these amendments are worth causing further delay. Pass it. This will be signed into law tonight by the President.

I see the distinguished majority leader on the floor, so I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

AMENDMENT NO. 1453

If not, the question is on agreeing to amendment No. 1453.

AMENDMENT NO. 1452

Mr. MCCONNELL. I move to table amendment No. 1452.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

VOTE ON AMENDMENT NO. 1451

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1451.

Mr. MCCONNELL. 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 bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—42

Alexander	Crapo	Perdue
Ayotte	Ernst	Portman
Barrasso	Fischer	Risch
Blunt	Flake	Roberts
Boozman	Grassley	Rounds
Burr	Hatch	Rubio
Capito	Hoeven	Sasse
Cassidy	Inhofe	Sessions
Coats	Isakson	Shelby
Cochran	Johnson	Thune
Collins	King	Tillis
Corker	Kirk	Toomey
Cornyn	McCain	Vitter
Cotton	McConnell	Wicker

NAYS—56

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Paul
Booker	Heller	Peters
Boxer	Hirono	Reed
Brown	Kaine	Reid
Cantwell	Klobuchar	Sanders
Cardin	Lankford	Schatz
Carper	Leahy	Schumer
Casey	Lee	Scott
Coons	Manchin	Shaheen
Cruz	Markey	Stabenow
Daines	McCaskill	Sullivan
Donnelly	Menendez	Tester
Durbin	Merkley	Udall
Enzi	Mikulski	Warren
Feinstein	Moran	Whitehouse
Franken	Murkowski	Wyden
Gardner	Murphy	

NOT VOTING—2

Graham	Warner

The amendment (No. 1451) was rejected.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 1735

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to H.R. 1735, which is the Defense bill, be withdrawn; further, that at 11 a.m. on Wednesday, June 3, the Senate proceed to the consideration of H.R. 1735, and it be in order for Senator MCCAIN to offer amendment No. 1463, the text of which is identical to S. 1376, the Armed Services Committee-reported NDAA bill; finally, that the time until 2:30 p.m. be for debate only and equally divided between the bill managers or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, we are not the sort of minority party that objects to virtually everything. We want to help move things forward. But I also want to be clear that we are not going to require a vote to move forward on the Defense authorization bill. But everyone should be aware that the President said he would veto this bill. It has all of this strange funding in it—funding that my Republican colleagues railed against on previous occasions. Now they are using it.

We have grave concerns about this bill. Unless it is changed, I repeat, the President will veto it. I hope there are some significant changes in the bill while it is on the floor so we can help to vote to get it off the floor. So based upon that, I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 1450

The question is on agreeing to amendment No. 1450.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 199 Leg.]

YEAS—44

Alexander	Ernst	Risch
Ayotte	Fischer	Roberts
Barrasso	Flake	Rounds
Blunt	Grassley	Rubio
Boozman	Hatch	Sasse
Burr	Hoeven	Schatz
Capito	Inhofe	Scott
Cassidy	Isakson	Sessions
Coats	Johnson	Shelby
Cochran	Kirk	Thune
Collins	McCain	Tillis
Corker	McConnell	Toomey
Cornyn	Nelson	Vitter
Cotton	Perdue	Wicker
Crapo	Portman	

NAYS—54

Baldwin	Gardner	Moran
Bennet	Gillibrand	Murkowski
Blumenthal	Heinrich	Murphy
Booker	Heitkamp	Murray
Boxer	Heller	Paul
Brown	Hirono	Peters
Cantwell	Kaine	Reed
Cardin	King	Reid
Carper	Klobuchar	Sanders
Casey	Lankford	Schumer
Coons	Leahy	Shaheen
Cruz	Lee	Stabenow
Daines	Manchin	Sullivan
Donnelly	Markey	Tester
Durbin	McCaskill	Udall
Enzi	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—2

Graham	Warner

The amendment (No. 1450) was rejected.

VOTE ON AMENDMENT NO. 1449

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1449.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 200 Leg.]

YEAS—43

Alexander	Ernst	Risch
Ayotte	Fischer	Roberts
Barrasso	Grassley	Rounds
Blunt	Hatch	Rubio
Boozman	Hoeven	Sasse
Burr	Inhofe	Scott
Capito	Isakson	Sessions
Cassidy	Johnson	Shelby
Coats	King	Thune
Cochran	Kirk	Tillis
Collins	McCain	Toomey
Corker	McConnell	Vitter
Cornyn	Nelson	Wicker
Cotton	Perdue	
Crapo	Portman	

NAYS—56

Baldwin	Gardner	Murphy
Bennet	Gillibrand	Murray
Blumenthal	Heinrich	Paul
Booker	Heitkamp	Peters
Boxer	Heller	Reed
Brown	Hirono	Reid
Cantwell	Kaine	Sanders
Cardin	Klobuchar	Schatz
Carper	Lankford	Schumer
Casey	Leahy	Shaheen
Coons	Lee	Stabenow
Cruz	Manchin	Sullivan
Daines	Markey	Tester
Donnelly	McCaskill	Udall
Durbin	Menendez	Warner
Enzi	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Flake	Moran	Wyden
Franken	Murkowski	

NOT VOTING—1

Graham

The amendment (No. 1449) was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator LEAHY be recognized for 3 minutes. Then, I would say to my colleagues, I am going to use my leader time to make a final statement, and then we will be ready for the final vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished majority leader for his courtesy.

Very briefly, we worked for 2 years across the aisle and actually across the Capitol. I don't know how many meetings Senator LEE, and others, and I have had. Now the Senate is finally poised to pass our USA FREEDOM Act and send it to the President for his signature. This bill brings much-needed reform to the government's surveillance authorities. It will end the bulk collection of Americans' phone records, increase transparency, improve oversight, and, most importantly, help restore Americans' privacy—all while ensuring that the intelligence community has the tools it needs to keep us safe.

I am proud to have done this. I have fought to protect the privacy and constitutional rights of Vermonters and all Americans since 1975, when I cast my first-ever vote as a Senator to approve the establishment of the Church Committee. I will continue to fight for Americans' privacy.

I urge Senators to vote to pass the USA FREEDOM Act.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. I will now proceed on my leader time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, earlier this year I observed that President Obama's national security policy has been noteworthy for its consistent objectives. He has been very consistent—drawing down our conventional and nuclear forces, withdrawing from Iraq and Afghanistan, ending the tools developed by the previous administration to wage the war on terror, and placing a greater reliance upon international organizations and diplomacy. That has been the hallmark of the Obama foreign policy.

None of this is a surprise. The President ran in 2008 as the candidate who would end the wars in Iraq and Afghanistan and the war on terror. And our Nation has a regrettable history of drawing down our forces and capabilities after each conflict, only to find ourselves ill prepared for the next great struggle.

The book ends to the President's policies were the Executive order signed his very first week in office that included the declaration that Guantanamo would be closed within a year, without any plan for what to do with its detainees, and the Executive order that ended the Central Intelligence Agency's detention and interrogation programs. Now, some of these detainees, my colleagues, are now in Qatar, preparing to rejoin the Taliban. Some are in Uruguay, camped out in a park across from the American embassy. And, regrettably, some are back on the battlefield in Yemen, Afghanistan, and Syria. These are other hallmarks of the Obama foreign policy.

Last year the President announced that all of our combat forces would be withdrawn from Afghanistan by the end of his term in office, whether or not—whether or not—the Taliban were successful in capturing parts of Afghanistan, whether or not Al Qaeda senior leadership has found a more permissive environment in the tribal areas of Pakistan, and whether or not Al Qaeda has been completely driven from Afghanistan.

I will repeat. The pattern is clear. The President has been a reluctant Commander in Chief. And between those two book ends, my colleagues, much has occurred that has undermined our national security.

There was the failure to negotiate a status of forces agreement with Iraq that would have allowed for a residual military force and prevented the assault by the Islamic State of Syria and the Levant. China is aggressively expanding its sphere of influence. There is the threat to veto funding for the troops—we just heard it from the minority leader—and their equipment without similar increases at the IRS and EPA.

Let me say that again. The President is threatening to veto the Defense bill unless we increase funding for the IRS and EPA. Now, this is going to diminish our military's ability to respond to the myriad of threats that are facing us today. And we all know what they are. Al Qaeda in the Arabian Peninsula has doggedly pursued tactics and capabilities to circumvent all that we have done since September 11, 2001, to defend our country.

So while the President has inflexibly clung to campaign promises made in 2008, the threat from Al Qaeda has metastasized around the world. ISIL, which has broken off from Al Qaeda, uses social media to communicate with Americans, divert them to encrypted communications, encourage travel to the would-be caliphate, and encourage attacks right here at home. Al Qaeda and ISIL publish online magazines instructing individuals in terrorist tactics. And in the long run, the al-Nusra Front in Syria may present the greatest long-term threat—the greatest long-term threat—to our homeland.

The President's efforts to dismantle our counterterrorism tools have not only been inflexible, but they are especially ill timed.

So today the Senate will vote on whether we should take one more tool away from those who defend this country every day: the ability of a trained analyst, under exceedingly close supervision, and only with the approval of the Foreign Intelligence Surveillance Court, to query a database of call data records based on reasonable articulable suspicion—no content, no names, no listings of phone calls of law-abiding citizens. None of that is going on. We are talking about call data records.

These are the providers' records, which is not what the Fourth Amendment speaks to. It speaks to ''the right of the people to be secure in their persons, houses, papers, and effects.'' But these records belong to the phone companies. Let me remind the Senate that the standard for reasonable articulable suspicion is that the terror suspect is associated with a ''foreign terrorist organization'' as determined by a court. Nobody's civil liberties are being violated here.

The President's campaign to destroy the tools used to prevent another terrorist attack has been aided by those seeking to prosecute officers in the intelligence community, to diminish our military capabilities, and, despicably, to leak and reveal classified information—putting our Nation further at risk.

Those who reveal the tactics, sources, and methods of our military and intelligence community give a playbook—a playbook—to ISIL and to Al Qaeda. As the Associated Press declared today, the end of the section 215 program is a ''resounding victory for Edward Snowden''—a ''resounding victory for Edward Snowden.'' It is also a resounding victory for those currently plotting attacks against our homeland.

Where was the defense of the National Security Agency from the President? Our chairman of the Intelligence

Committee and his committee colleagues have worked with determination to educate the Senate concerning the legal, technical, and oversight safeguards currently in place.

We hear concerns about public opinion. A CNN poll was released today—just today. The CNN poll is not exactly part of the rightwing conspiracy. It states that 61 percent of Americans—61 percent of Americans—think that the expiring provisions of the PATRIOT Act, including data collection, should be renewed.

So if there is widespread concern out of America about privacy, we are not picking it up. They are not reporting it to CNN. Sixty-one percent say: I am not concerned about my privacy. I am concerned about my security.

So my view is that the determined effort to fulfill campaign promises made by the President back in 2008 reflects an inability to adapt to the current threat—what we have right now—an inflexible view of past political grievances and a policy that will leave the next President in a weaker position to combat ISIL.

I cannot support passage of the so-called USA FREEDOM Act. It does not enhance the privacy protections of American citizens, and it surely undermines Americans' security by taking one more tool from our war fighters, in my view, at exactly the wrong time.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, if my friend the majority leader is concerned, as he should be, about why the country is less secure—especially in the last couple of weeks—he should look in the mirror. We have a situation where he has tried to divert attention from what has gone on here. It was as if there had been a big neon sign flashing saying: You can't do highway reauthorization, you can't do FISA reauthorization, and you can't do trade in 4 or 5 days.

To do this right, we should have spent some time on FISA. Because of the mad rush to do trade, that did not happen. So today to try to divert attention from what I believe has been a miscalculation of the majority leader, it is making this country less safe. Every day that goes by with the FISA bill not being reauthorized is a bad day for our country. It makes us less safe. And to try to divert attention, as he has tried doing in the last few minutes—blaming the Obama administration for stopping torture, the detention centers, pulling troops out of Iraq—I say, my friend is looking in the wrong direction.

The issue before us is not to be—and he is, in effect, criticizing the House of Representatives for passing this FISA bill, to reauthorize it in a way that is more meaningful to the American people and makes us more safe. It makes it so people feel more secure about the intelligence operations we have going on in this country.

Is he criticizing the Speaker for working hard to get this bill reauthorized and in a fashion the American people accept? Because his criticism today is not directed toward people who voted here today; it is directed toward the bipartisan efforts in the House of Representatives that passed this bill overwhelmingly, with 338 votes. It is one of a few bipartisan things they have done over there, and they did it for the security of this Nation. I do not think any of us needs a lecture on why we are less secure today than we were a few days ago. I hope everyone will vote to continue the surveillance possibilities that we have available if this law passes. If it does not pass, what are we going to do? It will go to the House of Representatives. The majority leader of the House of Representatives, the distinguished House Member from California, Mr. MCCARTHY, said: They do not want anything from us. They want this bill passed. They want the USA FREEDOM bill passed today. That is what the chairman of the Judiciary Committee, Mr. GOODLATTE, said. Of course, that is what the Democratic leader says also.

Let's vote. A vote today to pass this bill will make our country safer immediately, not a week from now. That is how long it will take, at a minimum, if this bill is changed when it goes to the House—I am sorry—if it does not go to the President directly, and it should go directly from here to the President of the United States. He can sign this in a matter of hours and put us back on a more secure footing to protect ourselves from the bad guys around the world.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, as my good friend, the minority leader, frequently reminded me over the last few years, the majority leader always gets the last word.

Look, his fundamental complaint is he does not get to schedule the Senate anymore. He wanted to kill the President's trade bill, and so he did not like the fact that we moved to the trade bill early enough before the opposition to it might become more severe.

I say to the Senator, the minority leader, he does not get to set the schedule anymore. My observations about the President's foreign policy are directly related to the vote we are about to cast. It remains my view—I know there are differences of opinion, and I respect everybody in here who has a different opinion—that this bill is part of a pattern to pull back, going back to the time the President took office. I remember the speech in Cairo back in 2009 to the Muslim world, which sought to question American exceptionalism. We are all pretty much alike. If we just talked to each other more, everything would be OK. In almost every measurable way, all the places I listed, plus Ukraine—you name them—we have been pulling back. My view with regard to my position and my vote is that this is a step in the wrong direction. But I respect the views of others, and I suspect the minority leader will be happy at the end of the day. It appears to me the votes are probably there to pass this bill, and it will go to the President. I still think it is a step backward from where we are. It has been a great debate. I respect all of those who engaged in it on both sides. I think it is time to vote.

I yield the floor.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 32, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—67

Alexander	Gardner	Murkowski
Ayotte	Gillibrand	Murphy
Bennet	Grassley	Murray
Blumenthal	Heinrich	Nelson
Booker	Heitkamp	Peters
Boozman	Heller	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Rounds
Cantwell	Inhofe	Schatz
Capito	Johnson	Schumer
Cardin	Kaine	Scott
Carper	King	Shaheen
Casey	Kirk	Stabenow
Cassidy	Klobuchar	Sullivan
Coons	Lankford	Tester
Cornyn	Leahy	Udall
Cruz	Lee	Vitter
Daines	Manchin	Warner
Donnelly	Markey	Warren
Durbin	McCaskill	Whitehouse
Feinstein	Menendez	Wyden
Flake	Merkley	
Franken	Mikulski	

NAYS—32

Baldwin	Ernst	Roberts
Barrasso	Fischer	Rubio
Blunt	Hatch	Sanders
Burr	Isakson	Sasse
Coats	McCain	Sessions
Cochran	McConnell	Shelby
Collins	Moran	Thune
Corker	Paul	Tillis
Cotton	Perdue	Toomey
Crapo	Portman	Wicker
Enzi	Risch	

NOT VOTING—1

Graham

The bill (H.R. 2048) was passed.

The PRESIDING OFFICER. 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; further, that at 5 p.m., Senator ROUNDS be

recognized to deliver his maiden speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

Mr. LEAHY. Mr. President, the bill we just passed is a historic moment. It is the first major overhaul of government surveillance laws in decades that adds significant privacy protections for the American people. It has been a long and difficult road, but I am proud of what the Congress has achieved today. This is how democracy is supposed to work. Congress is ending the bulk collection of Americans' private phone records once and for all.

To my partners in the Senate on both sides of the aisle, I thank you. Senator LEE, whose name is on our bill here in the Senate, believes strongly in our constitutional system of government. He has worked tirelessly to advance this bill from the day we first introduced the USA FREEDOM Act. Senator FRANKEN has devoted himself to the transparency measures in the bill. Senator BLUMENTHAL shaped the FISA Court amicus provisions. This was hard fought, and they never wavered.

I also want to thank Senators HELLER, CRUZ, MURKOWSKI, DAINES, DURBIN, and SCHUMER, the other original cosponsors of this bill. They have each worked to help advance this legislation and build the coalition we needed to finally get to our strong bipartisan vote in the Senate for passage. I must also mention Senator FEINSTEIN, who provided invaluable support to get this bill across the finish line. Of course, I also need to thank Minority Leader REID, who has never wavered in his strong support and responsible leadership.

On the House side, Chairman GOODLATTE and Congressmen SENSENBRENNER, CONYERS, and NADLER have been the kind of bipartisan partners on this bill that every legislator wants in their corner.

I also need to thank Senators WYDEN and HEINRICH and former Senator Mark Udall, who used their positions on the Senate Intelligence Committee to ask the hard questions behind closed doors and who have fought to end this program for so long.

While we have much work to do, we have accomplished something momentous today. We are a better nation for it.

I also want to thank the many staffers who have worked long hours on this legislation for nearly two years now. On my own Judiciary Committee staff, I thank Chan Park, Lara Flint, Jessica Brady, Hasan Ali, Patrick Sheahan, Logan Gregoire, Jonathan Hoadley, Joel Park and Kristine Lucius. My personal office staff, including J.P. Dowd, Erica Chabot, David Carle, John Tracy and Diane Derby, also worked hard on this effort, and I am grateful for that. I also want to thank Democratic and Republican Senate staffers who have toiled countless hours on this effort, including Matt Owen, Mike Lemon, Wendy Baig, James Wallner, Josh Finestone, Scarlet Doyle, Ayesha Khanna, Alvaro Bedoya, Helen Gilbert, Samantha Chaifetz, Sam Simon, John Dickas, Chad Tanner, and Jennifer Barrett.

We not only worked across the aisle on this legislation, but we also worked across the Capitol. The bipartisan group of House staff who helped to craft this compromise bill and generated such an overwhelming vote on this legislation deserve enormous credit for their work: Caroline Lynch (who along with Lara Flint deserves a perfect attendance award for extensive negotiating sessions), Bart Forsyth, Aaron Hiller (whose wife deserves our thanks as she had a baby just weeks before the House considered the bill), Jason Herring, Shelley Husband, Branden Ritchie, and Perry Apelbaum.

I thank those at the White House who devoted countless hours including Josh Pollack, Jeff Ratner, Ryan Gillis, Michael Bosworth, and Chris Fonzone. I also appreciate the work of so many other executive branch officials at the Justice Department, Federal Bureau of Investigation, Office of the Director of National Intelligence, and National Security Agency who work so hard to keep our country safe and answered our questions at all hours of the day and night.

I also need to thank the many public interest groups, on all ends of the political spectrum, who stuck with us despite many challenges. There are too many to name, but without their energy and expertise, this reform effort would never have come to fruition. Likewise, the technology industry provided invaluable input and support for this legislation.

And finally, I would like to thank the dedicated staff in the Office of Senate Legislative Counsel, whose tremendous work in assisting us with legislative drafting often goes unnoticed and unrecognized. In particular, I want to thank John Henderson, Kim Albrecht-Taylor, and James Ollen-Smith for their assistance and technical expertise.

Seeing nobody else seeking recognition, 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. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, today I am here for the 101st time to urge this body to wake up to the threat of climate change. It is real, it is caused by carbon pollution, and it is dangerous.

There is a legislative answer to this problem that my Republican colleagues should consider, and that is a carbon fee.

The unpleasant fact here in Congress presently, anyway, is that Congress is ruled by the lobbyists and the political enforcers for the fossil fuel industry. But outside this Chamber, where the fossil fuel industry's power is less fierce, there is considerable conservative support for a carbon fee.

Leading right-of-center economists, conservative think tanks, and former Republican officials, both legislative and executive, all say that putting a price on carbon pollution is the right way to deal with climate change. They know that climate denial cannot stand against the facts. As the Washington Post reported last month, prominent thinkers on the right are ''increasingly pushing'' for a climate policy based on conservative principles and on values such as property rights, market efficiency, and personal liberty. They recommend pricing carbon.

Jerry Taylor, a former vice president at the CATO Institute now leads his own Libertarian think tank, which is making the case for a carbon fee. He recognized that ''the scientific evidence became stronger and stronger over time.'' He knows climate denial is not an option. He says that ''because catastrophic climate change is a nondiversifiable risk, we should logically be willing to pay extra to avoid climate risks.'' Taylor points out that hedging against terrible outcomes is what we expect in our financial markets. Why should we not do the same for climate change?

Conservatives have also long agreed that government should prevent one group harming another. Conservative economist Milton Friedman still tops the reading lists of Republicans in Congress. Republican Presidential hopefuls still invoke his name to show their free market bona fides. Asked whether the government had any role to play in reducing pollution, Friedman said:

> There's always a case for the government to do something about it. Because there is always a case for the government to some extent when what two people do affects a third party.

Friedman is describing what he called ''neighborhood effects'' or what many economists call ''negative externalities.'' A negative externality is when two parties engage in a transaction and the result of that transaction causes damage to a third party—a third party that did not consent to the arrangement. That is an externality, and when the consequence is harmful, it is a negative externality. In a free society, wrote Friedman, government exists, in part, to diminish those negative externalities.

When the costs of such negative externalities don't get factored into the price of a product, even conservative economic doctrine classifies that

as a subsidy. For the polluters who traffic and burn fossil fuels, that subsidy is huge.

In a finding it describes as ''shocking,'' the International Monetary Fund estimated the true costs of fossil fuel energy, taking into account public health problems, climate change, and other negative externalities, and they added it up to a polluter world subsidy of $5.3 trillion a year. The subsidy here in the United States for the fossil fuel industry will hit $699 billion this year.

It is no wonder the fossil fuel enforcers wield their clout in Congress so energetically. At $700 billion a year just in the United States, why would the big polluters not want to squeeze one more fiscal quarter, one more year of public subsidy out of the rest of us at $700 billion a year? We usually talk about big numbers here in the Senate over a 10-year period. That is the way our budget works. Over a 10-year budget period, that is $7 trillion. No wonder they are so remorseless.

From their point of view, lunch is good when someone else is picking up the tab, and Senate Republicans have been far too willing to let the polluters dine for free. Outside of this Chamber, however, conservative economists call such an enormous public subsidy a market failure. The price of fossil fuel energy does not match its true costs. That market imbalance artificially favors polluting fuels and their producers—picking winners and losers, if you will.

A carbon fee can make the markets more efficient and level the playing field for different types of energy. Anyone who really believes in a free market should favor a carbon fee. That is what makes it work.

Harvard Professor N. Gregory Mankiw has been an economic adviser to President George W. Bush and to Presidential candidate Mitt Romney. He has pointed out that a carbon fee can help repair such a market failure and that ''the idea of using taxes to fix problems, rather than merely raise government revenue, has a long history.''

In a 2013 New York Times op-ed, former Republican EPA Administrators Bill Ruckelshaus, Christine Todd Whitman, Lee Thomas, and William Reilly wrote: ''A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions.''

A carbon fee can also generate significant revenue, and this could help achieve conservative priorities, such as lowering taxes. Art Laffer, one of the architects of President Reagan's economic plan, popularizer of the famous ''Laffer curve,'' has looked at using a carbon tax to fund a payroll tax cut. He said: ''I think that would be very good for the economy.''

Did you get that? Arthur Laffer, President Reagan's economic adviser, said that a carbon tax, funding a payroll tax cut, ''would be very good for the economy.'' And as an adjunct, he continues: ''It would also reduce carbon emissions into the environment.''

It is a pretty simple idea. You can lessen the tax burden on things that you do want—employment, jobs, profits—and make up for the lost revenue by ending the subsidy of something you don't want—pollution.

What is not to love unless you are a big polluter? Dr. Irwin Stelzer, an editor at the Weekly Standard and director of economic policy studies at the conservative Hudson Institute, said that for a tax-swapping carbon fee, ''conservative support would depend solely on a desire to get the economy growing faster by shifting the tax burden from good stuff like work to bad stuff like pollutants.''

The fundamental conservative faith in the free market points to a carbon fee. A carbon fee priced at the true social cost of carbon would allow the market—not the polluters, not the government—to sort out which energy mix is best for society. On this question, Republicans have a choice to make: Are they real conservatives who will support a free market solution or are they the playthings of the fossil fuel industry, which will not pick up this question at all?

Well, if you do not like picking winners and losers, then quit favoring fossil fuel to the tune of $700 billion a year just in America and level the playing field with a good, conservative, deficit neutral carbon fee. Level the playing field.

That is how George Shultz sees it. George Shultz was President Nixon's Treasury Secretary and President Reagan's Secretary of State. He and Nobel laureate economist Gary S. Becker made the case for a carbon fee in the Wall Street Journal:

> Americans like to compete on a level playing field. All the players should have an equal opportunity to win based on their competitive merits, not on some artificial imbalance that gives someone or some group a special advantage.

That is why Secretary Shultz supports a price on carbon.

As an addition, there is also a huge economic win that will result, according to knowledgeable conservatives. Last year, George W. Bush's Treasury Secretary, Hank Paulson, said, ''A tax on carbon emissions will unleash a wave of innovation to develop technologies, lower the costs of clean energy and create jobs as we and other nations develop new energy products and infrastructure.''

Former Republican Congressman Bob Inglis has become a leading conservative voice in the fight against climate change. He specifically supports using a carbon fee and even introduced legislation when he was in Congress to price carbon and cut payroll taxes, the Laffer combination. Last year, he told the Dallas Morning News that this would create economic opportunity.

He said:

> [W]e are discovering in climate science . . . that there is a risk that we can avoid from the creative innovation that comes from free enterprise. We have a danger and an opportunity. As a conservative, I say what a great opportunity to create wealth, innovate, and sell innovation around the world.

By the way, Representative Inglis's dedication to this issue recently earned him the John F. Kennedy Profile in Courage Award. I offer him my sincere congratulations. It does, indeed, take courage to come out from behind the veil of skepticism and denial to face the plain truth and to propose real, concrete solutions. That is especially true when the fossil fuel industry wields such relentless, remorseless power over the Republican Party today.

President Obama's Clean Power Plan is at last putting an end to the free lunch for the fossil fuel industry. This ought to motivate the industry to rethink its inequitable, subsidy-ridden business model. Which is more efficient, anyway—government regulation or proper market pricing?

As American Enterprise Institute scholars Kevin Hassett, Steven Hayward, and Kenneth Greene put it, ''Because a carbon tax would cause carbon emissions to be reduced efficiently across the entire market, other measures that are less efficient—and sometimes even perverse in their impacts—could be eliminated . . . As regulations impose significant costs and distort markets, the potential to displace a fairly broad swath of environmental regulations with a carbon tax offers benefits beyond [greenhouse gas] reductions''—i.e., economic benefits.

Republicans in Congress have a real chance to help remake the U.S. energy market under conservative, free market principles. As far back as 1992, former Chairman of President Reagan's Council of Economic Advisers, Martin Feldstein, wrote in the Wall Street Journal:

> Although a general carbon fuel tax is moot for the moment, the idea will not go away. If carbon dioxide emissions are to be reduced further in the U.S., such a tax will achieve the goal with less economic waste than new bureaucratic hurdles.

Why don't today's Republicans abide by this conservative principle? As Douglas Holtz-Eakin, CBO Director under the prior Republican Congress and economic adviser to our friend Senator MCCAIN's Presidential bid, wrote in the National Review, ''In the bad old days, Democrats bad-mouthed trading systems and price mechanisms; Republicans opposed rifle-shot subsidies and mandates. Weirdly, conservatives have a need to relearn these lessons.''

Well, the carbon fee is right in line with Douglas Holtz-Eakin's lessons to be learned.

On June 10, I will introduce my carbon fee proposal at an event hosted by the American Enterprise Institute. I hope that once my colleagues see the details, they will take seriously the promise of a free market solution to climate change. For any Senator who wants to engage on this issue, I am interested. I will gladly work with any

Republican colleague. What we cannot do is stay in denial. For both our environment and our economy, and indeed our honor, we cannot afford to keep sleepwalking. It is time to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

USA FREEDOM ACT

Mr. TOOMEY. Madam President, I rise today to speak on H.R. 2048, the USA FREEDOM Act. I want to put it in some context and discuss why I voted the way I did today, but first, a little background.

It has been now more than a decade since Al Qaeda launched its deadly attacks on U.S. soil that we all remember so well, killing 2,977 people in New York City, in Washington, DC, and just outside of Shanksville, PA, injuring about 2,700 more, and taking away far too many parents, children, wives, husbands, families, and friends.

As we gather here today, we face other grave threats as well. One of the most grave threats is the threat of the Islamic State of ISIS. Secretary of Defense Hagel described it this way. He said ISIS is ''beyond anything that we've seen'' and constitutes an ''imminent threat to every interest we have.''

We know this is a brutal group. They behead people. They crucify people. They burn people alive. They systematically sell young girls into slavery. They control large regions in the Middle East now. They have their sights set on attacking the United States.

We know there are radicalized ISIS sympathizers and adherents here in the United States. Many of them are eager to carry out this group's destructive ambitions right here in our own country.

We know ISIS has the resources to carry out attacks on our homeland. Al Qaeda spent about half a million dollars. That is what it cost them to plan and execute the entire attack on the World Trade Center and the Pentagon. ISIS has amassed a $2 billion fortune—4,000 times as much money as Al Qaeda spent on September 11. ISIS collects something on the order of an additional $1 million to $2 million every day through the variety of means it has because of the land it controls. So this is a very serious threat.

Like any other threat, we have an obligation to protect the American people from this to the extent we can. In the process, we have an obligation to strike an appropriate balance between the national security we owe our constituents, the American people, and the robust civil liberties we ought to protect because they are enshrined in our Constitution and important to our country. In my view, section 215—the controversial part of the USA PATRIOT Act—appropriately struck that balance.

The best policy we could have pursued this week would have been to reauthorize section 215 in pretty much the form it has been in. If we had done so, we would have been repeating what we had done many times before by overwhelming bipartisan majorities I think seven previous times. In 2005, 2006, 2009, 2010, and 2011, Congress reauthorized the USA PATRIOT Act, including section 215. Congress did that because there is nothing radical about section 215 or the PATRIOT Act. This—what became a very controversial section recently—simply gave our national security officials the same kind of ability to access documents, reports, and other tangible items when investigating a potential international terrorist attack that a grand jury has and has long had when investigating ordinary criminal events such as a car theft.

It is important to note what section 215 did not authorize. It did not authorize the NSA to conduct wiretaps or listen in on any phone conversations. That has never happened. Despite that, there has been rampant misinformation about the telephone metadata program, as it is referred to, that was conducted under section 215, so I want to discuss that a little bit.

I think one of the most important things to stress here is that this metadata program contained only information a third party had. It was not private information that an individual possessed; it was third-party information held by a telephone company. What is that information the phone companies have always had? It is a phone number. It is a date and time of a call. It is the duration of a call. It is the number being called. That is it. That is the sum total of all of the information in this so-called metadata program. Because that is all the information, it was completely anonymous. Not only did it not include any context of any conversation—that was not possible. Conversations have never been recorded, so the contents have never been captured. But it also did not contain any identifying information with the phone numbers. There are no names, no addresses, no financial information. There is no information that would in any way identify anybody with any particular number.

So what did the government do with the metadata it had received? Well, it stored it all in a big database, on a big spreadsheet with all of those numbers. That is all it was, was a lot of numbers.

When the government discovered a phone number from a known terrorist, when a group of special ops American forces took down a terrorist group somewhere and grabbed a cell phone, then the government could conduct a search of the metadata, but first a Federal judge would have to give permission.

After running the search to determine whether in that metadata there had been phone calls between the known terrorists and numbers in that database, even after doing the search, the government still had no information identifying the phone number because that is not in the database. Of course, as I said before, certainly there was no content because content had never been recorded.

But a link might be established—and if it were to be established, if Federal investigators discovered that the known terrorist was in regular phone communications, for instance, with someone in the United States, then that fact could be turned over to the FBI, and the FBI could conduct an investigation, which might be a very useful investigation to have.

Well, we have had a number of officials who have told us how important this program has been, the intelligence value we have received. President Obama, himself, explained that had the section 215 metadata program been in place prior to 9/11, the government might have been able to prevent the attack. Remember, we learned afterward about our inability to connect the dots. This was a program that was designed to enable us to connect those dots.

Even the critics of this program—which, as we know, there are many—have never suggested this program was in any way abused, that any individual person had their rights violated, that there was any breach. That case has never been made, not that I have heard. Given the value of the program—as we have heard from multiple sources—and the complete absence of any record of any abuse of the program, in my view, Congress should have reauthorized this program, including section 215.

But, instead, we have passed an alternative, and that is the USA FREEDOM Act. I voted against this measure today because I am concerned the USA FREEDOM Act does not provide us with the tools we need at a time when the risks have been as great as ever. Let me just mention some of these.

First, under the USA FREEDOM Act, it is entirely possible that the government may not be able to continue any metadata program at all. I say that because the bill explicitly forbids the government from maintaining the database that we have been maintaining and instead the bill assumes that private phone companies will retain the data, and then the government will be able to access that data as needed.

But there is a problem with this assumption. The problem is the bill doesn't require the phone companies to preserve any of this data. Under the USA FREEDOM Act, the phone companies could destroy the metadata instantaneously after a phone call occurs.

They have a regulatory obligation to keep billing information, but a lot of bills are unlimited calls with a single monthly charge. They have no statutory or regulatory requirement to retain the records of these calls. As currently practiced, I am not aware of any phone companies that retain this data for the 5 years our intelligence officials believe is the necessary timeframe to provide the security they would like to provide.

There is another problem, it seems to me, with the USA FREEDOM Act; that is, it is entirely possible the time period contemplated for establishing the software that will enable the government to query the many different private phone company databases—that timeframe will not be long enough. We don't know whether it is going to be long enough. We will just find out, I suppose, when the time comes. But this is a complex exercise that has to be carried out in real time, and the USA FREEDOM Act simply creates a deadline. It doesn't ensure that we will have this in place.

A second concern I have is that the USA FREEDOM Act weakens other intelligence-gathering tools that are unrelated to any of the metadata programs which have received most of the attention.

So the USA FREEDOM Act gives intelligence officials——

The PRESIDING OFFICER. The Senator from Pennsylvania has used 10 minutes.

There is an order to recognize the Senator from South Dakota.

Mr. TOOMEY. Madam President, I ask unanimous consent for 30 seconds to wrap up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Madam President, I conclude by saying that we are at least at as great a risk as we have ever been, and the first priority of the Federal Government of the United States is to protect people of the United States.

I am deeply concerned that the USA FREEDOM Act diminishes an important tool for providing for this security, and I hope that in the coming months we can address this bill and try to correct the many flaws it has.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

REGULATORY REFORM

Mr. ROUNDS. Madam President, I rise, for the first time speaking in this Chamber, to discuss the future of our great Nation, how truly fortunate we are to live in the greatest country in the world.

We are protected by the best military that has ever existed and that, in turn, allows us to live freely here at home, to focus on our God-given rights of life, liberty, and the pursuit of happiness.

In my home State of South Dakota, we cherish these rights. We have the opportunity to make our dreams come true because we have these rights and because we have a commonsense value system to guide us.

When I was elected, I promised to bring South Dakota common sense to Washington and to work to solve problems for the good of every South Dakotan and every American. But, unfortunately, when I travel back home, I continue to hear from my fellow South Dakotans about the Federal Government infringing on these rights and values.

You see, our great Nation has been bogged down in recent years with what I believe is one of the greatest hindrances to job growth and economic productivity; that is, the overregulation of our citizens. Overregulation is not a Democratic or a Republican issue, it is an issue that affects every single one of us. But I believe it is a challenge we can solve through cooperation and perseverance. It doesn't matter if you are talking about a doctor or a small business owner or a farmer or a rancher, overregulation has affected every single sector of our society.

The regulatory burden on this country is nearly $2 trillion annually, and this is in addition to the tax burden already placed on our American citizens. That regulatory burden is larger than Canada's entire economy. In fact, the cost to comply with Federal regulations is larger than the entire GDP of all but only eight other countries in the entire world.

Even more staggering, just a few years ago, we surpassed 1 million Federal regulations in America—1 million Federal regulations. Regulations are stifling economic growth and innovation and hurting the future of this country by crushing the can-do American spirit that founded our Nation, settled the West, won two World Wars, and put a man on the Moon—and every year more than 3,500 new Federal regulations are added.

This just does not make sense, and it certainly is not South Dakota common sense. What alarms me is not only the volume of regulations being thrust upon our citizens but also the process for creating them. The purpose of Congress is to be the voice of the people when making laws. Unfortunately, the voice of the people in the rulemaking process has been cut out and replaced by unelected government bureaucrats who think they know better than the farmer or the scientist or the entrepreneur.

Our Founders recognized the need for making laws, granting the power to create laws to Congress and only Congress. They meant that process to be difficult so our government would not overburden citizens and restrict their freedom, freedom that those Founding Fathers had just fought so hard to obtain. Through Congress, every citizen should have a voice, but unfortunately that is not what is happening today.

Our Founding Fathers created three branches of government with checks and balances for each one. They could never have imagined that we would have a regulatory process in place today where unelected bureaucrats would both write and have the final approval of the rules and regulations under which our people must live.

This regulatory regime, which is responsible for the 3,500 new rules each year, has essentially become a fourth branch of government and a de facto legislative body. The problem is exacerbated because these bureaucrats in Washington have this misperception that they know how to run our lives better than we do.

While working as a business owner, a State legislator, as a Governor, and now as a Senator, I have seen just how detrimental this ''Washington knows best'' mentality is on the daily lives of South Dakotans and Americans.

Many of my friends on both sides of the aisle have come to the Senate floor in recent weeks and months with some great ideas and legislation to limit or stop or repeal or remove some of the worst regulations currently on the books. I applaud them for these efforts, many of which I also support.

I look forward to working with the senior Senator from South Dakota, my friend JOHN THUNE, as well as anyone who is willing to work with me to remove these burdens that are stunting American greatness and, well, bring a little South Dakota common sense back to our regulatory environment.

The regulatory system in America has run amok. Too often, burdensome, costly regulations are crafted by bureaucrats at the highest level of government, behind closed doors, with little input from everyday Americans who disproportionately feel the effects of these one-size-fits-all policies.

It is regulation without representation—and it is wrong. The American people are being squeezed out, their voices falling on deaf ears in Washington. Small businesses, which drive our economy and create the majority of jobs in America, are especially hurt by overregulation because they, too, have to hire lawyers and employees to comply with these rules. This takes away capital that could be used to hire new production employees and expand their businesses.

People in my home State of South Dakota feel victimized by their own Federal Government. It is keeping crops from getting to market, and it is keeping businesses from growing. The idea that unelected and unaccountable bureaucrats should be allowed to make sweeping rules and regulations with no recourse should be a concern to every American, regardless of political affiliation, because it impacts everyone. No party has a lock on the American dream, and American innovation doesn't have a party affiliation.

From the stack of paperwork required to process a bank loan to the regulatory price of putting food on the table, the cost of Federal regulations are ultimately passed down to each and every American. Without excessive regulation, imagine how much more money American families could have in their pockets to spend on what they want, instead of what the government wants. If we cut our redtape, families can stop having to cut their budgets.

The regulatory regime is a dark cloud over our entire economy. I am not saying there isn't a place for rules in our society; there is. Rules are meant to keep us safe and to promote the greater good, and I do believe there

are some good rules and regulations which are on the books today. The problem I have is with the bad rules that keep good people from going about their daily lives.

Unfortunately, there are too many of these bad rules that are hindering our freedoms and stifling our growth. These are the regulations which we should have a process in place to reexamine.

Today, I come to the floor to discuss bipartisan legislation, which we have already introduced, to permanently end regulation without representation. It takes a giant leap forward in restoring the people's role in the rulemaking process. After all, if the American people don't like the laws we make, they can vote us out, but they have no such power with unelected bureaucrats. They are stuck.

You see, the bipartisan legislation we have submitted, S. Con. Res. 17, would create a Joint Select Committee on Regulatory Reform, whose purpose includes reviewing regulations currently on the books and proposing a new rules review process that includes the elected representatives of the American people. It is rooted in South Dakota common sense and the principles that have made this country great, making government work for Americans, rather than against them.

Madam President, this committee would make several recommendations to Congress to rebalance this broken regulatory scheme.

First, the committee would be tasked with exploring options for Congress to review regulations written by agencies before they are enacted, providing much needed oversight through the possibility of a permanent joint rules review committee, which would be tasked with reviewing rules with a cost of $50 million or more. This permanent joint rules review committee would have the ability to delay the imposition of these rules for not more than a year from the time the agency submits the rule for a review to enable Congress to act on the rule if they do not care for the rule.

Second, the committee would examine an option for agencies to submit each regulation with a $50 million or more impact to the appropriate committees of Congress for review before the rule is enacted.

Finally, the joint select committee could recommend ways to reduce the financial burden regulations place on the economy as well as sunsetting onerous and outdated ones.

This joint select committee would not be a permanent one, but it would be bipartisan, bicameral, and hold meaningful hearings so that a permanent solution to our overregulation problem can be properly addressed.

This legislation also offers a starting point for the committee by requiring certain possible solutions to our regulatory problem to be considered. I firmly believe that regulations should be reviewed by elected officials, those who are accountable to the American people through the democratic process.

This is not a new concept. It is not rocket science. It is a common practice at the State level. In fact, 41 of the 50 States, including my home State of South Dakota, have a rules review process to make sure the executive branch is faithfully executing the laws they seek to implement.

It is worth repeating that regulations are estimated to cost $1.88 trillion annually in the United States, and that is above and beyond the tax burden our citizens already share. That amounts to just under $5 billion every single day, and it just doesn't make sense. It is unfair to those who still believe in and are working to achieve the American dream. Whether Americans are seeking to buy a car, take out a mortgage on a house, start a business, or see the doctor, regulations obstruct them.

When I think of those who sacrificed everything so that our children and grandchildren could create their own version of the American dream, I think about the freedoms and liberties they fought so bravely to defend. They fought so that we could pursue life, liberty, and happiness and trust that our government would not hinder these lifelong endeavors. It is not Washington that will continue to make this country great; rather, it is the collective spirit of individual Americans who want to work hard to be successful for their families and their communities. But they need the heavy hand of government to be lifted.

Here in Washington, it is not our job to dictate how Americans run their lives but to allow them to achieve their dreams, not make them into nightmares.

The phrase ''Washington is broken'' is far too common. It seems as though whenever we go home, there is someone who suggests that Washington is broken. We hear it regularly. People use it to describe the current state of our Federal Government. ''Washington'' is now used in a derogatory manner.

This city, the Capital of our Nation, named after our very first Commander in Chief, the man who led us to victory in the Revolutionary War and birthed this great Nation, has become, over time, the same as a four-letter word. Remember, George Washington left the Presidency voluntarily after two terms in office. He wanted to get away from the monarch style of government in which rulers held their positions for life. And now this city that bears his name is full of lifelong bureaucrats—and even worse, they are unaccountable to the people. It is a far cry from the Republic our Founders envisioned.

Madam President, in the year 2026 our country will celebrate its 250th birthday. That is just over a decade away. When we get to that point, I hope to join my fellow Americans in looking back with great pride in all we have accomplished and all we have to pass on to future generations.

President Kennedy challenged our Nation to put a man on the Moon before the decade of the 1960s had passed—less than 10 years. I am not asking us to do anything as tough as putting a man back on the Moon, but I think we should commit ourselves to removing the barrier of government regulations that is weighing on the American spirit and again set free the American economy before the decade preceding our 250th birthday.

I have not submitted legislation to start a new committee that exists in name and does no deed. Americans want us and expect us to be up to this challenge, and I believe we are. We can lift the heavy hand of government. The Founding Fathers did not anticipate thousands of regulators and a million regulations when they created this country. It is time to end this regulation without representation and restore the lawmaking process to the people.

I thank my friends on both sides of the aisle who have cosponsored RESTORE and encourage the rest of my colleagues to sign on to this commonsense approach to addressing the issue of overregulation so we can work to make this country even greater and safer than we found it. Then, during our 250th birthday celebration, we can be proud that we restored a little South Dakota and American common sense for our children and their children.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

CONGRATULATING SENATOR ROUNDS

Mr. MCCONNELL. Madam President, let me say to our colleague from South Dakota how much all of us enjoyed his first major speech and also congratulate him on focusing on what I think is the single biggest problem confronting our country, creating the slow growth rate we have had throughout the Obama Presidency.

The Senator from South Dakota has focused on the biggest drag on our economy, the single biggest thing holding this country back from reaching its potential, and I would say to my friend from South Dakota that he has picked the perfect subject and has laid out a good solution to it. I hope lots of colleagues on both sides of the aisle will rally around this excellent proposal as a good way forward in dealing with the single biggest domestic problem we have regarding the future growth of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I, too, wish to congratulate my colleague from South Dakota, Senator ROUNDS, because he has already been a great leader on this subject. As a successful two-term Governor, a leader in our State legislature, he was a practical, commonsense, down-to-earth Governor who just liked to get things done.

I think coming here to Washington, DC, and finding the massive bureaucracy—in some cases, dysfunction—that surrounds this city, there can be a lot of disillusionment at times for people across the country. I think the new Senator from South Dakota is going to be a great voice, a clear voice on solutions for how to break through that. He will be a great partner and someone I look forward to continuing to work with. We worked together a lot during his time as Governor and while in the State legislature, but I am delighted he is here in the Senate, where he can take his skills and experience and the passion he has to bring about positive change for our country and put it to work on behalf of the people of South Dakota and the people of our country.

I look forward to working with him on the very issue he talked about today because there is probably nothing right now that has a greater economic impact and creates more economic harm for the people we represent in South Dakota than regulatory overreach. This is evidenced on an almost daily basis as new regulations emanate from various agencies around this town that make it more difficult and more expensive for people to create jobs, more difficult for farmers and ranchers and small business people to do the things they do best, and just create a higher burden, a higher level of harm for people across the State because everything that comes out of Washington, DC, that drives up the cost of doing business in this country gets passed on to consumers in our State and all across the country.

I congratulate the Senator from South Dakota on his remarks and am grateful for his great service to our State in so many ways already and now adding to that here as a Member of the Senate, where we have big problems, big challenges, but he meets that with not only big enthusiasm but big experience when it comes to knocking down these barriers and making it more possible for people in this country to live more prosperous lives, safer lives, and hopefully more fulfilled lives when they can get government out of the way and allow their greatest aspirations to surface.

So I hope we have the opportunity to deal with a lot of those issues and do it in a way that creates greater prosperity for people across South Dakota and across this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, let me observe that after hearing all the Senator from South Dakota said and what his goals are, he sure chose the right committee, the committee I chair, the Environment and Public Works Committee. That is what we talk about. That is what we do.

I had the honor of being in South Dakota before the election, and as I walked around in South Dakota and looked around, I thought, I could just as well be in Oklahoma. While I was there, I talked to the farm bureau people there, and they said it is the regulations. That is a farm State. Oklahoma is a farm State, and we understand that.

Of all the regulations they have and the problems they have, they say the EPA overregulates and causes the greatest problems. They singled one out—endangered species. They singled another one out—the waters of the United States. Currently, we are doing legislation on the waters of the United States, and it is legislation that is going to get that burden off of the people from South Dakota and Oklahoma. Right now, we are considering the most expensive of all the regulations, which is the ozone regulations. It would constitute the greatest single increase in expenditures or taxes of anything in the history of this country.

So it is nice to know we have someone who is so committed to the goals of this committee to be singling this out in a maiden speech as his greatest concern. I appreciate that as the chairman of that committee, and we are going to do wonderful things together for South Dakota, Oklahoma, and America.

Madam President, 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. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

DROUGHT AND WILDFIRES

Mr. WYDEN. Mr. President, this afternoon I wish to call attention to the severe drought and wildfires that are already burning in my home State of Oregon and across the West.

Earlier today, the Energy and Natural Resources Committee, on which I serve, held a hearing on drought. There is no question that communities in many of our Western States are experiencing very uncertain times. Our farmers are concerned about water for their crops. Outdoorsmen and business owners fear low reservoir and river levels are going to ruin the summer season. Conservationists worry about a lack of cold water for fish habitats.

Drought and fire are a dangerous combination and create a trend continuing this year. Fire seasons have gotten drier. The fires have gotten hotter, and they have become far more expensive to fight. And severe drought is now compounding the crisis. We ought to make no mistake about what is going on in the West. The West is now bone dry, and the tragic fact is that this is the new normal for Oregon farmers and ranchers. Water is an increasingly scarce and precious resource.

Right now, every last square mile of Oregon is experiencing abnormally dry conditions, and almost 70 percent of my State is under severe drought. Fifteen of Oregon's 36 counties have declared drought emergencies or have been declared a drought emergency by the Governor. The unusually warm winter in my home State meant record low snowpack, which devastates summertime runoff, which is so important to Oregon's water supply.

Drought raises enormous issues for communities and State and Federal agencies. They have to find ways to cope while using less water. Authorities feel they are in a position, or are forced into a position, to have to make seemingly impossible choices about where to dedicate increasingly scarce resources. All of these rural communities have to face challenges that are heightened by drought—particularly the threat of wildfires.

Drought conditions mean that western forests and grasslands are especially likely to go up in flames. It means that more acres will burn, more people and more structures will be at risk, and more funds are going to be needed to put the fires out.

Fire season this year has started earlier than normal. In fact, I received a fire briefing at home this March. That is the earliest I have had a fire briefing in all of my time in Congress. It certainly bodes badly for the extra costs that we are likely to see. I recently got a letter from the Forest Service with the estimate of anticipated wildfire suppression costs for fiscal year 2015. The middle-of-the-road estimate for how much it will cost to fight wildfires is nearly $1.25 billion. On the high end, it could cost more than $1.6 billion. But the funding, however, that has been dedicated to fighting fires does not come close—not close—to covering those costs. The appropriated amount is $200 million less than even the most conservative median forecast. Wishful thinking in the budget is not going to be very useful in putting the fires out. Fighting fires costs money, and it can't be punted into the future like some minor budget line item. Once again, then, we are looking at the prospect of the Forest Service having to raid other accounts in order to put out the blazes.

According to the Forest Service, in 2013, $40 million was essentially stolen from the National Forest Fund, which would pay for the stewardship and management of the 193 million acres of national forests and grasslands. And $30 million was stolen from the account that funds the disposal of brush and other debris from timber operations. This brush and debris is essentially fuel for future fires.

Those figures represent the stark reality that the broken funding system in place is shortchanging the resources needed for sensibly fighting wildfires.

The cycle of stealing money from prevention accounts to pay for suppression of forest fires just repeats itself again and again without end, and it will continue until this funding problem is finally fixed.

Senator CRAPO, our colleague from Idaho, and I have been working on a bipartisan basis to fix this flawed policy for quite some time now. He and I introduced the Wildfire Disaster Funding Act to end this damaging cycle, which I have described and which in the West we call fire borrowing. Our bill would raise the Federal disaster cap to allow the agencies to treat wildfire-fighting efforts like other natural disasters because wildfires are natural disasters, destructive and costly, no different than hurricanes, floods, and tornadoes.

When our governmental agencies are forced to borrow from other accounts to fight fires that have bankrupted these accounts for fire suppression, they rob from the funds that are needed to reduce hazardous fuels in the forests, which leads to even more choked and overstocked forests ripe for future fires.

In effect, what happens is the prevention funds—the funds for thinning, cleaning out all of that debris—get shorted. So then you might have a lightning strike or something in our part of the world and you have an inferno on your hands. The government, in effect, borrows from the prevention fund to put the fire out, and the problem just gets worse and worse. It is that problem that Senator CRAPO and I are trying to fix.

On a bipartisan basis, we seek to give the agencies the tools they need to support the courageous firefighters on the ground, men and women who put their lives at risk to ensure that Americans, their homes and communities are protected from destructive wildfires.

I know there are other Members of the Senate who are very interested in solving the fire-borrowing problem. I encourage all those Members to work with me, Senator CRAPO, and our staff to find a solution that is acceptable to Congress and can be passed soon.

This is an urgent matter. This is not something you can sort of let go and offer the amendment to the amendment to the amendment, the kind of thing that happens here, and it just gets shunted off for years on end. This is urgent business because the West has to be in a position to clear these hazardous fuels and get out in front of these increasingly dangerous and ominous fires. We have to end—we have to end this cycle of catastrophic wildfires in the West. It is long past time for action. I urge colleagues to join Senator CRAPO and I to work with us and our staff so this body moves, and moves quickly, to fix this problem.

There is an awful lot of uncertainty when it comes to calculating the Federal budget. But what we know for sure—for sure—is that this problem of wildfires in the West is getting increasingly serious. The fires are bigger, the fires are hotter, and they last longer. It is time to budget for reducing this problem in a sensible way.

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. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GEORGE SCHENK, CELEBRATING 30 YEARS OF FLATBREAD

Mr. LEAHY. Mr. President, I wish to recognize George Schenk, founder of one of Vermont's most beloved restaurants, American Flatbread. Thirty years ago, American Flatbread was built from the ground up, driven by George's own enthusiasm, innovation, and drive. He baked his first pizza—flatbread as he prefers to call it—in a wood-fired stone oven of his own design. Today, American Flatbread still bakes its creations in the same stone ovens.

George started with a vision where his food was not just great tasting and nutritional, but also nurturing and healing the soul. He accomplished that and so much more. Anyone who has sat down at American Flatbread after a long day hiking, skiing or even just to visit understands the satisfaction of eating at George's restaurant. He and his staff maintain a commitment to the core values of the integrity of a meal, using organic and locally sourced ingredients, including those grown in a greenhouse next door. George cultivates these ingredients to deliver on his promise of ''good, flavorful, nutritious food that gives both joy and health.''

American Flatbread also reflects the best of Vermont's community traditions—caring for one another. Food is often given to help local hospitals and families in need, and those same citizens give back when they can. Like many Vermont towns, Waitsfield was devastated by Tropical Storm Irene, and among the damaged businesses was American Flatbread. Despite the damage, they were able to reopen in just a few short days thanks to the work of hundreds of local volunteers in both their time and in donations.

Since the fire was lit in that first stone oven, George has stayed true to his vision of a sustainable and community-oriented business, one that has flourished while calling Vermont its home. In honor of American Flatbread turning 30, I ask unanimous consent to have printed in the RECORD Sally Pollak's story from the May 28, 2015, edition of the Burlington Free Press.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, May 28, 2015]

AMERICAN FLATBREAD TURNS 30, THROWS COMMUNITY PARTY

WAITSFIELD.—Thirty years ago in his side yard in Warren, George Schenk made a pizza in his wood-fired field stone oven.

The toppings were simple: olive oil, garlic, Parmesan and herbs from his garden.

''I didn't know if it was going to stick to the rock,'' Schenk said. ''I didn't know if it was going to bake. The oven had no door.''

Two couples who were hanging out drinking wine shared that pizza, or flatbread in Schenk vernacular.

Their response was like a wave at a football stadium on a smaller scale, Schenk said. Smiles moved from face to face.

''We just thought it was great,'' said Lyndon Virkler, dean of education at New England Culinary Institute, who was one of the original flatbread eaters. ''Because of the nice hot rock it had a nice, crisp crust. And real simple, pure flavors.''

What was meant to be a side dish became the ''highlight of the evening,'' Virkler said. He had met Schenk—a ski bum—five years earlier in the kitchen at Sam Rupert's, a Warren restaurant. Virkler was chef and Schenk was a salad maker with creativity and drive, Virkler said.

''We've often reflected on our place in history,'' Virkler said. ''My wife and I being able to sample the first flatbread.''

Schenk knew that night 30 years ago he had made something he and other people enjoyed eating. Beyond that, he found something that was gratifying to make: from building the oven to splitting wood and making a fire to kneading the dough.

''I was looking for a professional cooking opportunity that felt right,'' Schenk said. ''Not necessarily being on a line behind closed doors.''

Schenk's pizza—American Flatbread—has been around ever since: never behind closed doors and often outside. It started once a week at Tucker Hill Inn before Schenck opened American Flatbread at Lareau Farm in Waitsfield in 1992. That restaurant spawned a dozen American Flatbreads in New England, one in Hawaii and one in British Columbia.

American Flatbread will be available to all next Saturday, when Schenk celebrates 30 years of flatbread with free pizza and salad at his Waitsfield restaurant. Bigger than the birthday party, the event is to recognize community members who give to their communities in a variety of ways, he said.

''It's the whole range of human experience,'' Schenk said, listing the spheres of people and organizations he intends to honor: religious, local government, volunteer fire and ambulance personnel, people who serve seniors and the ill and injured, those who are involved in the arts and work to protect the environment.

''Here in this small valley there are 54 registered nonprofits,'' Schenk said.

Schenk spoke of the help his business received after two floods—in 1998 and 2011—damaged the restaurant and grounds at Lareau Farm, site of American Flatbread.

''Over 400 peopled helped us dig out,'' Schenk said. ''People donated tractors, cleaned firewood, mucked out the basement and moved debris. In the absence of that help, this little business would have failed.''

Money also was donated, including a $25,000 interest-free loan.

''People get really squirrely about money,'' Schenk said. But this loan was without that kind of attitude. The check came with a post-it note that read: ''Thinking of you.'' When Schenk repaid his last loan installment of $1,000, the check was returned uncashed, he said.

''In various iterations that story repeated itself over and over,'' Schenk said. ''With acts of profound kindness, at a time of need and loss.''

The celebration next Saturday is to do something ''nice,'' Schenk said—choosing with care a word an English teacher advised him long ago to stay away from.

WORDS WITH A SIDE OF PIZZA

Words matter to Schenk. Over the years they have achieved a place of importance in his business.

The restaurant in Waitsfield has gardens that grow food for flatbreads and salad, a campfire on the stone patio, and banners printed with Schenk's writings on food, family, community, philosophy, and social issues.

His compositions, which he calls ''dedications,'' appear in the menus at American Flatbread. Schenck has written more than 1,400 over the past 28 years.

''I have often felt as though if I didn't write, the flatbread wasn't complete, it wasn't as good,'' Schenk said. ''Maybe in truth, I was not as good or complete. It provided an internal discipline that I needed.''

In his semi-retirement, Schenk, 62, is reading through the archive of his dedications with plans to publish them in a book.

Reading through his dedications, the ones that emerge as most meaningful to him are about his family and the time he spent raising his two children, now grown, Schenk said.

''I'm acutely aware that those days and events are past and will never come again,'' Schenk said. ''The dedications captured something about their childhoods and my experiences that I wouldn't otherwise have.''

A dedication called ''The Family Bed'' is on the porch at American Flatbread.

It reads in part:

''We are together. Laughing and talking, getting ready for bed. 'Read to me first,' cries Willis who is three. I look at Hanna, half grown at eight years, she looks back at me with patience. 'Pick out your books and jump into bed, I'll be with you in just a minute.' (I go downstairs and fill the old stove with big chunks of wood. It is cold for April.) I hop back up, two stairs at a time, and join them in the big bed.''

Nearby is a dedication titled ''Children and the Kitchen.'' Schenk wrote:

''Children have a natural curiosity about the goings on in a kitchen. It is important to nurture this curiosity so that they have as their own the skills and care of good cooking. Almost all food work, from the garden to washing dishes, including knife-work, is child-friendly.''

DREAMING IN THE DIRT

The garden is where Schenk prefers to spend time these days. He has a plot in the staff garden at Flatbread, and he works in a greenhouse at Lareau Farm.

Schenk loves the physical activity of gardening, and being outside in sunlight and fresh air. He has a particular interest in the nutrient content of the soil, and values the way garden work helps produce food that is ''nutrient dense'' and rich in flavor, Schenk said.

''There's a kind of psychological peace and health that comes with the work,'' he said. ''Our palates really can guide us to health affirming food.''

He has built in his garden a structure he calls a ''soil invertebrate condominium.''

Soil invertebrates, insects and worms, stimulate soil bacteria, which improve the biology and chemistry of the soil. The creatures also aerate the soil, and help with pest control, Schenk said. They allow Schenk to play in the dirt, and peek into that ''magic place'' where they live.

''I've come to take an enormous amount of happiness from this work, and peace,'' Schenk said last week in his garden. ''As I become older, that peace and well being has become something that I value greatly. My goal wasn't to go out and create a pizza empire. It was to have a healthy and happy life.''

He sold his restaurant development group a few years ago, and now works as a Flatbread consultant. Thursday, he trucked buckets of clay gathered at Lareau Farm and sapling alders from a swamp in Roxbury to Rockport, Maine, to build an oven for a new American Flatbread restaurant.

''It was about letting go of my ego,'' Schenk said of his selling the development group. ''When we idealize the American corporate dream and growth, that's what we see and hold up as a model of success.

''I got caught up in someone else's dream. As I grew, I came to realize that it wasn't my dream.''

Schenk dreams in the dirt these days, a place he hopes is teeming with activity.

''Systems that are more complex tend to be more stable,'' he said. ''It's stability that we're looking for in our lives.''

TRIBUTE TO LAURA PECHAITIS

Mr. BROWN. Mr. President, I rise today to honor the career of Laura Pechaitis, a dedicated public servant who has made a profound difference in the lives of thousands of Ohioans. For 13 years, I have been honored to have Laura on my staff, where she has helped veterans dealing with problems large and small. Laura retires on May 8, 2015, after more than 30 years of service to her community.

From the moment Laura contacted my then-congressional office about a job, I should have recognized that I was encountering a woman of uncharacteristic zeal and dedication. Laura wrote to me after she—along with her husband, Theodore, and two sons, Marc and Scott—had moved back home to Ohio from New York. She had worked for 18 years in the New York Assembly for State Representative Michael Bragman as his director of constituent services. During her time in the New York Assembly she helped develop a program used by all assembly offices to track and manage casework. Hiring her should have been an obvious decision, but it was only after she had written to me three times that I finally recognized the dedication and passion of the person I was dealing with. Hiring Laura has made a difference in the lives of thousands of Ohioans.

On my staff, Laura primarily focused her efforts on assisting Ohio's veterans. Our veterans and servicemembers dedicate their lives to our Nation, and Laura worked to make sure that they received the respect, gratitude, and assistance befitting their service. Inspired by her father—a World War II naval veteran—Laura has been committed all of her adult life to serving those who served us. As a student at Miami University, she helped form an auxiliary for the Navy ROTC program, serving as its commander.

She helped all generations of veterans. She helped men who stormed the beach on D-day secure long-overdue medals they had earned, and she helped recent Iraq war veterans access VA benefits to attend college and transition to civilian life. Her ability to resolve seemingly intractable cases was legendary. For veterans who had been waiting months, she was able to expedite their cases and get them the attention they deserved, many within 24 hours. One constituent had been told by the VA that his claim would take 20 days to process. Frustrated and distraught, he called Laura while driving to the VA clinic. By the time he pulled into the VA clinic, Laura had resolved the issue. Another veteran in Columbus had lived in her house for 27 months, but she was too afraid to unpack out of fear of being evicted. Laura helped ensure that this veteran had the VA benefits that would enable her to stay in her home.

Going above and beyond the call of duty was the norm for Laura. One veteran even had a term for her dedication, dubbing such exemplary service the ''typical Pechaitis fashion.'' Another constituent from Warren was having his TRICARE bills denied by the VA. Not only did Laura have the issue resolved within 24 hours, but she worked to help him reenroll in college and went so far as to put him in touch with a mentor at a local university to make sure he went back to school.

Her drive for public service, however, went beyond veterans. In fact, long before he became the star of the Cleveland Cavaliers, a young LeBron James used to come into my Akron office to spend time with a friend whose mother worked for me. During one those visits, Laura helped LeBron James register for the draft—the Selective Service draft that is, not the NBA draft.

Since 2006, Laura helped coordinate more than 10,000 cases for veterans and Active-Duty members of the armed services. She brought the same energy and empathy to each one. Laura has been a champion of veterans in Ohio, and the breadth of her impact is remarkable. She has been a model public servant, and I am proud to have worked with her.

Our actions in Congress are closely watched, but what too often goes unnoticed is the work of dedicated staff members whose only goal is to serve those we are elected to represent. I ask that my colleagues join me in thanking Laura Pechaitis for her service to our Nation.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 196 on cloture on the motion to proceed to H.R. 2048. Had I been present, I would have voted yea.

ADDITIONAL STATEMENTS

RECOGNIZING O'KEEFE FUNERAL HOMES

● Mr. COCHRAN. Mr. President, I wish to recognize O'Keefe Funeral Homes of Biloxi, MS, on the occasion of their 150 years of service to residents of the Mississippi gulf coast. Since its inception in 1895, O'Keefe Funeral Homes has grown to include six locations throughout South Mississippi.

In addition to meeting the needs of the bereaved for generations, the O'Keefe family has been pivotal to the growth, support, and success of other economic and cultural enterprises across South Mississippi, assisting with the formation of the Walter Anderson Museum and the Ohr-O'Keefe Museum.

This sesquicentennial anniversary of O'Keefe Funeral Homes represents a great milestone for all coast communities and businesses as it is not only one of the oldest recurring businesses in Mississippi but has also survived and thrived in the face of many of our Nation's most devastating natural disasters.

Six generations of O'Keefes have served South Mississippi with grace and valor. The O'Keefe's service has added value to economic sustainability while providing a better way of life for gulf coast residents and businesses.

I am pleased to recognize the O'Keefe family for their 150 years of exemplary service and ongoing devotion to the Mississippi gulf coast.●

REMEMBERING AMMALINE HELEN HOWARD

● Mr. MANCHIN. Mr. President, I wish to honor Ammaline Helen ''Amy'' Howard, a beloved member of the Charleston, WV community.

The Howard family is a great, well-respected family in my beautiful State and I am honored to call the members of this family my dear friends. I had the privilege of meeting Amy, who was affectionately known by so many as Aunt Amy, many times. She was always humble, welcoming, and supportive. She was a pillar in the Howard family, standing strong on values with a captivating yet calming spirit. Her nieces and nephews knew if their parents told them ''no'' to something, that they could go to Aunt Amy and she would find a way to help them out.

Put simply, individuals like Amy stand out. She was the epitome of what West Virginians are all about, with her welcoming nature and unwavering commitment to help those in need. Amy led by example and treated her neighbors as friends and her friends as family. She instilled this same loyal community service mindset throughout her family. She leaves behind her loving brother Victor, sister-in-law Elaine, and many nieces, nephews, great-nieces, and great-nephews.

She was a second mother to many, and truly brought the whole family together. She made sure a hot meal was ready every evening, and if she saw you, she made sure you were invited to dinner that night.

A native of Charleston, Amy graduated from Charleston High School in 1933 and gave back to her hometown in many ways. She began working at the Naval Ordinance and Armor Plant in South Charleston before joining her brother in his successful grocery business, Sabe Howard's Market. She then worked for many years as a loyal employee of the Kanawha County Clerk's Office before her retirement in 1974.

Among her many roles, she was a member of the Charleston Hightop Club and the West Virginia Woman's American Syrian League. Amy also supported the West Virginia Symphony League and the St. Jude Hospital because she was passionate about investing her time and efforts to helping others in any way that she could.

She was a lifelong member of St. George Orthodox Cathedral, and was also a member of the Order of St. Ignatius of Antioch and the St. George Ladies Guild, serving as an officer. Amy was fiercely committed to her church family, always willing to lend a helping hand or prepare food for church functions. Every year at the annual dinner she would help prepare food and make sure there were plenty of her legendary cabbage rolls.

Aunt Amy was a model for the ages. She understood what really mattered in life and I enjoyed chatting with her about the jewels in the treasure box of life—family, faith, community, and service. She believed that staying active was the key to living a long, happy life. Amy loved to walk and visit the mall to get her favorite coffee and biscuits, and remained active until her late 90s.

I recall one time being invited to Aunt Amy's basement kitchen where the heavy cooking really took place. It was filled with freezers, refrigerators, microwaves, and every cooking utensil you can think of. Not many people were invited down to her kitchen, so I knew I was really taken in as part of the family. She truly had that effect on people—it was a second home, and you were considered family. And family comes first.

Amy was a beloved aunt, friend, and inspiration to the Charleston community. Her glowing smile and positive attitude were contagious and will live on in the memories and hearts of all those who had the privilege of knowing her. Amy's service was greatly appreciated and will certainly never be forgotten.●

RECOGNIZING STANFORD OVSHINSKY

● Mr. PETERS. Mr. President, I wish to recognize Mr. Stanford Ovshinsky, on the occasion of his induction into the National Inventors Hall of Fame. Mr. Ovshinsky, the eldest son of working-class Jewish parents in Akron, OH, displayed an early conviction to improving the lives of all Americans. This conviction inspired a lifelong dedication to advancing labor rights, civil rights, and civil liberties. Despite no formal education after receiving his high school diploma, Mr. Ovshinsky became one of the 20th century's most prolific inventors. His vision and concern for the greater good led to over 400 patents, including major contributions to flexible solar panels, computer memory, flat-screen TV displays, and the development of the nickel-metal hydride battery.

Mr. Ovshinsky's belief in the ability of science and technology to advance environmental stewardship and quality of life was rooted in his experience as a member of the Workmen's Circle, a Jewish fraternal organization committed to community, an enlightened Jewish culture, and social justice since it was established in 1900. The Workmen's Circle inspired Mr. Ovshinsky to pursue science and develop advanced technology dedicated to heightening economic opportunity and improving people's relationship with the environment around the world. After starting his career as a toolmaker in Akron, Mr. Ovshinsky moved to Detroit in 1952, where he was director of research at the Hupp Corporation and established General Automation with his younger brother, Herb Ovshinsky.

At General Automation, Mr. Ovshinsky continued his research on intelligent machines, as well as early work on various information and energy technologies. He was invited by Wayne State University to conduct research at the university's neuroscience lab, where he discovered the connection between the amorphous structure of brain cells and amorphous glassy materials. This discovery encouraged Mr. Ovshinsky and his brother to construct the Ovitron, a mechanical model of a nerve cell constructed of thin layers of amorphous material, creating the first nanostructure, and establishing the foundation of his research for decades.

Following his experience at General Automation, Mr. Ovshinsky founded Energy Conversion Devices in 1960 with Iris Dibner, who would become his wife and partner for over 50 years. It was at Energy Conversion Devices that he established Ovonics—the process of turning glassy, thin films into semiconductors with the application of low voltage—and developed new electronic and optical switches, including Ovonic Phase Change Memory and the Threshold Switch. These became the basis for the invention of rewritable CDs and DVDs, as well as the cognitive computer. Mr. Ovshinsky's work also revolutionized the construction of solar panels and resulted in the nickel-metal hydride battery, which became an important power source for electric vehicles, consumer electronics, industrial equipment, and telecommunications.

Time Magazine celebrated Mr. Ovshinsky as a ''Hero for the Planet''

in 1991. In 2006, The Economist recognized him as the ''Edison of our age.'' At the time of his death in 2012, he was credited on more than 300 publications and had received over 20 major awards and honorary degrees. Throughout his life, however, Mr. Ovshinsky displayed as much vigor for fighting for justice outside his laboratory as within. His efforts contributed to the introduction of affordable housing in his affluent neighborhood in Birmingham, MI, and he was a proud member of the Mechanist's Union, as well as an early supporter of Walter P. Reuther and the United Auto Workers. It is an honor to recognize someone whose work not only helped usher the world into the modern age, but was also based in a belief that each of us has a responsibility to serve our community and leave the world a better place for generations to come.●

RECOGNIZING THE 125TH STEVENS FAMILY REUNION

● Mr. WYDEN. Mr. President, I would like to recognize and honor an exemplary Oregonian family who will soon gather for their 125th family reunion. Family reunions are difficult to organize and even harder to make longlasting traditions. Nonetheless, since 1891 the children of Hanson and Lavina Stevens have managed to hold yearly family reunions, with the exception of one missed reunion during the First World War—truly an amazing feat.

In many ways, the history of the Stevens family is the history of the State of Oregon. In 1852, the Stevens family decided to take advantage of the Donation Land Claim Act of 1850, which encouraged settlement of the Oregon Territory. Hanson and Lavina Stevens, their eight children and a wagon loaded with vital supplies traveled the treacherous Oregon Trail.

Twenty-two other wagons traveled alongside the Stevens family and undertook the Oregon Trail's most dangerous migration year ever recorded. While all of the other families decided to stop near Fort Bridger, WY, in search of gold, Hanson Stevens concluded that mining camps were not suitable for raising his family. Instead, the Stevens, like thousands of other pioneers, chose to settle in Oregon. They chose the ''Promised Land.'' Ever since, the Stevens and their descendants have contributed to the territory and then the State of Oregon.

In June of 1891, the entire family gathered for the birthday of the family patriarch at the time, Isaac Stevens. That tradition continued on each year, and eventually turned from a birthday party into a more formal family reunion.

Today the Stevens decedents are six clans strong, and they rotate the responsibility for hosting their memorable reunions. This year the Ringo Clan will be hosting the 125th reunion on July 19, 2015 at Champoeg Park in St. Paul, OR.

The family tells me that each year the various clans all give a report to the family, and the details are recorded in a leather-bound journal. As you can imagine, this journal traces not just the history of the Stevens family but also provides a view into the history of Oregon and the United States.

And that is part of what makes family reunions so wonderful. They don't just connect us to the aunts, uncles and cousins we don't see very often; they also connect us to our past, our heritage. Family reunions are a place to share family lore, shared values, and traditions.

I am thrilled to recognize the Stevens family 125th annual reunion. I hope to see the Stevens family tradition continue for many, many years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 802. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 336. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

H.R. 404. An act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

H.R. 944. An act to reauthorize the National Estuary Program, and for other purposes.

H.R. 979. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as ''Sky Point''.

H.R. 1168. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

H.R. 1335. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes.

H.R. 1493. An act to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 48. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 50th anniversary of the Vietnam War.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 336. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Homeland Security and Governmental Affairs.

H.R. 404. An act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska; to the Committee on Energy and Natural Resources.

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes; to the Committee on Indian Affairs.

H.R. 944. An act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

H.R. 979. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as ''Sky Point''; to the Committee on Energy and Natural Resources.

H.R. 1335. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1493. An act to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes; to the Committee on Foreign Relations.

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–1752. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Approval Threshold for Time-and-Materials and Labor-Hour Contracts'' ((RIN0750–AI56) (DFARS Case 2014–D020)) received during adjournment of the Senate in the Office of the President of the

Senate on May 26, 2015; to the Committee on Armed Services.

EC–1753. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Nanette M. DeRenzi, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1754. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Steven A. Hummer, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1755. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Appendix F—Energy Receiving Reports'' ((RIN0750–AI46) (DFARS Case 2014–D024)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2015; to the Committee on Armed Services.

EC–1756. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metconazole; Pesticide Tolerances'' (FRL No. 9927–11) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1757. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Mesotrione; Pesticide Tolerances'' (FRL No. 9927–75) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1758. A communication from the President of the United States, transmitting, pursuant to law, an Executive Order that terminates the national emergency declared in Executive Order 13617 of June 25, 2012, and revokes Executive Order 13617, received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1759. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Federal Home Loan Bank Community Support Program - Administrative Amendments'' (RIN2590–AA38) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1760. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–1761. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1762. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Completion of Requirement to Promulgate Standards'' ((RIN2060–AS42) (FRL No. 9928–25–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1763. 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; Alaska'' (FRL No. 9928–17–Region 10) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1764. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''State Implementation Plans: Response to Petition for Rulemaking; Restatement and Updated of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction'' ((RIN2060–AR68) (FRL No. 9924–05–OAR) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1765. 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; New York; Infrastructure SIP for the 2008 Lead NAAQS'' (FRL No. 9928–39–Region 2) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1766. 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; Maryland; Determination of Attainment of the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Moderate Nonattainment Area'' (FRL No. 9928–42–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1767. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled ''Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2014''; to the Committee on Environment and Public Works.

EC–1768. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Interim Staff Guidance Emergency Planning Exemption Requests for Decommissioning Nuclear Power Plants'' (NSIR/DPR–ISG–02) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2015; to the Committee on Environment and Public Works.

EC–1769. 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 2015–0051—2015–0058); to the Committee on Foreign Relations.

EC–1770. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Traffic in Arms Regulations: Policy on Exports to the Republic of Fiji'' (RIN1400–AD77) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Foreign Relations.

EC–1771. A communication from the General Counsel, 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 in the Office of the President of the Senate on May 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1772. A communication from the Director, Directorate of Construction, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Confined Spaces in Construction'' (RIN1218–AB47) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1773. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1774. 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 ''Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to U.S. Marine Corps Training Exercises at Brant Island Bombing Target and Piney Island Bombing Range, USMC Cherry Point Range Complex, North Carolina'' (RIN0648–BD79) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1775. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report of proposed legislation entitled ''Tribal Equal Access to Voting Act of 2015''; to the Committee on Indian Affairs.

EC–1776. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Community Relations Service for Fiscal Year 2014; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions, and for other purposes.

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. MARKEY (for himself, Mr. SCHATZ, Mr. BLUMENTHAL, Ms. WARREN, Mr. SCHUMER, Mr. DURBIN, Mr.

MURPHY, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Ms. HIRONO, Mrs. MURRAY, and Mrs. BOXER):

S. 1473. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 1474. A bill to provide for the development and use of technology for personalized handguns, to require that all handguns manufactured or sold in, or imported into, the United States incorporate such technology, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself and Mrs. CAPITO):

S. 1475. A bill to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. BOOKER):

S. 1476. A bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. ROUNDS:

S. 1477. A bill to require a report on the future mix of aircraft platforms for the Armed Forces; to the Committee on Armed Services.

By Mr. ROUNDS:

S. 1478. A bill to require the Secretary of Defense to develop a comprehensive plan to support civil authorities in response to cyber attacks by foreign powers, and for other purposes; to the Committee on Armed Services.

By Mr. INHOFE (for himself, Mr. MARKEY, Mr. ROUNDS, Mrs. BOXER, Mr. CRAPO, and Mr. BOOKER):

S. 1479. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET:

S. 1480. A bill to provide limits on bundling, to reform the lobbying registration process, and for other purposes; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself and Mr. WHITEHOUSE):

S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. LEAHY, and Mr. LEE):

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid; to the Committee on the Judiciary.

By Mr. ALEXANDER:

S. 1483. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SHELBY:

S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Ms. BALDWIN:

S. 1485. A bill to provide for the advancement of energy-water efficiency research, development, and deployment activities; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Mr. SANDERS, and Ms. BALDWIN):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 514

At the request of Mr. MURPHY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 514, a bill to amend the Elementary and Secondary Education Act of 1965 to establish the Promise Neighborhoods program.

S. 689

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 763

At the request of Mr. REED, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 763, a bill to amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

S. 798

At the request of Mr. VITTER, the names of the Senator from Montana (Mr. DAINES) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 798, a bill to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes.

S. 811

At the request of Mr. MURPHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 811, a bill to amend the Elementary and Secondary Education Act of 1965 to require States to develop policies on positive school climates and school discipline.

S. 843

At the request of Mr. BROWN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 843, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 862

At the request of Ms. MIKULSKI, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 897

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 897, a bill to support evidence-based social and emotional learning programing.

S. 966

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 966, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 996

At the request of Mr. BROWN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 996, a bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes.

S. 1013

At the request of Mr. COCHRAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1121, 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. 1140

At the request of Mr. BARRASSO, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Montana (Mr. DAINES), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CORNYN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New York (Mr. SCHUMER) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1178

At the request of Mr. FLAKE, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1178, a bill to prohibit implementation of a proposed rule relating to the definition of the term ''waters of the United States'' under the Clean Water Act, or any substantially similar rule, until a Supplemental Scientific Review Panel and Ephemeral and Intermittent Streams Advisory Committee produce certain reports, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1193

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations.

S. 1375

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1375, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1407

At the request of Mr. HELLER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1407, a bill to promote the development of renewable energy on public land, and for other purposes.

S. 1412

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1412, a bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who are full-time students for purposes of the low income housing tax credit.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 134

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 134, a resolution expressing the sense of the Senate that the President and the Secretary of State should ensure that the Government of Canada does not permanently store nuclear waste in the Great Lakes Basin.

S. RES. 143

At the request of Mr. SCHATZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 143, a resolution supporting efforts to ensure that students have access to debt-free higher education.

AMENDMENT NO. 1455

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1455 intended to be proposed to H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself and Mr. BOOKER):

S. 1476. A bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, I am proud to join with Senator BOXER to introduce the Police Reporting of Information, Data, and Evidence Act of 2015, PRIDE Act, a critical data collection bill designed to advance public safety, strengthen police-community relations, and foster mutual trust and respect. I thank Senator BOXER for her leadership on this issue.

A critical issue in our Nation today is the issue of trust between law enforcement and the communities they serve. Tragic events across the country—in New York, Ferguson, North Charleston, Baltimore, and subsequent protests—remind us how critical trust is to the fabric of a democracy. These incidents raised the public's awareness and sparked a national debate about how police and citizens interact and how they should interact. But the issue is not unique now. The Kerner Commission's 1968 report on urban violence declared that minorities believed a ''double standard'' of justice and protection existed for whites and blacks. Sadly, that distrust continues today. It is contrary to who we are and what we stand for.

Our nation was founded on shared and timeless values. Liberty and justice for all. Equal justice under law. The former was enshrined in our founding charter. The latter was written on the marble of Supreme Court. But when any American feels that they have not been treated fairly, we undermine those values. That makes the issue of police and community relations a problem for all of us—not just a specific city or a specific race. It is a problem for the Nation as a whole. We must do all we can to restore justice to our criminal justice system. That includes tracking when officers use deadly or serious force against people in the community.

We must ensure that police officers feel respected and honored. Each day, law enforcement officers put their lives on the line to keep our communities safe. They deserve our respect. They should not feel attacked or undervalued. They routinely make split-second decisions every day that do not escalate into uses of force. As the senseless killings of NYPD Officers Rafael Ramos and Wanjian Liu remind us, officers often serve the public at considerable personal risk. We should provide them with the tools they need to do their jobs effectively and safely. That includes tracking the uses of force by civilians against our men and women in uniform.

To bridge the wide trust gap between law enforcement and citizens, we must shine a light on the problem. The first step to solve any problem is to be honest about the facts. We need objective data. We need to study trends. We need to examine the evidence. That is why I am encouraged by the words of FBI Director, James Comey, who said ''We simply must find ways to see each other more clearly. Part of that has to involve collecting and sharing better

information about encounters between police and citizens, especially violent encounters.''

For too long, the way we have collected information and data from States and local governments on violent encounters between law enforcement and civilians has been inconsistent. Under current law, demographic data regarding officer-involved shootings is inconsistently reported to the FBI under the Uniform Crime Reporting Program. According to a study by the Washington Post this month, since 2011, less than three percent of the Nation's 18,000 State and local police agencies reported fatal shootings by their officers to the FBI. That is unacceptable. Incomplete and unreliable reporting makes it tougher to get a true scope of the problem and more difficult to obtain a policy solution.

The PRIDE Act would fix that problem and increase accountability for law enforcement by creating a comprehensive national data collection program. It would require law enforcement at the State, local, and tribal levels to report to the Attorney General information regarding police-involved shootings and any incident in which use of force by or against a law enforcement officer or civilian results in serious injury or death. By making the voluntary reporting of uses of force by, and against, police officers mandatory, we ensure that more accountability and transparency will exist between the police and the citizens they protect.

I have worked closely with Senator BOXER on crafting this legislation, and appreciate my friend and colleague welcoming several recommendations to strengthen the bill, including clarifications that use-of-force policies for law enforcement officers be made publicly available. I believe this change would promote transparency. It shines a spotlight on the scope of shootings and uses of force involving police and civilians, which in turn enhances public confidence in our justice system.

I also appreciate that the bill includes grant funds for public awareness campaigns designed to gain information from the public on uses of force against police officers. This was a recommendation drawn from being a former mayor. I have seen first-hand how helpful tip lines, hotlines, and public service announcements can be in helping law enforcement capture dangerous people. When someone uses violence against our men and women in uniform, we must respond quickly. That means we should do all that we can to ensure that information on the suspect gets out to the public in a timely manner. That way, the offender can promptly be caught and brought to justice.

Lastly, I recommended the bill include grant funds for use of force training for law enforcement agencies and personnel, including de-escalation training. Officers deserve to receive the best and most up to date training we can offer. They must feel confident that they are trained to use force in a way that allows them to safely come home to their families. Equally, the public deserves to have confidence that when an officer uses force he or she does so appropriately. That means training officers to ensure that force is a last resort and officers know how to de-escalate a situation to avoid using force at all.

Many of the bill's provisions were recommendations from the President's Task Force on 21st Century Policing. It put forth a series of recommendations aimed at rebuilding trust between the law enforcement officers and the communities they protect. Its recommendations included use of force data collection, de-escalation training, transparency, and officer safety measures. I am glad that many of the task force recommendations were included in this bill.

It is time we address the plague of shootings by and against police officers in our country. We must come together to ensure that we do see each other clearly and restore public confidence in our system of justice. The first step is to shine a light on the problem and collect accurate data. I thank Senator BOXER again for her leadership, and I urge my colleagues to support the PRIDE Act and work towards its speedy passage.

By Mr. DURBIN (for himself and Mr. WHITEHOUSE):

S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1481

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 ''Urban Flooding Awareness Act of 2015''.

SEC. 2. URBAN FLOODING DEFINED.

(a) IN GENERAL.—In this Act, the term ''urban flooding'' means the inundation of property in a built environment, particularly in more densely populated areas, caused by rain falling on increased amounts of impervious surface and overwhelming the capacity of drainage systems, such as storm sewers.

(b) INCLUSIONS.—In this Act, the term ''urban flooding'' includes—

(1) situations in which stormwater enters buildings through windows, doors, or other openings;

(2) water backup through sewer pipes, showers, toilets, sinks, and floor drains;

(3) seepage through walls and floors;

(4) the accumulation of water on property or public rights-of-way; and

(5) the overflow from water bodies, such as rivers and lakes.

(c) EXCLUSION.—In this Act, the term ''urban flooding'' does not include flooding in undeveloped or agricultural areas.

SEC. 3. URBAN FLOODING STUDY.

(a) AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES.—The Administrator of the Federal Emergency Management Agency shall enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences will conduct a study on urban flooding in accordance with the requirements of this section. The primary focus of the study shall be on urban areas outside of special flood hazard areas, as defined by the Federal Emergency Management Agency.

(b) CONTENTS.—

(1) GENERAL REVIEW AND EVALUATION.—In conducting the study, the National Academy of Sciences shall review and evaluate the latest available research, laws, regulations, policies, best practices, procedures, and institutional knowledge regarding urban flooding.

(2) SPECIFIC ISSUE AREAS.—The study shall include, at a minimum, an examination of the following:

(A) The prevalence and costs associated with urban flooding events across the United States, with a focus on the largest metropolitan areas and any clear trends in frequency and severity over the past 2 decades.

(B) The adequacy of existing federally provided flood risk information and the most cost effective methods and products to identify, map, or otherwise characterize the risk of property damage from urban flooding on a property-by-property basis, whether or not a property is in or adjacent to a 1-percent (100-year) flood plain, and the potential for training and certifying local experts in flood risk characterization as a service to property purchasers and owners and their communities.

(C) The causes of urban flooding and its apparent increase over the past 20 years, including the impacts of—

(i) global climate change;

(ii) increasing urbanization and the associated increase in impervious surfaces; and

(iii) undersized, deteriorating, and otherwise ineffective stormwater infrastructure.

(D) The most cost-effective strategies, practices, technologies, policies, standards, or rules used to reduce the impacts of urban flooding, with a focus on decentralized, easy-to-install, and low-cost approaches, such as nonstructural and natural infrastructure on public and private property. The examination under this subparagraph shall include an assessment of opportunities for implementing innovative strategies and practices on government-controlled land, such as Federal, State, and local roads, parking lots, alleys, sidewalks, buildings, recreational areas, and open space.

(E) The role of the Federal Government and State governments, as conveners, funders, and advocates, in spurring market innovations based on public-private-nonprofit partnerships. Such innovations may include smart home technologies for improved flood warning systems connected to high-resolution weather forecast data and Internet- and cellular-based communications systems.

(F) The most sustainable and effective methods for funding flood risk and flood damage reduction at all levels of government, including—

(i) the potential for establishing a State revolving fund program for flood prevention projects similar to the revolving fund programs under the Federal Water Pollution Control Act and the Safe Drinking Water Act;

(ii) stormwater fee programs using impervious surface as the basis for fee rates and

providing credits for the installation of flood prevention or other stormwater management features;

(iii) grant programs; and

(iv) public-private partnerships.

(G) Information and education strategies and practices, including nontraditional approaches such as the use of community colleges and social media, for community leaders, government staff, and property owners on—

(i) flood risks;

(ii) flood risk reduction strategies and practices; and

(iii) the availability and effectiveness of different types of flood insurance policies.

(H) The relevance of the National Flood Insurance Program and Community Rating System to urban flooding areas outside traditional flood plains, and strategies for improving compliance, broadening coverage, and increasing participation under the programs.

(I) Strategies for protecting communities in the lower elevations of a watershed or drainage area from the flooding impacts of development in upstream communities, including a review of—

(i) potential standards for watershed-wide flood protection planning; and

(ii) cost-effective and equitable legal options for a downstream community when upstream communities act in a way that increases flooding downstream.

(J) Cost-effective strategies for reducing infiltration/inflow into combined and separate sewer systems.

(K) Opportunities to increase coordination between stormwater management programming under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and flood risk management and mitigation programming under various laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(c) CONSULTATION.—

(1) IN GENERAL.—The Administrator of the Federal Emergency Management Agency shall carry out this section in consultation with the Secretary of the Army (acting through the Chief of Engineers), the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Director of the United States Geological Survey, the Chief of the Natural Resources Conservation Service, the Small Business Administration, State, regional, and local stormwater management agencies, State insurance commissioners, and such other interested parties as the Administrator of the Federal Emergency Management Agency considers appropriate.

(2) COOPERATION.—The head of each Federal agency referred to in paragraph (1) shall cooperate with the Administrator of the Federal Emergency Management Agency in carrying out this section as requested by the Administrator.

(d) REPORT TO CONGRESS.—Not later than December 31, 2016, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Financial Services and the Committee on Appropriations of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate a report containing the findings of the National Academy of Sciences based on the results of the study, including recommendations for implementation of strategies, practices, and technologies relating to urban flooding by Congress and the executive branch.

By Mr. GRASSLEY (for himself, Mr. LEAHY, and Mr. LEE):

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise to introduce the Need-Based Educational Aid Act of 2015, a bill that extends the Section 568 antitrust exemption for higher education institutions. I am pleased that Senator LEAHY and Senator LEE are cosponsoring this bill.

The Section 568 exemption enables colleges and universities to collaborate on need-blind financial aid policies. It allows these institutions to collaborate on a common formula for calculating a family's ability to pay for college, by permitting certain specific activities. The exemption was enacted in 1994, and since then has been reauthorized by Congress on three occasions. In addition, a 2006 GAO report found that the activities permitted by Section 568 did not result in harm to competition.

Our bill would provide a 7-year extension for this exemption, and also remove one of the four previously permitted activities under the exemption that no school has ever used. By allowing financial aid professionals to work together in these ways, Section 568 provides increased access to higher education to low-income students, while preventing needless litigation over the development of principles for determining financial need.

I am proud to introduce this important, bipartisan bill, which will ensure these benefits remain available for students and will encourage access to higher education for years to come.

I thank my colleagues, Senators LEAHY and LEE, for their support of this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1482

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 ''Need-Based Educational Aid Act of 2015''.

SEC. 2. EXTENSION RELATING TO THE APPLICATION OF THE ANTRITRUST LAWS TO THE AWARD OF NEED-BASED EDUCATIONAL AID.

Section 568 of the Improving America's Schools Act of 1994 (15 U.S.C. 1 note) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or'' after the semicolon;

(B) in paragraph (3), by striking ''; or'' and inserting a period at the end; and

(C) by striking paragraph (4); and

(2) in subsection (d), by striking ''2015'' and inserting ''2022''.

Mr. LEAHY. Mr. President, today I am joining with Senators GRASSLEY and LEE in introducing legislation to extend for an additional 7 years the antitrust exemption permitting colleges and universities to collaborate on issues of need-based financial aid. This exemption, which was first enacted by Congress in 1994, allows colleges and universities that admit students on a need-blind basis to collaborate on the formula used to determine how much families can pay for college. The Need-Based Educational Aid Act of 2015 is the fourth reauthorization of this exemption, which is set to expire this year.

Congress must always carefully consider the benefits and drawbacks of creating exemptions to the antitrust laws. These laws serve as an important bulwark to protect consumers from anticompetitive conduct. The Government Accountability Office has studied the effect of this particular exemption in the past and concluded that allowing universities to talk among themselves about financial aid policies and procedures has not caused any harm.

Antitrust exemptions should not be a blank check, however, which is why this exemption is not permanent. Our legislation will sunset the exemption once again in 2022 and we have removed one of the permitted activities that no school has ever used. A time-limited exemption ensures that Congress will continue to conduct oversight in order to assess the impact on consumers. I have long been skeptical of permanent antitrust exemptions and the effect they have on the marketplace. For example, I have worked for years with a number of Senators from both parties to repeal the McCarran-Ferguson Act, a permanent exemption for the insurance industry in place since 1945.

Allowing covered universities to focus their resources on ensuring the most qualified students can attend some of the best schools in the nation, regardless of family income, is a bipartisan and bicameral goal. I thank Congressmen SMITH and JOHNSON for introducing this bill in the House and urge the Senate to pass this narrow legislation.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Mr. SANDERS, and Ms. BALDWIN):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1486

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 ''Patriot Employer Tax Credit Act''.

SEC. 2. PATRIOT EMPLOYER TAX CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45S. PATRIOT EMPLOYER TAX CREDIT.

''(a) DETERMINATION OF AMOUNT.—

''(1) IN GENERAL.—For purposes of section 38, the Patriot employer credit determined under this section with respect to any taxpayer who is a Patriot employer for any taxable year shall be equal to 10 percent of the qualified wages paid or incurred by the Patriot employer.

''(2) LIMITATION.—The amount of qualified wages which may be taken into account under paragraph (1) with respect to any employee for any taxable year shall not exceed $15,000.

''(b) PATRIOT EMPLOYER.—

''(1) IN GENERAL.—For purposes of subsection (a), the term 'Patriot employer' means, with respect to any taxable year, any taxpayer—

''(A) which—

''(i) maintains its headquarters in the United States if the taxpayer (or any predecessor) has ever been headquartered in the United States, and

''(ii) is not (and no predecessor of which is) an expatriated entity (as defined in section 7874(a)(2)) for the taxable year or any preceding taxable year ending after March 4, 2003,

''(B) with respect to which no assessable payment has been imposed under section 4980H with respect to any month occurring during the taxable year, and

''(C) in the case of—

''(i) a taxpayer which employs an average of more than 50 employees on business days during the taxable year, which—

''(I) provides compensation for at least 90 percent of its employees for services provided by such employees during the taxable year at an hourly rate (or equivalent thereof) not less than an amount equal to 156 percent of the Federal poverty level for a family of three for the calendar year in which the taxable year begins divided by 2,080,

''(II) meets the retirement plan requirements of subsection (c) with respect to at least 90 percent of its employees providing services during the taxable year who are not highly compensated employees, and

''(III) meets the additional requirements of subparagraphs (A) and (B) of paragraph (2), or

''(ii) any other taxpayer, which meets the requirements of either subclause (I) or (II) of clause (i) for the taxable year.

''(2) ADDITIONAL REQUIREMENTS FOR LARGE EMPLOYERS.—

''(A) UNITED STATES EMPLOYMENT.—The requirements of this subparagraph are met for any taxable year if—

''(i) in any case in which the taxpayer increases the number of employees performing substantially all of their services for the taxable year outside the United States, the taxpayer either—

''(I) increases the number of employees performing substantially all of their services inside the United States by an amount not less than the increase in such number for employees outside the United States, or

''(II) has a percentage increase in such employees inside the United States which is not less than the percentage increase in such employees outside the United States,

''(ii) in any case in which the taxpayer decreases the number of employees performing substantially all of their services for the taxable year inside the United States, the taxpayer either—

''(I) decreases the number of employees performing substantially all of their services outside the United States by an amount not less than the decrease in such number for employees inside the United States, or

''(II) has a percentage decrease in employees outside the United States which is not less than the percentage decrease in such employees inside the United States, and

''(iii) there is not a decrease in the number of employees performing substantially all of their services for the taxable year inside the United States by reason of the taxpayer contracting out such services to persons who are not employees of the taxpayer.

''(B) TREATMENT OF INDIVIDUALS IN THE UNIFORMED SERVICES AND THE DISABLED.—The requirements of this subparagraph are met for any taxable year if—

''(i) the taxpayer provides differential wage payments (as defined in section 3401(h)(2)) to each employee described in section 3401(h)(2)(A) for any period during the taxable year in an amount not less than the difference between the wages which would have been received from the employer during such period and the amount of pay and allowances which the employee receives for service in the uniformed services during such period, and

''(ii) the taxpayer has in place at all times during the taxable year a written policy for the recruitment of employees who have served in the uniformed services or who are disabled.

''(3) SPECIAL RULES FOR APPLYING THE MINIMUM WAGE AND RETIREMENT PLAN REQUIREMENTS.—

''(A) MINIMUM WAGE.—In determining whether the minimum wage requirements of paragraph (1)(C)(i)(I) are met with respect to 90 percent of a taxpayer's employees for any taxable year—

''(i) a taxpayer may elect to exclude from such determination apprentices or learners that an employer may exclude under the regulations under section 14(a) of the Fair Labor Standards Act of 1938, and

''(ii) if a taxpayer meets the requirements of paragraph (2)(B)(i) with respect to providing differential wage payments to any employee for any period (without regard to whether such requirements apply to the taxpayer), the hourly rate (or equivalent thereof) for such payments shall be determined on the basis of the wages which would have been paid by the employer during such period if the employee had not been providing service in the uniformed services.

''(B) RETIREMENT PLAN.—In determining whether the retirement plan requirements of paragraph (1)(C)(i)(II) are met with respect to 90 percent of a taxpayer's employees for any taxable year, a taxpayer may elect to exclude from such determination—

''(i) employees not meeting the age or service requirements under section 410(a)(1) (or such lower age or service requirements as the employer provides), and

''(ii) employees described in section 410(b)(3).

''(c) RETIREMENT PLAN REQUIREMENTS.—

''(1) IN GENERAL.—The requirements of this subsection are met for any taxable year with respect to an employee of the taxpayer who is not a highly compensated employee if the employee is eligible to participate in 1 or more applicable eligible retirement plans maintained by the employer for a plan year ending with or within the taxable year.

''(2) APPLICABLE ELIGIBLE RETIREMENT PLAN.—For purposes of this subsection, the term 'applicable eligible retirement plan' means an eligible retirement plan which, with respect to the plan year described in paragraph (1), is either—

''(A) a defined contribution plan which—

''(i) requires the employer to make nonelective contributions of at least 5 percent of the compensation of the employee, or

''(ii) both—

''(I) includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) under which the uniform percentage described in section 414(w)(3)(B) is at least 5 percent, and

''(II) requires the employer to make matching contributions of 100 percent of the elective deferrals (as defined in section 414(u)(2)(C)) of the employee to the extent such deferrals do not exceed the percentage specified by the plan (not less than 5 percent) of the employee's compensation, or

''(B) a defined benefit plan—

''(i) with respect to which the accrued benefit of the employee derived from employer contributions, when expressed as an annual retirement benefit, is not less than the product of—

''(I) the lesser of 2 percent multiplied by the employee's years of service (determined under the rules of paragraphs (4), (5), and (6) of section 411(a)) with the employer or 20 percent, multiplied by

''(II) the employee's final average pay, or

''(ii) which is an applicable defined benefit plan (as defined in section 411(a)(13)(B))—

''(I) which meets the interest credit requirements of section 411(b)(5)(B)(i) with respect to the plan year, and

''(II) under which the employee receives a pay credit for the plan year which is not less than 5 percent of compensation.

''(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) ELIGIBLE RETIREMENT PLAN.—The term 'eligible retirement plan' has the meaning given such term by section 402(c)(8)(B), except that in the case of an account or annuity described in clause (i) or (ii) thereof, such term shall only include an account or annuity which is a simplified employee pension (as defined in section 408(k)).

''(B) FINAL AVERAGE PAY.—For purposes of paragraph (2)(B)(i)(II), final average pay shall be determined using the period of consecutive years (not exceeding 5) during which the employee had the greatest compensation from the taxpayer.

''(C) ALTERNATIVE PLAN DESIGNS.—The Secretary may prescribe regulations for a taxpayer to meet the requirements of this subsection through a combination of defined contribution plans or defined benefit plans described in paragraph (1) or through a combination of both such types of plans.

''(D) PLANS MUST MEET REQUIREMENTS WITHOUT TAKING INTO ACCOUNT SOCIAL SECURITY AND SIMILAR CONTRIBUTIONS AND BENEFITS.—A rule similar to the rule of section 416(e) shall apply.

''(d) QUALIFIED WAGES AND COMPENSATION.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified wages' means wages (as defined in section 51(c), determined without regard to paragraph (4) thereof) paid or incurred by the Patriot employer during the taxable year to employees—

''(A) who perform substantially all of their services for such Patriot employer inside the United States, and

''(B) with respect to whom—

''(i) in the case of a Patriot employer which employs an average of more than 50 employees on business days during the taxable year, the requirements of subclauses (I) and (II) of subsection (b)(1)(C)(i) are met, and

''(ii) in the case of any other Patriot employer, the requirements of either subclause (I) or (II) of subsection (b)(1)(C)(i) are met.

''(2) SPECIAL RULES FOR AGRICULTURAL LABOR AND RAILWAY LABOR.—Rules similar to the rules of section 51(h) shall apply.

''(3) COMPENSATION.—For purposes of subsections (b)(1)(C)(i)(I) and (c), the term 'compensation' has the same meaning as qualified wages, except that section 51(c)(2) shall be disregarded in determining the amount of such wages.

''(e) AGGREGATION RULES.—For purposes of this section—

''(1) IN GENERAL.—All persons treated as a single employer under subsection (a) or (b) of

section 52 shall be treated as a single taxpayer.

''(2) SPECIAL RULES FOR CERTAIN REQUIREMENTS.—For purposes of applying paragraphs (1)(A) and (2)(A) of subsection (b)—

''(A) the determination under subsections (a) and (b) of section 52 for purposes of paragraph (1) shall be made without regard to section 1563(b)(2)(C) (relating to exclusion of foreign corporations), and

''(B) if any person treated as a single taxpayer under this subsection (after application of subparagraph (A)), or any predecessor of such person, was an expatriated entity (as defined in section 7874(a)(2)) for any taxable year ending after March 4, 2003, then all persons treated as a single taxpayer with such person shall be treated as expatriated entities.

''(f) ELECTION TO HAVE CREDIT NOT APPLY.—

''(1) IN GENERAL.—A taxpayer may elect to have this section not apply for any taxable year.

''(2) TIME FOR MAKING ELECTION.—An election under paragraph (1) for any taxable year may be made (or revoked) at any time before the expiration of the 3-year period beginning on the last date prescribed by law for filing the return for such taxable year (determined without regard to extensions).

''(3) MANNER OF MAKING ELECTION.—An election under paragraph (1) (or revocation thereof) shall be made in such manner as the Secretary may by regulations prescribe.''.

(b) ALLOWANCE AS GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following:

''(37) in the case of a Patriot employer (as defined in section 45S(b)) for any taxable year, the Patriot employer credit determined under section 45S(a).''.

(c) DENIAL OF DOUBLE BENEFIT.—Subsection (a) of section 280C of the Internal Revenue Code of 1986 is amended by inserting ''45S(a),'' after ''45P(a)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 3. DEFER DEDUCTION OF INTEREST EXPENSE RELATED TO DEFERRED INCOME.

(a) IN GENERAL.—Section 163 of the Internal Revenue Code of 1986 (relating to deductions for interest expense) is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) DEFERRAL OF DEDUCTION FOR INTEREST EXPENSE RELATED TO DEFERRED INCOME.—

''(1) GENERAL RULE.—The amount of foreign-related interest expense of any taxpayer allowed as a deduction under this chapter for any taxable year shall not exceed an amount equal to the applicable percentage of the sum of—

''(A) the taxpayer's foreign-related interest expense for the taxable year, plus

''(B) the taxpayer's deferred foreign-related interest expense.

For purposes of the paragraph, the applicable percentage is the percentage equal to the current inclusion ratio.

''(2) TREATMENT OF DEFERRED DEDUCTIONS.—If, for any taxable year, the amount of the limitation determined under paragraph (1) exceeds the taxpayer's foreign-related interest expense for the taxable year, there shall be allowed as a deduction for the taxable year an amount equal to the lesser of—

''(A) such excess, or

''(B) the taxpayer's deferred foreign-related interest expense.

''(3) DEFINITIONS AND SPECIAL RULE.—For purposes of this subsection—

''(A) FOREIGN-RELATED INTEREST EXPENSE.—The term 'foreign-related interest expense' means, with respect to any taxpayer for any taxable year, the amount which bears the same ratio to the amount of interest expense for such taxable year allocated and apportioned under sections 861, 864(e), and 864(f) to income from sources outside the United States as—

''(i) the value of all stock held by the taxpayer in all section 902 corporations with respect to which the taxpayer meets the ownership requirements of subsection (a) or (b) of section 902, bears to

''(ii) the value of all assets of the taxpayer which generate gross income from sources outside the United States.

''(B) DEFERRED FOREIGN-RELATED INTEREST EXPENSE.—The term 'deferred foreign-related interest expense' means the excess, if any, of the aggregate foreign-related interest expense for all prior taxable years beginning after December 31, 2015, over the aggregate amount allowed as a deduction under paragraphs (1) and (2) for all such prior taxable years.

''(C) VALUE OF ASSETS.—Except as otherwise provided by the Secretary, for purposes of subparagraph (A)(ii), the value of any asset shall be the amount with respect to such asset determined for purposes of allocating and apportioning interest expense under sections 861, 864(e), and 864(f).

''(D) CURRENT INCLUSION RATIO.—The term 'current inclusion ratio' means, with respect to any domestic corporation which meets the ownership requirements of subsection (a) or (b) of section 902 with respect to one or more section 902 corporations for any taxable year, the ratio (expressed as a percentage) of—

''(i) the sum of all dividends received by the domestic corporation from all such section 902 corporations during the taxable year plus amounts includible in gross income under section 951(a) from all such section 902 corporations, in each case computed without regard to section 78, divided by

''(ii) the aggregate amount of post-1986 undistributed earnings.

''(E) AGGREGATE AMOUNT OF POST-1986 UNDISTRIBUTED EARNINGS.—The term 'aggregate amount of post-1986 undistributed earnings' means, with respect to any domestic corporation which meets the ownership requirements of subsection (a) or (b) of section 902 with respect to one or more section 902 corporations, the domestic corporation's pro rata share of the post-1986 undistributed earnings (as defined in section 902(c)(1)) of all such section 902 corporations.

''(F) FOREIGN CURRENCY CONVERSION.—For purposes of determining the current inclusion ratio, and except as otherwise provided by the Secretary, the aggregate amount of post-1986 undistributed earnings for the taxable year shall be determined by translating each section 902 corporation's post-1986 undistributed earnings into dollars using the average exchange rate for such year.

''(G) SECTION 902 CORPORATION.—The term 'section 902 corporation' has the meaning given to such term by section 909(d)(5).

''(4) TREATMENT OF AFFILIATED GROUPS.—The current inclusion ratio of each member of an affiliated group (as defined in section 864(e)(5)(A)) shall be determined as if all members of such group were a single corporation.

''(5) APPLICATION TO SEPARATE CATEGORIES OF INCOME.—This subsection shall be applied separately with respect to the categories of income specified in section 904(d)(1).

''(6) REGULATIONS.—The Secretary may prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this subsection, including regulations or other guidance providing—

''(A) for the proper application of this subsection with respect to changes in ownership of a section 902 corporation,

''(B) that certain corporations that otherwise would not be members of the affiliated group will be treated as members of the affiliated group for purposes of this subsection,

''(C) for the proper application of this subsection with respect to the taxpayer's share of a deficit in earnings and profits of a section 902 corporation,

''(D) for appropriate adjustments to the determination of the value of stock in any section 902 corporation for purposes of this subsection or to the foreign-related interest expense to account for income that is subject to tax under section 882(a)(1), and

''(E) for the proper application of this subsection with respect to interest expense that is directly allocable to income with respect to certain assets.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1463. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1464. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1465. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1466. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1467. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1468. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1469. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1470. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1471. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; which was ordered to lie on the table.

SA 1472. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of

Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1474. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1475. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. BLUNT, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1463. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2016''.

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.

(4) Division D—Funding tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

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 2016 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—Navy Programs

SEC. 111. AMENDMENT TO COST LIMITATION BASELINE FOR CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.

Section 122(a)(2) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as amended by section 121(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 691), is further amended by striking ''$11,498,000,000'' and inserting ''$11,398,000,000''.

SEC. 112. LIMITATION ON AVAILABILITY OF FUNDS FOR USS JOHN F. KENNEDY (CVN–79).

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for procurement for the USS JOHN F. KENNEDY (CVN–79), $100,000,000 may not be obligated or expended until the date on which the Secretary of the Navy submits to the Committees on Armed Services of the Senate and of the House of Representatives the certification required under subsection (b) and the reports required under subsection (c) and (d).

(b) CERTIFICATION REGARDING FULL SHIP SHOCK TRIALS.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a certification that the Navy will conduct by not later than September 30, 2017, full ship shock trials on the USS GERALD R. FORD (CVN–78).

(c) REPORT.—

(1) 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 Committees on Armed Services of the Senate and of the House of Representatives a report that evaluates cost issues related to the USS JOHN F. KENNEDY (CVN–79) and the USS ENTERPRISE (CVN–80).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) Options to achieve ship end cost of no more than $10,000,000,000.

(B) Options to freeze the design of CVN–79 for CVN–80, with exceptions only for changes due to full ship shock trials or other significant test and evaluation results.

(C) Options to reduce the plans cost for CVN–80 to less than 50 percent of the CVN–79 plans cost.

(D) Options to transition all non-nuclear government furnished equipment, including launch and arresting equipment, to contractor furnished equipment.

(E) Options to build the ships at the most economic pace, such as four years between ships.

(F) A business case analysis for the Enterprise Air Search Radar modification to CVN–79 and CVN–80.

(G) A business case analysis for the two-phase CVN–79 delivery proposal and impact on fleet deployments.

(d) REPORT.—

(1) IN GENERAL.—Not later than April 1, 2016, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a report on potential requirements, capabilities, and alternatives for future development of aircraft carriers that would replace or supplement the CVN–78 class aircraft carrier.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of fleet, sea-based tactical aviation capability requirements for a range of operational scenarios beginning in the 2025 timeframe.

(B) A description of alternative aircraft carrier designs that meet the requirements described under subparagraph (A).

(C) A description of nuclear and non-nuclear propulsion options.

(D) A description of tonnage options ranging from less than 20,000 tons to greater than 100,000 tons.

(E) Requirements for unmanned systems integration from inception.

(F) Developmental, procurement, and lifecycle cost assessment of alternatives.

(G) A notional acquisition strategy for development and construction of alternatives.

(H) A description of shipbuilding industrial base considerations and a plan to ensure opportunity for competition among alternatives.

(I) A description of funding and timing considerations related to developing the Annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code.

SEC. 113. LIMITATION ON AVAILABILITY OF FUNDS FOR USS ENTERPRISE (CVN–80).

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for advance procurement for the USS ENTERPRISE (CVN–80), $191,400,000 may not be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives the certification required under subsection (b) and the report required under subsection (c).

(b) CERTIFICATION REGARDING CVN–80 DESIGN.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification that the design of CVN–80 will repeat that of CVN–79, with modifications only for significant test and evaluation results or significant cost reduction initiatives that still meet threshold requirements.

(c) REPORT.—

(1) 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 Committees on Armed Services of the Senate and the House of Representatives a report that details the plans costs related to the USS ENTERPRISE (CVN–80).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements, reported by total cost and cost by fiscal year, with a detailed description and a justification for why each cost is recurring and attributable to CVN–80:

(A) Overall plans.

(B) Propulsion plant detail design.

(C) Platform detail design.

(D) Lead yard services and hull planning yard.

(E) Platform detail design (Steam and Electric Plant Planning Yard).

(F) Other.

SEC. 114. MODIFICATION OF CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.

Subsection (f) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as added by section 121(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 692), is amended by adding at the end the following new paragraph:

''(3)(A) As part of the report required under paragraph (1), the Secretary of the Navy shall include a description of new design and engineering changes to CVN–78 class aircraft carriers if applicable.

''(B) The additional reporting requirement in subparagraph (A) shall include, with respect to CVN–78 class aircraft carriers in each reporting period—

''(i) any design or engineering change with an associated cost greater than $5,000,000;

''(ii) program or ship cost increases for each design or engineering change identified in subparagraph (A); and

''(iii) cost reduction achieved.

''(C) The Secretary of the Navy and Chief of Naval Operations shall each personally sign (not autopen) the additional reporting requirement in subparagraph (A). This certification may not be delegated. The certification shall include a determination that each change—

''(i) serves the national security interests of the United States;

''(ii) cannot be deferred to a future ship due to operational necessity, safety, or substantial cost reduction that still meets threshold requirements; and

''(iii) was personally reviewed and endorsed by the Secretary of the Navy and Chief of Naval Operations.''.

SEC. 115. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research and development, design, construction, procurement or advanced procurement of materials for the Littoral Combat Ships designated as LCS 33 or subsequent, not more than 25 percent may be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives each of the following:

(1) A Capabilities Based Assessment to assess capability gaps and associated capability requirements and risks for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33. This assessment shall conform with the Joint Capabilities Integration and Development System, including Chairman of the Joint Chiefs of Staff Instruction 3170.01H.

(2) A certification that the Joint Requirements Oversight Council has validated an updated Capabilities Development Document for the upgraded Littoral Combat Ship.

(3) A report describing the upgraded Littoral Combat Ship modernization, which shall, at a minimum, include the following elements:

(A) A description of capabilities that the LCS program delivers, and a description of how these relate to the characteristics of the future joint force identified in the Capstone Concept for Joint Operations, concept of operations, and integrated architecture documents.

(B) A summary of analyses and studies conducted on LCS modernization.

(C) A concept of operations for LCS modernization ships at the operational level and tactical level describing how they integrate and synchronize with joint and combined forces to achieve the Joint Force Commander's intent.

(D) A description of threat systems of potential adversaries that are projected or assessed to reach initial operational capability within 15 years against which the lethality and survivability of the LCS should be determined.

(E) A plan and timeline for LCS modernization program execution.

(F) A description of system capabilities required for LCS modernization, including key performance parameters and key system attributes.

(G) A plan for family of systems or systems of systems synchronization.

(H) A plan for information technology and national security systems supportability.

(I) A plan for intelligence supportability.

(J) A plan for electromagnetic environmental effects (E3) and spectrum supportability.

(K) A description of assets required to achieve initial operational capability (IOC) of an LCS modernization increment.

(L) A schedule and initial operational capability and full operational capability definitions.

(M) A description of doctrine, organization, training, materiel, leadership, education, personnel, facilities, and policy considerations.

(N) A description of other system attributes.

(4) A plan for future periodic combat systems upgrades, which are necessary to ensure relevant capability throughout the Littoral Combat Ship or Frigate class service lives, using the process described in paragraph (3).

SEC. 116. EXTENSION AND MODIFICATION OF LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Section 124(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 693), as amended by section 123 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3314), is further amended—

(1) by striking ''this Act, the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015, or otherwise made available for fiscal years 2014 or 2015'' and inserting ''this Act, the National Defense Authorization Act for Fiscal Year 2016, or otherwise made available for fiscal years 2014, 2015, or 2016''; and

(2) by adding at the end the following new paragraphs:

''(6) A Littoral Combat Ship seaframe acquisition strategy for the Littoral Combat Ships designated as LCS 25 through LCS 32, including upgrades to be installed on these ships that were identified for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33.

''(7) A Littoral Combat Ship mission module acquisition strategy to reach the total acquisition quantity of each mission module.

''(8) A cost and schedule plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship.

''(9) A current Test and Evaluation Master Plan for the Littoral Combat Ship Mission Modules, approved by the Director of Operational Test and Evaluation, which includes the performance levels expected to be demonstrated during developmental testing for each component and mission module prior to commencing the associated operational test phase.''.

SEC. 117. CONSTRUCTION OF ADDITIONAL ARLEIGH BURKE DESTROYER.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract beginning with the fiscal year 2016 program year for the procurement of one Arleigh Burke class destroyer in addition to the ten DDG–51s in the fiscal year 2013 through 2017 multiyear procurement contract or for one DDG–51 in fiscal year 2018. The Secretary may employ incremental funding for such procurement.

(b) CONDITION ON 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 such contract for any fiscal year after fiscal year 2016 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 118. FLEET REPLENISHMENT OILER PROGRAM.

(a) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into one or more contracts to procure up to six Fleet Replenishment Oilers. Such procurements may also include advance procurement for Economic

Order Quantity (EOQ) and long lead time materials, beginning with the lead ship, commencing not earlier than fiscal year 2016.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination.

SEC. 119. REPORTING REQUIREMENT FOR OHIO-CLASS REPLACEMENT SUBMARINE PROGRAM.

The Secretary of Defense shall include in the budget justification materials for the Ohio-class replacement submarine program submitted to Congress in support of the Department of Defense budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report including the following elements, described in terms of both fiscal 2010 and current fiscal year dollars:

(1) Lead ship end cost (with plans).

(2) Lead ship end cost (less plans).

(3) Lead ship non-recurring engineering cost.

(4) Average follow-on ship cost.

(5) Average operations and sustainment cost per hull per year.

(6) Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics average follow-on ship affordability target.

(7) Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics operations and sustainment cost per hull per year affordability target.

Subtitle C—Air Force Programs

SEC. 131. LIMITATIONS ON RETIREMENT OF B–1, B–2, AND B–52 BOMBER AIRCRAFT.

(a) IN GENERAL.—Except as provided in subsection (b), no B–1, B–2, or B–52 bomber aircraft may be retired during a fiscal year prior to initial operational capability (IOC) of the LRS–B unless the Secretary of Defense certifies, in the materials submitted in support of the budget of the President for that fiscal year (as submitted to Congress under section 1105(a) of title 31, United States Code), that—

(1) the retirement of the aircraft is required to reallocate funding and manpower resources to enable LRS–B to reach IOC and full operational capability (FOC); and

(2) the Secretary has concluded that retirements of B–1, B–2, and B–52 bomber aircraft in the near-term will not detrimentally affect operational capability.

(b) EXCEPTION.—A certification described in sub-section (a) is not required with respect to the retirement of B–1 bomber aircraft carried out in accordance with section 132(c)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1320).

SEC. 132. LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.

(a) INVENTORY REQUIREMENT.—Section 8062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i) INVENTORY REQUIREMENT.—(1) Effective October 1, 2015, the Secretary of the Air Force shall maintain a total aircraft inventory of fighter aircraft of not less than 1,950 aircraft, and a total primary mission aircraft inventory (combat-coded) of not less than 1,116 fighter aircraft.

''(2) In this subsection:

''(A) The term 'fighter aircraft' means an aircraft that—

''(i) is designated by a mission design series prefix of F– or A–;

''(ii) is manned by one or two crewmembers; and

''(iii) executes single-role or multi-role missions, including air-to-air combat, air-to-ground attack, air interdiction, suppression or destruction of enemy air defenses, close air support, strike control and reconnaissance, combat search and rescue support, or airborne forward air control.

''(B) The term 'primary mission aircraft inventory' means aircraft assigned to meet the primary aircraft authorization to a unit for the performance of its wartime mission.''.

(b) LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.—

(1) LIMITATION.—The Secretary of the Air Force may not proceed with a decision to retire fighter aircraft in any number that would reduce the total number of such aircraft in the Air Force total active inventory (TAI) below 1,950, and shall maintain a minimum of 1,116 fighter aircraft designated as primary mission aircraft inventory (PMAI).

(2) ADDITIONAL LIMITATIONS ON RETIREMENT OF FIGHTER AIRCRAFT.—The Secretary of the Air Force may not retire fighter aircraft from the total active inventory as of the date of the enactment of this Act until the later of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required under paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) the retirement of such fighter aircraft will not increase the operational risk of meeting the National Defense Strategy; and

(ii) the retirement of such aircraft will not reduce the total fighter force structure below 1,950 fighter aircraft or the primary mission aircraft inventory below 1,116.

(3) REPORT ON RETIREMENT OF AIRCRAFT.—The Secretary of the Air Force shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for the retirement of existing fighter aircraft and an operational analysis of replacement fighter aircraft that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the retiring aircraft.

(B) An assessment of the implications for the Air Force, the Air National Guard, and the Air Force Reserve of the force mix ratio of fighter aircraft.

(C) Such other matters relating to the retirement of fighter aircraft as the Secretary considers appropriate.

(c) REPORTS ON FIGHTER AIRCRAFT.—

(1) IN GENERAL.—At least 90 days before the date on which a fighter aircraft is retired, the Secretary of the Air Force, in consultation with (where applicable) the Director of the Air National Guard or Chief of the Air Force Reserve, shall submit to the congressional defense committees a report on the proposed force structure and basing of fighter aircraft.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following elements:

(A) A list of each aircraft in the inventory of fighter aircraft, including for each such aircraft—

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(B) A list of each fighter aircraft proposed for retirement, including for each such aircraft—

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(C) A list of each unit affected by a proposed retirement listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(iii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed retirement.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed retirement listed under subparagraph (B).

(d) FIGHTER AIRCRAFT DEFINED.—In this section, the term ''fighter aircraft'' has the meaning given the term in subsection (i)(2)(A) of section 8062 of title 10, United States Code, as added by subsection (a) of this section.

SEC. 133. LIMITATION ON AVAILABILITY OF FUNDS FOR F–35A AIRCRAFT PROCUREMENT.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for aircraft procurement, Air Force, not more than $4,285,000,000 may be made available for the procurement of F–35A aircraft until the Secretary of Defense certifies to the congressional defense committees that F–35A aircraft delivered in fiscal year 2018 will have full combat capability as currently planned with Block 3F hardware, software, and weapons carriage.

SEC. 134. PROHIBITION ON RETIREMENT OF A–10 AIRCRAFT.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft.

(b) ADDITIONAL LIMITATIONS ON RETIREMENT.—

(1) IN GENERAL.—In addition to the limitation in subsection (a), during the period before December 31, 2016, the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any A–10 aircraft.

(2) MINIMUM INVENTORY REQUIREMENT.—The Secretary of the Air Force shall ensure the Air Force maintains a minimum of 171 A–10 aircraft designated as primary mission aircraft inventory (PMAI).

(c) PROHIBITION ON AVAILABILITY OF FUNDS FOR SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(d) ADDITIONAL LIMITATION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—-In addition to the limitation in subsection (c), during the period before December 31, 2016, the Secretary of the Air Force may not make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(e) STUDY ON REPLACEMENT CAPABILITY REQUIREMENTS OR MISSION PLATFORM FOR THE A–10 AIRCRAFT.—

(1) INDEPENDENT ASSESSMENT REQUIRED.—

(A) IN GENERAL.—The Secretary of the Air Force shall commission an appropriate entity outside the Department of Defense to conduct an assessment of the required capabilities or mission platform to replace the A–10 aircraft. This assessment would represent preparatory work to inform an analysis of alternatives.

(B) ELEMENTS.—The assessment required under subparagraph (A) shall include each of the following:

(i) Future needs analysis for the current A–10 aircraft mission set to include troops-in-contact/close air support, air interdiction, strike control and reconnaissance, and combat search and rescue support in both contested and uncontested battle environments. At a minimum, the needs analysis should specifically address the following areas:

(I) The ability to safely and effectively conduct troops-in-contact/danger close missions or missions in close proximity to civilians in the presence of the air defenses found with enemy ground maneuver units.

(II) The ability to effectively target and destroy moving, camouflaged, or dug-in troops, artillery, armor, and armored personnel carriers.

(III) The ability to remain within visual range of friendly forces and targets to facilitate responsiveness to ground forces and minimize re-attack times.

(IV) The ability to safely conduct close air support beneath low cloud ceilings and in reduced visibilities at low airspeeds in the presence of the air defenses found with enemy ground maneuver units.

(V) The capability to enable the pilot and aircraft to survive attacks stemming from small arms, machine guns, MANPADs, and lower caliber anti-aircraft artillery organic or attached to enemy ground forces and maneuver units.

(VI) The ability to communicate effectively with ground forces and downed pilots, including in communications jamming or satellite-denied environments.

(VII) The ability to execute the missions described in subclauses (I), (II), (III), and (IV) in a GPS- or satellite-denied environment with or without sensors.

(VIII) The ability to deliver multiple lethal firing passes and sustain long loiter endurance to support friendly forces throughout extended ground engagements.

(IX) The ability to operate from unprepared dirt, grass, and narrow road runways and to generate high sortie rates under these austere conditions.

(ii) Identification and assessment of gaps in the ability of existing and programmed mission platforms in providing required capabilities to conduct missions specified in clause (i) in both contested and uncontested battle environments.

(iii) Assessment of operational effectiveness of existing and programmed mission platforms to conduct missions specified in clause (i) in both contested and uncontested battle environments.

(iv) Assessment of probability of likelihood of conducting missions requiring troops-in-contact/close air support operations specified in clause (i) in contested environments as compared to uncontested environments.

(v) Any other matters the independent entity or the Secretary of the Air Force determines to be appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than September 30, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the assessment required under paragraph (1).

(B) FORM.—The report required under subparagraph (A) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(3) NONDUPLICATION OF EFFORT.—If any information required under paragraph (1) has been included in another report or notification previously submitted to Congress by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under paragraph (2) in lieu of including such information in the report required under paragraph (2).

SEC. 135. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF EC–130H COMPASS CALL AIRCRAFT.

(a) PROHIBITION ON RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or backup aircraft inventory status any EC–130H Compass Call aircraft.

(b) ADDITIONAL LIMITATIONS ON RETIREMENT OF EC–130H COMPASS CALL AIRCRAFT.—In addition to the limitation in subsection (a), during the period preceding December 31, 2016, the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any EC-130H Compass Call aircraft.

(c) REPORT ON RETIREMENT OF EC–130H COMPASS CALL AIRCRAFT.—Not later than September 30, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth the following:

(1) The rationale for the retirement of existing EC–130H Compass Call aircraft, including an operational analysis of the impact of such retirements on combatant commander warfighting requirements.

(2) A plan for how the Air Force will fulfill the capability requirement of the EC–130H mission, transition the mission capabilities of the EC–130H into a replacement platform, or integrate the required capabilities into other mission platforms.

(3) Such other matters relating to the required mission capabilities and transition of the EC–130H Compass Call fleet as the Secretary considers appropriate.

SEC. 136. LIMITATION ON TRANSFER OF C–130 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to transfer from one facility of the Department of Defense to another any C–130H aircraft, initiate any C–130 manpower authorization adjustments, retire or prepare to retire any C–130H aircraft, or close any C–130H unit until 90 days after the date on which the Secretary of the Air Force, in consultation with the Secretary of the Army, and after certification by the commanders of the XVIII Airborne Corps, 82nd Airborne Division and United States Army Special Operations Command, certifies to the Committees on Armed Services of the Senate and of the House of Representatives that—

(1) the United States Air Force will maintain dedicated C–130 wings to support the daily training and contingency requirements of the XVIII Airborne Corps, 82nd Airborne Division, and United States Army Special Operations Command at manning levels required to support and operate the number of aircraft that existed as part of regular and reserve Air Force operations in support of such units as of September 30, 2014; and

(2) failure to maintain such Air Force operations will not adversely impact the daily training requirement of those airborne and special operations units.

SEC. 137. LIMITATION ON USE OF FUNDS FOR T–1A JAYHAWK AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for avionics modification to the T–1A Jayhawk aircraft may be obligated or expended until 30 days after the Secretary of the Air Force submits to the congressional defense committees the report required under section 142 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3320).

SEC. 138. RESTRICTION ON RETIREMENT OF THE JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM (JSTARS), EC-130H COMPASS CALL, AND AIRBORNE EARLY WARNING AND CONTROL (AWACS) AIRCRAFT.

The Secretary of the Air Force may not retire any operational Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, or Airborne Early Warning and Control (AWACS) aircraft until the follow-on replacement aircraft program enters Low-Rate Initial Production.

SEC. 139. SENSE OF CONGRESS REGARDING THE OCONUS BASING OF THE F–35A AIRCRAFT.

(a) FINDING.—Congress finds that the Department of Defense is continuing its process of permanently stationing the F–35 aircraft at installations in the Continental United States (in this section referred to as ''CONUS'') and forward-basing Outside the Continental United States (in this section referred to as ''OCONUS'').

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force, in the strategic basing process for the F–35A aircraft, should continue to consider the benefits derived from sites that—

(1) are capable of hosting fighter-based bilateral and multilateral training opportunities with international partners;

(2) have sufficient airspace and range capabilities and capacity to meet the training requirements;

(3) have existing facilities to support personnel, operations, and logistics associated with the flying mission;

(4) have limited encroachment that would adversely impact training or operations; and

(5) minimize the overall construction and operational costs.

SEC. 140. SENSE OF CONGRESS ON F–16 ACTIVE ELECTRONICALLY SCANNED ARRAY (AESA) RADAR UPGRADE.

(a) FINDINGS.—Congress makes the following findings:

(1) National Guard F–16 aircraft are protecting the United States from terrorist air attack from inside or outside the contiguous United States 24 hours a day, 365 days a year.

(2) These aircraft, stationed throughout the United States, are tasked with the zero-fail mission of guarding and securing United States airspace.

(3) The United States is facing an increased threat from both state and non-state actors.

(4) The National Guard F–16 aircraft performing the Aerospace Control Alert (ACA) mission are operating legacy radar systems.

(5) Air Force Chief of Staff General Mark Welsh testified to Congress in March 2015, stating, ''We need to develop an AESA radar plan for our F–16s who are conducting the homeland defense mission in particular.''

(6) First Air Force, United States Northern Command, issued a Joint Urgent Operational Need (JUON) request in March 2015 for radar upgrades to its F–16 fleet.

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

(1) it is essential to our Nation's defense that Air Force aircraft modification funding is made available to purchase these Active Electronically Scanned Array (AESA) radars as the United States Air Force bridges the gap between 4th and 5th generation fighters;

(2) the United States Government must invest in radar upgrades which ensure that 4th generation aircraft succeed at this zero-fail mission; and

(3) the First Air Force JUON request should be met as soon as possible.

Subtitle D—Defense-wide, Joint, and Multiservice Matters

SEC. 151. REPORT ON ARMY AND MARINE CORPS MODERNIZATION PLAN FOR SMALL ARMS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plan of the Army and the Marine Corps to modernize small arms for the Army and the Marine Corps during the 15-year period beginning on the date of such plan, including the mechanisms to be used to promote competition among suppliers of small arms and small arms parts in achieving the plan.

(b) SMALL ARMS.—The small arms covered by the plan under subsection (a) shall include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries consider appropriate for purposes of the report required by subsection (a).

(c) NON-STANDARD SMALL ARMS.—In addition to the arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.

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 2016 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. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGINEERING PARTNERSHIP.

(a) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2367 the following new section:

''§ 2368. Centers for Science, Technology, and Engineering Partnership

''(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate each science and technology reinvention laboratory as a Center for Science, Technology, and Engineering Partnership in the recognized core competencies of the designee.

''(2) The Secretary of Defense shall establish a policy to encourage the Secretary of each military department to reengineer management and business processes and adopt best-business and personnel practices at their Centers for Science, Technology, and Engineering Partnership in connection with their core competency requirements, so as to serve as recognized leaders in their core competencies throughout the Department of Defense and in the national technology and industrial base (as defined in section 2500 of this title).

''(3) The Secretary of Defense, acting through the directors of the Centers for Science, Technology, and Engineering Partnership, may conduct one or more pilot programs, consistent with applicable requirements of law, to test any practices referred to in paragraph (2) that the Directors determine could—

''(A) improve the efficiency and effectiveness of operations at Centers for Science, Technology, and Engineering Partnership;

''(B) improve the support provided by the Centers for the Department of Defense users of the services of the Centers; and

''(C) enhance capabilities by reducing the cost and improving the performance and efficiency of executing laboratory missions.

''(4) In this subsection, the term 'science and technology reinvention laboratory' means a science and technology reinvention laboratory designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

''(b) PUBLIC-PRIVATE PARTNERSHIPS.—(1) To achieve one or more objectives set forth in paragraph (2), the Secretary may authorize and establish incentives for the Director of a Center for Science, Technology, and Engineering Partnership to enter into public-private cooperative arrangements (in this section referred to as a 'public-private partnership') to provide for any of the following:

''(A) For employees of the Center, private industry, or other entities outside the Department of Defense to perform (under contract, subcontract, or otherwise) work related to the core competencies of the Center, including any work that involves one or more core competencies of the Center.

''(B) For private industry or other entities outside the Department of Defense to use, for any period of time determined to be consistent with the needs of the Department of Defense, any facilities or equipment of the Center that are not fully used for Department of Defense activities.

''(2) The objectives for exercising the authority provided in paragraph (1) are as follows:

''(A) To maximize the use of the capacity of a Center for Science, Technology, and Engineering Partnership.

''(B) To reduce or eliminate the cost of ownership and maintenance of a Center by the Department of Defense.

''(C) To reduce the cost of research and testing activities of the Department of Defense.

''(D) To leverage private sector investment in—

''(i) such efforts as research and equipment recapitalization for a Center; and

''(ii) the promotion of the undertaking of commercial business ventures based on the core competencies of a Center, as determined by the director of the Center.

''(E) To foster cooperation between the armed forces, academia, and private industry.

''(F) To increase access by a Center to a skilled technical workforce that can contribute to the effective and efficient execution of Department of Defense missions.

''(c) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Any facilities or equipment of a Center for Science, Technology, and Engineering Partnership made available to private industry may be used to perform research and testing activities in order to make more efficient and economical use of Government-owned facilities and encourage the creation and preservation of jobs to ensure the availability of a workforce with the necessary research and technical skills to meet the needs of the armed forces.

''(d) CREDITING OF AMOUNTS FOR PERFORMANCE.—Amounts received by a Center for Science, Technology, and Engineering Partnership for work performed under a public-private partnership may—

''(1) be credited to the appropriation or fund, including a working-capital fund, that incurs the cost of performing the work; or

''(2) be used by the Director of the Center as the Director considers appropriate and consistent with section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note).

''(e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—Equipment or facilities of a Center for Science, Technology, and Engineering Partnership may be made available for use by a private-sector entity under this section only if—

''(1) the use of the equipment or facilities will not have a significant adverse effect on the performance of the Center or the ability of the Center to achieve its mission, as determined by the Director of the Center; and

''(2) the private-sector entity agrees—

''(A) to reimburse the Department of Defense for the direct and indirect costs (including any rental costs) that are attributable to the entity's use of the equipment or facilities, as determined by that Secretary; and

''(B) to hold harmless and indemnify the United States from—

''(i) any claim for damages or injury to any person or property arising out of the use of the equipment or facilities, except under the circumstances described in section 2563(c)(3) of title 10, United States Code; and

''(ii) any liability or claim for damages or injury to any person or property arising out of a decision by the Secretary to suspend or terminate that use of equipment or facilities during a war or national emergency.

''(f) CONSTRUCTION OF PROVISION.—Nothing in this section may be construed to authorize a change, otherwise prohibited by law, from the performance of work at a Center for Science, Technology, and Engineering Partnership by Department of Defense personnel to performance by a contractor.''.

(b) 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 2367 the following new item:

''2368. Centers for Science, Technology, and Engineering Partnership.''.

SEC. 212. DEPARTMENT OF DEFENSE TECHNOLOGY OFFSET PROGRAM TO BUILD AND MAINTAIN THE MILITARY TECHNOLOGICAL SUPERIORITY OF THE UNITED STATES.

(a) PROGRAM ESTABLISHED.—

(1) IN GENERAL.—The Secretary of Defense shall establish a technology offset program to build and maintain the military technological superiority of the United States by—

(A) accelerating the fielding of offset technologies that would help counter technological advantages of potential adversaries of the United States, including directed energy, low-cost, high-speed munitions, autonomous systems, undersea warfare, cyber technology, and intelligence data analytics, developed using Department of Defense research funding and accelerating the commercialization of such technologies; and

(B) developing and implementing new policies and acquisition and business practices.

(2) GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Secretary shall issue guidelines for the operation of the program, including—

(A) criteria for an application for funding by a military department, defense agency, or a combatant command;

(B) the purposes for which such a department, agency, or command may apply for funds and appropriate requirements for technology development or commercialization to be supported using program funds;

(C) the priorities, if any, to be provided to field or commercialize offset technologies developed by certain types of Department research funding; and

(D) criteria for evaluation of an application for funding or changes to policies or acquisition and business practices by a department, agency, or command for purposes of the program.

(b) DEVELOPMENT OF DIRECTED ENERGY STRATEGY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act,

the Secretary, in consultation with such officials and third-party experts as the Secretary considers appropriate, shall develop a directed energy strategy to ensure that the United States directed energy technologies are being developed and deployed at an accelerated pace.

(2) COMPONENTS OF STRATEGY.—The strategy required by paragraph (1) shall include the following:

(A) A technology roadmap for directed energy that can be used to manage and assess investments and policies of the Department in this high priority technology area.

(B) Proposals for legislative and administrative action to improve the ability of the Department to develop and deploy technologies and capabilities consistent with the directed energy strategy.

(C) An approach to program management that is designed to accelerate operational prototyping of directed energy technologies and develop cost-effective, real-world military applications for such technologies.

(3) BIENNIAL REVISIONS.—Not less frequently than once every 2 years, the Secretary shall revise the strategy required by paragraph (1).

(4) SUBMITTAL TO CONGRESS.—(A) Not later than 90 days after the date on which the Secretary completes the development of the strategy required by paragraph (1) and not later than 90 days after the date on which the Secretary completes a revision to such strategy under paragraph (3), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of such strategy.

(B) The strategy submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(c) APPLICATIONS FOR FUNDING.—

(1) IN GENERAL.—Under the program, the Secretary shall, not less frequently than annually, solicit from the heads of the military departments, the defense agencies, and the combatant commands applications for funding to be used to enter into contracts, cooperative agreements, or other transaction agreements entered into pursuant to section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) with appropriate entities for the fielding or commercialization of technologies.

(2) TREATMENT PURSUANT TO CERTAIN CONGRESSIONAL RULES.—Nothing in this section shall be interpreted to require 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.—

(1) IN GENERAL.—Subject to the availability of appropriations for such purpose, of the amounts authorized to be appropriated for research, development, test, and evaluation, Defense-wide for fiscal year 2016, not more than $400,000,000 may be used for any such fiscal year for the program established under subsection (a).

(2) AMOUNT FOR DIRECTED ENERGY.—Of this amount, not more than $200,000,000 may be used for activities in the field of directed energy.

(e) TRANSFER AUTHORITY.—

(1) IN GENERAL.—The Secretary may transfer funds available for the program to the research, development, test, and evaluation accounts of a military department, defense agency, or a combatant command pursuant to an application, or any part of an application, that the Secretary determines would support the purposes of the program.

(2) SUPPLEMENT NOT SUPPLANT.—The transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

(f) TERMINATION.—

(1) IN GENERAL.—The authority to carry out a program under this section shall terminate on September 30, 2020.

(2) TRANSFER AFTER TERMINATION.—Any amounts made available for the program that remain available for obligation on the date the program terminates may be transferred under subsection (e) during the 180-day period beginning on the date of the termination of the program.

SEC. 213. REAUTHORIZATION OF DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) EXTENSION OF PROGRAM.—Section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2359a note) is amended—

(1) in subsection (d), by striking ''2015'' and inserting ''2020''; and

(2) in subsection (g), by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(b) MODIFICATION OF GUIDELINES FOR OPERATION OF PROGRAM.—Subsection (b) of such section is amended—

(1) by amending paragraph (1) to read as follows:

''(1) The issuance of an annual broad agency announcement 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) in paragraph (3), by striking the second sentence;

(3) in paragraph (4)—

(A) in the first sentence, by striking ''be funded under the program for more than two years'' and inserting ''receive more than a total of two years of funding under the program''; and

(B) by striking the second sentence; and

(4) by adding at the end, the following new paragraphs:

''(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 819 of the National Defense Authorization Act for Fiscal year 2010 (Public Law 111–84; 10 U.S.C. 2302 note) 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) REPEAL OF REPORT REQUIREMENT.—Such section is further amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

SEC. 214. REAUTHORIZATION OF GLOBAL RESEARCH WATCH PROGRAM.

Section 2365 of title 10, United States Code, is amended—

(1) in paragraphs (1) and (2) of subsection (b), by inserting ''and private sector persons'' after ''foreign nations'' both places it appears; and

(2) in subsection (f), by striking ''September 30, 2015'' and inserting ''September 30, 2025''.

SEC. 215. SCIENCE AND TECHNOLOGY ACTIVITIES TO SUPPORT BUSINESS SYSTEMS INFORMATION TECHNOLOGY ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense, acting through the Undersecretary of Acquisition, Technology, and Logistics, the Deputy Chief Management Officer, and the Chief Information Officer shall establish a set of science, technology, and innovation activities to improve the acquisition outcomes of major automated information systems through improved performance and reduced developmental and life cycle costs.

(b) EXECUTION OF ACTIVITIES.—The activities established under subsection (a) shall be carried out by such military departments and defense agencies as the Under Secretary and the Deputy Chief Management Officer consider appropriate.

(c) ACTIVITIES.—The set of activities established under subsection (a) may include the following:

(1) Development of capabilities in Department of Defense laboratories, test centers, and Federally-funded research and development centers to provide technical support for acquisition program management and business process re-engineering activities.

(2) Funding of intramural and extramural research and development activities as described in subsection (d).

(d) FUNDING OF INTRAMURAL AND EXTRAMURAL RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary may award grants or contracts to eligible entities to carry out intramural or extramural research and development in areas of interest described in paragraph (3).

(2) ELIGIBLE ENTITIES.—For purposes of this subsection, an eligible entity includes the following:

(A) Entities in the defense industry.

(B) Institutions of higher education.

(C) Small businesses.

(D) Nontraditional defense contractors (as defined in section 2302 of title 10, United States Code).

(E) Federally-funded research and development centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(F) Nonprofit research institutions.

(G) Government laboratories and test centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(3) AREAS OF INTEREST.—The areas of interest described in this paragraph are the following:

(A) Management innovation, including personnel and financial management policy innovation.

(B) Business process re-engineering.

(C) Systems engineering of information technology business systems.

(D) Cloud computing to support business systems and business processes.

(E) Software development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial software to meet the needs of the Department of Defense.

(F) Hardware development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial hardware to meet the needs of the Department of Defense.

(G) Development of methodologies and tools to support development and operational test of large and complex business systems.

(H) Analysis tools to allow decision makers to balance between requirements, costs, technical risks, and schedule in major automated information system acquisition programs

(I) Information security in major automated information system systems.

(J) Innovative acquisition policies and practices to streamline acquisition of information technology systems.

(K) Such other areas as the Secretary considers appropriate.

(e) PRIORITIES.—

(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary shall give priority to—

(A) projects that—

(i) address the innovation and technology needs of the Department of Defense; and

(ii) support activities of initiatives, programs and offices identified by the Under Secretary and Deputy Chief Management Officer; and

(B) the projects and programs identified in paragraph (2).

(2) PROJECTS AND PROGRAMS IDENTIFIED.—The projects and programs identified in this paragraph are the following:

(A) Major automated information system programs.

(B) Projects and programs under the oversight of the Deputy Chief Management Officer.

(C) Projects and programs relating to defense procurement acquisition policy.

(D) Projects and programs of the Defense Contract Audit Agency.

(E) Military and civilian personnel policy development for information technology workforce.

SEC. 216. EXPANSION OF ELIGIBILITY FOR FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION PROGRAM TO INCLUDE CITIZENS OF COUNTRIES PARTICIPATING IN THE TECHNICAL COOPERATION PROGRAM.

Section 2192a(b)(1)(A) of title 10, United States Code, is amended by inserting ''or a country the government of which is a party to The Technical Cooperation Program (TTCP) memorandum of understanding of October 24, 1995'' after ''United States''.

SEC. 217. STREAMLINING THE JOINT FEDERATED ASSURANCE CENTER.

Section 937(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended—

(1) in subparagraph (C), by striking '', in coordination with the Center for Assured Software of the National Security Agency,''; and

(2) in subparagraph (E), by striking '', in coordination with the Defense Microelectronics Activity,''.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR DEVELOPMENT OF THE SHALLOW WATER COMBAT SUBMERSIBLE.

(a) LIMITATION.—Of the amounts authorized to be appropriated in this Act or otherwise made available for fiscal year 2016 for Special Operations Command for development of the Shallow Water Combat Submersible, not more than 25 percent may be obligated or expended until the date that is 15 days after the later of the date on which—

(1) the Under Secretary of Defense for Acquisition, Technology, and Logistics designates a civilian official responsible for oversight and assistance to Special Operations Command for all undersea mobility programs; and

(2) the Under Secretary, in coordination with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, submits to the congressional defense committees the report described in subsection (b).

(b) REPORT DESCRIBED.—The report described in this subsection is a report on the Shallow Water Combat Submersible that includes the following:

(1) An analysis of the reasons for cost and schedule overruns associated with the Shallow Water Combat Submersible program.

(2) A revised timeline for initial and full operational capability of the Shallow Water Combat Submersible.

(3) The projected cost to meet the total unit acquisition objective.

(4) A plan to prevent, identify, and mitigate any additional cost and schedule overruns.

(5) A description of such opportunities as may be to recover cost or schedule.

(6) A description of such lessons as the Under Secretary may have learned from the Shallow Water Combat Submersible program that could be applied to future undersea mobility acquisition programs.

(7) Such other matters as the Under Secretary considers appropriate.

SEC. 219. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) LIMITATION.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by section 201 and available for research, development, test, and evaluation, Army, for the distributed common ground system of the Army as specified in the funding tables in title XLII, not more than 75 percent may be obligated or expended until the Secretary of the Army—

(1) conducts a review of the program planning for the distributed common ground system of the Army; and

(2) submits to the appropriate congressional committees the report required by subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the appropriate congressional committees a report on the review of the distributed common ground system of the Army conducted under subsection (a)(1).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) A review of the segmentation of Increment 2 of the distributed common ground system program of the Army into discrete software components with the associated requirements of each component.

(B) Identification of each component of Increment 2 of the distributed common ground system of the Army for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(C) A cost analysis of each such commercial software that compares performance with projected cost.

(D) Determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(E) Identification of each component of Increment 2 of the distributed common ground system of the Army that the Secretary determines may be acquired through competitive means.

(F) An acquisition plan for Increment 2 of the distributed common ground system of the Army that prioritizes the acquisition of commercial software components, including a data integration layer, in time to meet the projected deployment schedule for Increment 2.

(G) A review of the timetable for the distributed common ground system program of the Army in order to determine whether there is a practical, executable acquisition strategy, including the use of operational capability demonstrations, that could lead to an initial operating capability of Increment 2 of the distributed common ground system of the Army prior to fiscal year 2017.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 220. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) LIMITATION.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by section 201 and available for research, development, test, and evaluation, Defense-wide, for the United States Special Operations Command for the distributed common ground system, not more than 75 percent may be obligated or expended until the Commander of the United States Special Operations Command submits to the congressional defense committees the report required by subsection (b).

(b) REPORT REQUIRED.—The Commander shall submit to the congressional defense committees a report on the distributed common ground system. Such report shall include the following:

(1) A review of the segmentation of the distributed common ground system special operations forces program into discrete software components with the associated requirements of each component.

(2) Identification of each component of the distributed common ground system special operations forces program for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(3) A cost analysis of each such commercial software that compares performance with projected cost.

(4) A determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(5) Identification of each component of the distributed common ground system special operations forces program that the Commander determines may be acquired through competitive means.

(6) An assessment of the extent to which elements of the distributed common ground system special operations forces program could be modified to increase commercial acquisition opportunities.

(7) An acquisition plan that leads to full operational capability prior to fiscal year 2019.

Subtitle C—Other Matters

SEC. 231. ASSESSMENT OF AIR-LAND MOBILE TACTICAL COMMUNICATIONS AND DATA NETWORK REQUIREMENTS AND CAPABILITIES.

(a) ASSESSMENT REQUIRED.—The Director of Cost Assessment and Program Evaluation, in consultation with the Director of Operational Test and Evaluation, shall contract with an independent entity to conduct a comprehensive assessment of current and future requirements and capabilities of the Department of Defense with respect to an air-land ad hoc, mobile tactical communications, and data network, including the technological feasibility, suitability, and survivability of such a network.

(b) ELEMENTS.—The assessment required under subsection (a) shall include the following elements:

(1) Concepts, capabilities, and capacities of current or future communications and data network systems to meet the requirements of current or future tactical operations effectively, efficiently, and affordably.

(2) Software requirements and capabilities, particularly with respect to communications and data network waveforms.

(3) Hardware requirements and capabilities, particularly with respect to receiver/transmission technology, tactical communications, and data radios at all levels and on all platforms, all associated technologies, and their integration, compatibility, and interoperability.

(4) Any other matters that in the judgment of the independent entity are relevant or necessary to a comprehensive assessment of tactical networks or networking.

(c) INDEPENDENT ENTITY.—The Director of Cost Assessment and Program Evaluation shall select an independent entity with direct, long-standing, and demonstrated experience and expertise in program test and evaluation of concepts, requirements, and technologies for joint tactical communications and data networking to perform the assessment under subsection (a).

(d) REPORT REQUIRED.—Not later than April 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report including the findings and recommendations of the assessment conducted under subsection (a), together with the Secretary's comments.

(e) AVAILABILITY OF FUNDS.—The Secretary of Defense shall use funds authorized by this Act or otherwise made available for fiscal year 2016 for Operation and Maintenance, Defense-wide to carry out activities under this section.

(f) LIMITATION ON OBLIGATION OF FUNDS.—The Secretary of the Army may not obligate or expend more than 50 percent of the funds authorized by this Act or otherwise made available for fiscal year 2016 for Other Procurement, Army and available for the Warfighter Information Network—Tactical (Increment 2) until the Secretary of Defense submits the report required under subsection (d).

SEC. 232. STUDY OF FIELD FAILURES INVOLVING COUNTERFEIT ELECTRONIC PARTS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a hardware assurance study to assess the presence, scope, and effect on Department of Defense operations of counterfeit electronic parts that have passed through the Department supply chain and into field systems.

(b) EXECUTION AND TECHNICAL ANALYSIS.—

(1) IN GENERAL.—The Secretary shall direct the federation established under section 937(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) to coordinate execution of the study required by subsection (a) using capabilities of the Department in effect on the day before the date of the enactment of this Act to conduct technical analysis on a sample of failed electronic parts in field systems.

(2) ELEMENTS.—The technical analysis required by paragraph (1) shall include the following:

(A) Selection of a representative sample of electronic component types, including digital, mixed-signal, and analog integrated circuits.

(B) An assessment of the presence of counterfeit parts, including causes and attributes of failures of any identified counterfeit part.

(C) For components found to have counterfeit parts present, an assessment of the impact of the counterfeit part in the failure mechanism.

(D) For cases with counterfeit parts contributing to the failure, a determination of the failure attributes, factors, and effects on subsystem and system level reliability, readiness, and performance.

(c) RECOMMENDATIONS.—As part of the study required by subsection (a), the Secretary shall develop recommendations for such legislative and administrative action, including budget requirements, as the Secretary considers necessary to conduct sampling and technical hardware analysis of counterfeit parts in identified areas of high concern.

(d) REPORT.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study carried out under subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The findings of the Secretary with respect to the study conducted under subsection (a).

(B) The recommendations developed under subsection (c).

SEC. 233. DEMONSTRATION OF PERSISTENT CLOSE AIR SUPPORT CAPABILITIES.

(a) JOINT DEMONSTRATION REQUIRED.—The Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency shall jointly conduct a demonstration of the Persistent Close Air Support (PCAS) capability in fiscal year 2016.

(b) PARAMETERS OF DEMONSTRATION.—

(1) SELECTION AND EQUIPMENT OF AIRCRAFT.—As part of the demonstration required by subsection (a), the Secretary of the Air Force shall select and equip at least two aircraft for use in the demonstration that the Secretary otherwise intends to use for close air support, as identified by the United States Air Force Close Air Support Forum.

(2) CLOSE AIR SUPPORT OPERATIONS.—The demonstration required by subsection (a) shall include close air support operations that involve the following:

(A) Multiple tactical radio networks representing diverse ground force user communities.

(B) Two-way digital exchanges of situational awareness data, video, and calls for fire between aircraft and ground users without modification to aircraft operational flight profiles.

(C) Real-time sharing of blue force, aircraft, and target location data to reduce risks of fratricide.

(D) Lightweight digital tools based on commercial-off-the-shelf technology for pilots and joint tactical air controllers.

(E) Operations in simple and complex operating environments.

(c) ASSESSMENT.—The Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency shall jointly—

(1) assess the effect of the capabilities demonstrated as part of the demonstration required by subsection (a) on—

(A) the time required to conduct close air support operations;

(B) the effectiveness of blue force in achieving tactical objectives; and

(C) the risk of fratricide and collateral damage; and

(2) estimate the costs that would be incurred in transitioning the technology used in the Persistent Close Air Support capability to the Army and the Air Force.

SEC. 234. AIRBORNE DATA LINK PLAN.

(a) PLAN REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff shall jointly, in consultation with the Secretary of the Air Force and the Secretary of the Navy, develop a plan—

(1) to provide objective survivable communications gateways to enable—

(A) the secure dissemination of national and tactical intelligence information to fourth-generation fighter aircraft and supporting airborne platforms and to low-observable penetrating platforms such as the F–22 and F–35; and

(B) the secure reception and dissemination of sensor data from low-observable penetrating aircraft, such as the F–22 and F–35;

(2) to provide secure data sharing between the fifth-generation fighter aircraft of the Air Force, Navy, and Marine Corps, with minimal changes to the outer surfaces of the aircraft and to aircraft operational flight programs; and

(3) to enable secure data sharing between fifth-generation and fourth-generation aircraft in jamming environments.

(b) ADDITIONAL PLAN REQUIREMENTS.—The plan required by subsection (a) shall include non-proprietary and open systems approaches that are compatible with the Rapid Capabilities Office Open Mission Systems initiative of the Air Force and the Future Airborne Capability Environment initiative of the Navy.

(c) PROHIBITION.—No funds may be obligated or expended by the Department of Defense on the interim communications initiatives identified as Talon Hate and Multi-Domain Adaptable Processing System until the congressional defense committees are briefed by the Under Secretary or the Vice Chairman about the plan required by subsection (a).

SEC. 235. REPORT ON TECHNOLOGY READINESS LEVELS OF THE TECHNOLOGIES AND CAPABILITIES CRITICAL TO THE LONG RANGE STRIKE BOMBER AIRCRAFT.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Technology Readiness Levels (TRLs) of the technologies and capabilities critical to the Long Range Strike Bomber aircraft.

(b) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 60 days after the report of the Secretary is submitted under subsection (a), the Comptroller General of the United States shall review the report and submit to the congressional defense committees an assessment of the matters contained in the report.

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 2016 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. MODIFICATION OF ENERGY MANAGEMENT REPORTING REQUIREMENTS.

Section 2925(a) of title 10, United States Code, is amended—

(1) by striking paragraphs (4) and (7);

(2) by redesignating paragraphs (5), (6), (8), (9), (10), (11), and (12) as paragraphs (4), (5), (6), (7), (8), (9), and (10), respectively;

(3) by amending paragraph (7), as redesignated by paragraph (2) of this section, to read as follows:

''(7) A description and estimate of the progress made by the military departments in meeting current high performance and sustainable building standards under the Unified Facilities Criteria.'';

(4) by amending paragraph (9), as redesignated by such paragraph (2), to read as follows:

''(9) Details of all commercial utility outages caused by threats and those caused by hazards at military installations that last eight hours or longer, whether or not the

outage was mitigated by backup power, including non-commercial utility outages and Department of Defense-owned infrastructure, including the total number and location of outages, the financial impact of the outages, and measure taken to mitigate outages in the future at the affected locations and across the Department of Defense.''; and

(5) by adding at the end the following new paragraph:

''(11) At the discretion of the Secretary of Defense, a classified annex, as appropriate.''.

SEC. 312. REPORT ON EFFORTS TO REDUCE HIGH ENERGY COSTS AT MILITARY INSTALLATIONS.

(a) REPORT.—

(1) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in conjunction with the assistant secretaries responsible for installations and environment for the military services and the Defense Logistics Agency, shall submit to the congressional defense committees a report detailing the efforts to achieve cost savings at military installations with high energy costs.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A comprehensive, installation-specific assessment of feasible and mission-appropriate energy initiatives supporting energy production and consumption at military installations with high energy costs.

(B) An assessment of current sources of energy in areas with high energy costs and potential future sources that are technologically feasible, cost-effective, and mission-appropriate for military installations.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost-effective, where appropriate, and consistent with Department of Defense priorities.

(D) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of extent of which activities administered under the Federal Energy Management Program could be used to assist with the implementation strategy.

(F) An assessment of State and local partnership opportunities that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(3) COORDINATION WITH STATE AND LOCAL AND OTHER ENTITIES.—In preparing the report required under paragraph (1), the Under Secretary may work in conjunction and coordinate with the States containing areas of high energy costs, local communities, and other Federal departments and agencies.

(b) DEFINITIONS.—In this section, the term ''high energy costs'' means costs for the provision of energy by kilowatt of electricity or British Thermal Unit of heat or steam for a military installation in the United States that is in the highest 20 percent of all military installations for a military department.

SEC. 313. SOUTHERN SEA OTTER MILITARY READINESS AREAS.

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 631 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7235. Establishment of the Southern Sea Otter Military Readiness Areas

''(a) ESTABLISHMENT.—The Secretary of the Navy shall establish areas, to be known as 'Southern Sea Otter Military Readiness Areas', for national defense purposes. Such areas shall include each of the following:

''(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

''N. Latitude/W. Longitude
33°27.8′/119°34.3′
33°20.5′/119°15.5′
33°13.5′/119°11.8′
33°06.5′/119°15.3′
33°02.8′/119°26.8′
33°08.8′/119°46.3′
33°17.2′/119°56.9′
33°30.9′/119°54.2′.

''(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

''(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

''(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

''(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

''(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of conducting a military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

''(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require that any southern sea otter located within the Southern Sea Otter Military Readiness Areas be removed from the Areas.

''(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with the Secretary of the Navy and the Marine Mammal Commission, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are impeding the southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

''(e) MONITORING.—

''(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the southern sea otter population and on the near-shore ecosystem. Monitoring and research parameters and methods shall be determined in consultation with the Service and the Marine Mammal Commission.

''(2) REPORTS.—Not later than 24 months after the date of the enactment of this section and every three years thereafter, the Secretary of the Navy shall report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

''(f) DEFINITIONS.—In this section:

''(1) SOUTHERN SEA OTTER.—The term 'southern sea otter' means any member of the subspecies Enhydra lutris nereis.

''(2) TAKE.—The term 'take'—

''(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), shall have the meaning given such term in that Act; and

''(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) shall have the meaning given such term in that Act.

''(3) INCIDENTAL TAKING.—The term 'incidental taking' means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

''(4) MILITARY READINESS ACTIVITY.—The term 'military readiness activity' has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (16 U.S.C. 703 note) and includes all training and operations of the armed forces that relate to combat and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.

''(5) OPTIMUM SUSTAINABLE POPULATION.—The term 'optimum sustainable population' means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.''.

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

''7235. Establishment of the Southern Sea Otter Military Readiness Areas.''.

(c) CONFORMING AMENDMENT.—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is repealed.

Subtitle C—Logistics and Sustainment

SEC. 321. REPEAL OF LIMITATION ON AUTHORITY TO ENTER INTO A CONTRACT FOR THE SUSTAINMENT, MAINTENANCE, REPAIR, OR OVERHAUL OF THE F117 ENGINE.

Section 341 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3345) is repealed.

Subtitle D—Reports

SEC. 331. MODIFICATION OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

Section 2229a(a)(8) of title 10, United States Code, is amended to read as follows:

''(8) A list of any equipment used in support of contingency operations slated for retrograde and subsequent inclusion in the prepositioned stocks.''.

Subtitle E—Limitations and Extensions of Authority

SEC. 341. MODIFICATION OF REQUIREMENTS FOR TRANSFERRING AIRCRAFT WITHIN THE AIR FORCE INVENTORY.

(a) MODIFICATION OF REQUIREMENTS.—Section 345 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 8062 note) is amended—

(1) in subsection (a)—

(A) by striking the first sentence and inserting the following: ''Before making an aircraft transfer described in subsection (c), the Secretary of the Air Force shall ensure that a written agreement regarding such transfer has been entered into between the Chief of

Staff of the Air Force and the Director of the Air National Guard or the Chief of Air Force Reserve.''; and

(B) in paragraph (3), by striking ''depot'';

(2) by amending subsection (b) to read as follows:

''(b) SUBMITTAL OF AGREEMENTS TO THE DEPARTMENT OF DEFENSE AND CONGRESS.—The Secretary of the Air Force may not take any action to transfer an aircraft until the Secretary ensures that the Air Force has complied with applicable Department of Defense regulations and, for a transfer described in subsection (c)(1), until the Secretary submits to the congressional defense committees an agreement entered into pursuant to subsection (a) regarding the transfer of the aircraft.''; and

(3) by adding at the end the following new subsections:

''(c) COVERED AIRCRAFT TRANSFERS.—(1) An aircraft transfer described in this subsection is the transfer (other than as specified in paragraph (2)) from a reserve component of the Air Force to the regular component of the Air Force of—

''(A) the permanent assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft; or

''(B) possession of an aircraft for a period in excess of 90 days.

''(2) Paragraph (1) does not apply to the following:

''(A) A routine temporary transfer of possession of an aircraft from a reserve component that is made solely for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

''(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft if notice of the transfer has previously been provided to the congressional defense committees and the transfer has been approved by the Secretary of Defense pursuant to Department of Defense regulations.

''(C) A transfer described in paragraph (1)(A) when there is a reciprocal permanent assignment of an aircraft from the regular component of the Air Force to the reserve component that does not degrade the capability of, or reduce the total number of, aircraft assigned to the reserve component.

''(d) RETURN OF AIRCRAFT AFTER ROUTINE TEMPORARY TRANSFER.—In the case of an aircraft transferred from a reserve component of the Air Force to the regular component of the Air Force for which an agreement under subsection (a) is not required by reason of subparagraph (A) of subsection (c)(2), possession of the aircraft shall be transferred back to the reserve component upon completion of the work described in such subparagraph.''.

(b) CONFORMING AMENDMENT.—Subsection (a)(7) of such section is amended by striking ''Commander of the Air Force Reserve Command'' and inserting ''Chief of Air Force Reserve''.

(c) TECHNICAL AMENDMENTS TO DELETE REFERENCES TO AIRCRAFT OWNERSHIP.—Subsection (a) of such section is further amended by striking ''the ownership of'' each place it appears.

SEC. 342. LIMITATION ON USE OF FUNDS FOR DEPARTMENT OF DEFENSE SPONSORSHIPS, ADVERTISING, OR MARKETING ASSOCIATED WITH SPORTS-RELATED ORGANIZATIONS OR SPORTING EVENTS.

No amounts authorized to be appropriated for the Department of Defense by this Act or otherwise made available to the Department may be used for any sponsorship, advertising, or marketing associated with a sports-related organization or sporting event until the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of Accessions Policy—

(1) conducts a review of current contracts and task orders for such sponsorships, advertising, and marketing (as awarded by the regular and reserve components of the Armed Forces) in order to assess—

(A) whether such sponsorships, advertising, and marketing are effective in meeting the recruiting objectives of the Department;

(B) whether consistent metrics are used to evaluate the effectiveness of each such activity in generating leads and recruit accessions; and

(C) whether the return on investment for such activities is sufficient to warrant continuing use of Department funds for such activities; and

(2) submits to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

(A) a description of the actions being taken to coordinate efforts of the Department relating to such sponsorships, advertising, and marketing, and to minimize duplicative contracts for such sponsorships, advertising, and marketing, as applicable; and

(B) the results of the review required by paragraph (1), including an assessment of the extent to which continuing use of Department funds for such sponsorships, advertising, and marketing is warranted in light of the review and the actions described pursuant to subparagraph (A).

SEC. 343. TEMPORARY AUTHORITY TO EXTEND CONTRACTS AND LEASES UNDER ARMS INITIATIVE.

Contracts or subcontracts entered into pursuant to section 4554(a)(3)(A) of title 10, United States Code, on or before the date that is five years after the date of the enactment of this Act may include an option to extend the term of the contract or subcontract for an additional 25 years.

Subtitle F—Other Matters

SEC. 351. STREAMLINING OF DEPARTMENT OF DEFENSE MANAGEMENT AND OPERATIONAL HEADQUARTERS.

(a) COMPREHENSIVE REVIEW OF HEADQUARTERS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive review of the management and operational headquarters of the Department of Defense for purposes of consolidating and streamlining headquarters functions.

(2) ELEMENTS.—The review required by paragraph (1) shall address the following:

(A) The extent, if any, to which the staff of the Secretaries of the military departments and the Chiefs of Staff of the Armed Forces have duplicative staff functions and services and could be consolidated into a single service staff.

(B) The extent, if any, to which the staff of the Office of the Secretary of Defense, the military departments, the Defense Agencies, and temporary organizations have duplicative staff functions and services and could be streamlined with respect to—

(i) performing oversight and making policy;

(ii) performing staff functions and services specific to the military department concerned;

(iii) performing multi-department staff functions and services; and

(iv) performing functions and services across the Department of Defense with respect to intelligence collection and analysis.

(C) The extent, if any, to which the Joint Staff, the combatant commands, and their subordinate service component commands have duplicative staff functions and services that could be shared, consolidated, eliminated, or otherwise streamlined with—

(i) the Joint Staff performing oversight and execution;

(ii) the staff of the combatant commands performing only staff functions and services specific to the combatant command concerned; and

(iii) the staff of the service component commands of the combatant commands performing only staff functions and services specific to the service component command concerned.

(D) The extent, if any, to which reductions in military and civilian end-strength in management or operational headquarters could be used to create, build, or fill shortages in force structure for operational units.

(E) The extent, if any, to which revisions are required to the Defense Officers Personnel Management Act, including requirements for officers to serve in joint billets, the number of qualifying billets, the rank structure in the joint billets, and the joint qualification requirement for officers to be promoted while serving for extensive periods in critical positions such as program managers of major defense acquisition programs, and officers in units of component forces supporting joint commands, in order to achieve efficiencies, provide promotion fairness and equity, and obtain effective governance in the management of the Department of Defense.

(F) The structure and staffing of the Joint Staff, and the number, structure, and staffing of the combatant commands and their subordinate service component commands, including, in particular—

(i) whether or not the staff organization of each such entity has documented and periodically validated requirements for such entity;

(ii) whether or not there are an appropriate number of combatant commands relative to the requirements of the National Security Strategy, the Quadrennial Defense Review, and the National Military Strategy; and

(iii) whether or not opportunities exist to consolidate staff functions and services common to the Joint Staff and the service component commands into a single staff organization that provides the required functions, services, capabilities, and capacities to the Chairman of the Joint Chiefs of Staff and supported combatant commanders, and if so—

(I) where in the organizational structure such staff functions, services, capabilities, and capacities would be established; and

(II) whether or not the military departments could execute such staff functions, services, capabilities, and capacities while executing their requirements to organize, train, and equip the Armed Forces.

(G) The statutory and regulatory authority of the combatant commands to establish subordinate joint commands or headquarters, including joint task forces, led by a general or flag officer, and the extent, if any, to which the combatant commands have used such authority—

(i) to establish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by general or flag officers;

(ii) to disestablish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by general or flag officers;

(iii) to increase requirements for general and flag officers in the joint pool which are exempt from the end strength limitations otherwise applicable to general and flag officers in the Armed Forces;

(iv) to participate in the management of joint officer qualification in order to ensure the efficient and effective quality and quantity of officers needed to staff headquarters functions and services and return to the services officers with required professional experience and skills necessary to remain

competitive for increased responsibility and authority through subsequent assignment or promotion, including by identifying—

(I) circumstances, if any, in which officers spend a disproportionate amount of time in their careers to attain joint officer qualifications with corresponding loss of opportunities to develop in the service-specific assignments needed to gain the increased proficiency and experience to qualify for service and command assignments; and

(II) circumstances, if any, in which the military departments detail officers to joint headquarters staffs in order to maximize the number of officers receiving joint duty credit with a focus on the quantity, instead of the quality, of officers achieving joint duty credit;

(v) to establish commanders' strategic planning groups, advisory groups, or similar parallel personal staff entities that could risk isolating function and staff processes, including an assessment of the justification used to establish such personal staff organizations and their impact on the effectiveness and efficiency of organizational staff functions, services, capabilities, and capacities; and

(vi) to ensure the identification and management of officers serving or having served in units in subordinate service component or joint commands during combat operations and did not receive joint credit for such service.

(3) CONSULTATION.—The Secretary shall, to the extent practicable and as the Secretary considers appropriate, conduct the review required by paragraph (1) in consultation with such experts on matters covered by the review who are independent of the Department of Defense.

(4) REPORT.—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1).

(b) PLAN ON REDUCTION IN AMOUNTS USED FOR ADMINISTRATION IN FISCAL YEARS 2016 THROUGH 2019.—

(1) IN GENERAL.—Not later than January 31, 2016, the Secretary of Defense shall submit to the congressional defense committees, and implement, a plan designed to ensure that the amount used by the Department of Defense for administration from amounts authorized to be appropriated for a fiscal year for operation and maintenance shall be as follows:

(A) In fiscal year 2016, an amount that is 7.5 percent less than the amount authorized to be appropriated for fiscal year 2015 for operation and maintenance, Defense-wide, and available for administration (in this paragraph referred to as the ''fiscal year 2015 administration amount'').

(B) In fiscal year 2017, an amount that is 15 percent less than the fiscal year 2015 administration amount.

(C) In fiscal year 2018, an amount that is 22.5 percent less than the fiscal year 2015 administration amount.

(D) In fiscal year 2019, an amount that is 30 percent less than the fiscal year 2015 administration amount.

(2) ACHIEVEMENT OF REDUCTIONS.—As part of meeting the requirements in paragraph (1), the plan shall provide for reductions in personnel (including military and civilian personnel of the Department of Defense and contract personnel in support of the Department) in the Office of the Secretary of Defense, the secretariats and military staffs of the military departments, the staffs of the Defense Agencies, the staffs of the Joint Staff, the staffs of the combatant commands, and the staffs of their subordinate service component commands.

(3) EXCLUSION.—The plan may not meet the requirements in paragraph (1) through reductions in funding for administration for the following:

(A) The United States Special Operations Command.

(B) The Department of Defense Education Activity.

(C) Any classified program.

(D) Any program relating to sexual assault prevention and response.

(c) COMPTROLLER GENERAL OF THE UNITED STATES REPORTS.—Not later than 90 days after the end of each of fiscal years 2016, 2017, 2018, and 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General of the extent to which the Department of Defense met the applicable requirement in subsection (b)(1) during such fiscal year.

(d) LIMITATION ON AVAILABILITY OF FUNDS FOR CONTRACT PERSONNEL SUPPORT FOR OSD.—In each of fiscal years 2017, 2018, 2019, and 2020, amounts authorized to be appropriated for the Department of Defense and available for the Office of the Secretary of Defense may not be obligated or expended for contract personnel in support of the Office of the Secretary of Defense until the Secretary of Defense certifies to the congressional defense committees that the applicable requirement in subsection (b)(1) was met during the preceding fiscal year.

SEC. 352. ADOPTION OF RETIRED MILITARY WORKING DOGS.

(a) TRANSFER FOR ADOPTION.—Subsection (f) of section 2583 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking ''may transfer'' and inserting ''shall transfer''.

(b) PREFERENCE IN ADOPTION FOR FORMER HANDLERS.—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

''(g) PREFERENCE IN ADOPTION OF RETIRED MILITARY WORKING DOGS FOR FORMER HANDLERS.—(1) In providing for the adoption under this section of a retired military working dog described in paragraph (1) or (3) of subsection (a), the Secretary of the military department concerned shall accord a preference to the former handler of the dog unless the Secretary determines that adoption of the dog by the former handler would not be in the best interests of the dog.

''(2) In the case of a dog covered by paragraph (1) with more than one former handler seeking adoption of the dog at the time of adoption, the Secretary shall provide for the adoption of the dog by such former handler whose adoption of the dog will best serve the interests of the dog and such former handlers. The Secretary shall make any determination required by this paragraph with respect to a dog following consultation with the kennel master of the unit at which the dog was last located before adoption under this section.

''(3) Nothing in this subsection shall be construed as altering, revising, or overriding any policy of a military department for the adoption of military working dogs by law enforcement agencies before the end of the dogs' useful lives.''.

SEC. 353. MODIFICATION OF REQUIRED REVIEW OF PROJECTS RELATING TO POTENTIAL OBSTRUCTIONS TO AVIATION.

Section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4200; 49 U.S.C. 44718 note) is amended—

(1) in subsection (c)—

(A) in paragraph (3), by striking ''from State and local officials or the developer of a renewable energy development or other energy project'' and inserting ''from a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project''; and

(B) in paragraph (4), by striking ''readiness, and'' and all that follows through the period at the end and inserting ''readiness and to clearly communicate actions being taken by the Department of Defense to the party requesting an early project review under this section.'';

(2) in subsection (d)(2)(B), by striking ''as high, medium, or low''; and

(3) in subsection (j), by adding at the end the following new paragraph:

''(4) The term 'landowner' means a person or other legal entity that owns a fee interest in real property on which a proposed energy project is planned to be located.''.

SEC. 354. PILOT PROGRAM ON INTENSIVE INSTRUCTION IN CERTAIN ASIAN LANGUAGES.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may, in consultation with the National Security Education Board, carry out a pilot program to assess the feasibility and advisability of providing scholarships in accordance with the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) to individuals otherwise eligible for scholarships under that Act for intensive language instruction in a covered Asian language.

(b) COVERED ASIAN LANGUAGE.—For purposes of this section, a covered Asian language is any of the five Asian languages that would be treated as a language in which deficiencies exist for purposes of section 802(a)(1)(A) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(a)(2)(A)) if the National Security Education Board could treat an additional five Asian languages as a language in which such deficiencies exist.

(c) USE OF SCHOLARSHIPS.—Notwithstanding any provision of the David L. Boren National Security Education Act of 1991, a scholarship awarded pursuant to the pilot program may be used for intensive language instruction in—

(1) the United States; or

(2) a country in which the covered Asian language concerned is spoken by a significant portion of the population (as determined by the Secretary for purposes of the pilot program).

(d) NATIONAL SECURITY EDUCATION BOARD DEFINED.—In this section, the term ''National Security Education Board'' means the National Security Education Board established pursuant to section 803 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1903).

(e) TERMINATION.—No scholarship may be awarded under the pilot program after the date that is five years after the date on which the pilot program is established.

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, 2016, as follows:

(1) The Army, 475,000.

(2) The Navy, 329,200.

(3) The Marine Corps, 184,000.

(4) The Air Force, 317,000.

SEC. 402. ENHANCEMENT OF AUTHORITY FOR MANAGEMENT OF END STRENGTHS FOR MILITARY PERSONNEL.

(a) REPEAL OF SPECIFICATION OF PERMANENT END STRENGTHS TO SUPPORT TWO MAJOR REGIONAL CONTINGENCIES.—

(1) REPEAL.—Section 691 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) ENHANCED AUTHORITY FOR END STRENGTH MANAGEMENT.—

(1) SECRETARY OF DEFENSE AUTHORITY.—Subsection (f) of section 115 of title 10, United States Code, is amended by striking ''increase'' each place it appears and inserting ''vary''.

(2) SERVICE SECRETARY AUTHORITY.—Subsection (g) of such section is amended—

(A) in paragraph (1), by striking ''increase'' each place it appears and inserting ''vary''; and

(B) in paragraph (2), by striking ''increase'' each place it appears and inserting ''variance''.

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, 2016, as follows:

(1) The Army National Guard of the United States, 342,000.

(2) The Army Reserve, 198,000.

(3) The Navy Reserve, 57,400.

(4) The Marine Corps Reserve, 38,900.

(5) The Air National Guard of the United States, 105,500.

(6) The Air Force Reserve, 69,200.

(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.

(a) FINDINGS.—The Senate makes the following findings:

(1) Several States routinely recruit and retain members of the Army National Guard of the United States in excess of State authorizations to offset States that do not recruit to State authorizations.

(2) The States that routinely recruit and retain members of the Army National Guard of the United States in excess of authorizations do not receive any extra full-time operational support duty personnel to support excess members.

(b) SENSE OF SENATE.—It is the sense of the Senate that the National Guard Bureau should account for States that routinely recruit and retain members in excess of State authorizations when allocating full-time operational support duty personnel.

(c) END STRENGTHS.—Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2016, 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, 30,770.

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 9,934.

(4) The Marine Corps Reserve, 2,260.

(5) The Air National Guard of the United States, 14,748.

(6) The Air Force Reserve, 3,032.

(d) ALLOCATION AMONG STATES.—In allocating Reserves on full-time duty in the Army National Guard of the United States authorized by subsection (c)(1) among the States, the Chief of the National Guard Bureau shall take into account the actual number of members of the Army National Guard of the United States serving in each State as of September 30 each year.

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 2016 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, 26,099.

(2) For the Army Reserve, 7,395.

(3) For the Air National Guard of the United States, 22,104.

(4) For the Air Force Reserve, 9,814.

SEC. 414. FISCAL YEAR 2016 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2016, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2016, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2016, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2016, 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.

SEC. 416. CHIEF OF THE NATIONAL GUARD BUREAU AUTHORITY TO INCREASE CERTAIN END STRENGTHS APPLICABLE TO THE ARMY NATIONAL GUARD.

(a) AUTHORITY.—Subject to subsection (b), the Chief of the National Guard Bureau may increase each of the end strengths for fiscal year 2016 applicable to the Army National Guard as follows:

(1) The end strength for Selected Reserve personnel of the Army National Guard of the United States in section 411(a)(1) by up to 3,000 members in addition to the number specified in section 411(a)(1).

(2) The end strength for Reserves serving on full-time duty for the purpose of organizing, administering, recruiting, instructing, or training for the Army National Guard of the United States specified in section 412(1) by up to 615 Reserves in addition to the number specified in section 412(1).

(3) The end strength for military technicians (dual status) for the Army National Guard of the United States specified in section 413(1) by up to 1,111 technicians in addition to the number specified in section 413(1).

(b) LIMITATION.—The Chief of the National Guard Bureau may increase an end strength using the authority in subsection (a) only if such increase is paid for out of funds appropriated for fiscal year 2016 for Operation and Maintenance, Army National Guard.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2016 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 2016.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORITY OF PROMOTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED AT THE TOP OF THE PROMOTION LIST.

(a) AUTHORITY OF PROMOTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED AT TOP OF PROMOTION LIST.—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 at the top of the promotion list promulgated by the Secretary under section 624(a)(1) of this title.

''(2) The determination whether an officer is an officer of particular merit for purposes of this subsection shall be made in accordance with criteria prescribed by the Secretary of the military department concerned for such purposes.

''(3) The number of such officers placed at the top of the promotion list may not exceed the number equal to 10 percent of the maximum number of officers that the board is authorized to recommend for promotion in such competitive category. If the number determined under this subsection is less than one, the board may recommend one such officer.

''(4) No officer may be recommended to be placed at the top of the promotion list unless the officer receives the recommendation of at least three-quarters of the members of a board for such placement.

''(5) For the officers recommended to be placed at the top of the promotion list, the board shall recommend the order in which these officers should be promoted.''.

(b) OFFICERS OF PARTICULAR MERIT APPEARING AT TOP OF PROMOTION LIST.—Section

624(a)(1) of such title is amended by inserting '', except such officers of particular merit who were approved by the President and recommended by the board to be placed at the top of the promotion list under section 616(g) of this title as these officers shall be placed at the top of the promotion list in the order recommended by the board'' after ''officers on the active-duty list''.

SEC. 502. MINIMUM GRADES FOR CERTAIN CORPS AND RELATED POSITIONS IN THE ARMY, NAVY, AND AIR FORCE.

(a) ARMY.—

(1) CHIEF OF LEGISLATIVE LIAISON.—Section 3023(a) of title 10, United States Code, is amended in the second sentence by striking ''the grade of major general'' and inserting ''a grade above the grade of colonel''.

(2) ASSISTANT SURGEON GENERAL.—Section 3039(b) of such title is amended by striking the last sentence and inserting the following new sentence: ''An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(3) CHIEF OF THE NURSE CORPS.—Section 3069(b) of such title is amended by striking ''whose regular grade'' and all that follows through ''major general.'' and inserting ''. An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(4) CHIEF OF THE VETERINARY CORPS.—Section 3084 of such title is amended by striking the last sentence and inserting the following new sentence: ''An officer appointed to that position shall be an officer in a grade above the grade of lieutenant colonel.''.

(b) NAVY.—

(1) CHIEF OF LEGISLATIVE AFFAIRS.—Section 5027(a) of title 10, United States Code, is amended by striking ''the grade of rear admiral'' and inserting ''a grade above the grade of captain''.

(2) CHIEF OF THE DENTAL CORPS.—Section 5138 of such title is amended—

(A) by striking subsections (a) and (b) and inserting the following new subsection (a):

''(a) There is a Chief of the Dental Corps in the Department of the Navy. An officer assigned to that position shall be an officer in a grade above the grade of captain.''; and

(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(3) DIRECTORS OF MEDICAL CORPS.—Section 5150(c) of such title is amended—

(A) in the first sentence, by striking ''for promotion'' and all that follows through the end of the sentence and inserting a period; and

(B) by inserting after the first sentence the following new sentence: ''An officer so selected shall be an officer in a grade above the grade of captain.''.

(c) AIR FORCE.—

(1) CHIEF OF LEGISLATIVE LIAISON.—Section 8023(a) of title 10, United States Code, is amended in the second sentence by striking ''the grade of major general'' and inserting ''a grade above the grade of colonel''.

(2) CHIEF OF THE NURSE CORPS.—Section 8069(b) of such title is amended by striking ''whose regular grade'' and all that follows through ''major general.'' and inserting ''. An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(3) ASSISTANT SURGEON GENERAL FOR DENTAL SERVICES.—Section 8081 of such title is amended by striking the second sentence and inserting the following new sentence: ''An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(d) TRANSITION.—In the case of an officer who on the date of the enactment of this Act is serving in a position that is covered by an amendment made by this section, the continued service of that officer in such position after the date of the enactment of this Act shall not be affected by that amendment.

SEC. 503. ENHANCEMENT OF MILITARY PERSONNEL AUTHORITIES IN CONNECTION WITH THE DEFENSE ACQUISITION WORKFORCE.

(a) INCLUSION OF ACQUISITION MATTERS WITHIN JOINT MATTERS FOR OFFICER MANAGEMENT.—

(1) JOINT MATTERS.—Subsection (a)(1) of section 688 of title 10, United States Code, is amended—

(A) in subparagraph (D), by striking ''or'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(E) acquisition addressed by military personnel acting under chapter 87 of this title.''.

(2) JOINT DUTY ASSIGNMENT.—Subsection (b)(1)(A) of such section is amended by striking ''limited to assignments in which'' and all that follows and inserting ''limited to—

''(i) assignments in which the officer gains significant experience in joint matters; and

''(ii) assignments pursuant to chapter 87 of this title; and''.

(b) REQUIREMENTS FOR MILITARY PERSONNEL IN THE ACQUISITION FIELD.—

(1) CONSULTATION OF SERVICE CHIEFS IN POLICIES AND GUIDANCE.—Subsection (a) of section 1722a of title 10, United States Code, is amended by inserting after ''such military department)'' the following: '', in consultation with the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps (with respect to the armed force under the jurisdiction of each),''.

(2) ENHANCED CAREER PATHS FOR PERSONNEL.—Subsection (b) of such section is amended—

(A) in paragraph (1), by inserting ''single-tracked'' before ''career path'';

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph (2):

''(2) A dual-tracked career path that attracts the highest quality officers and enlisted personnel and allows them to gain experience in, and receive credit for, a primary career in combat arms and a functional secondary career in the acquisition field in order to more closely align the military operational requirements and acquisition workforces of each armed force.''.

(c) JOINT PROFESSIONAL MILITARY EDUCATION.—

(1) INCLUSION OF BUSINESS AND COMMERCIAL TRAINING IN JOINT PROFESSIONAL MILITARY EDUCATION.—Subsection (a) of section 2151 of title 10, United States Code, is amended—

(A) by inserting ''(1)'' before ''Joint professional military education''; and

(B) by striking the second sentence and inserting the following new paragraphs:

''(2) The subject matter to be covered by joint professional military education shall include at least the following:

''(A) National Military Strategy.

''(B) Joint planning at all levels of war.

''(C) Joint doctrine.

''(D) Joint command and control.

''(E) Joint force and joint requirements development.

''(F) Operational contract support.

''(3) In lieu of the subject matters covered by paragraph (2), or in supplement to one or more of such matters, the subject matter to be covered by joint professional military education may include subjects addressed in training programs under section 2013(a) of this title by, in, or through organizations described in paragraph (2)(D) of that section.''.

(2) SENIOR LEVEL SERVICE SCHOOLS.—Subsection (b)(1) of such section is amended by adding at the end the following new subparagraph:

''(E) A training program section 2013(a) of this title by, in, or through an organization described in paragraph (2)(D) of that section.''.

(3) THREE-PHASE APPROACH.—Section 2154(a)(2) of such title is amended—

(A) in the matter preceding subparagraph (A), by striking ''in residence at'';

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

''(A) in residence at the Joint Forces Staff College;''; and

(C) in subparagraph (B), by striking ''a senior level service school'' and inserting ''in residence at a senior level service school, or by, in, or though a senior level service school described in section 2151(b)(1)(E) of this title,''.

(4) JOINT PROFESSIONAL MILITARY EDUCATION PHASE II.—Section 2155 of such title is amended—

(A) in subsection (b)—

(i) in the subsection caption, by inserting ''FOR JOINT MILITARY SUBJECTS'' after ''PHASE II REQUIREMENTS''; and

(ii) by inserting ''described in section 2151(a)(2) of this title'' after ''joint professional military education'';

(B) in subsection (c)—

(i) in the subsection caption, by inserting ''FOR JOINT MILITARY SUBJECTS'' after ''CURRICULUM CONTENT'';

(ii) by striking ''section 2151(a)'' and inserting ''section 2151(a)(2)''; and

(iii) by inserting ''described in such section'' after ''joint professional military education'';

(C) by redesignating subsection (d) as subsection (e);

(D) by inserting after subsection (c) the following new subsection (d):

''(d) CURRICULUM CONTENT FOR BUSINESS AND COMMERCIAL TRAINING.—The curriculum for Phase II joint professional military education described in section 2151(a)(3) of this title shall include such matters as the Secretary shall specify in connection with training programs described in that section in order to satisfy requirements for successful performance in the acquisition or acquisition-related field.''; and

(E) in subsection (e), as redesignated by subparagraph (C), by inserting ''(other than a service school described in section 2151(b)(1)(E) of this title)'' after ''senior level service school''.

(d) ACQUISITION-RELATED FUNCTIONS OF SERVICE CHIEFS.—Section 2547 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''this subsection'' the first place it appears and inserting ''subsection (a)'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) ANNUAL REPORT ON PROMOTION RATES FOR OFFICERS IN ACQUISITION POSITIONS.—(1) Not later than January 1 each year, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall each submit to Congress a report on the promotion rates during the preceding fiscal year of officers who are serving in, or have served in, positions covered by chapter 87 of this title, and officers who have been certified under that chapter, in the grades specified in paragraph (2). If promotion rates for any such grade of officers failed to meet objectives for the fiscal year concerned for promotion rates for such grade, the chief of the armed force concerned shall include in the report for such fiscal year information on such failure and on the actions taken or to be taken by such chief to prevent further such failures.

''(2) The grades specified in this paragraph are as follows:

''(A) The grade of colonel (or captain, in the case of the Navy).

''(B) The grade of lieutenant colonel (or commander, in the case of the Navy).

''(C) The grade of major (or lieutenant commander, in the case of the Navy).''.

SEC. 504. ENHANCED FLEXIBILITY FOR DETERMINATION OF OFFICERS TO CONTINUE ON ACTIVE DUTY AND FOR SELECTIVE EARLY RETIREMENT AND EARLY DISCHARGE.

Section 638a(d)(2) of title 10, United States Code, is amended by striking ''officers considered—'' and all that follows and inserting ''officers considered.''.

SEC. 505. AUTHORITY TO DEFER UNTIL AGE 68 MANDATORY RETIREMENT FOR AGE OF A GENERAL OR FLAG OFFICER SERVING AS CHIEF OR DEPUTY CHIEF OF CHAPLAINS OF THE ARMY, NAVY, OR AIR FORCE.

(a) AUTHORITY.—Section 1253 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) EXCEPTION FOR CHIEFS OF CHAPLAINS AND DEPUTY CHIEFS OF CHAPLAINS.—The Secretary of the military department concerned may defer the retirement under subsection (a) of an officer serving in a general or flag officer grade who is the Chief of Chaplains or Deputy Chief of Chaplains of that officer's armed force. Such a deferment may not extend beyond the first day of the month following the month in which the officer becomes 68 years of age.''.

(b) CONFORMING AMENDMENTS.—

(1) HEADING.—The heading of such section is amended by striking ''**exception**'' and inserting ''**exceptions**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 63 of such title is amended in the item relating to section 1253 by striking ''exception'' and inserting ''exceptions''.

SEC. 506. REINSTATEMENT OF ENHANCED AUTHORITY FOR SELECTIVE EARLY DISCHARGE OF WARRANT OFFICERS.

Section 580a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''November 30, 1993, and ending on October 1, 1999'' and inserting ''October 1, 2015, and ending on October 1, 2019''; and

(2) in subsection (c)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SEC. 507. AUTHORITY TO CONDUCT WARRANT OFFICER RETIRED GRADE DETERMINATIONS.

Section 1371 of title 10, United States Code, is amended—

(1) by inserting ''highest'' after ''in the''; and

(2) by striking ''that he held on the day before the date of his retirement, or in any higher warrant officer grade''.

Subtitle B—Reserve Component Management

SEC. 511. 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 at any time the officer otherwise would be so considered. Any such officer may remain on the reserve active-status list.''.

SEC. 512. CLARIFICATION OF PURPOSE OF RESERVE COMPONENT SPECIAL SELECTION BOARDS AS LIMITED TO CORRECTION OF ERROR AT A MANDATORY PROMOTION BOARD.

Section 14502(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''a selection board'' and inserting ''a mandatory promotion board convened under section 14101(a) of this title''; and

(B) in subparagraphs (A) and (B), by striking ''selection board'' and inserting ''mandatory promotion board''; and

(2) in the first sentence of paragraph (3), by striking ''selection board'' and inserting ''mandatory promotion board''.

SEC. 513. RECONCILIATION OF CONTRADICTORY PROVISIONS RELATING TO CITIZENSHIP QUALIFICATIONS FOR ENLISTMENT IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 12102(b) of title 10, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) that person has met the citizenship or residency requirements established in section 504(b)(1) of this title; or

''(2) that person is authorized to enlist by the Secretary concerned under section 504(b)(2) of this title.''.

SEC. 514. AUTHORITY FOR CERTAIN AIR FORCE RESERVE COMPONENT PERSONNEL TO PROVIDE TRAINING AND INSTRUCTION REGARDING PILOT INSTRUCTOR TRAINING.

(a) AUTHORITY.—

(1) IN GENERAL.—During fiscal year 2016, the Secretary of the Air Force may authorize personnel described in paragraph (2) to provide training and instruction regarding pilot instructor training to the following:

(A) Members of the Armed Forces on active duty.

(B) Members of foreign military forces who are in the United States.

(2) PERSONNEL.—The personnel described in this paragraph are the following:

(A) Members of the reserve components of the Air Force on active Guard and Reserve duty (as that term is defined in section 101(d) of title 10, United States Code) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 10216 of title 10, United States Code.

(B) Members of the Air Force who are military technicians (dual status) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 328(b) of title 32, United States Code

(3) LIMITATION.—The total number of personnel described in paragraph (2) who may provide training and instruction under the authority in paragraph (1) at any one time may not exceed 50.

(4) FEDERAL TORT CLAIMS ACT.—Members of the uniformed services described in paragraph (2) who provide training and instruction pursuant to the authority in paragraph (1) shall be covered by the Federal Tort Claims Act for purposes of any claim arising from the employment of such individuals under that authority.

(b) 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 Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan to eliminate pilot instructor shortages within the Air Force using authorities available to the Secretary under current law.

Subtitle C—General Service Authorities

SEC. 521. DUTY REQUIRED FOR ELIGIBILITY FOR PRESEPARATION COUNSELING FOR MEMBERS BEING DISCHARGED OR RELEASED FROM ACTIVE DUTY.

(a) REQUIREMENT FOR 180 CONTINUOUS DAYS OF ACTIVE DUTY SERVICE FOR ELIGIBILITY.—Subparagraph (A) of section 1142(a)(4) of title 10, United States Code, is amended by inserting ''continuous'' after ''first 180''.

(b) EXCLUSION OF TRAINING FROM PERIODS OF ACTIVE DUTY.—Such section is further amended by adding at the end the following new subparagraph:

''(C) For purposes of subparagraph (A), the term 'active duty' does not include full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned.''.

SEC. 522. EXPANSION OF PILOT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

Section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is amended by striking subsections (b) and (c).

SEC. 523. SENSE OF SENATE ON DEVELOPMENT OF GENDER-NEUTRAL OCCUPATIONAL STANDARDS FOR OCCUPATIONAL ASSIGNMENTS IN THE ARMED FORCES.

(a) FINDING.—The Senate remains interested in the integration of women into the combat arms of the Armed Forces and the development of gender-neutral occupational standards for occupational assignments in the Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the development of gender-neutral occupational standards is vital in determining the occupational assignments of all members of the Armed Forces;

(2) studies being conducted by the Armed Forces are important to the development of these standards and should incorporate the best scientific practices available; and

(3) the Armed Forces should consider such studies on these standards carefully in order to ensure that—

(A) such studies do not result in unnecessary barriers to service in the Armed Forces; and

(B) all decisions on occupational assignments in the Armed Forces—

(i) are based on an objective analysis of the tasks required to perform the occupational assignment concerned; and

(ii) do not negatively impact the required combat capabilities of the Armed Forces, including units whose primary mission is to engage in direct combat at the tactical level.

Subtitle D—Member Education and Training

PART I—EDUCATIONAL ASSISTANCE REFORM

SEC. 531. LIMITATION ON TUITION ASSISTANCE FOR OFF-DUTY TRAINING OR EDUCATION.

Section 2007(a) of title 10, United States Code, is amended by inserting '', but only if the Secretary determines that such education or training is likely to contribute to the member's professional development'' after ''during the member's off-duty periods''.

SEC. 532. TERMINATION OF PROGRAM OF EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS.

(a) IN GENERAL.—Chapter 1607 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 16167. Sunset

''(a) SUNSET.—The authority to provide educational assistance under this chapter shall terminate on the date that is four years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

''(b) LIMITATION ON PROVISION OF ASSISTANCE PENDING SUNSET.—Notwithstanding any other provision of this chapter, during the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 and ending on the date that is four years after the date of the enactment of that Act, educational assistance may be provided under this chapter only to a member otherwise eligible for educational assistance under this chapter who received educational assistance under this chapter for a course of study at an educational institution for the enrollment period at the educational institution that immediately preceded the date of the enactment of that Act.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1607 of such title is amended by adding at the end the following new item:

''16167. Sunset.''.

SEC. 533. REPORTS ON EDUCATIONAL LEVELS ATTAINED BY CERTAIN MEMBERS OF THE ARMED FORCES AT TIME OF SEPARATION FROM THE ARMED FORCES.

(a) ANNUAL REPORTS REQUIRED.—Each Secretary concerned shall submit to Congress each year a report on the educational levels attained by members of the Armed Forces described in subsection (b) under the jurisdiction of such Secretary who separated from the Armed Forces during the preceding year.

(b) COVERED MEMBERS.—The members of the Armed Forces described in this subsection are members of the Armed Forces who transferred unused education benefits to family members pursuant to section 3319 of title 38, United States Code, while serving as members of the Armed Forces.

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 38, United States Code.

SEC. 534. SENSE OF CONGRESS ON TRANSFERABILITY OF UNUSED EDUCATION BENEFITS TO FAMILY MEMBERS.

(a) IN GENERAL.—It is the sense of Congress that each Secretary concerned should—

(1) exercise the authority in section 3319(a) of title 38, United States Code, relating to the transferability of unused education benefits to family members, in a manner that encourages the retention of individuals in the Armed Forces; and

(2) be more selective in permitting such transferability.

(b) DEFINITIONS.—In this section, the terms ''Armed Forces'' and ''Secretary concerned'' have the meaning given such terms in section 101 of title 38, United States Code.

SEC. 535. NO ENTITLEMENT TO UNEMPLOYMENT INSURANCE WHILE RECEIVING POST-9/11 EDUCATION ASSISTANCE.

Section 8525(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''or'' after the semicolon;

(2) in paragraph (2), by striking the period and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) an educational assistance allowance under chapter 33 of title 38.''.

PART II—OTHER MATTERS

SEC. 536. REPEAL OF STATUTORY SPECIFICATION OF MINIMUM DURATION OF IN-RESIDENT INSTRUCTION FOR COURSES OF INSTRUCTION OFFERED AS PART OF PHASE II JOINT PROFESSIONAL MILITARY EDUCATION.

(a) REPEAL OF STATUTORY REQUIREMENT FOR IN-RESIDENT INSTRUCTION.—Section 2154(a)(2)(A) of title 10, United States Code, is amended by striking ''taught in residence at'' and inserting ''offered through''.

(b) REPEAL OF STATUTORY DURATIONAL MINIMUM.—

(1) REPEAL.—Section 2156 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 of such title amended by striking the item relating to section 2156.

SEC. 537. QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS FOR PROFESSIONAL CREDENTIALS OBTAINED BY MEMBERS OF THE ARMED FORCES.

Section 2015 of title 10, United States Code, as amended by section 551 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3376), is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.—(1) Commencing not later than three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, each Secretary concerned shall ensure that any credentialing program used in connection with the program under subsection (a) is accredited by an accreditation body that meets the requirements specified in paragraph (2).

''(2) The requirements for accreditation bodies specified in this paragraph are requirements that an accreditation body—

''(A) be an independent body that has in place mechanisms to ensure objectivity and impartiality in its accreditation activities;

''(B) meet a recognized national or international standard that directs its policy and procedures regarding accreditation;

''(C) apply a recognized national or international certification standard in making its accreditation decisions regarding certification bodies and programs;

''(D) conduct on-site visits, as applicable, to verify the documents and records submitted by credentialing bodies for accreditation;

''(E) have in place policies and procedures to ensure due process when addressing complaints and appeals regarding its accreditation activities;

''(F) conduct regular training to ensure consistent and reliable decisions among reviewers conducting accreditations; and

''(G) meet such other criteria as the Secretary concerned considers appropriate in order to ensure quality in its accreditation activities.''.

SEC. 538. SUPPORT FOR ATHLETIC PROGRAMS OF THE UNITED STATES MILITARY ACADEMY.

(a) IN GENERAL.—Chapter 403 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4362. Support of athletic and physical fitness programs

''(a) AUTHORITY.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Army may enter into contracts and cooperative agreements with the Army West Point Athletic Association for the purpose of supporting the athletic and physical fitness programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Academy.

''(2) FINANCIAL CONTROLS.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Secretary shall ensure that such contract or agreement includes appropriate financial controls to account for Academy and Association resources in accordance with accepted accounting principles.

''(B) Any such contract or cooperative agreement shall contain a provision that allows the Secretary, at the Secretary's discretion, to review the financial accounts of the Association to determine whether the operations of the Association—

''(i) are consistent with the terms of the contract or cooperative agreement; and

''(ii) will not compromise the integrity or appearance of integrity of any program of the Department of the Army.

''(3) LEASES.—Section 2667(h) of this title shall not apply to any leases the Secretary may enter into with the Association for the purpose of supporting the athletic and physical fitness programs of the Academy.

''(b) SUPPORT SERVICES.—

''(1) AUTHORITY.—To the extent required by a contract or cooperative agreement under subsection (a), the Secretary may provide support services to the Association while the Association conducts its support activities at the Academy. The Secretary may provide support services described in paragraph (2) only if the Secretary determines that the provision of such services is essential for the support of the athletic and physical fitness programs of the Academy.

''(2) SUPPORT SERVICES DEFINED.—(A) In this subsection, the term 'support services' includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property.

''(B) Such term includes—

''(i) housing for Association personnel on United States Army Garrison, West Point, New York; and

''(ii) enrollment of dependents of Association personnel in elementary and secondary schools under the same criteria applied to dependents of Federal employees under section 2164(a) of this title, except that educational services provided pursuant to this clause shall be provided on a reimbursable basis.

''(3) NO LIABILITY OF THE UNITED STATES.—Any such support services may only be provided without any liability of the United States to the Association.

''(c) ACCEPTANCE OF SUPPORT.—

''(1) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic and physical fitness programs of the Academy. For the purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

''(2) FUNDS RECEIVED FROM NCAA.—The Secretary may accept funds from the National Collegiate Athletic Association to support the athletic and physical fitness programs of the Academy.

''(3) LIMITATION.—The Secretary shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (e) do not reflect unfavorably on

the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

''(d) TRADEMARKS AND SERVICE MARKS.—

''(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2260 of this title (other than subsection (d) of such section), authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Academy, subject to the approval of the Secretary of the Army.

''(2) LIMITATIONS.—No licensing, marketing, or sponsorship agreement may be entered into under paragraph (1) if—

''(A) such agreement would reflect unfavorably on the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

''(B) the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

''(e) RETENTION AND USE OF FUNDS.—

''(1) IN GENERAL.—Any funds received by the Secretary under this section other than money rentals received for property leased pursuant to section 2667 of this title shall be used by the Academy for one or more of the following purposes:

''(A) To benefit participating cadets.

''(B) To enhance the ability of the Academy to compete against other colleges and universities.

''(2) AVAILABILITY OF FUNDS.—Funds described in paragraph (1) shall remain available until expended.

''(f) SERVICE ON ASSOCIATION BOARD OF DIRECTORS.—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

''(g) CONDITIONS.—The authority provided in this section with respect to the Association is available only so long as the Association continues—

''(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of New York, and the constitution and bylaws of the Association; and

''(2) to operate exclusively to support the athletic and physical fitness programs of the Academy.

''(h) ASSOCIATION DEFINED.—In this section, the term 'Association' means the Army West Point Athletic Association.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 403 of such title is amended by adding at the end the following new item:

''4362. Support of athletic and physical fitness programs.''.

SEC. 539. ONLINE ACCESS TO THE HIGHER EDUCATION COMPONENT OF THE TRANSITION ASSISTANCE PROGRAM.

(a) NOTICE TO PROGRAM PARTICIPANTS OF AVAILABILITY OF COMPONENT ONLINE THROUGH THE DEPARTMENT OF DEFENSE.—If a member of the Armed Forces, veteran, or dependent requests a certificate of eligibility from the Secretary of Veterans Affairs to prove the eligibility of the member, veteran, or dependent, as the case may be, for educational assistance under chapter 33 of title 38, United States Code, the Secretary shall notify the member, veteran, or dependent of the availability of the higher education component of the Transition Assistance Program (TAP) on the Transition GPS Standalone Training Internet website of the Department of Defense.

(b) AVAILABILITY OF COMPONENT ONLINE THROUGH THE DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—The Secretary of Defense shall, in collaboration with the Secretary of Veterans Affairs, assess the feasibility of—

(A) providing access for veterans and dependents to the higher education component of the Transition Assistance Program on the eBenefits Internet website of the Department of Veterans Affairs; and

(B) tracking the completion of that component through that Internet website.

(2) REPORT TO CONGRESS.—The Secretary of Defense shall submit to Congress a report setting forth a description of the cost and length of time required to provide access and begin tracking completion of the higher education component of the Transition Assistance Program as described in paragraph (1).

Subtitle E—Military Justice

SEC. 546. MODIFICATION OF RULE 304 OF THE MILITARY RULES OF EVIDENCE RELATING TO THE CORROBORATION OF A CONFESSION OR ADMISSION.

Not later than 180 days after the date of the enactment of this Act, Rule 304(c) of the Military Rules of Evidence shall be modified as follows:

(1) To provide that an admission or a confession of the accused may be considered as evidence against the accused on the question of guilt or innocence only if independent evidence, either direct or circumstantial, has been admitted into evidence which would tend to establish the trustworthiness of the admission or confession.

(2) To provide that not every element or fact contained in the admission or confession must be independently proven for the admission or confession to be admitted into evidence in its entirety.

(3) To strike the rule that if independent evidence raises an inference of the truth of some but not all of the essential facts admitted, the confession or admission may be considered as evidence against the accused only with respect to those essential facts stated in the confession or admission that are corroborated by the independent evidence.

(4) With respect to the quantum of evidence needed to establish corroboration, to provide that the independent evidence need raise only an inference of the truth of the admission or confession.

SEC. 547. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS' COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that Rule shall apply to the giving of a less favorable rating or evaluation to any member of the Armed Forces serving as a Special Victims' Counsel because of the zeal with which such counsel represented a victim.

SEC. 548. RIGHT OF VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE TO TIMELY DISCLOSURE OF CERTAIN MATERIALS AND INFORMATION IN CONNECTION WITH PROSECUTION OF OFFENSES.

Section 806b(a) of title 10, United States Code (article 6b(a) of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) The right to the timely disclosure by trial counsel to the victim (or the Special Victims' Counsel of the victim if the victim is so represented) of the following:

''(A) Any charges and specifications related to the offense.

''(B) Any motions filed by trial counsel or defense counsel in connection with the court-martial of the offense, unless otherwise protected from disclosure.

''(C) All statements by the accused related to the offense.

''(D) Any statement by the victim in connection with the offense that is in the possession of the government.

''(E) Any portions relating to the victim in any report of an investigation of the offense that is in the possession of the government.

''(F) In the event the staff judge advocate advises pursuant to section 834 of this title (article 34) that any charge or specification in connection with the offense not be referred for trial, the advice making such recommendation, with such advice to be so provided before the convening authority acts on the advice.''.

SEC. 549. ENFORCEMENT OF CERTAIN CRIME VICTIMS' RIGHTS BY THE COURT OF CRIMINAL APPEALS.

Section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) ENFORCEMENT OF CERTAIN RIGHTS BY COURT OF CRIMINAL APPEALS.—(1)(A) If the victim of an offense under this chapter believes that a preliminary hearing ruling under section 832 of this title (article 32), or a court-martial ruling, violates the victim's rights afforded by a section (article) or rule specified in paragraph (2), the victim may file an interlocutory appeal of such ruling by petitioning the Court of Criminal Appeals for an order to require the judge advocate conducting such preliminary hearing, or the court-martial, as the case may be, to comply with the section (article) or rule, as applicable.

''(B) A victim of an offense under this chapter who is subject to an order to submit to a deposition notwithstanding the fact that the victim shall be available to testify at the court-martial of the offense may file an interlocutory appeal of such order by petitioning the Court of Criminal Appeals for an order to quash such order.

''(C) The Court of Criminal Appeals shall provide a de novo review of the question or questions raised by a petition filed under this paragraph. A single judge or panel of judges shall take up and decide the petition within 72 hours after the petition is filed.

''(2) Paragraph (1)(A) applies with respect to the protections afforded by the following:

''(A) This section (article).

''(B) Military Rule of Evidence 412, relating to the admission of evidence regarding a victim's sexual background.

''(C) Military Rule of Evidence 513, relating to the psychotherapist-patient privilege.

''(D) Military Rule of Evidence 514, relating to the victim advocate-victim privilege.

''(E) Military Rule of Evidence 615, relating to the exclusion of witnesses.

''(3) The proceedings of a preliminary hearing under section 832 of this title (article 32), or a court-martial, may not be stayed or subject to a continuance of more than five days for purposes of enforcing this subsection. If the Court of Criminal Appeals denies the relief sought, the reasons for the denial shall be clearly stated on the record in a written opinion.''.

SEC. 550. RELEASE TO VICTIMS UPON REQUEST OF COMPLETE RECORD OF PROCEEDINGS AND TESTIMONY OF COURTS-MARTIAL IN CASES IN WHICH SENTENCES ADJUDGED COULD INCLUDE PUNITIVE DISCHARGE.

(a) IN GENERAL.—Section 854(e) of title 10, United States Code (article 54(e) of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(1)'' after ''(e)'';

(2) in paragraph (1), as so designated, by inserting ''or the victim requests such records'' before the period at the end of the first sentence; and

(3) by adding at the end the following new paragraphs:

''(2) In the case of a general or special court-martial involving an offense (other than an offense covered by paragraph (1)) for which the sentence as adjudged could include punitive discharge from the armed forces, a copy of all prepared records of the proceedings of the court-martial shall be given to the victim of the offense if the victim requests such records.

''(3) Records given to a victim under this subsection at the request of the victim in a case where the court-martial concerned resulted in the acquittal of the accused may include restrictions on release or use of such records or information in such records in order to protect the privacy or other interests of the accused.''.

(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 courts-martial first convened on or after that date.

SEC. 551. REPRESENTATION AND ASSISTANCE OF VICTIMS BY SPECIAL VICTIMS' COUNSEL IN QUESTIONING BY MILITARY CRIMINAL INVESTIGATORS.

Section 1044e(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) In carrying out paragraph (1), a military criminal investigator seeking to question an individual eligible for the assistance of a Special Victims' Counsel under this section shall inform the individual of the individual's right to be represented by a Special Victims' Counsel in connection with such questioning.

''(B) If an individual described in subparagraph (A) requests representation by a Special Victims' Counsel in connection with questioning described in that subparagraph—

''(i) a Special Victims' Counsel shall represent and assist the individual during and in connection with such questioning;

''(ii) the military criminal investigator shall contact and question the individual only through the Special Victims' Counsel representing the individual; and

''(iii) the military criminal investigation may not contact or question the individual without the consent of such Special Victims' Counsel.

''(C) Nothing in this paragraph confers any right on an accused under investigation.

''(D) A violation of this paragraph shall not be a basis for the suppression of any statement of an individual described in subparagraph (A), or derivative evidence of such a statement, in a proceeding against a person accused with committing an offense against such individual.''.

SEC. 552. AUTHORITY OF SPECIAL VICTIMS' COUNSEL TO PROVIDE LEGAL CONSULTATION AND ASSISTANCE IN CONNECTION WITH VARIOUS GOVERNMENT PROCEEDINGS.

Section 1044e(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

''(9) Legal consultation and assistance in connection with—

''(A) any complaint against the Government, including an allegation under review by an inspector general and a complaint regarding equal employment opportunities;

''(B) any request to the Government for information, including a request under section 552a of title 5 (commonly referred to as a 'Freedom of Information Act request'); and

''(C) any correspondence or other communications with Congress.''.

SEC. 553. ENHANCEMENT OF CONFIDENTIALITY OF RESTRICTED REPORTING OF SEXUAL ASSAULT IN THE MILITARY.

(a) PREEMPTION OF STATE LAW TO ENSURE CONFIDENTIALITY OF REPORTING.—Subsection (b) of section 1565b of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) In the case of information disclosed pursuant to paragraph (1), any State law or regulation that would require an individual specified in paragraph (2) to disclose the personally identifiable information of the adult victim or alleged perpetrator of the sexual assault to a State or local law enforcement agency shall not apply, except when reporting is necessary to prevent or mitigate a serious and imminent threat to the health or safety of an individual.''.

(b) CLARIFICATION OF SCOPE.—Paragraph (1) of such subsection is amended by striking ''a dependent'' and inserting ''an adult dependent''.

(c) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

''(c) DEFINITIONS.—In this section:

''(1) SEXUAL ASSAULT.—The term 'sexual assault' includes the offenses of rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit such offenses, as punishable under applicable Federal or State law.

''(2) STATE.—The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.''.

SEC. 554. ESTABLISHMENT OF OFFICE OF COMPLEX INVESTIGATIONS WITHIN THE NATIONAL GUARD BUREAU.

(a) IN GENERAL.—Chapter 1101 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 10509. Office of Complex Investigations

''(a) IN GENERAL.—There is in the National Guard Bureau an Office of Complex Investigations (in this section referred to as the 'Office') under the authority, direction, and control of the Chief of the National Guard Bureau.

''(b) DISPOSITION AND FUNCTIONS.—The Office shall be organized, trained, equipped, and managed to conduct administrative investigations in order to assist the States in the organization, maintenance, and operation of the National Guard as follows:

''(1) In investigations of allegations of sexual assault involving members of the National Guard.

''(2) In Investigations in circumstances involving members of the National Guard in which other law enforcement agencies within the Department of Defense do not have, or have limited, jurisdiction or authority to investigate.

''(3) In investigations in such other circumstances involving members of the National Guard as the Chief of the National Guard Bureau may direct.

''(c) SCOPE OF INVESTIGATIVE AUTHORITY.—Individuals performing investigations described in subsection (b)(1) are authorized—

''(1) to have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable establishment which relate to programs and operations with respect to the National Guard; and

''(2) to request such information or assistance as may be necessary for carrying out those duties from any Federal, State, or local governmental agency or unit thereof.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1101 of such title is amended by adding at the end the following new item:

''10509. Office of Complex Investigations.''.

SEC. 555. MODIFICATION OF DEADLINE FOR ESTABLISHMENT OF DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3374; 10 U.S.C. 1561 note) is amended by striking ''not later than'' and all that follows and inserting ''not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.''.

SEC. 556. COMPTROLLER GENERAL OF THE UNITED STATES REPORTS ON PREVENTION AND RESPONSE TO SEXUAL ASSAULT BY THE ARMY NATIONAL GUARD AND THE ARMY RESERVE.

(a) INITIAL REPORT.—Not later than April 1, 2016, the Comptroller General of the United States shall submit to Congress a report on the preliminary assessment of the Comptroller General (made pursuant to a review conducted by the Comptroller General for purposes of this section) of the extent to which the Army National Guard and the Army Reserve—

(1) have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard or the Army Reserve, as applicable;

(2) provide medical and mental health care services to members of the Army National Guard or the Army Reserve, as applicable, following a sexual assault; and

(3) have identified whether the nature of service in the Army National Guard or the Army Reserve, as the case may be, poses challenges to the prevention of or response to sexual assault.

(b) ADDITIONAL REPORTS.—If after submitting the report required by subsection (a) the Comptroller General makes additional assessments as a result of the review described in that subsection, the Comptroller General shall submit to Congress such reports on such additional assessments as the Comptroller General considers appropriate.

SEC. 557. SENSE OF CONGRESS ON THE SERVICE OF MILITARY FAMILIES AND ON SENTENCING RETIREMENT-ELIGIBLE MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) Military families serve alongside their member of the Armed Forces, enduring hardships, lending support, and contributing to the member's career. These family members endure frequent moves, long periods of separation, and other unique hardships associated with military life.

(2) Innocent family members are sometimes inadvertently punished when the member they depend on forfeits retirement benefit eligibility due to a court-martial sentence.

(3) When a retirement-eligible member forfeits retirement eligibility, that member's innocent family members lose the security of benefits they had planned for and helped earn.

(4) Military juries may choose to impose unjustly light sentences on convicted members out of concern for the innocent family members when a just sentence would require stripping the member of retirement eligibility.

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

(1) that military juries should not face the difficult choice between imposing a fair sentence or protecting the benefits of a member of the Armed Forces for the sake of innocent family members;

(2) that innocent military family members of retirement-eligible members should not be made to forgo benefits they have sacrificed for and helped to earn; and

(3) to welcome the opportunity to work with the Department of Defense to develop the necessary laws and regulations to improve the military justice system and to protect the benefits that military families have helped earn.

Subtitle F—Defense Dependents Education and Military Family Readiness

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 2016 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $25,000,000 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 8013(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.

Of the amount authorized to be appropriated for fiscal year 2016 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $5,000,000 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).

SEC. 563. AUTHORITY TO USE APPROPRIATED FUNDS TO SUPPORT DEPARTMENT OF DEFENSE STUDENT MEAL PROGRAMS IN DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS LOCATED OUTSIDE THE UNITED STATES.

(a) AUTHORITY.—Section 2243 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''the defense dependents' education system'' and inserting ''overseas defense dependents' schools''; and

(B) by striking ''students enrolled in that system'' and inserting ''students enrolled in such a school'';

(2) in subsection (d), by striking ''Department of Defense dependents' schools which are located outside the United States'' and inserting ''overseas defense dependents' schools''; and

(3) by adding at the end the following new subsection:

''(e) OVERSEAS DEFENSE DEPENDENTS' SCHOOL DEFINED.—In this section, the term 'overseas defense dependents' school' means the following:

''(1) A school established as part of the defense dependents' education system provided for under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.).

''(2) An elementary or secondary school established pursuant to section 2164 of this title that is located in a territory, commonwealth, or possession of the United States.''.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended by inserting ''**defense**'' after ''**overseas**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended in the item relating to section 2243 by inserting ''defense'' after ''overseas''.

SEC. 564. BIENNIAL SURVEYS OF MILITARY DEPENDENTS ON MILITARY FAMILY READINESS MATTERS.

(a) BIENNIAL SURVEYS REQUIRED.—The Director of the Office of Family Policy of the Department of Defense shall undertake every other year a survey of adult dependents of members of the Armed Forces on the matters specified in subsection (b). Participation by dependents in the survey shall be voluntary.

(b) MATTERS.—The matters specified in this subsection are the following:

(1) Mental health of dependents of members of the Armed Forces.

(2) Incidence of suicide and suicidal ideation among dependents of members of the Armed Forces.

(3) Incidence of divorce among dependents of members of the Armed Forces.

(4) Incidence of spousal abuse, child abuse, sexual assault, and harassment among dependents of members of the Armed Forces.

(5) Financial health and financial literacy of military families.

(6) Employment and education of dependents of members of the Armed Forces.

(7) Adequacy and availability of child care for dependents of members of the Armed Forces.

(8) Quality of programs for military families.

(9) Such other matters relating to military family readiness as the Director considers appropriate.

Subtitle G—Miscellaneous Reporting Requirements

SEC. 571. EXTENSION OF SEMIANNUAL REPORTS ON THE INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.

Section 525(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1724) is amended by striking ''calendar years 2013 and 2014'' and ''each of calendar years 2013 through 2017''.

SEC. 572. REMOTELY PILOTED AIRCRAFT CAREER FIELD MANNING SHORTFALLS.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for operation and maintenance for the Office of the Secretary of the Air Force, not more than 85 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the report described in subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on remotely piloted aircraft career field manning levels and actions the Air Force will take to rectify personnel shortfalls.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of current and projected manning requirements and inventory levels for remotely piloted aircraft systems.

(B) A description of rated and non-rated officer and enlisted manning policies for authorization and inventory levels in effect for remotely piloted aircraft systems and units, to include whether remotely piloted aircraft duty is considered as a permanent Air Force Specialty Code or treated as an ancillary single assignment duty, and if both are used, the division of authorizations between permanently assigned personnel and those who will return to a different primary career field.

(C) Comparisons to other Air Force manned combat aircraft systems and units with respect to personnel policies, manpower authorization levels, and projected personnel inventory.

(D) Identification and assessment of mitigation actions to increase unit manning levels, including recruitment and retention bonuses, incentive pay, use of enlisted personnel, and increased weighting to remotely piloted aircraft personnel on promotion boards, and to ensure the school house for remotely piloted aircraft personnel is sufficient to meet increased manning demands.

(E) Analysis demonstrating the requirements determination for how remotely piloted aircraft pilot and sensor operators are selected, including whether individuals are prior rated or non-rated qualified, what prerequisite training or experience is necessary, and required and types of basic and advanced qualification training for each mission design series of remotely piloted aircraft in the Air Force inventory.

(F) Recommendations for changes to existing legislation required to implement mitigation actions.

(G) An assessment of the authorization levels of government civilian and contractor support required for sufficiency of remotely piloted aircraft career field manning.

(H) A description and associated timeline of actions the Air Force will take to increase remotely piloted aircraft career field manpower authorizations and manning levels to at least the equal of the normative levels of manning and readiness of all other combat aircraft career fields.

(I) A description of any other matters concerning remotely piloted aircraft career field manning levels the Secretary of the Air Force determines to be appropriate.

(3) FORM.—The report required under paragraph (1) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(4) NONDUPLICATION OF EFFORT.—If any information required under paragraph (1) has been included in another report or notification previously submitted to Congress by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under this subsection in lieu of including such information in the report.

Subtitle H—Other Matters

PART I—FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES

SEC. 581. IMPROVEMENT OF FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 992 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''CONSUMER EDUCATION'' and inserting ''FINANCIAL LITERACY TRAINING'';

(B) in paragraph (1), by striking ''education'' in the matter preceding subparagraph (A) and inserting ''financial literacy training'';

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''as'';

(ii) in subparagraph (A)—

(I) by inserting ''as'' before ''a component'';

(II) by striking ''orientation''; and

(III) by striking ''and'' after the semicolon;

(iii) by redesignating subparagraph (B) as subparagraph (J); and

(iv) by inserting after subparagraph (A) the following new subparagraphs:

''(B) upon arrival at the first duty station;

''(C) upon arrival at each duty station following the first duty station in the case of each member in pay grade E–4 or below or in pay grade O–3 or below;

''(D) on the date of promotion, in the case of each member in pay grade E–5 or below or in pay grade O–4 or below;

''(E) when the member vests in the Thrift Savings Plan (TSP);

''(F) at each major life event during the member's service, such as—

''(i) marriage;

''(ii) divorce;

''(iii) birth of first child; or

''(iv) disabling sickness or condition;

''(G) during leadership training;

''(H) during pre-deployment training and during post-deployment training;

''(I) at transition points in military service, such as—

''(i) transition from a regular component to a reserve component;

''(ii) separation from service; or

''(iii) retirement; and''; and

(v) in subparagraph (J), as redesignated by clause (iii), by inserting ''as'' before ''a component'';

(D) in paragraph (3), by striking ''(2)(B)'' and inserting ''(2)(J)''; and

(E) by adding at the end the following new paragraph:

''(4) The Secretary concerned shall prescribe regulations setting forth any additional events and circumstances (other than those described in paragraph (2)) for which the Secretary determines that training under this subsection shall be required.''.

(b) FINANCIAL LITERACY AND PREPAREDNESS SURVEY.—Such section is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) FINANCIAL LITERACY AND PREPAREDNESS SURVEY.—(1) The Director of the Defense Manpower Data Center shall annually include in the status of forces survey a survey of the status of the financial literacy and preparedness of members of the armed forces.

''(2) The results of the annual financial literacy and preparedness survey—

''(A) shall be used by each of the Secretaries concerned as a benchmark to evaluate and update training provided under this section; and

''(B) shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives.''.

(c) ADDITIONAL FINANCIAL SERVICES COVERED BY LITERACY TRAINING.—Subsection (e) of such section, as redesignated by subsection (b)(1) of this section, is amended by adding at the end the following new paragraph:

''(4) Health insurance, budget management, Thrift Savings Plan (TSP), retirement lump sum payments (including rollover options and tax consequences), and Survivor Benefit Plan (SBP) .''.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 992. Financial literacy training: financial services''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 50 of such title is amended by striking the item related to section 992 and inserting the following new item:

''992. Financial literacy training: financial services.''.

SEC. 582. FINANCIAL LITERACY TRAINING WITH RESPECT TO CERTAIN FINANCIAL SERVICES FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—The Secretary concerned shall provide the financial literacy training under section 992 of title 10, United States Code, for the financial services described in paragraph (4) of section 992(e) of such title (as amended and added by section 581 of this Act) to members of the uniformed services under the jurisdiction of such Secretary commencing not later than six months after the date of the enactment of this Act.

(b) DEFINITIONS.—In this section, the terms ''uniformed services'' and ''Secretary concerned'' have the meaning given such terms in section 101(a) of title 10, United States Code.

SEC. 583. SENSE OF CONGRESS ON FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

It is the sense of Congress that—

(1) the Secretary of Defense should strengthen arrangements with other departments and agencies of the Federal Government, as well as with nonprofit organizations, in order to improve the financial literacy and preparedness of members of the Armed Forces; and

(2) the Chairman of the Joint Chiefs of Staff and the Chiefs of Staff of the Armed Forces should provide support for the financial literacy and preparedness training carried out under section 992 of title 10, United States Code (as amended by section 581 of this Act).

PART II—OTHER MATTERS

SEC. 586. AUTHORITY FOR APPLICATIONS FOR CORRECTION OF MILITARY RECORDS TO BE INITIATED BY THE SECRETARY CONCERNED.

Section 1552(b) of title 10, United States Code, is amended—

(1) by striking ''or his heir or legal representative'' and inserting ''(or the claimant's heir or legal representative) or the Secretary concerned''; and

(2) by striking ''he discovers'' and inserting ''discovering''.

SEC. 587. RECORDATION OF OBLIGATIONS FOR INSTALLMENT PAYMENTS OF INCENTIVE PAYS, ALLOWANCES, AND SIMILAR BENEFITS WHEN PAYMENT IS DUE.

(a) IN GENERAL.—Chapter 19 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 1015. Recordation of installment payment obligations for incentive pays and similar benefits

''(a) IN GENERAL.—In the case of any pay, allowance, bonus, or other benefit described in subsection (b) that is paid to a member of the uniformed services on an installment basis, each installment payment shall be charged to appropriations that are available for obligation at the time such payment is payable.

''(b) COVERED PAY AND BENEFITS.—Subsection (a) applies to any incentive pay, special pay, or bonus, or similar periodic payment of pay or allowances, or of educational benefits or stipends, that is paid to a member of the uniformed services under this title or title 10.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 of such title is amended by adding at the end the following new item:

''1015. Recordation of installment payment obligations for incentive pays and similar benefits.''.

SEC. 588. ENHANCEMENTS TO YELLOW RIBBON REINTEGRATION PROGRAM.

(a) SCOPE AND PURPOSE.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

(1) in subsection (a), by striking ''combat veteran''; and

(2) in subsection (b), by striking ''informational events and activities'' and inserting ''information, events, and activities''.

(b) ELIGIBILITY.—Such section is further amended—

(1) in subsection (a), by striking ''National Guard and Reserve members and their families'' and inserting ''eligible individuals'';

(2) in subsection (b), by striking ''members of the reserve components of the Armed Forces, their families,'' and inserting ''eligible individuals'';

(3) in subsection (d)(2)(C), by striking ''members of the Armed Forces and their families'' and inserting ''eligible individuals'';

(4) in subsection (h), in the matter preceding paragraph (1)—

(A) by striking ''members of the Armed Forces and their family members'' and inserting ''eligible individuals''; and

(B) by striking ''such members and their family members'' and inserting ''such eligible individuals'';

(5) in subsection (j), by striking ''members of the Armed Forces and their families'' and inserting ''eligible individuals'';

(6) in subsection (k), by striking ''individual members of the Armed Forces and their families'' and inserting ''eligible individuals''; and

(7) by adding at the end the following new subsection:

''(l) ELIGIBLE INDIVIDUALS.—For the purposes of this section, the term 'eligible individual' means a member of a reserve component, a member of their family, or a designated representative who the Secretary of Defense determines to be eligible for the Yellow Ribbon Reintegration Program.''.

(c) OFFICE FOR REINTEGRATION PROGRAMS.—

(1) OVERSIGHT OF YELLOW RIBBON REINTEGRATION PROGRAM.—Paragraph (1)(A) of subsection (d) of such section is amended by striking the second and third sentence and inserting ''The office shall exercise oversight over the Yellow Ribbon Reintegration Program, and shall be responsible for coordination with State National Guard and Reserve organizations, including existing family and support programs.''.

(2) PARTNERSHIPS TO PROVIDE QUALITY OF LIFE SERVICES.—Paragraph (1)(B) of such subsection is amended by striking ''substance abuse and mental health treatment services'' and inserting ''substance abuse, mental health treatment, and other quality of life services''.

(3) GRANT AUTHORITY.—Such subsection is further amended by adding at the end the following new paragraph:

''(3) GRANTS.—The Office for Reintegration Programs may make grants to conduct data collection, trend analysis, and curriculum development, and to prepare reports, in support of activities under this section.''.

(d) COORDINATION WITH COAST GUARD RESERVE.—Such section is further amended—

(1) in subsection (d)(1)(A), by striking ''and Air Force Reserve'' and inserting ''Air Force Reserve, and Coast Guard Reserve''; and

(2) in subsection (e)(1), by striking ''and Air Force Reserve'' and inserting ''Air Force Reserve, and Coast Guard Reserve''.

(e) DUE DATE OF ADVISORY BOARD ANNUAL REPORT.—Subsection (e)(4) of such section is amended by striking ''March'' and inserting ''April''.

(f) SUPPORT TEAMS.—Subsection (f) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''administer the Yellow Ribbon Reintegration Program at the State level'' and inserting ''support and assist State National Guard and Reserve organization reintegration efforts''; and

(2) by amending paragraph (1) to read as follows:

''(1) to provide reintegration curriculum and information;''.

(g) OPERATION OF PROGRAM.—

(1) ENHANCED FLEXIBILITY.—Subsection (g) of such section is amended to read as follows:

''(g) OPERATION OF PROGRAM.—

''(1) IN GENERAL.—The Office for Reintegration Programs shall assist State National Guard and Reserve organizations with the development and provision of information, events, and activities to support the health and well-being of eligible individuals before, during, and after periods of activation, mobilization, or deployment.

''(2) FOCUS OF INFORMATION, EVENTS, AND ACTIVITIES.—

''(A) BEFORE ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—Before such a period, the information, events, and activities described in paragraph (1) should focus on preparing eligible individuals and affected communities for the rigors of activation, mobilization, and deployment.

''(B) DURING ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—During such a period, the information, events, and activities described in paragraph (1) should focus on—

''(i) helping eligible individuals cope with the challenges and stress associated with such period;

''(ii) decreasing the isolation of eligible individuals during such period; and

''(iii) preparing eligible individuals for the challenges associated with reintegration.

''(C) AFTER ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—After such a period, the information, events, and activities described in paragraph (1) should focus on—

''(i) reconnecting the member with their families, friends, and communities;

''(ii) providing information on employment opportunities;

''(iii) helping eligible individuals deal with the challenges of reintegration;

''(iv) ensuring that eligible individuals understand what benefits they are entitled to and what resources are available to help them overcome the challenges of reintegration; and

''(v) providing a forum for addressing negative behaviors related to operational stress and reintegration.

''(3) MEMBER PAY.—Members shall receive appropriate pay for days spent attending such events and activities.

''(4) MINIMUM NUMBER OF EVENTS AND ACTIVITIES.—State National Guard and Reserve organizations shall provide to eligible individuals—

''(A) one event or activity before a period of activation, mobilization, or deployment;

''(B) one event or activity during a period of activation, mobilization, or deployment; and

''(C) two events or activities after a period of activation, mobilization, or deployment.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (a), by striking ''throughout the entire deployment cycle'';

(B) in subsection (b)—

(i) in the subsection heading, by striking ''; DEPLOYMENT CYCLE''; and

(ii) by striking ''well-being through the 4 phases'' through the end of the subsection and inserting ''well-being.'';

(C) in subsection (d)(2)(C), by striking ''throughout the deployment cycle described in subsection (g)''; and

(D) in subsection (f), by striking ''STATE DEPLOYMENT CYCLE'' in the subsection heading.

(h) ADDITIONAL PERMITTED OUTREACH SERVICE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:

''(16) Stress management and positive coping skills.''.

(i) SUPPORT OF DEPARTMENT-WIDE SUICIDE PREVENTION EFFORTS.—Such section is further amended by inserting after subsection (h) the following new subsection:

''(i) SUPPORT OF SUICIDE PREVENTION EFFORTS.—The Office for Reintegration Programs shall assist the Defense Suicide Prevention Office and the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury to collect and analyze information, suggestions, and best practices from State National Guard and Reserve organizations with respect to suicide prevention and community response programs.''.

(j) TECHNICAL AMENDMENTS.—Such section is further amended—

(1) in subsection (d)(1)(B), by striking ''Substance Abuse and the Mental Health Services Administration'' and inserting ''Substance Abuse and Mental Health Services Administration''; and

(2) in subsection (e)(3)(C), by striking ''Office of Reintegration Programs'' and inserting ''Office for Reintegration Programs''.

SEC. 589. PRIORITY PROCESSING OF APPLICATIONS FOR TRANSPORTATION WORKER IDENTIFICATION CREDENTIALS FOR MEMBERS UNDERGOING DISCHARGE OR RELEASE FROM THE ARMED FORCES.

(a) PRIORITY PROCESSING.—The Secretary of Defense shall consult with the Secretary of Homeland Security to afford a priority in the processing of applications for a Transportation Worker Identification Credential (TWIC) to applications submitted by members of the Armed Forces who are undergoing separation, discharge, or release from the Armed Forces under honorable conditions, with such priority to provide for the review and adjudication of such an application by not later than 14 days after submittal, unless an appeal or waiver applies or further application documentation is necessary. The priority shall be so afforded commencing not later than 180 days after the date of the enactment of this Act to members who undergo separation, discharge, or release from the Armed Forces after the date on which the priority so commences being afforded.

(b) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Homeland Security shall enter into a memorandum of understanding in connection with achieving the requirement in subsection (a).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the requirements of this section. The report shall set forth the following:

(1) The memorandum of understanding required pursuant to subsection (b).

(2) A description of the number of individuals who applied for, and the number of individuals who have been issued, a Transportation Worker Identification Credential pursuant to the memorandum of understanding as of the date of the report.

(3) If any applications for a Transportation Worker Identification Credential covered by paragraph (2) were not reviewed and adjudicated within the deadline specified in subsection (a), a description of the reasons for the failure and of the actions being taken to assure that future applications for a Credential are reviewed and adjudicated within the deadline.

SEC. 590. ISSUANCE OF RECOGNITION OF SERVICE ID CARDS TO CERTAIN MEMBERS SEPARATING FROM THE ARMED FORCES.

(a) ISSUANCE REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall issue to each covered individual a card that identifies such individual as a veteran and includes a photo of the individual and the name of the individual.

(2) DESIGNATION.—A card issued under paragraph (1) may be known as a ''Recognition of Service ID Card''.

(b) COVERED INDIVIDUALS.—For purposes of this section, a ''covered individual'' is an individual who is undergoing discharge or release from the Armed Forces (other than as the result of a punitive discharge adjudicated as part of a sentence at a court-martial after the effective date of this section) on or after the effective date provided for in subsection (e).

(c) COLLECTION OF AMOUNTS.—

(1) IN GENERAL.—The Secretary may collect from civilian employees of the Department of Defense and contractor personnel of the Department who are issued a replacement card for a lost or stolen Department of Defense identification card such amount as the Secretary considers appropriate to defray the cost of the issuance of cards under subsection (a), and to implement the issuance of cards without the assignment of additional personnel for that purpose.

(2) TREATMENT OF AMOUNTS.—The Secretary shall deposit amounts collected under this subsection to the account or accounts providing funds for the issuance of cards under subsection (a).

(d) RECOGNITION OF RECOGNITION OF SERVICE ID CARDS FOR REDUCED PRICES OF SERVICES, CONSUMER PRODUCTS, AND PHARMACEUTICALS.—The Secretary of Defense may work with national retail chains that offer reduced prices on services, consumer products, and pharmaceuticals to veterans to ensure that such retail chains recognize cards issued under subsection (a) for purposes of offering reduced prices on services, consumer products, and pharmaceuticals.

(e) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 591. REVISED POLICY ON NETWORK SERVICES FOR MILITARY SERVICES.

(a) ESTABLISHMENT OF POLICY.—It is the policy of the United States that the Secretary of Defense shall minimize and reduce, to the maximum extent practicable, the number of uniformed military personnel providing network services to military installations within the United States.

(b) PROHIBITION.—Except as provided in subsection (c), each military service shall be prohibited from using uniform military personnel to provide network services to military installations within the United States 2 years after the date of the enactment of this Act.

(c) EXCEPTION.—Nothing in subsection (b) shall be construed as prohibiting the use of military personnel providing network services in support of combatant commands, special operations, the intelligence community, or the United States Cyber Command, including training for these organizations.

(d) WAIVER.—The Secretary of Defense or the Chief Information Officer may waive the prohibition in subsection (b) if necessary for the safety of human life, protection of property, or providing network services in support of a combat operation.

(e) REPORT.—

(1) IN GENERAL.—Not later than March 30, 2016, the Chief Information Officer shall submit to the congressional defense committees a plan for the transition of the current performance of network services from military personnel to other means.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An assessment of the costs of using military personnel versus other means to provide network services for the military services.

(B) An estimate of the savings of transitioning the current performance of network services from military personnel to other means.

(C) An estimate of the number of military personnel that could be reallocated for military-unique missions.

(f) VALIDATION OF COST AND SAVINGS ESTIMATES.—The report required under subsection (e) shall be validated by the Director of Cost Assessment and Program Evaluation.

SEC. 592. INCREASE IN NUMBER OF DAYS OF ACTIVE DUTY REQUIRED TO BE PERFORMED BY RESERVE COMPONENT MEMBERS FOR DUTY TO BE CONSIDERED FEDERAL SERVICE FOR PURPOSES OF UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEMBERS.

(a) INCREASE OF NUMBER OF DAYS.—Section 8521(a)(1) of title 5, United States Code, is amended by striking ''90 days'' in the matter preceding subparagraph (A) and inserting ''180 days''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the eanctment of this Act, and shall apply with respect to periods of Federal service commencing on or after that date.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2016 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2016 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, 2016, the rates of monthly basic pay for members of the uniformed services are increased by 1.3 percent for enlisted member pay grades, warrant officer pay grades, and commissioned officer pay grades below pay grade O–7.

(c) APPLICATION OF EXECUTIVE SCHEDULE LEVEL II CEILING ON PAYABLE RATES FOR GENERAL AND FLAG OFFICERS.—Section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for commissioned officers in pay grades O–7 through O–10 during calendar year 2016 by using the rate of pay for level II of the Executive Schedule in effect during 2014.

SEC. 602. MODIFICATION OF PERCENTAGE OF NATIONAL AVERAGE MONTHLY COST OF HOUSING USABLE IN COMPUTATION OF BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES.

(a) MODIFICATION OF PERCENTAGE USABLE.—Section 403(b)(3)(B) of title 37, United States Code, is amended by striking ''one percent'' and inserting ''five percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to computations of monthly amounts of basic allowance for housing inside the United States that occur for years beginning on or after that date.

SEC. 603. EXTENSION OF 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, 2015'' and inserting ''December 31, 2016''.

SEC. 604. BASIC ALLOWANCE FOR HOUSING FOR MARRIED MEMBERS OF THE UNIFORMED SERVICES ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE AND FOR OTHER MEMBERS LIVING TOGETHER.

(a) BAH FOR MARRIED MEMBERS ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE.—Section 403 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(p) SINGLE ALLOWANCE FOR MARRIED MEMBERS ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE.—In the event two members of the uniformed services entitled to receive a basic allowance for housing under this section are married to one another and are each assigned for duty within normal commuting distance, basic allowance for housing under this section shall be paid only to the member having the higher pay grade, or to the member having rank in grade if both members have the same pay grade, and at the rate payable for a member of such pay grade with dependents (regardless of whether or not such members have dependents).''.

(b) BAH FOR OTHER MEMBERS LIVING TOGETHER.—Such section is further amended by adding at the end the following new subsection:

''(q) REDUCED ALLOWANCE FOR MEMBERS LIVING TOGETHER.—(1) In the event two or more members of the uniformed services who are entitled to receive a basic allowance for housing under this section live together, basic allowance for housing under this section shall be paid to each such member at the rate as follows:

''(A) In the case of such a member in a pay grade below pay grade E–4, the rate otherwise payable to such member under this section.

''(B) In the case of such a member in a pay grade above pay grade E–3, the rate equal to the greater of—

''(i) 75 percent of the rate otherwise payable to such member under this section; or

''(ii) the rate payable for a member in pay grade E–4 without dependents.

''(2) This subsection does not apply to members covered by subsection (p).''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on October 1, 2015, and shall, except as provided in paragraph (2), apply with respect to allowances for basic housing payable for months beginning on or after that date.

(2) PRESERVATION OF CURRENT BAH FOR MEMBERS WITH UNINTERRUPTED ELIGIBILITY FOR BAH.—Notwithstanding any amendment made by this section, the monthly amount of basic allowance for housing payable to a member of the uniformed services under section 403 of title 37, United States Code, as of September 30, 2015, shall not be reduced by reason of such amendment so long as the member retains uninterrupted eligibility for such basic allowance for housing within an area of the United States or within an overseas location (as applicable).

SEC. 605. REPEAL OF INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENEFITS UNDER THE LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) REPEAL.—Subsection (b) of section 604 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is repealed.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016.

SEC. 606. LIMITATION ON ELIGIBILITY FOR SUPPLEMENTAL SUBSISTENCE ALLOWANCES TO MEMBERS SERVING OUTSIDE THE UNITED STATES AND ASSOCIATED TERRITORY.

Section 402a(b) of title 37, United States Code, is amended—

(1) in paragraph (1), by inserting ''and paragraph (4)'' after ''subsection (d)''; and

(2) by adding at the end the following new paragraph:

''(4) After September 30, 2016, a member is eligible for a supplemental subsistence allowance under this section only if the member is serving outside the United States, the Commonwealth of Puerto Rico, the United States Virgin Islands, or Guam.''.

SEC. 607. AVAILABILITY OF INFORMATION.

In administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary of Agriculture shall ensure that any safeguards that prevent the use or disclosure of information obtained from applicant households shall not prevent the use of that information by, or the disclosure of that information to, the Secretary of Defense for purposes of determining the number of applicant households that contain one or more members of a regular component or reserve component of the Armed Forces.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM ANNUAL AMOUNT OF NUCLEAR OFFICER BONUS PAY.

(a) INCREASE.—Section 333(d)(1)(A) of title 37, United States Code, is amended by striking ''$35,000'' and inserting ''$50,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to agreements entered into under section 333 of title 37, United States Code, on or after that date.

SEC. 617. REPEAL OF OBSOLETE AUTHORITY TO PAY BONUS TO ENCOURAGE ARMY PERSONNEL TO REFER PERSONS FOR ENLISTMENT IN THE ARMY.

(a) REPEAL.—Section 3252 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 333 of such title is amended by striking the item relating to section 3252.

Subtitle C—Travel and Transportation Allowances

SEC. 621. REPEAL OF OBSOLETE SPECIAL TRAVEL AND TRANSPORTATION ALLOWANCE FOR SURVIVORS OF DECEASED MEMBERS FROM THE VIETNAM CONFLICT.

Section 481f of title 37, United States Code, is amended by striking subsection (d).

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits

PART I—RETIRED PAY REFORM

SEC. 631. THRIFT SAVINGS PLAN PARTICIPATION FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) MODERNIZED RETIREMENT SYSTEM.—Section 8440e of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) MODERNIZED RETIREMENT SYSTEM.—

''(1) TSP CONTRIBUTIONS.—The Secretary concerned shall make contributions to the Thrift Savings Fund, in accordance with section 8432, except to the extent the requirements under such section are modified by this subsection, for the benefit of a member who—

''(A) first enters a uniformed service on or after January 1, 2018; or

''(B) makes an election described in section 1409(b)(4)(B) or 12739(f) of title 10.

''(2) MAXIMUM AMOUNT.—The amount contributed under this subsection by the Secretary concerned for the benefit of a member described in paragraph (1) for any pay period shall be not more than 5 percent of such member's basic pay for such pay period.

''(3) TIMING AND DURATION OF CONTRIBUTIONS.—

''(A) AUTOMATIC CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(1) under this subsection for the benefit of a member described in paragraph (1) for any pay period during the period that—

''(i) begins on or after the day that is 60 days after the date the member first enters a uniformed service; and

''(ii) ends on the day such member completes 20 years of service as a member of the uniformed services.

''(B) MATCHING CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(2) under this subsection for the benefit of a member described in paragraph (1) for any pay period during the period that—

''(i) begins on or after the day that is 2 years and 1 day after the date the member first enters a uniformed service; and

''(ii) ends on the day such member completes 20 years of service as a member of the uniformed services.

''(4) PROTECTIONS FOR SPOUSES AND FORMER SPOUSES.—Section 8435 shall apply to a member described in paragraph (1) in the same manner as such section is applied to an employee or Member under such section.

''(5) DEFINITION OF SECRETARY CONCERNED.—In this subsection the term 'Secretary concerned' has the meaning given the term in section 101 of title 37.''.

(b) AUTOMATIC ENROLLMENT IN TSP.—Section 8432(b)(2) of title 5, United States Code, is amended—

(1) in subparagraph (D)(ii)—

(A) by striking ''(ii) Members'' and inserting ''(ii)(I) Except as provided in subclause (II), members''; and

(B) by adding at the end the following:

''(II) A member described in section 8440e(e)(1) shall be an eligible individual for purposes of this paragraph.''; and

(2) by adding at the end the following:

''(F) Notwithstanding any other provision of this paragraph, a member described in section 8440e(e)(1) who has declined automatic enrollment into the Thrift Savings Plan shall be automatically reenrolled, on January 1 of the year succeeding the year for which the determination is made, to make contributions under subsection (a) at the default percentage of basic pay.

''(G) In this paragraph the term 'member' has the meaning given the term in section 211 of title 37.''.

(c) VESTING.—Section 8432(g) of title 5, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(iii), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(C) 2 years of service in the case of a member of the uniformed services.''; and

(2) by adding at the end the following:

''(6) For purposes of this subsection, a member of the uniformed services shall be considered to have separated from Government employment if the member is discharged or released from service in the uniformed services.''.

(d) THRIFT SAVINGS PLAN DEFAULT INVESTMENT FUND.—Section 8438(c)(2) of title 5, United States Code, as amended by section 2(a) of the Smarter Savings Act (Public Law 113–255), is amended—

(1) in subparagraph (A), by striking ''(A) Consistent with the requirements of subparagraph (B), if an'' and inserting ''If an''; and

(2) by striking subparagraph (B).

(e) CONFORMING AMENDMENTS.—

(1) Section 211 of title 37, United States Code, is amended—

(A) by striking subsection (d); and

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

(2) Section 8432b(c)(2)(B) of title 5, United States Code, is amended by striking ''(including pursuant to an agreement under section 211(d) of title 37)''.

(f) ACTIONS TO ASSURE IMPLEMENTATION BY EFFECTIVE DATE.—

(1) IN GENERAL.—The Secretaries concerned, the Director of the Office of Personnel Management, and the Federal Retirement Thrift Investment Board shall each and jointly take appropriate actions to ensure the full and effective commencement of the implementation of the amendments made by this section as of January 1, 2018.

(2) SECRETARY CONCERNED DEFINED.—In this subsection, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 37, United States Code.

(g) EFFECTIVE DATES.—

(1) MODERNIZED RETIREMENT SYSTEM.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) OTHER AMENDMENTS.—The amendments made by subsections (b) through (e) shall take effect on January 1, 2018.

SEC. 632. MODERNIZED RETIREMENT SYSTEM FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) MODERNIZED RETIREMENT SYSTEM.—

(1) IN GENERAL.—Section 1409(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) MODERNIZED RETIREMENT SYSTEM.—

''(A) REDUCED MULTIPLIERS FOR MEMBERS RECEIVING TSP MATCHING CONTRIBUTIONS.—Notwithstanding paragraphs (1), (2), and (3), in the case of a member who first becomes a member of the uniformed services after January 1, 2018, or a member who makes the election described in subparagraph (B)—

''(i) subparagraph (A) of paragraph (1) shall be applied by substituting '2' for '2½'';

''(ii) clause (i) of paragraph (3)(B) shall be applied by substituting '60 percent' for '75 percent'; and

''(iii) subclause (I) of paragraph (3)(B)(ii) shall be applied by substituting '2' for '2½'.

''(B) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

''(i) ELECTION.—A member of a uniformed service serving on January 1, 2018, may elect to accept the reduced multipliers described in subparagraph (A) for purposes of calculating the retired pay of the member.

''(ii) EFFECT OF ELECTION.—A member making the election described in clause (i) shall—

''(I) have the retired pay of the member calculated using the reduced multipliers described in subparagraph (A);

''(II) receive Thrift Savings Plan (TSP) matching contributions pursuant to section 8440e(e) of title 5 for periods of service between the completion of 2 years of service and the completion of 20 years of service in accordance with paragraph (3)(B) of such section; and

''(III) be eligible for lump sum payments under section 1415 of this title.

''(iii) ELECTION PERIOD.—

''(I) IN GENERAL.—Except as provided in subclauses (II) and (III), a member of a uniformed service may make the election described in clause (i) during the period that begins on July 1, 2018, and ends on December 31, 2018.

''(II) HARDSHIP EXTENSION.—The Secretary concerned may extend the election period described in subclause (I) for a member who experiences a hardship as determined by the Secretary concerned.

''(III) MEMBERS EXPERIENCING BREAK IN SERVICE.—A member of a uniformed service returning to service after a break in service in which falls the election period specified in subclause (I) shall make the election described in clause (i) on the date of the reentry into service of the member.

''(iv) NO RETROACTIVE MATCHING CONTRIBUTIONS PURSUANT TO ELECTION.—Thrift Savings Plan matching contributions may not be made for a member under this subparagraph for any pay period beginning before the date of the member's election under clause (i).

''(C) REGULATIONS.—Each Secretary concerned shall prescribe regulations to implement this paragraph.''.

(2) NON-REGULAR SERVICE.—Section 12739 of such title is amended by adding at the end the following new subsection:

''(f) MODERNIZED RETIREMENT SYSTEM.—

''(1) REDUCED MULTIPLIERS FOR PERSONS RECEIVING TSP MATCHING CONTRIBUTIONS.—In the case of a person who first performs reserve component service after January 1, 2018, after not having performed regular or reserve component service on or before that date, or a person who makes the election described in paragraph (2)—

''(A) paragraph (2) of subsection (a) shall be applied by substituting '2 percent' for '2½ percent';

''(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting '60 percent' for '75 percent'; and

''(C) clause (ii) of subsection (c)(2)(B) shall be applied by substituting '2 percent' for '2½ percent'.

''(2) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

''(A) ELECTION.—A person performing reserve component service on January 1, 2018, may elect to accept the reduced multipliers described in paragraph (1) for purposes of calculating the retired pay of the person.

''(B) EFFECT OF ELECTION.—A person making the election described in subparagraph (A) shall—

''(i) have the retired pay of the person calculated using the reduced multipliers described in paragraph (1):

''(ii) receive Thrift Savings Plan (TSP) matching contributions pursuant to section 8440e(e) of title 5 for periods of service between the completion of 2 years of service and the completion of 20 years of service in accordance with paragraph (3)(B) of such section; and

''(iii) be eligible for lump sum payments under section 1415 of this title.

''(C) ELECTION PERIOD.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), a person performing reserve component service may make the election described in subparagraph (A) during the period that begins on July 1, 2018, and ends on December 31, 2018.

''(ii) HARDSHIP EXTENSION.—The Secretary concerned may extend the election period described in clause (i) for a person who experiences a hardship as determined by the Secretary concerned.

''(iii) PERSONS EXPERIENCING BREAK IN SERVICE.—A person returning to reserve component service after a break in reserve component service in which falls the election period specified in clause (i) shall make the election described in subparagraph (A) on the date of the reentry into service of the person.

''(iv) NO RETROACTIVE MATCHING CONTRIBUTIONS PURSUANT TO ELECTION.—Thrift Savings Plan matching contributions may not be made for a person under this paragraph for any pay period beginning before the date of the person's election under subparagraph (A).

''(3) REGULATIONS.—Each Secretary concerned shall prescribe regulations to implement this subsection.''.

(b) COORDINATING AMENDMENTS TO OTHER RETIREMENT AUTHORITIES.—

(1) DISABILITY, WARRANT OFFICERS, AND DOPMA RETIRED PAY.—

(A) COMPUTATION OF RETIRED PAY.—The table in section 1401(a) of title 10, United States Code, is amended—

(i) in paragraph (1) in column 2 of formula number 1, by striking ''2½% of years of service credited to him under section 1208'' and inserting ''the retired pay multiplier determined for the member under section 1409 of this title'';

(ii) in paragraph (1) in column 2 of formula number 2, by striking ''2½% of years of service credited to him under section 1208'' and inserting ''the retired pay multiplier determined for the member under section 1409 of this title''; and

(iii) in column 2 of each of formula number 4 and formula number 5, by striking ''section 1409(a)'' and inserting ''section 1409''.

(B) CLARIFICATION REGARDING MODERNIZED RETIREMENT SYSTEM.—Section 1401a(b) of such title is amended—

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

(ii) by inserting after paragraph (4) the following new paragraph (5):

''(5) ADJUSTMENTS FOR PARTICIPANTS IN MODERNIZED RETIREMENT SYSTEM.—Notwithstanding paragraph (3), if a member makes the election described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).''.

(2) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Paragraph (2) of section 245(a) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3045(a)) is amended to read as follows:

''(2) the retired pay multiplier determined under section 1409 of such title for the number of years of service that may be credited to the officer under section 1405 of such title as if the officer's service were service as a member of the Armed Forces.''.

(3) TITLE 37, UNITED STATES CODE.—

(A) 15-YEAR CAREER STATUS BONUS REPAYMENT.—Subsection (f) of section 354 of title 37, United States Code, is amended—

(i) by striking ''If a'' and inserting ''(1) If a''; and

(ii) by adding at the end the following new paragraph:

''(2) If a person who is paid a bonus under this section subsequently makes an election described in section 1409(b)(4) or 12739(f) of title 10, the person shall repay any bonus payments received under this section in the same manner as repayments are made under section 373 of this title.''.

(B) SUNSET AND CONTINUATION OF PAYMENTS.—Such section 354 is further amended by adding at the end the following new subsection:

''(g) SUNSET AND CONTINUATION OF PAYMENTS.—(1) A Secretary concerned may not pay a new bonus under this section after December 31, 2017.

''(2) Subject to subsection (f)(2), the Secretary concerned may continue to make payments after December 31, 2017, for bonuses that were awarded under this section on or before that date.''.

(4) PUBLIC HEALTH SERVICE ACT.—Paragraph (4) of section 211(a) of the Public Health Service Act (42 U.S.C. 212) is amended—

(A) in the matter preceding subparagraph (A), by striking ''at the rate of 2 ½ per centum of the basic pay of the highest grade held by him as such officer'' and inserting ''calculated by multiplying the retired pay base determined under section 1406 of title 10, United States Code, by the retired pay multiplier determined under section 1409 of such title for the numbers of years of service credited to the officer under this paragraph''; and

(B) in the matter following subparagraph (B)(iii)—

(i) in subparagraph (C), by striking ''such pay, and'' and inserting ''such pay,''; and

(ii) in subparagraph (D), by striking ''such basic pay.'' and inserting ''such basic pay, and (E) in the case of any officer who makes the election described in section 1409(b)(4) of title 10, United States Code, subparagraph (C) shall be applied by substituting '40 per centum' for '50 per centum' each place the term appears and subparagraph (D) shall be applied by substituting '60 per centum' for '75 per centum'.''.

(c) EFFECTIVE DATES.—

(1) MODERNIZED RETIREMENT SYSTEMS.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) COORDINATING AMENDMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by subsection (b) shall take effect on January 1, 2018.

(B) TITLE 37 AMENDMENTS.—The amendments made by paragraph (3) of subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 633. LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.

(a) LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.—

(1) IN GENERAL.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1415. Lump sum payment of certain retired pay

''(a) DEFINITIONS.—In this section:

''(1) COVERED RETIRED PAY.—The term 'covered retired pay' means retired pay under—

''(A) this title;

''(B) title 14;

''(C) the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.); or

''(D) the Public Health Service Act (42 U.S.C. 201 et seq.).

''(2) ELIGIBLE PERSON.—The term 'eligible person' means a person who—

''(A)(i) first becomes a member of a uniformed service on or after January 1, 2018; or

''(ii) makes the election described in section 1409(b)(4) or 12739(f) of this title; and

''(B) does not retire or separate under chapter 61 of this title.

''(3) RETIREMENT AGE.—The term 'retirement age' has the meaning given the term in section 216(l) of the Social Security Act (42 U.S.C. 416(l)).

''(b) ELECTION OF LUMP SUM PAYMENT OF CERTAIN RETIRED PAY.—

''(1) IN GENERAL.—An eligible person entitled to covered retired pay (including an eligible person who is entitled to such pay by reason of an election described in subsection (a)(2)(A)(ii)) may elect—

''(A) to receive a lump sum payment of the discounted present value at the time of the election of the amount of the covered retired pay that the eligible person is otherwise entitled to receive for the period beginning on the date of retirement and ending on the date the eligible person attains the eligible person's retirement age; or

''(B) to receive—

''(i) a lump sum payment of an amount equal to 50 percent of the amount otherwise receivable by the eligible person pursuant to subparagraph (A); and

''(ii) a monthly amount during the period described in subparagraph (A) equal to 50 percent of the amount of monthly covered retired pay the eligible person is otherwise entitled to receive during such period.

''(2) DISCOUNTED PRESENT VALUE.—The Secretary of Defense shall compute the discounted present value of amounts of covered retired pay that an eligible person is otherwise entitled to receive for a period for purposes of paragraph (1)(A) by—

''(A) estimating the aggregate amount of retired pay the person would receive for the period, taking into account cost-of-living adjustments under section 1401a of this title projected by the Secretary at the time the person separates from service and would otherwise begin receiving covered retired pay; and

''(B) reducing the aggregate amount estimated pursuant to subparagraph (A) by an appropriate percentage determined by the Secretary—

''(i) using average personal discount rates (as defined and calculated by the Secretary taking into consideration applicable and reputable studies of personal discount rates for military personnel and past actuarial experience in the calculation of personal discount rates under this paragraph); and

''(ii) in accordance with generally accepted actuarial principles and practices.

''(3) TIMING OF ELECTION.—An eligible person shall make the election under this subsection not later than 90 days before the date of the retirement of the eligible person from the uniformed services.

''(4) SINGLE PAYMENT OR COMBINATION OF PAYMENTS.—An eligible person may elect to receive a lump sum payment under this subsection in a single payment or in a combination of payments.

''(5) COMMENCEMENT OF PAYMENT.—An eligible person who makes an election under this subsection shall receive the lump sum payment, or the first installment of a combination of payments of the lump sum payment if elected under paragraph (4), as follows:

''(A) Not later than 60 days after the date of the retirement of the eligible person from the uniformed services.

''(B) In the case of an eligible person who is a member of a reserve component, not later than 60 days after the later of—

''(i) the date on which the eligible person attains 60 years of age; or

''(ii) the date on which the eligible person first becomes entitled to covered retired pay.

''(6) NO SUBSEQUENT ADJUSTMENT.—An eligible person who accepts payment of a lump sum under this subsection may not seek the review of or otherwise challenge the amount of the lump sum in light of any variation in cost-of-living adjustments under section 1401a of this title, actuarial assumptions, or other factors used by the Secretary in calculating the amount of the lump sum that occur after the Secretary pays the lump sum.

''(c) RESUMPTION OF MONTHLY ANNUITY.—

''(1) GENERAL RULE.—Subject to paragraph (2), an eligible person who makes an election described in subsection (b) shall be entitled to receive the eligible person's monthly covered retired pay calculated in accordance with paragraph (2) after the eligible person attains the eligible person's retirement age.

''(2) RESTORATION OF FULL RETIREMENT AMOUNT AT RETIREMENT AGE.—The retired pay of an eligible person who makes an election described in subsection (a) shall be recomputed, effective on the first day of the first month beginning after the person attains the eligible person's retirement age, so as to be an amount equal to the amount of covered retired pay to which the eligible person would otherwise be entitled on that date if the annual increases, in the retired pay of the eligible person made to reflect changes in the Consumer Price Index, had been made in accordance with section 1401a of this title.

''(d) PAYMENT OF RETIRED PAY TO PERSONS NOT MAKING ELECTION.—An eligible person who does not make the election described in subsection (b) shall be paid the retired pay to which the eligible person is otherwise entitled under the applicable provisions of law referred to in subsection (a)(1).

''(e) REGULATIONS.—The Secretary of Defense concerned shall prescribe regulations to carry out the provisions of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by adding at the end the following new item:

''1415. Lump sum payment of certain retired pay.''.

(3) PAYMENTS FROM DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND.—Section 1463(a)(1) of title 10, United States Code, is amended by striking ''or 1414'' and inserting '', 1414, or 1415''.

(b) OFFSET OF VETERANS PENSION AND COMPENSATION BY AMOUNT OF LUMP SUM PAYMENTS.—Section 5304 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) Other than amounts payable under section 1413a or 1414 of title 10, the amount of pension and compensation benefits payable to a person under this title shall be reduced by the amount of any lump sum payment made to such person under section 1415 of title 10.

''(2) The Secretary shall collect any reduction under paragraph (1) from amounts otherwise payable to the person under this title, including pension and compensation payable under this title, before any pension and compensation payments under this title may be paid to the person.''.

SEC. 634. CONTINUATION PAY AFTER 12 YEARS OF SERVICE FOR MEMBERS OF THE UNIFORMED SERVICES PARTICIPATING IN THE MODERNIZED RETIREMENT SYSTEMS.

(a) CONTINUATION PAY.—

(1) IN GENERAL.—Subchapter II of chapter 5 of title 37, United States Code, is amended by adding at the end the following new sections:

"§ 356. Continuation pay after 12 years of service: members participating in modernized retirement systems

''(a) CONTINUATION PAY.—

''(1) IN GENERAL.—The Secretary concerned shall make a payment of continuation pay to each member of the uniformed services under the jurisdiction of the Secretary who—

''(A)(i) first becomes a member of a uniformed service after January 1, 2018; or

''(ii) subject to paragraph (2), makes the election described in section 1409(b)(4) or 12739(f) of title 10; and

''(B) after the date on which the member satisfies the applicable requirement in subparagraph (A)—

''(i) completes 12 years of service; and

''(ii) enters into an agreement with the Secretary to serve for an additional 4 years of obligated service.

''(2) ELIGIBILITY DEPENDENT ON ELECTION BEFORE COMPLETION OF 12 YEARS OF SERVICE.—A member who makes an election described in paragraph (1)(A)(ii) after the member completes 12 years of service is not eligible for continuation pay under this section.

''(b) AMOUNT.—The amount of continuation pay payable to a member under this section shall be the amount that is equal to—

''(1) in the case of a member of a regular component—

''(A) the monthly basic pay of the member at 12 years of service multiplied by 2.5; plus

''(B) at the discretion of the Secretary concerned, the monthly basic pay of the member at 12 years of service multiplied by such number of months (not to exceed 13 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a); and

''(2) in the case of a member of a reserve component—

''(A) the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a regular component multiplied by 0.5; plus

''(B) at the discretion of the Secretary concerned, the amount of monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

''(c) TIMING OF PAYMENT.—The Secretary concerned shall pay continuation pay under this section to a member when the member completes 12 years of service.

''(d) LUMP SUM OR INSTALLMENTS.—A member may elect to receive continuation pay under this section in a lump sum or in a series of not more than 4 payments.

''(e) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Continuation pay under this section is in addition to any other pay or allowance to which the member is entitled.

''(f) REPAYMENT.—A member who receives continuation pay under this section and fails to complete the obligated service required under subsection (a)(2)(B)(ii) shall be subject to the repayment provisions of section 373 of this title.

''(g) REGULATIONS.—Each Secretary concerned shall prescribe regulations to carry out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by adding at the end the following new item:

''356. Continuation pay after 12 years of service: members participating in modernized retirement systems.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2018, and shall apply with respect to agreements entered into under section 356 of title 37, United States Code, after that date.

SEC. 635. AUTHORITY FOR RETIREMENT FLEXIBILITY FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) AUTHORITY FOR RETIREMENT FLEXIBILITY.—Chapter 63 of title 10, United States Code, is amended by adding at the end the following new item:

''§ 1276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialities or other groupings

''(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary concerned may modify the years of service required for an eligible member to retire, to greater than or fewer than 20 years of service, in order to facilitate management actions that shape the personnel profile or correct manpower shortages within an occupational specialty or other grouping of members of the uniformed services.

''(b) ELIGIBLE MEMBER DEFINED.—In this section, the term 'eligible member' means a member of the uniformed services working in an occupational specialty or other grouping designated by the Secretary concerned as in need of a management action described in subsection (a).

''(c) NOTICE-AND-WAIT.—

''(1) NOTICE REQUIRED.—The Secretary concerned shall submit to Congress notice of any proposed modification under subsection (a).

''(2) LIMITATION.—The Secretary concerned may not implement a proposed modification under subsection (a) until one year after the day on which the notice of the modification is submitted to Congress under paragraph (1).

''(d) APPLICABILITY.—The Secretary concerned may only modify the required years of service under subsection (a) for an eligible member who first becomes a member of a uniformed service on or after the date of the expiration of the one year period described in subsection (c)(2) that is applicable to the occupational specialty or other grouping in which the eligible member works.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of such title is amended by adding at the end the following new item:

''1276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialities or other groupings.''.

SEC. 636. TREATMENT OF DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND AS A QUALIFIED TRUST.

(a) IN GENERAL.—Chapter 74 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1468. Treatment as a qualified trust

''For purposes of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.)—

''(1) the Fund shall be treated as a trust described in section 401(a) of such Code (26 U.S.C. 401(a)) which is exempt from taxation under section 501(a) of such Code (26 U.S.C. 501(a)); and

''(2) any contribution to, or distribution from, the Fund shall be treated in the same manner as contributions to or distributions from such a trust.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by adding at the end the following new item:

''1468. Treatment as a qualified trust.''.

PART II—OTHER MATTERS

SEC. 641. DEATH OF FORMER SPOUSE BENEFICIARIES AND SUBSEQUENT REMARRIAGES UNDER SURVIVOR BENEFIT PLAN.

(a) IN GENERAL.—Section 1448(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) EFFECT OF DEATH OF FORMER SPOUSE BENEFICIARY.—

''(A) TERMINATION OF PARTICIPATION IN PLAN.—A person who elects to provide an annuity to a former spouse under paragraph (2) or (3) and whose former spouse subsequently dies is no longer a participant in the Plan, effective on the date of death of the former spouse.

''(B) AUTHORITY FOR ELECTION OF NEW SPOUSE BENEFICIARY.—If a person's participation in the Plan is discontinued by reason of the death of a former spouse beneficiary, the person may elect to resume participation in the Plan and to elect a new spouse beneficiary as follows:

''(i) MARRIED ON THE DATE OF DEATH OF FORMER SPOUSE.—A person who is married at the time of the death of the former spouse beneficiary may elect to provide coverage to that person's spouse. Such an election must be received by the Secretary concerned within one year after the date of death of the former spouse beneficiary.

''(ii) MARRIAGE AFTER DEATH OF FORMER SPOUSE BENEFICIARY.—A person who is not married at the time of the death of the former spouse beneficiary and who later marries may elect to provide spouse coverage. Such an election must be received by the Secretary concerned within one year after the date on which that person marries.

''(C) EFFECTIVE DATE OF ELECTION.—The effective date of election under this paragraph shall be as follows:

''(i) An election under subparagraph (B)(i) is effective as of the first day of the first calendar month following the death of the former spouse beneficiary.

''(ii) An election under subparagraph (B)(ii) is effective as of the first day of the first calendar month following the month in which the election is received by the Secretary concerned.

''(D) LEVEL OF COVERAGE.—A person making an election under subparagraph (B) may not reduce the base amount previously elected.

''(E) PROCEDURES.—An election under this paragraph shall be in writing, signed by the participant, and made in such form and manner as the Secretary concerned may prescribe.

''(F) IRREVOCABILITY.—An election under this paragraph is irrevocable.''.

(b) EFFECTIVE DATE.—Paragraph (7) of section 1448(b) of title 10, United States Code, as added by subsection (a), shall apply with respect to any person whose former spouse beneficiary dies on or after the date of the enactment of this Act.

(c) APPLICABILITY TO FORMER SPOUSE DEATHS BEFORE ENACTMENT.—

(1) IN GENERAL.—A person—

(A) who before the date of the enactment of this Act had a former spouse beneficiary under the Survivor Benefit Plan who died before that date; and

(B) who on the date of the enactment of this Act is married,

may elect to provide spouse coverage for such spouse under the Plan, regardless of whether the person married such spouse before or after the death of the former spouse beneficiary. Any such election may only be made during the one-year period beginning on the date of the enactment of this Act.

(2) EFFECTIVE DATE OF ELECTION IF MARRIED AT LEAST A YEAR AT DEATH FORMER SPOUSE.—If the person providing the annuity was married to the spouse beneficiary for at least one year at the time of the death of the former spouse beneficiary, the effective date of such election shall be the first day of the first month after the death of the former spouse beneficiary.

(3) OTHER EFFECTIVE DATE.—If the person providing the annuity married the spouse beneficiary after (or during the one-year period preceding) the death of the former spouse beneficiary, the effective date of the election shall be the first day of the first month following the first anniversary of the person's marriage to the spouse beneficiary.

(4) RESPONSIBILITY FOR PREMIUMS.—A person electing to participate in the Plan under this subsection shall be responsible for payment of all premiums due from the effective date of the election.

SEC. 642. TRANSITIONAL COMPENSATION AND OTHER BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES INELIGIBLE TO RECEIVE RETIRED PAY AS A RESULT OF COURT-MARTIAL SENTENCE.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1059 the following new section:

''§ 1059a. Dependents of members of the armed forces ineligible to receive retired pay as a result of court-martial sentence: transitional compensation and other benefits; commissary and exchange benefits

''(a) AUTHORITY TO PAY COMPENSATION.—The Secretary of Defense, with respect to the armed forces (other than the Coast Guard when it is not operating as a service in the Navy), and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, may each carry out a program under which the Secretary may pay monthly transitional compensation in accordance with this section to dependents or former dependents of a member of the armed forces described in subsection (b) who is under the jurisdiction of the Secretary.

''(b) MEMBERS COVERED.—This section applies in the case of a member of the armed forces eligible for retired or retainer pay under this title for years of service who—

''(1) is separated from the armed forces pursuant to the sentence of a court-martial as a result of misconduct while a member; and

''(2) has eligibility to receive retired pay terminated pursuant to such sentence.

''(c) RECIPIENT OF PAYMENTS.—(1) In the case of a member of the armed forces described in subsection (b), the Secretary may pay compensation under this section to dependents or former dependents of the member as follows:

''(A) If the member was married at the time of the commission of the offense resulting in separation from the armed forces, such compensation may be paid to the spouse or former spouse to whom the member was married at that time, including an amount for each, if any, dependent child of

the member who resides in the same household as that spouse or former spouse.

''(B) If there is a spouse or former spouse who is or, but for subsection (d)(2), would be eligible for compensation under this section and if there is a dependent child of the member who does not reside in the same household as that spouse or former spouse, compensation under this section may be paid to each such dependent child of the member who does not reside in that household.

''(C) If there is no spouse or former spouse who is or, but for subsection (d)(2), would be eligible under this section, compensation under this section may be paid to the dependent children of the member.

''(2) A dependent or former dependent of a member described in subsection (b) is not eligible for transitional compensation under this section if the Secretary concerned determines (under regulations prescribed under subsection (g)) that the dependent or former dependent either—

''(A) was an active participant in the conduct constituting the offense under chapter 47 of this title (the Uniform Code of Military Justice) for which the member was convicted and separated from the armed forces; or

''(B) did not cooperate with the investigation of such conduct.

''(d) COMMENCEMENT AND DURATION OF PAYMENT.—(1) Payment of transitional compensation under this section shall commence—

''(A) as of the date the court-martial sentence is adjudged if the sentence, as adjudged, includes—

''(i) a dismissal, dishonorable discharge, or bad conduct discharge; and

''(ii) forfeiture of all pay and allowances; or

''(B) if there is a pretrial agreement that provides for disapproval or suspension of the dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all pay and allowances, as of the date of the approval of the court-martial sentence by the person acting under section 860(c) of this title (article 60(c) of the Uniform Code of Military Justice) if the sentence, as approved, includes—

''(i) an unsuspended dismissal, dishonorable discharge, or bad conduct discharge; and

''(ii) forfeiture of all pay and allowances.

''(2) Paragraphs (2) and (3) of subsection (e), paragraphs (1) and (2) of subsection (g), and subsections (f) and (h) of section 1059 of this title shall apply in determining—

''(A) the amount of transitional compensation to be paid under this section;

''(B) the period for which such compensation may be paid; and

''(C) the circumstances under which the payment of such compensation may or will cease.

''(e) COMMISSARY AND EXCHANGE BENEFITS.—A dependent or former dependent who receives transitional compensation under this section shall, while receiving such payments, be entitled to use commissary and exchange stores in the same manner as provided in subsection (j) of section 1059 of this title.

''(f) COORDINATION OF BENEFITS.—(1) The Secretary concerned may not make payments to a spouse or former spouse under both this section, on the one hand, and section 1059, 1408(h), or 1408(i) of this title, on the other hand. In the case of a spouse or former spouse for whom a court order provides for payments pursuant to section 1408(h) or 1408(i) of this title and to whom the Secretary offers payments under this section or section 1059 of this title, the spouse or former spouse shall elect which payments to receive.

''(2) Upon the cessation of payments of transitional compensation to a spouse or former spouse under this section pursuant to subsection (d)(2), a spouse or former spouse who elected payments of transitional compensation under this section and either remains or becomes eligible for payments under section 1408(h) or 1408(i) of this title, as applicable, may commence receipt of payments under such section 1408(h) or 1408(i) in accordance with such section.

''(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section with respect to the armed forces (other than the Coast Guard when it is not operating as a service in the Navy). The Secretary of Homeland Security shall prescribe regulations to carry out this section with respect to the Coast Guard when it is not operating as a service in the Navy.

''(h) DEPENDENT CHILD DEFINED.—In this section, the term 'dependent child', with respect to a member or former member of the armed forces referred to in subsection (b), has the meaning given such term in subsection (l) of section 1059 of this title, except that status as a 'dependent child' shall be determined as of the date on which the member described in subsection (b) is convicted of the offense concerned.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 1059 the following new item:

''1059a. Dependents of members of the armed forces ineligible to receive retired pay as a result of court-martial sentence: transitional compensation and other benefits; commissary and exchange benefits.''.

(c) CONFORMING AMENDMENT.—Subsection (i) of section 1059 of title 10, United States Code, is amended to read as follows:

''(i) COORDINATION OF BENEFITS.—The Secretary concerned may not make payments to a spouse or former spouse under both this section, on the one hand, and section 1059a, 1408(h), or 1408(i) of this title, on the other hand. In the case of a spouse or former spouse for whom a court order provides for payments pursuant to section 1408(h) or 1408(i) of this title and to whom the Secretary offers payments under this section or section 1059a of this title, the spouse or former spouse shall elect which payments to receive.''.

Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

SEC. 651. COMMISSARY SYSTEM MATTERS.

(a) OPERATING EXPENSES.—Section 2483 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking ''supplies and'';

(B) by striking (5); and

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

(2) by adding at the end the following new subsections:

''(d) TRANSPORTATION COSTS FOR CERTAIN GOODS AND SUPPLIES.—Appropriated funds may be used to pay any costs associated with the transportation of commissary goods and supplies to overseas areas, but only to the extent that the working capital fund for commissary operations is reimbursed for the payment of such costs. The sales prices in commissary stores worldwide shall be adjusted in an equal percentage to the extent necessary to provide sufficient gross revenues from such sales to make such reimbursements.

''(e) UNIFORM SYSTEM-WIDE PRICING.—The defense commissary system shall be managed with the objective of attaining uniform system-wide pricing.''.

(b) PRICING AND SURCHARGES.—Section 2484 of such title is amended—

(1) by striking subsection (e) and inserting the following new subsection (e):

''(e) SALES PRICE ESTABLISHMENT.—The Secretary of Defense shall establish the sales price of merchandise sold in, at, or by commissary stores in amounts sufficient to finance operating expenses as prescribed in section 2483(b) of this title and the replenishment of inventories.''; and

(2) in subsection (h)—

(A) in the subsection caption, by striking ''AND MAINTENANCE'' and inserting ''MAINTENANCE, AND PURCHASE OF OPERATING SUPPLIES''; and

(B) in paragraph (1)(A)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) to purchase operating supplies for commissary stores.''.

(c) OVERSEAS TRANSPORTATION.—Section 2643(b) of such title is amended by striking the first sentence and inserting the following new sentence: ''Defense working capital funds may be used to cover the transportation costs of commissary goods and supplies as provided in section 2483(d) of this title.''.

SEC. 652. PLAN ON PRIVATIZATION OF THE DEFENSE COMMISSARY SYSTEM.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the privatization, in whole or in part, of the defense commissary system of the Department of Defense.

(2) CONSULTATION.—The Secretary shall consult with major grocery retailers in the continental United States in developing the plan.

(b) ELEMENTS.—

(1) PLAN ELEMENTS.—The plan required by subsection (a) shall ensure the provision of high quality grocery goods and products, discount savings to patrons, and high levels of customer satisfaction while achieving savings for the Department of Defense.

(2) REPORT ELEMENTS.—The report required by subsection (a) should include—

(A) an evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, and an assessment whether such pay and allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

(B) an estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

(3) RECOMMENDATIONS FOR LEGISLATIVE ACTION.—The plan shall include recommendations for such legislative action as the Secretary considers appropriate to implement the plan.

(c) COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF PLAN.—Not later than 120 days after the submittal of the report required by subsection (a), the Comptroller General of the United States shall submit to the committees of Congress referred to in that subsection a report setting forth an assessment by the Comptroller General of the plan set forth in the report required by that subsection.

(d) PILOT PROGRAM ON PRIVATIZATION.—

(1) PILOT PROGRAM REQUIRED.—Commencing as soon as practicable after the submittal to Congress of the report required by subsection (c), the Secretary shall carry out a pilot program to assess the feasibility and advisability of the plan set forth in the report required by subsection (a).

(2) NUMBER AND LOCATION OF COMMISSARIES.—The pilot program shall involve not fewer than five commissaries selected by the Secretary for purposes of the pilot program from among commissaries in the largest markets of the defense commissary system in the United States.

(3) SCOPE OF PILOT PROGRAM.—The Secretary shall carry out the pilot program in accordance with the plan described in paragraph (1) as modified by the Secretary in light of the assessment of the plan by the Comptroller General pursuant to subsection (c). The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on any modifications made to the plan for purposes of the pilot program in light of the assessment.

(4) ADDITIONAL ELEMENT ON ONLINE PURCHASES.—In an addition to any requirements under paragraph (3), the Secretary may include in the pilot program a component designed to permit eligible beneficiaries of the defense commissary system in the catchment areas of the commissaries selected for participation in the pilot program to order and purchase grocery goods and products otherwise available through the defense commissary system through the Internet and to receive items so ordered through home delivery.

(5) DURATION.—The duration of the pilot program shall be two years.

(6) REPORT.—Not later than 180 days 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, including—

(A) an assessment of the feasibility and advisability of carrying out the plan described in paragraph (1), as modified, if at all, as described in paragraph (3); and

(B) a description of any modifications to the plan the Secretary considers appropriate in light of the pilot program.

SEC. 653. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE COMMISSARY SURCHARGE, NON-APPROPRIATED FUND, AND PRIVATELY-FINANCED MAJOR CONSTRUCTION PROGRAM.

(a) IN GENERAL.—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 on the Commissary Surcharge, Non-appropriated Fund and Privately-Financed Major Construction Program of the Department of Defense.

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

(1) An assessment whether the Secretary of Defense has established policies and procedures to ensure the timely submittal to the committees of Congress referred to in subsection (a) of notice on construction projects proposed to be funded through the program referred to in that subsection.

(2) An assessment whether the Secretaries of the military departments have developed and implemented policies and procedures to comply with the policies and directives of the Department of Defense for the submittal to such committees of Congress of notice on such construction projects.

(3) An assessment whether the Secretary of Defense has established policies and procedures to notify such committees of Congress when such construction projects have been commenced without notice to Congress.

(4) An assessment whether construction projects described in paragraph (3) have been completed before submittal of notice to Congress as described in that paragraph and, if so, a list of such projects.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. URGENT CARE AUTHORIZATION UNDER THE TRICARE PROGRAM.

(a) URGENT CARE.—

(1) IN GENERAL.—In accordance with the regulations prescribed under this section, a covered beneficiary under the TRICARE program shall have access to up to four urgent care visits per year under that program without the need for preauthorization for such visits.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out paragraph (1).

(b) PUBLICATION.—The Secretary shall—

(1) publish information on any modifications made pursuant to subsection (a) to the authorization requirements for the receipt of urgent care under the TRICARE program—

(A) on the primary Internet website that is available to the public of the Department; and

(B) on the primary Internet website that is available to the public of each military medical treatment facility; and

(2) ensure that such information is made available on the primary Internet website that is available to the public of each current managed care contractor that has established a health care provider network under the TRICARE program.

(c) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 702. MODIFICATIONS OF COST-SHARING REQUIREMENTS FOR THE TRICARE PHARMACY BENEFITS PROGRAM.

Paragraph (6) of section 1074g(a) of title 10, United States Code, is amended to read as follows:

''(6)(A) In the case of any of the years 2016 through 2025, the cost-sharing amounts under this subsection shall be determined in accordance with the following table:

''For:	The cost-sharing amount for 30-day supply of a retail generic is:	The cost-sharing amount for 30-day supply of a retail formulary is:	The cost-sharing amount for a 90-day supply of a mail order generic is:	The cost-sharing amount for a 90-day supply of a mail order formulary is:	The cost-sharing amount for a 90-day supply of a mail order non-formulary is:
2016	$8	$28	$0	$28	$54
2017	$8	$30	$0	$30	$58
2018	$8	$32	$0	$32	$62
2019	$9	$34	$9	$34	$66
2020	$10	$36	$10	$36	$70
2021	$11	$38	$11	$38	$75
2022	$12	$40	$12	$40	$80
2023	$13	$43	$13	$43	$85
2024	$14	$45	$14	$45	$90
2025	$14	$46	$14	$46	$92

''(B) For any year after 2025, the cost-sharing amounts under this subsection shall be equal to the cost-sharing amounts for the previous year adjusted by an amount, if any, determined by the Secretary to reflect changes in the costs of pharmaceutical agents and prescription dispensing, rounded to the nearest dollar.

''(C) Notwithstanding subparagraphs (A) and (B), the cost-sharing amounts under this subsection for any year for a dependent of a member of the uniformed services who dies while on active duty, a member retired under chapter 61 of this title, or a dependent of such a member shall be equal to the cost-sharing amounts, if any, for 2015.''.

SEC. 703. EXPANSION OF CONTINUED HEALTH BENEFITS COVERAGE TO INCLUDE DISCHARGED AND RELEASED MEMBERS OF THE SELECTED RESERVE.

(a) IN GENERAL.—Subsection (b) of section 1078a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) A member of the Selected Reserve of the Ready Reserve of a reserve component of the armed forces who—

''(A) is discharged or released from service in the Selected Reserve, whether voluntarily or involuntarily, under other than adverse conditions, as characterized by the Secretary concerned;

''(B) immediately preceding that discharge or release, is eligible to enroll in TRICARE Standard coverage under section 1076d of this title; and

''(C) after that discharge or release, would not otherwise be eligible for any benefits under this chapter.''.

(b) NOTIFICATION OF ELIGIBILITY.—Subsection (c)(2) of such section is amended by inserting ''or subsection (b)(2)'' after ''subsection (b)(1)''.

(c) ELECTION OF COVERAGE.—Subsection (d) of such section is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) In the case of a member described in subsection (b)(2), the written election shall be submitted to the Secretary concerned before the end of the 60-day period beginning on the later of—

''(A) the date of the discharge or release of the member from service in the Selected Reserve; and

''(B) the date the member receives the notification required pursuant to subsection (c).''.

(d) COVERAGE OF DEPENDENTS.—Subsection (e) of such section is amended by inserting ''or subsection (b)(2)'' after ''subsection (b)(1)''.

(e) PERIOD OF CONTINUED COVERAGE.—Subsection (g)(1) of such section is amended—

(1) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) in the case of a member described in subsection (b)(2), the date which is 18 months after the date the member ceases to be eligible to enroll in TRICARE Standard coverage under section 1076d of this title;''.

(f) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (3), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)''; and

(B) in paragraph (4), by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)'';

(2) in subsection (d)—

(A) in paragraph (3), as redesignated by subsection (c)(1), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)'';

(B) in paragraph (4), as so redesignated, by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)''; and

(C) in paragraph (5), as so redesignated, by striking ''subsection (b)(4)'' and inserting ''subsection (b)(5)'';

(3) in subsection (e), by striking ''subsection (b)(2) or subsection (b)(3)'' and inserting ''subsection (b)(3) or subsection (b)(4)''; and

(4) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (C), as redesignated by subsection (e)(1), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)'';

(ii) in subparagraph (D), as so redesignated, by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)''; and

(iii) in subparagraph (E), as so redesignated, by striking ''subsection (b)(4)'' and inserting ''subsection (b)(5)'';

(B) in paragraph (2)—

(i) by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(C)''; and

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

(C) in paragraph (3)—

(i) by striking ''paragraph (1)(C)'' and inserting ''paragraph (1)(D)''; and

(ii) by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)''.

SEC. 704. EXPANSION OF REIMBURSEMENT FOR SMOKING CESSATION SERVICES FOR CERTAIN TRICARE BENEFICIARIES.

Section 713(f) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4503) is amended—

(1) in paragraph (1)(A), by striking ''during fiscal year 2009'';

(2) in paragraph (1)(B), by striking ''during such period''; and

(3) in paragraph (2), by striking ''during fiscal year 2009'' and inserting ''after September 30, 2008''.

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 conduct a pilot program to provide 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) GRANTS TO COMMUNITY PARTNERS.—

(1) IN GENERAL.—The Secretary of Defense may carry out the pilot program through the award of grants to community partners described in paragraph (2).

(2) COMMUNITY PARTNERS.—A community partner described in this paragraph is a private health care organization or institution that—

(A) provides health care to members of the Armed Forces;

(B) provides 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;

(C) provides health care, support, and other benefits to family members of members of the Armed Forces; and

(D) provides health care under the TRICARE program (as that term is defined in section 1072 of title 10, United States Code).

(c) REQUIREMENTS OF GRANT RECIPIENTS.—Each community partner awarded a grant under subsection (b) 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 community partners participating in the pilot program; and

(4) annually assess outcomes for members of the Armed Forces individually and throughout the community partner with respect to the treatment of conditions described in paragraph (1).

(d) FEDERAL SHARE.—The Federal share of the costs of a program carried out by a community partner using a grant under this section may not exceed 50 percent.

(e) TERMINATION.—The Secretary of Defense may not carry out the conduct of the pilot program after the date that is three years after the date of the enactment of this Act.

Subtitle B—Health Care Administration

SEC. 711. ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) ACCESS TO HEALTH CARE.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that covered beneficiaries under the TRICARE program seeking an appointment for health care under such program at a military medical treatment facility obtain such an appointment at such facility within the wait-time goals specified for the receipt of such health care pursuant to the health care access standards established under subsection (b).

(2) USE OF CONTRACT AUTHORITY.—If a covered beneficiary is unable to obtain an appointment within the wait-time goals described in paragraph (1), such covered beneficiary shall be offered an appointment within such wait-time goals with a health care provider with which a contract has been entered into under the TRICARE program.

(b) STANDARDS FOR ACCESS TO CARE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish health care access standards, including wait-time goals for appointments, for the receipt of health care under the TRICARE program, whether received at military medical treatment facilities or from health care providers with which a contract has been entered into under such program.

(2) CATEGORIES OF CARE.—The health care access standards established under paragraph (1) shall include standards with respect to the following categories of health care:

(A) Primary care, including pediatric care, maternity care, gynecological care, and other subcategories of primary care.

(B) Specialty care, including behavioral health care and other subcategories of specialty care.

(3) MODIFICATIONS.—The Secretary may modify the health care access standards established under paragraph (1) whenever the Secretary considers the modification of such standards appropriate.

(4) PUBLICATION.—The Secretary shall publish the health care access standards established under paragraph (1), and any modifications to such standards, in the Federal Register and on a publicly accessible Internet website of the Department of Defense.

(c) PUBLICATION OF APPOINTMENT WAIT TIMES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish on a publicly accessible Internet website of each military medical treatment facility that offers a category or subcategory of health care covered by the standards under subsection (b)(2) the average wait-time for a covered beneficiary for an appointment at such facility for the receipt of each such category and subcategory of health care.

(2) MODIFICATIONS.—Whenever there is a modification of a wait-time for a category or subcategory of health care published under this subsection, the Secretary shall publish on a publicly accessible Internet website of each military medical treatment facility that provides such category or subcategory of health care the modified wait-time for such category or subcategory of health care.

(d) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 712. PORTABILITY OF HEALTH PLANS UNDER THE TRICARE PROGRAM.

(a) HEALTH PLAN PORTABILITY.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that covered beneficiaries under the TRICARE program who are covered under a health plan under such program are able to seamlessly access health care under such health plan in each TRICARE program region.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out paragraph (1).

(b) MECHANISMS TO ENSURE PORTABILITY.—In carrying out subsection (a), the Secretary shall do the following:

(1) Provide for the automatic electronic transfer of demographic, enrollment, and claims information between the contractors responsible for administering the TRICARE program in each TRICARE region when covered beneficiaries under the TRICARE program relocate between such regions.

(2) Ensure such covered beneficiaries are able to obtain a new primary health care provider within ten days of undergoing such relocation.

(3) Develop a process for such covered beneficiaries to receive urgent care without preauthorization while undergoing such relocation.

(c) PUBLICATION.—The Secretary shall—

(1) publish information on any modifications made pursuant to subsection (a) with respect to the ability of covered beneficiaries under the TRICARE program who are covered under a health plan under such program to access health care in each TRICARE region on the primary Internet website of the Department that is available to the public; and

(2) ensure that such information is made available on the primary Internet website that is available to the public of each current contractor responsible for administering the TRICARE program.

(d) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 713. IMPROVEMENT OF MENTAL HEALTH CARE PROVIDED BY HEALTH CARE PROVIDERS OF THE DEPARTMENT OF DEFENSE.

(a) TRAINING ON RECOGNITION AND MANAGEMENT OF RISK OF SUICIDE.—

(1) INITIAL TRAINING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that all primary care and mental health care providers of the Department of Defense receive, or have already received, evidence-based training on the recognition and assessment of individuals at risk for suicide and the management of such risk.

(2) ADDITIONAL TRAINING.—The Secretary shall ensure that providers who receive, or have already received, training described in paragraph (1) receive such additional training thereafter as may be required based on evidence-based changes in health care practices.

(b) ASSESSMENT OF MENTAL HEALTH WORKFORCE.—

(1) IN GENERAL.—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 assessing the mental health workforce of the Department of Defense and the long-term mental health care needs of members of the Armed Forces and their dependents for purposes of determining the long-term requirements of the Department for mental health care providers.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include an assessment of the following:

(A) The number of mental health care providers of the Department of Defense as of the date of the submittal of the report, disaggregated by specialty, including psychiatrists, psychologists, social workers, mental health counselors, and marriage and family therapists.

(B) The number of mental health care providers that are anticipated to be needed by the Department.

(C) The types of mental health care providers that are anticipated to be needed by the Department.

(D) Locations in which mental health care providers are anticipated to be needed by the Department.

(c) PLAN FOR DEVELOPMENT OF PROCEDURES TO MEASURE MENTAL HEALTH DATA.—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 plan for the Department of Defense to develop procedures to compile and assess data relating to the following:

(1) Outcomes for mental health care provided by the Department.

(2) Variations in such outcomes among different medical facilities of the Department.

(3) Barriers, if any, to the implementation by mental health care providers of the Department of the clinical practice guidelines and other evidence-based treatments and approaches recommended for such providers by the Secretary.

SEC. 714. COMPREHENSIVE STANDARDS AND ACCESS TO CONTRACEPTION COUNSELING FOR MEMBERS OF THE ARMED FORCES.

(a) PURPOSE.—The purpose of this section is to ensure that all health care providers employed by the Department of Defense who provide care for members of the Armed Forces, including general practitioners, are provided, through clinical practice guidelines, the most current evidence-based and evidence-informed standards of care with respect to methods of contraception and counseling on methods of contraception.

(b) CLINICAL PRACTICE GUIDELINES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall compile clinical practice guidelines for health care providers described in subsection (a) on standards of care with respect to methods of contraception and counseling on methods of contraception for members of the Armed Forces.

(2) SOURCES.—The Secretary shall compile clinical practice guidelines under this subsection from among clinical practice guidelines established by appropriate health agencies and professional organizations, including the following:

(A) The United States Preventive Services Task Force.

(B) The Centers for Disease Control and Prevention.

(C) The Office of Population Affairs of the Department of Health and Human Services.

(D) The American College of Obstetricians and Gynecologists.

(E) The Association of Reproductive Health Professionals.

(F) The American Academy of Family Physicians.

(G) The Agency for Healthcare Research and Quality.

(3) UPDATES.—The Secretary shall from time to time update the list of clinical practice guidelines compiled under this subsection to incorporate into such guidelines new or updated standards of care with respect to methods of contraception and counseling on methods of contraception.

(4) DISSEMINATION.—

(A) INITIAL DISSEMINATION.—As soon as practicable after the compilation of clinical practice guidelines pursuant to paragraph (1), but commencing not later than one year after the date of the enactment of this Act, the Secretary shall provide for rapid dissemination of the clinical practice guidelines to health care providers described in subsection (a).

(B) UPDATES.—As soon as practicable after the adoption under paragraph (3) of any update to the clinical practice guidelines compiled pursuant to this subsection, the Secretary shall provide for the rapid dissemination of such clinical practice guidelines, as so updated, to health care providers described in subsection (a).

(C) PROTOCOLS.—Clinical practice guidelines, and any updates to such guidelines, shall be disseminated under this paragraph in accordance with administrative protocols developed by the Secretary for that purpose.

(c) CLINICAL DECISION SUPPORT TOOLS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall, in order to assist health care providers described in subsection (a), develop and implement clinical decision support tools that reflect, through the clinical practice guidelines compiled pursuant to subsection (b), the most current evidence-based and evidence-informed standards of care with respect to methods of contraception and counseling on methods of contraception.

(2) UPDATES.—The Secretary shall from time to time update the clinical decision support tools developed under this subsection to incorporate into such tools new or updated guidelines on methods of contraception and counseling on methods of contraception.

(3) DISSEMINATION.—Clinical decision support tools, and any updates to such tools, shall be disseminated under this subsection in accordance with administrative protocols developed by the Secretary for that purpose. Such protocols shall be similar to the administrative protocols developed under subsection (b)(4)(C).

(d) ACCESS TO CONTRACEPTION COUNSELING.—As soon as practicable after the date of the enactment of this Act, the Secretary shall ensure that women members of the Armed Forces have access to comprehensive counseling on the full range of methods of contraception provided by health care providers described in subsection (a) during health care visits, including visits as follows:

(1) During predeployment health care visits, including counseling that provides specific information women need regarding the interaction between anticipated deployment conditions and various methods of contraception.

(2) During health care visits during deployment.

(3) During annual physical examinations.

(e) INCORPORATION INTO SURVEYS OF QUESTIONS ON SERVICEWOMEN EXPERIENCES WITH FAMILY PLANNING SERVICES AND COUNSELING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall integrate into the surveys by the Department of Defense specified in paragraph (2) questions designed to obtain information on the experiences of women members of the Armed Forces—

(A) in accessing family planning services and counseling;

(B) in using family planning methods, including information on which method was preferred and whether deployment conditions affected the decision on which family planning method or methods to be used; and

(C) with respect to women members of the Armed Forces who are pregnant, whether the pregnancy was intended.

(2) COVERED SURVEYS.—The surveys into which questions shall be integrated as described in paragraph (1) are the following:

(A) The Health Related Behavior Survey of Active Duty Military Personnel.

(B) The Health Care Survey of Department of Defense Beneficiaries.

(f) EDUCATION ON FAMILY PLANNING FOR MEMBERS OF THE ARMED FORCES.—

(1) EDUCATION PROGRAMS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a uniform standard curriculum to be

used in education programs on family planning for all members of the Armed Forces, including both men and women members.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the education programs described in paragraph (1) should use the latest technology available to efficiently and effectively deliver information to members of the Armed Forces.

(3) ELEMENTS.—The uniform standard curriculum under paragraph (1) shall include the following:

(A) Information for members of the Armed Forces on active duty to make informed decisions regarding family planning.

(B) Information about the prevention of unintended pregnancy and sexually transmitted infections, including human immunodeficiency virus (HIV).

(C) Information on the importance of providing comprehensive family planning for members of the Armed Forces, and their commanding officers, and on the positive impact family planning can have on the health and readiness of the Armed Forces.

(D) Current, medically accurate information.

(E) Clear, user-friendly information on the full range of methods of contraception and where members of the Armed Forces can access their chosen method of contraception.

(F) Information on all applicable laws and policies so that members are informed of their rights and obligations.

(G) Information on patients' rights to confidentiality.

(H) Information on the unique circumstances encountered by members of the Armed Forces, and the effects of such circumstances on the use of contraception.

SEC. 715. WAIVER OF RECOUPMENT OF ERRONEOUS PAYMENTS DUE TO ADMINISTRATIVE ERROR UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1095f the following new section:

''§ 1095g. TRICARE program: waiver of recoupment of erroneous payments due to administrative error

''(a) WAIVER OF RECOUPMENT.—The Secretary of Defense may waive recoupment from a covered beneficiary who has benefitted from an erroneous TRICARE payment in a case in which each of the following applies:

''(1) The payment was made due to an administrative error by an employee of the Department of Defense or a contractor under the TRICARE program.

''(2) The covered beneficiary (or in the case of a minor, the parent or guardian of the covered beneficiary) had a good faith, reasonable belief that the covered beneficiary was entitled to the benefit of such payment under this chapter.

''(3) The covered beneficiary relied on the expectation of such entitlement.

''(4) The Secretary determines that a waiver of recoupment of such payment is necessary to prevent an injustice.

''(b) RESPONSIBILITY OF CONTRACTOR.—In any case in which the Secretary waives recoupment under subsection (a) and the administrative error was on the part of a contractor under the TRICARE program, the Secretary shall, consistent with the requirements and procedures of the applicable contract, impose financial responsibility on the contractor for the erroneous payment.

''(c) FINALITY OF DETERMINATIONS.—Any determination by the Secretary under this section to waive or decline to waive recoupment under subsection (a) is a final determination and shall not be subject to appeal or judicial review.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1095f the following new item:

''1095g. TRICARE program: waiver of recoupment of erroneous payments due to administrative error.''.

SEC. 716. DESIGNATION OF CERTAIN NON-DEPARTMENT MENTAL HEALTH CARE PROVIDERS WITH KNOWLEDGE RELATING TO TREATMENT OF MEMBERS OF THE ARMED FORCES.

(a) MENTAL HEALTH PROVIDER READINESS DESIGNATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop a system by which any non-Department mental health care provider that meets eligibility criteria established by the Secretary relating to the knowledge described in paragraph (2) receives a mental health provider readiness designation from the Department of Defense.

(2) KNOWLEDGE DESCRIBED.—The knowledge described in this paragraph is the following:

(A) Knowledge and understanding with respect to the culture of members of the Armed Forces and family members and caregivers of members of the Armed Forces.

(B) Knowledge with respect to evidence-based treatments that have been approved by the Department for the treatment of mental health issues among members of the Armed Forces.

(b) AVAILABILITY OF INFORMATION ON DESIGNATION.—

(1) REGISTRY.—The Secretary of Defense shall establish and update as necessary a registry that is available to the public of all non-Department mental health care providers that are currently designated under subsection (a)(1).

(2) PROVIDER LIST.—The Secretary shall update all lists maintained by the Secretary of non-Department mental health care providers that provide mental health care under the laws administered by the Secretary by indicating the providers that are currently designated under subsection (a)(1).

(c) NON-DEPARTMENT MENTAL HEALTH CARE PROVIDER DEFINED.—In this section, the term ''non-Department mental health care provider''—

(1) means a health care provider that—

(A) specializes in mental health;

(B) is not a health care provider of the Department of Defense; and

(C) provides health care to members of the Armed Forces; and

(2) includes psychiatrists, psychologists, psychiatric nurses, social workers, mental health counselors, marriage and family therapists, and other mental health care providers designated by the Secretary of Defense.

SEC. 717. LIMITATION ON CONVERSION OF MILITARY MEDICAL AND DENTAL POSITIONS TO CIVILIAN MEDICAL AND DENTAL POSITIONS.

(a) LIMITED AUTHORITY FOR CONVERSION.—Chapter 49 of title 10, United States Code, is amended by inserting after section 976 the following new section:

''§ 977. Conversion of military medical and dental positions to civilian medical and dental positions: limitation

''(a) REQUIREMENTS RELATING TO CONVERSION.—A military medical or dental position within the Department of Defense may not be converted to a civilian medical or dental position unless the Secretary of Defense determines that—

''(1) the position is not a military essential position;

''(2) conversion of the position would not result in the degradation of medical or dental care or the medical or dental readiness of the armed forces; and

''(3) conversion of the position to a civilian medical or dental position is more cost effective than retaining the position as a military medical or dental position, consistent with Department of Defense Instruction 7041.04.

''(b) DEFINITIONS.—In this section:

''(1) The term 'military medical or dental position' means a position for the performance of health care functions within the armed forces held by a member of the armed forces.

''(2) The term 'civilian medical or dental position' means a position for the performance of health care functions within the Department of Defense held by an employee of the Department or of a contractor of the Department.

''(3) The term 'military essential', with respect to a position, means that the position must be held by a member of the armed forces, as determined in accordance with regulations prescribed by the Secretary.

''(4) The term 'conversion', with respect to a military medical or dental position, means a change of the position to a civilian medical or dental position, effective as of the date of the manning authorization document of the military department making the change (through a change in designation from military to civilian in the document, the elimination of the listing of the position as a military position in the document, or through any other means indicating the change in the document or otherwise).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended by inserting after the item relating to section 976 the following new item:

''977. Conversion of military medical and dental positions to civilian medical and dental positions: limitation.''.

(c) REPEAL OF RELATED PROHIBITION.—Section 721 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 129c note) is repealed.

SEC. 718. 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), is further amended by striking ''September 30, 2016'' and inserting ''September 30, 2017''.

SEC. 719. EXTENSION OF AUTHORITY FOR DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

SEC. 720. PILOT PROGRAM ON INCENTIVE PROGRAMS TO IMPROVE HEALTH CARE PROVIDED UNDER THE TRICARE PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to assess whether a reduction in the rate of increase in health care spending by the Department of Defense and an enhancement of the operation of the military health system may be achieved by developing and implementing value-based incentive programs to encourage health care providers under the TRICARE program (including physicians, hospitals, and others involved in providing health care to patients) to improve the following:

(1) The quality of health care provided to covered beneficiaries under the TRICARE program.

(2) The experience of covered beneficiaries in receiving health care under the TRICARE program.

(3) The health of covered beneficiaries.

(b) INCENTIVE PROGRAMS.—

(1) DEVELOPMENT.—In developing an incentive program under this section, the Secretary shall—

(A) consider the characteristics of the population of covered beneficiaries affected by the incentive program;

(B) consider how the incentive program would impact the receipt of health care under the TRICARE program by such covered beneficiaries;

(C) establish or maintain a reasonable assurance that such covered beneficiaries will have timely access to health care during operation of the incentive program;

(D) ensure that there are no additional financial costs to such covered beneficiaries of implementing the incentive program; and

(E) consider such other factors as the Secretary considers appropriate.

(2) ELEMENTS.—With respect to an incentive program developed and implemented under this section, the Secretary shall ensure that—

(A) the size, scope, and duration of the incentive program is reasonable in relation to the purpose of the incentive program; and

(B) appropriate criteria and data collection are used to ensure adequate evaluation of the feasibility and advisability of implementing the incentive program throughout the TRICARE program.

(3) USE OF EXISTING MODELS.—In developing an incentive program under this section, the Secretary may adapt a value-based incentive program conducted by the Centers for Medicare & Medicaid Services or any other governmental or commercial health care program.

(c) TERMINATION.—The authority of the Secretary to carry out the pilot program under this section shall terminate on December 31, 2019.

(d) REPORT.—Not later than March 15, 2019, the Secretary shall submit to the congressional defense committees a report on the pilot program that includes the following:

(1) An assessment of each incentive program developed and implemented under this section, including whether such incentive program—

(A) improves the quality of health care provided to covered beneficiaries, the experience of covered beneficiaries in receiving health care under the TRICARE program, or the health of covered beneficiaries;

(B) reduces the rate of increase in health care spending by the Department of Defense; or

(C) enhances the operation of the military health system.

(2) Such recommendations for administrative or legislative action as the Secretary considers appropriate in light of the pilot program, including to implement any such incentive program or programs throughout the TRICARE program.

(e) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

Subtitle C—Reports and Other Matters

SEC. 731. PUBLICATION OF CERTAIN INFORMATION ON HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE THROUGH THE HOSPITAL COMPARE WEBSITE OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) MEMORANDUM OF UNDERSTANDING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a memorandum of understanding with the Secretary of Health and Human Services for the provision by the Secretary of Defense of such information as the Secretary of Health and Human Services may require to report and make publicly available information on quality of care and health outcomes regarding patients at military medical treatment facilities through the Hospital Compare Internet website of the Department of Health and Human Services, or any successor Internet website.

(b) INFORMATION PROVIDED.—The information provided by the Secretary of Defense to the Secretary of Health and Human Services under subsection (a) shall include the following:

(1) Measures of the timeliness and effectiveness of the health care provided by the Department of Defense.

(2) Measures of the prevalence of—

(A) readmissions, including the 30-day readmission rate;

(B) complications resulting in death, including the 30-day mortality rate;

(C) surgical complications; and

(D) health care related infections.

(3) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar survey developed by the Department of Defense.

(4) Any other measures or data required of or reported with respect to hospitals participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

SEC. 732. PUBLICATION OF DATA ON PATIENT SAFETY, QUALITY OF CARE, SATISFACTION, AND HEALTH OUTCOME MEASURES UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall publish on an Internet website of the Department of Defense that is available to the public data on all measures used by the Department to assess patient safety, quality of care, patient satisfaction, and health outcomes for health care provided under the TRICARE program at each military medical treatment facility.

(b) UPDATES.—The Secretary shall publish an update to the data published under subsection (a) not less frequently than once each quarter during each fiscal year.

(c) ACCESSIBILITY.—The Secretary shall ensure that the data published under subsection (a) and updated under subsection (b) is accessible to the public through the primary Internet website of the Department and the primary Internet website of the military medical treatment facility with respect to which such data applies.

(d) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 733. ANNUAL REPORT ON PATIENT SAFETY, QUALITY OF CARE, AND ACCESS TO CARE AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than March 1 each year beginning in 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report on patient safety, quality of care, and access to care at military medical treatment facilities.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) The number of sentinel events, as defined by the Joint Commission, that occurred at military medical treatment facilities during the year preceding the submittal of the report, disaggregated by—

(A) military medical treatment facility; and

(B) military department with jurisdiction over such facilities.

(2) With respect to each sentinel event described in paragraph (1)—

(A) a synopsis of such event; and

(B) a description of any actions taken by the Secretary of the military department concerned in response to such event, including any actions taken to hold individuals accountable.

(3) The number of practitioners providing health care in military medical treatment facilities that were reported to the National Practitioner Data Bank during the year preceding the submittal of the report.

(4) The results of any internal analyses conducted by the Patient Safety Center of the Department of Defense during such year on matters relating to patient safety at military medical treatment facilities.

(5) With respect to each military medical treatment facility—

(A) the current accreditation status of such facility, including any recommendations for corrective action made by the relevant accrediting body;

(B) any policies or procedures implemented during such year by the Secretary of the military department concerned that were designed to improve patient safety, quality of care, and access to care at such facility;

(C) data on surgical and maternity care outcomes during such year;

(D) data on appointment wait times during such year; and

(E) data on patient safety, quality of care, and access to care as compared to standards established by the Department with respect to patient safety, quality of care, and access to care.

SEC. 734. REPORT ON PLANS TO IMPROVE EXPERIENCE WITH AND ELIMINATE PERFORMANCE VARIABILITY OF HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) COMPREHENSIVE REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of 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 comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

(2) ELEMENTS.—The comprehensive report required by paragraph (1) shall include the plans of the Secretary of Defense, in consultation with the Secretaries of the military departments, as follows:

(A) To align performance measures for health care provided in military medical treatment facilities with performance measures for health care provided through purchased care.

(B) To improve underperformance in the provision of health care by the Department of Defense by eliminating performance variability with respect to the provision of health care in military medical treatment facilities and through purchased care.

(C) To use innovative, high-technology services to improve access to care, coordination of care, and the experience of care in military medical treatment facilities and through purchased care.

(D) To collect and analyze data throughout the Department with respect to health care

provided in military medical treatment facilities and through purchased care to improve the quality of such care, patient safety, and patient satisfaction.

(E) To develop a performance management system, including by adoption of common measures for access to care, quality of care, safety, and patient satisfaction, that holds medical leadership throughout the Department personally accountable for sustained improvement of performance.

(F) To use such other methods as the Secretary considers appropriate to improve the experience of beneficiaries with and eliminate performance variability with respect to health care received from the Department.

(b) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the submittal of the comprehensive report required by subsection (a), 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 on the plans of the Secretary of Defense set forth in the comprehensive report submitted under such subsection.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment whether the plans included in the comprehensive report submitted under subsection (a) will, with respect to members of the Armed Forces and covered beneficiaries under the TRICARE program—

(i) improve health outcomes;

(ii) create lasting health value; and

(iii) ensure that such individuals are able to equitably obtain quality health care in all military medical treatment facilities and through purchased care.

(B) An assessment whether such plans can be reasonably achieved within the estimated dates of completion set forth by the Department under such subsection.

(C) An assessment whether any such plan would require legislative action for the implementation of such plan.

(D) An assessment whether the Department of Defense has adequately budgeted amounts to fund the carrying out of such plans.

(c) DEFINITIONS.—In this section:

(1) The term ''purchased care'' means health care provided pursuant to a contract entered into under the TRICARE program.

(2) The terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 735. REPORT ON PLAN TO IMPROVE PEDIATRIC CARE AND RELATED SERVICES FOR CHILDREN OF MEMBERS OF THE 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 Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan of the Department of Defense to improve pediatric care and related services for children of members of the Armed Forces.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) In order to ensure that children receive developmentally-appropriate and age-appropriate health care services from the Department, a plan to align preventive pediatric care under the TRICARE program with—

(A) standards for such care as required by the Patient Protection and Affordable Care Act (Public Law 111–148);

(B) guidelines established for such care by the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(C) recommendations by organizations that specialize in pediatrics.

(2) A plan to develop a uniform definition of ''pediatric medical necessity'' for the Department that aligns with recommendations of organizations that specialize in pediatrics in order to ensure that a consistent definition of such term is used in providing health care in military medical treatment facilities and by health care providers under the TRICARE program.

(3) A plan to revise certification requirements for residential treatment centers of the Department to expand the access of children of members of the Armed Forces to services at such centers.

(4) A plan to develop measures to evaluate and improve access to pediatric care, coordination of pediatric care, and health outcomes for such children.

(5) A plan to include an assessment of access to pediatric specialty care in the annual report to Congress on the effectiveness of the TRICARE program.

(6) A plan to improve the quality of and access to behavioral health care under the TRICARE program for such children, including intensive outpatient and partial hospitalization services.

(7) A plan to mitigate the impact of permanent changes of station and other service-related relocations of members of the Armed Forces on the continuity of health care services received by such children who have special medical or behavioral health needs.

(8) A plan to mitigate deficiencies in data collection, data utilization, and data analysis to improve pediatric care and related services for children of members of the Armed Forces.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 736. REPORT ON PRELIMINARY MENTAL HEALTH SCREENINGS FOR INDIVIDUALS BECOMING MEMBERS OF THE ARMED FORCES.

(a) REPORT ON RECOMMENDATIONS IN CONNECTION WITH SCREENINGS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on mental health screenings of individuals enlisting or accessioning into the Armed Forces before enlistment or accession.

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

(1) Recommendations with respect to establishing a secure, electronically-based preliminary mental health screening of members of the Armed Forces to bring mental health screenings to parity with physical screenings of members.

(2) Recommendations with respect to the composition of the mental health screening, evidenced-based best practices, and how to track changes in mental health screenings relating to traumatic brain injuries, post-traumatic stress disorder, and other conditions.

(c) COORDINATION AND CONSULTATION.—The Secretary shall prepare the report under subsection (a)—

(1) in coordination with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, and the surgeons general of the military departments; and

(2) in consultation with experts in the field, including the National Institute of Mental Health of the National Institutes of Health.

SEC. 737. COMPTROLLER GENERAL REPORT ON USE OF QUALITY OF CARE METRICS AT MILITARY TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The extent to which the Department of Defense and each military department use metrics to monitor and assess the quality of care provided at military treatment facilities.

(2) How, if at all, the use of such metrics varies among the Department of Defense and each military department.

(3) The extent to which the Department of Defense and each military department use the information from such metrics to identify and address issues such as the performance of individual health care providers and areas in need of improvement system-wide.

(4) The extent to which the Department of Defense and each military department oversee the process of using metrics to monitor and assess the quality of care provided at military treatment facilities.

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

Subtitle A—Acquisition Policy and Management

SEC. 801. ROLE OF SERVICE CHIEFS IN THE ACQUISITION PROCESS.

(a) SERVICE CHIEFS AS CUSTOMER OF ACQUISITION PROCESS.—

(1) IN GENERAL.—Chapter 149 of title 10, United States Code, is amended by inserting after section 2546 the following new section:

''§ 2546a. Customer-oriented acquisition system

''(a) OBJECTIVE.—It shall be the objective of the defense acquisition system to meet the needs of its customers in the most cost-effective manner practicable. The acquisition policies, directives, and regulations of the Department of Defense shall be modified as necessary to ensure the development and implementation of a customer-oriented acquisition system.

''(b) CUSTOMER.—The customer of the defense acquisition system is the military service that will have primary responsibility for fielding the system or systems acquired. The customer is represented with regard to a major defense acquisition program by the Secretary of the relevant military department and the Chief of the relevant military service.

''(c) ROLE OF CUSTOMER.—The customer of a major defense acquisition program shall be responsible for balancing resources against priorities on the acquisition program and ensuring that appropriate trade-offs are made among cost, schedule, technical feasibility, and performance on a continuing basis throughout the life of the acquisition program.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 149 of such title is amended by inserting after the item relating to section 2546 the following new item:

''2546a. Customer-oriented acquisition system.''.

(b) RESPONSIBILITIES OF CHIEFS.—Section 2547(a) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(2) by inserting after paragraph (1) the following new paragraph:

''(2) Decisions regarding the balancing of resources and priorities, and associated trade-offs among cost, schedule, technical feasibility, and performance on major defense acquisition programs.''; and

(3) in paragraph (6), as redesignated by paragraph (1) of this subsection, by striking ''The development'' and inserting ''The development and management''.

(c) RESPONSIBILITIES OF MILITARY DEPUTIES.—Section 908(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 278; 10 U.S.C. 2430 note) is amended to read as follows:

''(d) DUTIES OF PRINCIPAL MILITARY DEPUTIES.—Each Principal Military Deputy to a service acquisition executive shall be responsible for—

''(1) keeping the Chief of Staff of the Armed Force concerned informed of the progress of major defense acquisition programs;

''(2) informing the Chief of Staff on a continuing basis of any developments on major defense programs, which may require new or revisited trade-offs among cost, schedule, technical feasibility, and performance, including—

''(A) significant cost growth or schedule slippage; and

''(B) requirements creep (as defined in section 2547(c)(1) of title 10, United States Code); and

''(3) ensuring that the views of the Chief of Staff on cost, schedule, technical feasibility, and performance trade-offs are strongly considered by program managers and program executive officers in all phases of the acquisition process.''.

(d) CONFORMING AMENDMENTS.—

(1) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) The Council shall seek, and strongly consider, the views of the Chiefs of Staff of the Armed Forces, in their roles as customers of the acquisition system, on matters pertaining to trade-offs among cost, schedule, technical feasibility, and performance under subsection (b)(1)(C) and the balancing of resources with priorities pursuant to subsection (b)(3).''.

(2) MILESTONE A DECISIONS.—The chief of the relevant military service shall advise the milestone decision authority for a major defense acquisition program of the chief's views on cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program, as provided in section 2366a(a)(2) of title 10, United States Code, as amended by section 844 of this Act, prior to a Milestone A decision on the program.

(3) MILESTONE B DECISIONS.—The chief of the relevant military service shall advise the milestone decision authority for a major defense acquisition program of the chief's views on cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program, as provided in section 2366b(b)(3) of title 10, United States Code, as amended by section 845 of this Act, prior to a Milestone B decision on the program.

(4) DUTIES OF CHIEFS.—

(A) Section 3033(d)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

(B) Section 5033(d)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

(C) Section 5043(e)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

(D) Section 8033(d)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

SEC. 802. EXPANSION OF RAPID ACQUISITION AUTHORITY.

Section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note) is amended to read as follows:

''(c) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL NEEDS.—

''(1) DETERMINATION OF NEED FOR RAPID ACQUISITION AND DEPLOYMENT.—(A) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense, are urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed supplies and associated support services.

''(B) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense, are urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed supplies and associated support services.

''(C)(i) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense without delegation, are urgently needed to eliminate a deficiency that as the result of a cyber attack has resulted in critical mission failure, the loss of life, property destruction, or economic effects, or if left unfilled is likely to result in critical mission failure, the loss of life, property destruction, or economic effects, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed offensive or defensive cyber capabilities, supplies, and associated support services.

''(ii) In this subparagraph, the term 'cyber attack' means a deliberate action to alter, disrupt, deceive, degrade, or destroy computer systems or networks or the information or programs resident in or transiting these systems or networks.

''(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—(A) Whenever the Secretary makes a determination under subparagraph (A), (B), or (C) of paragraph (1) that certain supplies and associated support services are urgently needed to eliminate a deficiency described in that subparagraph, the Secretary shall designate a senior official of the Department of Defense to ensure that the needed supplies and associated support services are acquired and deployed as quickly as possible, with a goal of awarding a contract for the acquisition of the supplies and associated support services within 15 days.

''(B) Upon designation of a senior official under subparagraph (A), the Secretary shall authorize that official to waive any provision of law, policy, directive, or regulation described in subsection (d) that such official determines in writing would unnecessarily impede the rapid acquisition and deployment of the needed supplies and associated support services. In a case in which the needed supplies and associated support services cannot be acquired without an extensive delay, the senior official shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

''(3) USE OF FUNDS.—(A) In any fiscal year in which the Secretary makes a determination described in subparagraph (A), (B), or (C) of paragraph (1), the Secretary may use any funds available to the Department of Defense for acquisitions of supplies and associated support services if the determination includes a written finding that the use of such funds is necessary to address the deficiency in a timely manner.

''(B) The authority of this section may only be used to acquire supplies and associated support services—

''(i) in the case of determinations by the Secretary under paragraph (1)(A), in an amount aggregating not more than $200,000,000 during any fiscal year;

''(ii) in the case of determinations by the Secretary under paragraph (1)(B), in an amount aggregating not more than $200,000,000 during any fiscal year; and

''(iii) in the case of determinations by the Secretary under paragraph (1)(C), in an amount aggregating not more than $200,000,000 during any fiscal year.

''(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a determination by the Secretary under paragraph (1)(A), the Secretary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

''(B) In the case of a determination by the Secretary under paragraph (1)(B) the Secretary shall notify the congressional defense committees of the determination at least 10 days before the date on which the determination is effective.

''(C) A notice under this paragraph shall include the following:

''(i) The supplies and associated support services to be acquired.

''(ii) The amount anticipated to be expended for the acquisition.

''(iii) The source of funds for the acquisition.

''(D) A notice under this paragraph shall be sufficient to fulfill any requirement to provide notification to Congress for a new start program.

''(E) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

''(5) TIME FOR TRANSITIONING TO NORMAL ACQUISITION SYSTEM.—Any acquisition initiated under this subsection shall transition to the normal acquisition system not later than two years after the date on which the Secretary makes the determination described in paragraph (1) with respect to the supplies and associated support services concerned.

''(6) LIMITATION ON OFFICERS WITH AUTHORITY TO MAKE A DETERMINATION.—The authority to make a determination under subparagraph (A), (B), or (C) of paragraph (1) may be exercised only by the Secretary or Deputy Secretary of Defense.''.

SEC. 803. MIDDLE TIER OF ACQUISITION FOR RAPID PROTOTYPING AND RAPID FIELDING.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Comptroller of the Department of Defense and the Vice Chairman of the Joint Chiefs of Staff, shall establish guidance for a ''middle tier'' of acquisition programs that are intended to be completed in a period of two to five years.

(b) ACQUISITION PATHWAYS.—The guidance required by subsection (a) shall cover the following two acquisition pathways:

(1) RAPID PROTOTYPING.—The rapid prototyping pathway shall provide for the use of innovative technologies to rapidly develop fieldable prototypes to demonstrate new capabilities and meet emerging military needs.

The objective of an acquisition program under this pathway shall be to field a prototype that can be demonstrated in an operational environment and provide for a residual operational capability within five years of the development of an approved requirement.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program in a period of not more than six months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 5000.01, except to the extent specifically provided in the guidance.

(2) RAPID PROTOTYPING.—With respect to the rapid prototyping pathway, the guidance shall include—

(A) a merit-based process for the consideration of innovative technologies and new capabilities to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for developing and implementing acquisition and funding strategies for the program;

(C) a process for cost-sharing with the military departments on rapid prototype projects, to ensure an appropriate commitment to the success of such projects;

(D) a process for demonstrating and evaluating the performance of fieldable prototypes developed pursuant to the program in an operational environment; and

(E) a process for transitioning successful prototypes to new or existing acquisition programs for production and fielding under the rapid fielding pathway or the traditional acquisition system.

(3) RAPID FIELDING.—With respect to the rapid fielding pathway, the guidance shall include—

(A) a merit-based process for the consideration of existing products and proven technologies to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for demonstrating performance and evaluating for current operational purposes the proposed products and technologies;

(C) a process for developing and implementing acquisition and funding strategies for the program; and

(D) a process for considering lifecycle costs and addressing issues of logistics support and system interoperability.

(4) STREAMLINED PROCEDURES.—The guidance for the programs may provide for any of the following streamlined procedures:

(A) The service acquisition executive of the military department concerned shall appoint a program manager for such program from among candidates from among civilian employees or members of the armed forces who have significant and relevant experience managing large and complex programs.

(B) The program manager for each program shall report with respect to such program directly, without intervening review or approval, to the service acquisition executive of the military department concerned.

(C) The service acquisition executive of the military department concerned shall evaluate the job performance of such manager on an annual basis. In conducting an evaluation under this paragraph, a service acquisition executive shall consider the extent to which the manager has achieved the objectives of the program for which the manager is responsible, including quality, timeliness, and cost objectives.

(D) The program manager of a defense streamlined program shall be authorized staff positions for a technical staff, including experts in business management, contracting, auditing, engineering, testing, and logistics, to enable the manager to manage the program without the technical assistance of another organizational unit of an agency to the maximum extent practicable.

(E) The program manager of a defense streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(F) The service acquisition executive, acting in coordination with the defense acquisition executive, shall serve as the milestone decision authority for the program.

(G) The program manager of a defense streamlined program shall be provided a process to expeditiously seek a waiver from Congress from any statutory or regulatory requirement that the program manager determines adds little or no value to the management of the program.

(d) RAPID PROTOTYPING FUND.—

(1) IN GENERAL.—The Secretary of Defense shall establish a fund to be known as the ''Department of Defense Rapid Prototyping Fund'' to provide funds, in addition to other funds that may be available for acquisition programs under the rapid prototyping pathway established pursuant to this section. The Fund shall be managed by a senior official of the Department of Defense designated by the Under Secretary of Defense for Acquisition, Technology, and Logistics. The Fund shall consist of amounts appropriated to the Fund and amounts credited to the Fund pursuant to section 849 of this Act.

(2) TRANSFER AUTHORITY.—Amounts available in the Fund may be transferred to a military department for the purpose of carrying out an acquisition program under the rapid prototyping pathway established pursuant to this section. Any amount so transferred shall be credited to the account to which it is transferred. The transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

(3) CONGRESSIONAL NOTICE.—The senior official designated to manage the Fund shall notify the congressional defense committees of all transfers under paragraph (2). Each notification shall specify the amount transferred, the purpose of the transfer, and the total projected cost and estimated cost to complete the acquisition program to which the funds were transferred.

SEC. 804. AMENDMENTS TO OTHER TRANSACTION AUTHORITY.

(a) AUTHORITY OF THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.—

(1) IN GENERAL.—Chapter 193 of title 10, United States Code, is amended by inserting after section 2371a the following new section:

''§ 2371b. Authority of the Defense Advanced Research Projects Agency to carry out certain prototype projects

''(a) AUTHORITY.—(1) Subject to paragraph (2), the Director of the Defense Advanced Research Projects Agency, the Secretary of a military department, or any other official designated by the Secretary of Defense may, under the authority of section 2371 of this title, carry out prototype projects that are directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the Department of Defense, or to improvement of platforms, systems, components, or materials in use by the armed forces.

''(2) The authority of this section—

''(A) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of $50,000,000 but not in excess of $250,000,000 (including all options) only upon a written determination by the senior procurement executive for the agency as designated for the purpose of section 1702(c) of title 41, or, for the Defense Advanced Research Projects Agency or the Missile Defense Agency, the director of the agency that—

''(i) the requirements of subsection (d) will be met; and

''(ii) the use of the authority of this section is essential to promoting the success of the prototype project; and

''(B) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of $250,000,000 (including all options) only if—

''(i) the Under Secretary of Defense for Acquisition, Technology, and Logistics determines in writing that—

''(I) the requirements of subsection (d) will be met; and

''(II) the use of the authority of this section is essential to meet critical national security objectives; and

''(ii) the congressional defense committees are notified in writing at least 30 days before such authority is exercised.

''(3) The authority of a senior procurement executive or director of the Defense Advanced Research Projects Agency or Missile Defense Agency under paragraph (2)(A), and the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics under paragraph (2)(B), may not be delegated.

''(b) EXERCISE OF AUTHORITY.—

''(1) Subsections (e)(1)(B) and (e)(2) of such section 2371 shall not apply to projects carried out under subsection (a).

''(2) To the maximum extent practicable, competitive procedures shall be used when entering into agreements to carry out projects under subsection (a).

''(c) COMPTROLLER GENERAL ACCESS TO INFORMATION.—(1) Each agreement entered into by an official referred to in subsection (a) to carry out a project under that subsection that provides for payments in a total amount in excess of $5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

''(2) The requirement in paragraph (1) shall not apply with respect to a party or entity, or a subordinate element of a party or entity, that has not entered into any other agreement that provides for audit access by a Government entity in the year prior to the date of the agreement.

''(3)(A) The right provided to the Comptroller General in a clause of an agreement under paragraph (1) is limited as provided in subparagraph (B) in the case of a party to the agreement, an entity that participates in the performance of the agreement, or a subordinate element of that party or entity if the only agreements or other transactions that the party, entity, or subordinate element entered into with Government entities

in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of this title.

''(B) The only records of a party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine in the exercise of the right referred to in that subparagraph are records of the same type as the records that the Government has had the right to examine under the audit access clauses of the previous agreements or transactions referred to in such subparagraph that were entered into by that particular party, entity, or subordinate element.

''(4) The head of the contracting activity that is carrying out the agreement may waive the applicability of the requirement in paragraph (1) to the agreement if the head of the contracting activity determines that it would not be in the public interest to apply the requirement to the agreement. The waiver shall be effective with respect to the agreement only if the head of the contracting activity transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement. The notification shall include the rationale for the determination.

''(5) The Comptroller General may not examine records pursuant to a clause included in an agreement under paragraph (1) more than three years after the final payment is made by the United States under the agreement.

''(d) APPROPRIATE USE OF AUTHORITY.—(1) The Secretary of Defense shall ensure that no official of an agency enters into a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section unless one of following conditions is met:

''(A) There is at least one nontraditional defense contractor participating to a significant extent in the prototype project.

''(B) All parties to the transaction other than the Federal Government are innovative small businesses and non-traditional contractors with unique capabilities relevant to the prototype project.

''(C) At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government.

''(D) The senior procurement executive for the agency determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract.

''(2)(A) Except as provided in subparagraph (B), the amounts counted for the purposes of this subsection as being provided, or to be provided, by a party to a transaction with respect to a prototype project that is entered into under this section other than the Federal Government do not include costs that were incurred before the date on which the transaction becomes effective.

''(B) Costs that were incurred for a prototype project by a party after the beginning of negotiations resulting in a transaction (other than a contract, grant, or cooperative agreement) with respect to the project before the date on which the transaction becomes effective may be counted for purposes of this subsection as being provided, or to be provided, by the party to the transaction if and to the extent that the official responsible for entering into the transaction determines in writing that—

''(i) the party incurred the costs in anticipation of entering into the transaction; and

''(ii) it was appropriate for the party to incur the costs before the transaction became effective in order to ensure the successful implementation of the transaction.

''(e) DEFINITIONS.—In this section:

''(1) The term 'nontraditional defense contractor' has the meaning given the term under section 2302(9) of this title.

''(2) The term 'small business' means a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632).

''(f) FOLLOW-ON PRODUCTION CONTRACTS OR TRANSACTIONS.—(1) A transaction entered into under this section for a prototype project may provide for the award of a follow-on production contract or transactions to the participants in the transaction.

''(2) A follow-on production contract or transaction provided for in a transaction under paragraph (1) may be awarded to the participants in the transaction without the use of competitive procedures, notwithstanding the requirements of section 2304 of this title, if—

''(A) competitive procedures were used for the selection of parties for participation in the transaction; and

''(B) the participants in the transaction successfully completed the prototype project provided for in the transaction.

''(3) Contracts and transactions entered into pursuant to this subsection may be awarded using the authority in subsection (a), under the authority of chapter 137 of this title, or under such procedures, terms, and conditions as the Secretary of Defense may establish by regulation.

''(g) AUTHORITY TO PROVIDE PROTOTYPES AND FOLLOW-ON PRODUCTION ITEMS AS GOVERNMENT FURNISHED EQUIPMENT.—An agreement entered pursuant to the authority of subsection (a) or a follow-on contract entered pursuant to the authority of subsection (f) may provide for prototypes or follow-on production items to be provided to another contractor as government-furnished equipment.

''(h) APPLICABILITY OF PROCUREMENT ETHICS REQUIREMENTS.—An agreement entered into under the authority of this section shall be treated as a Federal agency procurement for the purposes of chapter 21 of title 41.''.

(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 2371a the following new item:

''2371b. Authority of the Defense Advanced Research Projects Agency to carry out certain prototype projects.''.

(b) MODIFICATION TO DEFINITION OF NONTRADITIONAL CONTRACTOR.—Section 2302(9) of such title is amended to read as follows:

''(9) The term 'nontraditional defense contractor', with respect to a procurement or with respect to a transaction authorized under section 2371(a) of this title, means an entity that—

''(A) is not currently performing and has not performed, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any contract or subcontract that is subject to full coverage under the cost accounting standards prescribed pursuant to 1502 of title 41 and the regulations implementing such section; and

''(B) has not been awarded, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any other contract under which the contractor was required to submit certified cost or pricing data under section 2306a of this title.''.

(c) REPEAL OF OBSOLETE AUTHORITY.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is hereby repealed.

(d) TECHNICAL AND CONFORMING AMENDMENT.—Section 1601(c)(1) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2370a note) is amended by restating subparagraph (B) to read as follows:

''(B) sections 2371 and 2371b of title 10, United States Code.''.

SEC. 805. USE OF ALTERNATIVE ACQUISITION PATHS TO ACQUIRE CRITICAL NATIONAL SECURITY CAPABILITIES.

(a) GUIDELINES.—The Secretary of Defense shall establish procedures and guidelines for alternative acquisition pathways to acquire capital assets and services that meet critical national security needs. The guidelines shall—

(1) be separate from existing acquisition procedures and guidelines;

(2) be supported by streamlined contracting, budgeting, and requirements processes;

(3) establish alternative acquisition paths based on the capabilities being bought and the time needed to deploy these capabilities; and

(4) maximize the use of flexible authorities in existing law and regulation.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes a summary of the guidelines established under subsection (a) and recommendations for any legislation necessary to meet the objectives set forth in subsection (a) and to implement the guidelines established under such subsection.

SEC. 806. SECRETARY OF DEFENSE WAIVER OF ACQUISITION LAWS TO ACQUIRE VITAL NATIONAL SECURITY CAPABILITIES.

(a) WAIVER AUTHORITY.—The Secretary of Defense is authorized to waive any provision of acquisition law or regulation described in subsection (c) for the purpose of acquiring a capability that would not otherwise be available to the Armed Forces of the United States, upon a determination that—

(1) the acquisition of the capability is in the vital national security interest of the United States;

(2) the application of the law or regulation to be waived would impede the acquisition of the capability in a manner that would undermine the national security of the United States; and

(3) the underlying purpose of the law or regulation to be waived can be addressed in a different manner or at a different time.

(b) DESIGNATION OF RESPONSIBLE OFFICIAL.—Whenever the Secretary of Defense makes a determination under subsection (a)(1) that the acquisition of a capability is in the vital national security interest of the United States, the Secretary shall designate a senior official of the Department of Defense who shall be personally responsible and accountable for the rapid and effective acquisition and deployment of the needed capability. The Secretary shall provide the designated official such authority as the Secretary determines necessary to achieve this objective, and may use the waiver authority in subsection (a) for this purpose.

(c) ACQUISITION LAWS AND REGULATIONS.—

(1) IN GENERAL.—Upon a determination described in subsection (a), the Secretary of Defense is authorized to waive any provision of law or regulation addressing—

(A) the establishment of a requirement or specification for the capability to be acquired;

(B) research, development, test, and evaluation of the capability to be acquired;

(C) production, fielding, and sustainment of the capability to be acquired; or

(D) solicitation, selection of sources, and award of contracts for the capability to be acquired.

(2) LIMITATIONS.—Nothing in this subsection authorizes the waiver of—

(A) the requirements of this section;

(B) any provision of law imposing civil or criminal penalties; or

(C) any provision of law governing the proper expenditure of appropriated funds.

(d) REPORT TO CONGRESS.—The Secretary of Defense shall notify the congressional defense committees at least 30 days before exercising the waiver authority under subsection (a). Each such notice shall include—

(1) an explanation of the basis for determining that the acquisition of the capability is in the vital national security interest of the United States;

(2) an identification of each provision of law or regulation to be waived; and

(3) for each provision identified pursuant to paragraph (2)—

(A) an explanation of why the application of the provision would impede the acquisition in a manner that would undermine the national security of the United States; and

(B) a description of the time or manner in which the underlying purpose of the law or regulation to be waived will be addressed.

(e) NON-DELEGATION.—The authority of the Secretary to waive provisions of laws and regulations under subsection (a) is non-delegable.

SEC. 807. ACQUISITION AUTHORITY OF THE COMMANDER OF UNITED STATES CYBER COMMAND.

(a) AUTHORITY.—

(1) IN GENERAL.—The Commander of the United States Cyber Command shall be responsible for, and shall have the authority to conduct, the following acquisition activities:

(A) Development and acquisition of cyber operations-peculiar equipment and capabilities.

(B) Acquisition of cyber capability-peculiar equipment, capabilities, and services.

(2) ACQUISITION FUNCTIONS.—Subject to the authority, direction, and control of the Secretary of Defense, the Commander shall have authority to exercise the functions of the head of an agency under chapter 137 of title 10, United States Code.

(b) COMMAND ACQUISITION EXECUTIVE.—

(1) IN GENERAL.—The staff of the Commander shall include a command acquisition executive, who shall be responsible for the overall supervision of acquisition matters for the United States Cyber Command. The command acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with the military departments to carry out the acquisition of equipment, capabilities, and services described in subsection (a)(1) on behalf of the Command;

(B) to supervise the acquisition of equipment, capabilities, and services described in subsection (a)(1);

(C) to represent the Command in discussions with the military departments regarding acquisition programs for which the Command is a customer; and

(D) to work with the military departments to ensure that the Command is appropriately represented in any joint working group or integrated product team regarding acquisition programs for which the Command is a customer.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—The command acquisition executive of the United States Cyber Command shall be—

(A) responsible to the Commander for rapidly delivering acquisition solutions to meet validated cyber operations-peculiar requirements;

(B) subordinate to the defense acquisition executive in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) ACQUISITION PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall provide the United States Cyber Command with the personnel or funding equivalent to ten full-time equivalent personnel to support the Commander in fulfilling the acquisition responsibilities provided for under this section with experience in—

(A) program acquisition;

(B) the Joint Capabilities Integration and Development System Process;

(C) program management;

(D) system engineering; and

(E) costing.

(2) EXISTING PERSONNEL.—The personnel provided under this subsection shall be provided from among the existing personnel of the Department of Defense.

(d) INSPECTOR GENERAL ACTIVITIES.—The staff of the Commander of the United States Cyber Command shall on a periodic basis include a representative from the Department of Defense Office of Inspector General who shall conduct internal audits and inspections of purchasing and contracting actions through the United States Cyber Command and such other Inspector General functions as may be assigned.

(e) BUDGET.—In addition to the activities of a combatant command for which funding may be requested under section 166(b) of title 10, United States Code, the budget proposal of the United States Cyber Command shall include requests for funding for—

(1) development and acquisition of cyber operations-peculiar equipment; and

(2) acquisition of other capabilities or services that are peculiar to offensive cyber operations activities.

(f) CYBER OPERATIONS PROCUREMENT FUND.—There is authorized to be appropriated for each of fiscal years 2016 through 2021, out of funds made available for procurement, Defense-wide, $75,000,000 for a Cyber Operations Procurement Fund to support acquisition activities provided for under this section.

(g) RULE OF CONSTRUCTION REGARDING INTELLIGENCE AND SPECIAL ACTIVITIES.—Nothing in this section shall be construed to constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(h) SUNSET.—

(1) IN GENERAL.—The authority under this section shall terminate on September 30, 2021.

(2) LIMITATION ON DURATION OF ACQUISITIONS.—The authority under this section does not include major defense acquisitions or acquisitions of foundational infrastructure or software architectures the duration of which is expected to last more than five years.

SEC. 808. ADVISORY PANEL ON STREAMLINING AND CODIFYING ACQUISITION REGULATIONS.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish under the sponsorship of the Defense Acquisition University and the National Defense University an advisory panel on streamlining acquisition regulations.

(b) MEMBERSHIP.—The panel shall be composed of at least nine individuals who are recognized experts in acquisition and procurement policy. In making appointments to the advisory panel, the Under Secretary shall ensure that the members of the panel reflect diverse experiences in the public and private sectors.

(c) DUTIES.—The panel shall—

(1) review the acquisition regulations applicable to the Department of Defense with a view toward streamlining and improving the efficiency and effectiveness of the defense acquisition process and maintaining defense technology advantage; and

(2) make any recommendations for the amendment or repeal of such regulations that the panel considers necessary, as a result of such review, to—

(A) establish and administer appropriate buyer and seller relationships in the procurement system;

(B) improve the functioning of the acquisition system;

(C) ensure the continuing financial and ethical integrity of defense procurement programs;

(D) protect the best interests of the Department of Defense; and

(E) eliminate any regulations that are unnecessary for the purposes described in subparagraphs (A) through (D).

(d) ADMINISTRATIVE MATTERS.—

(1) IN GENERAL.—The Secretary of Defense shall provide the advisory panel established pursuant to subsection (a) with timely access to appropriate information, data, resources, and analysis so that the advisory panel may conduct a thorough and independent assessment as required under such subsection.

(2) INAPPLICABILITY OF FACA.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory panel established pursuant to subsection (a).

(e) REPORT.—

(1) PANEL REPORT.—Not later than two years after the date on which the Secretary of Defense establishes the advisory panel, the panel shall transmit a final report to the Secretary.

(2) ELEMENTS.—The final report shall contain a detailed statement of the findings and conclusions of the panel, including—

(A) a history of each current acquisition regulation and a recommendation as to whether the regulation and related law (if applicable) should be retained, modified, or repealed; and

(B) such additional recommendations for legislation as the panel considers appropriate.

(3) INTERIM REPORTS.—(A) Not later than 6 months and 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit a report to or brief the congressional defense committees on the interim findings of the panel with respect to the elements set forth in paragraph (2).

(B) The panel shall provide regular updates to the Secretary of Defense for purposes of providing the interim reports required under this paragraph.

(4) FINAL REPORT.—Not later than 30 days after receiving the final report of the advisory panel, the Secretary of Defense shall transmit the final report, together with such comments as the Secretary determines appropriate, to the congressional defense committees.

(f) DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND SUPPORT.—The Secretary of Defense may use amounts available in the Department of Defense Acquisition Workforce Development Fund established under section 1705 of title 10, United States Code, to support activities of the advisory panel under this section.

SEC. 809. REVIEW OF TIME-BASED REQUIREMENTS PROCESS AND BUDGETING AND ACQUISITION SYSTEMS.

(a) TIME-BASED REQUIREMENTS PROCESS.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall review the requirements process with the goal of establishing an agile and streamlined system that develops requirements that provide stability and foundational direction for acquisition programs. The requirements system should be informed by technological market research and provide a time-based or phased distinction between capabilities needed to be deployed urgently, within 2 years, within 5 years, and longer than 5 years.

(b) BUDGETING AND ACQUISITION SYSTEMS.—The Secretary of Defense shall review and ensure that the acquisition and budgeting systems are structured to meet time-based or phased requirements in a manner that is predictable, cost effective, and efficient and takes advantage of emerging technological developments. The Secretary shall make all necessary changes in regulation and policy to achieve a time-based requirements, budgeting, and acquisition system and shall identify and report to Congress within 180 days after the date of the enactment of this Act on any statutory impediments to achieving such a system.

SEC. 810. IMPROVEMENT OF PROGRAM AND PROJECT MANAGEMENT BY THE DEPARTMENT OF DEFENSE.

(a) DEPARTMENT-WIDE RESPONSIBILITIES OF SECRETARY OF DEFENSE.—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, the Secretary of Defense shall—

(1) develop Department-wide standards, policies, and guidelines for program and project management for the Department of Defense based on appropriate and applicable nationally accredited standards for program and project management;

(2) develop polices to monitor compliance with the standards, policies, and guidelines developed under paragraph (1); and

(3) engage with the private sector on matters relating to program and project management for the Department.

(b) RESPONSIBILITIES OF USD (ATL).—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, for the military departments and the Defense Agencies, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(1) advise and assist Secretary of Defense with respect Department of Defense practices related to program and project management;

(2) review programs identified as high-risk in program and project management by the Government Accountability Office, and make recommendations for actions to be taken by the Secretary to mitigate such risks;

(3) assess matters of importance to the workforce in program and project management, including—

(A) career development and workforce development;

(B) policies to support continuous improvement in program and project management; and

(C) major challenges of the Department in managing programs and projects; and

(4) advise on the development and applicability of standards Department-wide for program and project management transparency.

(c) RESPONSIBILITIES OF ACQUISITION EXECUTIVES.—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, for the military departments, the service acquisition executives (in consultation with the Chiefs of the Armed Forces with respect to military program managers), and the component acquisition executives for the Defense Agencies, shall—

(1) ensure the compliance of the department or Agency concerned with standards, policies, and guidelines for program and project management for the Department of Defense developed by the Secretary of Defense under subsection (a)(1); and

(2) ensure the effective career development of program managers through—

(A) training and educational opportunities for program managers, including exchange programs with the private sector;

(B) mentoring of current and future program managers by experienced public and private sector senior executives and program managers;

(C) continued refinement of career paths and career opportunities for program managers;

(D) incentives for the recruitment of highly qualified individuals to serve as program managers;

(E) improved means of collecting and disseminating best practices and lessons learned to enhance program management; and

(F) improved methods to support improved data gathering and analysis for program management and oversight purposes.

(d) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall issue the standards, policies, and guidelines required by subsection (a)(1). The Secretary shall provide Congress an interim update on the progress made in implementing this section not later than six months after the date of the enactment of this Act.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 821. PREFERENCE FOR FIXED-PRICE CONTRACTS IN DETERMINING CONTRACT TYPE FOR DEVELOPMENT PROGRAMS.

(a) ESTABLISHMENT OF PREFERENCE.—Not later than 180 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be revised to establish a preference for fixed-price contracts, including fixed-price incentive fee contracts, in the determination of contract type for development programs.

(b) TECHNICAL AND CONFORMING CHANGES.—Section 818(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2329) is amended—

(1) in the first sentence, by inserting ''or major automated information system'' after ''major defense acquisition program''; and

(2) by striking the second sentence.

SEC. 822. APPLICABILITY OF COST AND PRICING DATA AND CERTIFICATION REQUIREMENTS.

Section 2306a(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(D) to the extent such data relates to an offset agreement in connection with a contract for the sale of a weapon system or defense-related item to a foreign country or foreign firm.''.

SEC. 823. RISK-BASED CONTRACTING FOR SMALLER CONTRACT ACTIONS UNDER THE TRUTH IN NEGOTIATIONS ACT.

(a) INCREASE IN THRESHOLDS.—Subsection (a) of section 2306a of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''December 5, 1990'' each place it appears and inserting ''January 15, 2016'';

(B) by striking ''$500,000'' each place it appears and inserting ''$5,000,000''; and

(C) by striking ''$100,000'' each place it appears and inserting ''$750,000''; and

(2) in paragraph (7), by striking ''fiscal year 1994 constant dollar value'' and inserting ''fiscal year 2016 constant dollar value''.

(b) RISK-BASED CONTRACTING.—Subsection (c) of such section is amended to read as follows:

''(c) COST OR PRICING DATA ON BELOW-THRESHOLD CONTRACTS.—

''(1) AUTHORITY TO REQUIRE SUBMISSION.—Subject to paragraph (4), when certified cost or pricing data are not required to be submitted by subsection (a) for a contract, subcontract, or modification of a contract or subcontract, such data may nevertheless be required to be submitted by the head of the procuring activity, if the head of the procuring activity—

''(A) determines that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

''(B) requires the submission of such data in accordance with a risk-based contracting approach established pursuant to paragraph (3).

''(2) WRITTEN DETERMINATION REQUIRED.—In any case in which the head of the procuring activity requires certified cost or pricing data to be submitted under paragraph (1)(A), the head of the procuring activity shall justify in writing the reason for such requirement.

''(3) RISK-BASED CONTRACTING.—The head of an agency shall establish a risk-based sampling approach under which the submission of certified cost or pricing data may be required for a risk-based sample of contracts, the price of which is expected to exceed the dollar amount in subsection (a)(1)(A)(ii), but not the amount in subsection (a)(1)(A)(i). The authority to require certified cost or pricing data under this paragraph shall not apply to any contract of an offeror that has not been awarded, for at least the one-year period preceding the issuance of a solicitation for the contract, any other contract in excess of the amount in subsection (a)(1)(A)(i) under which the offeror was required to submit certified cost or pricing data under this section.

''(4) EXCEPTION.—The head of the procuring activity may not require certified cost or pricing data to be submitted under this subsection for any contract or subcontract, or modification of a contract or subcontract, covered by the exceptions in subparagraph (A) or (B) of subsection (b)(1).

''(5) DELEGATION OF AUTHORITY PROHIBITED.—The head of a procuring activity may not delegate functions under this subsection.''.

SEC. 824. LIMITATION ON USE OF REVERSE AUCTION AND LOWEST PRICE TECHNICALLY ACCEPTABLE CONTRACTING METHODS.

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation shall be amended—

(1) to prohibit the use by the Department of Defense of reverse auction or lowest price technically acceptable contracting methods for the procurement of personal protective equipment where the level of quality or failure of the item could result in combat casualties; and

(2) to establish a preference for the use of best value contracting methods for the procurement of such equipment.

SEC. 825. RIGHTS IN TECHNICAL DATA.

(a) RIGHTS IN TECHNICAL DATA RELATING TO MAJOR WEAPON SYSTEMS.—Paragraph (2) of

section 2321(f) of title 10, United States Code, is amended to read as follows:

''(2) In the case of a challenge to a use or release restriction that is asserted with respect to technical data of a contractor or subcontractor for a major system or a subsystem or component thereof on the basis that the major weapon system, subsystem, or component was developed exclusively at private expense—

''(A) the presumption in paragraph (1) shall apply—

''(i) with regard to a commercial subsystem or component of a major system, if the major system was acquired as a commercial item in accordance with section 2379(a) of this title;

''(ii) with regard to a component of a subsystem, if the subsystem was acquired as a commercial item in accordance with section 2379(b) of this title; and

''(iii) with regard to any other component, if the component is a commercially available off-the-shelf item or a commercially available off-the-shelf item with modifications of a type customarily available in the commercial marketplace or minor modifications made to meet Federal Government requirements; and

''(B) in all other cases, the challenge to the use or release restriction shall be sustained unless information provided by the contractor or subcontractor demonstrates that the item was developed exclusively at private expense.''.

(b) GOVERNMENT-INDUSTRY ADVISORY PANEL.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish a government-industry advisory panel for the purpose of reviewing sections 2320 and 2321 of title 10, United States Code, regarding rights in technical data and the validation of proprietary data restrictions and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interests of the taxpayers and the national defense.

(2) MEMBERSHIP.—The panel shall be chaired by an individual selected by the Under Secretary, and the Under Secretary shall ensure that—

(A) the government members of the advisory panel are knowledgeable about technical data issues and appropriately represent the three military departments, as well as the legal, acquisition, logistics, and research and development communities in the Department of Defense; and

(B) the private sector members of the advisory panel include independent experts and individuals appropriately representative of the diversity of interested parties, including large and small businesses, traditional and non-traditional government contractors, prime contractors and subcontractors, suppliers of hardware and software, and institutions of higher education.

(3) SCOPE OF REVIEW.—In conducting the review required by paragraph (1), the advisory panel shall give appropriate consideration to the following factors:

(A) Ensuring that the Department of Defense does not pay more than once for the same work.

(B) Ensuring that Department of Defense contractors are appropriately rewarded for their innovation and invention.

(C) Providing for cost-effective reprocurement, sustainment, modification, and upgrades to Department of Defense systems.

(D) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the Department of Defense.

(E) Ensuring that the Department of Defense has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

(4) FINAL REPORT.—Not later than September 30, 2016, the advisory panel shall submit its final report and recommendations to the Secretary of Defense. Not later than 60 days after receiving the report, the Secretary shall submit a copy of the report, together with any comments or recommendations, to the congressional defense committees.

SEC. 826. PROCUREMENT OF SUPPLIES FOR EXPERIMENTAL PURPOSES.

(a) ADDITIONAL PROCUREMENT AUTHORITY.—Subsection (a) of section 2373 of title 10, United States Code, is amended by inserting ''transportation, energy, medical, spaceflight,'' before ''and aeronautical supplies''.

(b) APPLICABILITY OF CHAPTER 137 OF TITLE 10, UNITED STATES CODE.—Subsection (b) of such section is amended by striking ''only when such purchases are made in quantity'' and inserting ''only when such purchases are made in quantities greater than necessary for experimentation, technical evaluation, assessment of operational utility, or safety or to provide a residual operational capability''.

SEC. 827. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as most recently amended by section 832(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 814), is further amended by striking ''December 31, 2015'' and inserting ''December 31, 2016''.

SEC. 828. REPORTING RELATED TO FAILURE OF CONTRACTORS TO MEET GOALS UNDER NEGOTIATED COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

Paragraph (2) of section 834(d) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note), as added by section 821(d)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3434) is amended by striking ''may not negotiate'' and all that follows through the period at the end and inserting ''shall report to Congress on any negotiated comprehensive subcontracting plan that the Secretary determines did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.''.

SEC. 829. COMPETITION FOR RELIGIOUS SERVICES CONTRACTS.

The Department of Defense may not preclude a non-profit organization from competing for a contract for religious related services on a United States military installation.

SEC. 830. TREATMENT OF INTERAGENCY AND STATE AND LOCAL PURCHASES WHEN THE DEPARTMENT OF DEFENSE ACTS AS CONTRACT INTERMEDIARY FOR THE GENERAL SERVICES ADMINISTRATION.

Contracts executed by the Department of Defense as a result of the transfer of contracts from the General Services Administration or for which the Department serves as an item manager for products on behalf of the General Services Administration shall not be subject to requirements under chapter 148 of title 10, United States Code, to the extent such contracts are for purchases of products by other Federal agencies or State or local governments.

SEC. 831. PILOT PROGRAM FOR STREAMLINING AWARDS FOR INNOVATIVE TECHNOLOGY PROJECTS.

(a) EXCEPTION FROM CERTIFIED COST AND PRICING DATE REQUIREMENTS.—The requirements under section 2306a(a) of title 10, United States Code, shall not apply to a contract, subcontract, or modification of a contract or subcontract valued at less than $7,500,000 awarded to a small business or nontraditional defense contractor pursuant to—

(1) a technical merit based selection procedure, such as a broad agency announcement; or

(2) the Small Business Innovation Research Program,

unless the head of the agency determines that submission of cost and pricing data should be required based on past performance of the specific small business or nontraditional defense contractor, or based on analysis of other information specific to the award.

(b) EXCEPTION FROM RECORDS EXAMINATION REQUIREMENT.—The requirements under section 2313 of title 10, United States Code, shall not apply to a contract valued at less than $7,500,000 awarded to a small business or nontraditional defense contractor pursuant to—

(1) a technical merit based selection procedure, such as a broad agency announcement; or

(2) the Small Business Innovation Research Program,

unless the head of the agency determines that auditing of records should be required based on past performance of the specific small business or non-traditional defense contractor, or based on analysis of other information specific to the award.

(c) SUNSET.—The exceptions under subsections (a) and (b) shall terminate on October 1, 2020.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

SEC. 841. ACQUISITION STRATEGY REQUIRED FOR EACH MAJOR DEFENSE ACQUISITION PROGRAM.

(a) CONSOLIDATION OF REQUIREMENTS RELATING TO ACQUISITION STRATEGY.—

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2431 the following new section:

''§ 2431a. Acquisition strategy

''(a) REQUIREMENT.—(1) There shall be an acquisition strategy for each major defense acquisition program. The acquisition strategy for a major defense acquisition program shall be reviewed by the milestone decision authority for the program at each time specified in paragraph (2). The milestone decision authority may approve, disapprove, or revise the acquisition strategy at any such time.

''(2) The times at which the acquisition strategy for a major defense acquisition program shall be reviewed by the milestone decision authority for the program under paragraph (1) are the following:

''(A) Program initiation.

''(B) Each subsequent milestone.

''(C) Full-Rate Production Decision Review.

''(D) Any other time considered relevant by the milestone decision authority.

''(b) GUIDANCE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue policies and procedures governing the contents of, and the review and approval process for, the acquisition strategy for a major defense acquisition program.

''(c) CONTENTS.—The acquisition strategy for a major defense acquisition program shall present a top-level description of the business and technical management approach designed to achieve the objectives of

the program within the resource constraints imposed. The strategy shall be tailored to address program requirements and constraints, and shall express the program manager's approach to the program in sufficient detail to allow the milestone decision authority to assess the viability of approach, method of implementation of laws and policies, and program objectives. Subject to guidance issued pursuant to subsection (b), each acquisition strategy shall address the following:

''(1) An acquisition approach, including industrial base considerations in accordance with section 2440 of this title, and consideration of alternative acquisition approaches.

''(2) A risk management strategy, addressing cost, schedule, and technical risk.

''(3) An approach to ensuring the maturity of technologies and avoiding unnecessary or excessive concurrency.

''(4) A strategy for dividing the acquisition into increments or spirals, and continuously adopting commercial and defense technologies, where appropriate.

''(5) A business strategy, including measures to ensure continuing competition in through the life of the acquisition program.

''(6) A contracting strategy addressing the selection of sources, contract types, and small business participation.

''(7) An intellectual property strategy, in accordance with section 2320 of this title.

''(8) An approach to international involvement, including foreign military sales and cooperative opportunities, in accordance with section 2350a of this title.

''(d) In this section, the term 'milestone decision authority', with respect to a major defense acquisition program, means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, including authority to approve entry of the program into the next phase of the acquisition process.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2431 the following new item:

''2431a. Acquisition strategy.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 2350a(e) of such title is amended—

(A) in the subsection heading, by striking ''DOCUMENT'';

(B) in paragraph (1), by striking ''the Under Secretary of Defense for'' and all that follows through ''of the Board'' and inserting ''opportunities for such cooperative research and development shall be addressed in the acquisition strategy for the project''; and

(C) in paragraph (2)—

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

(I) by striking ''document'' and inserting ''discussion''; and

(II) by striking ''include'' and inserting ''consider'';

(ii) in subparagraph (A), by striking ''A statement indicating whether'' and inserting ''Whether'';

(iii) in subparagraph (B)—

(I) by striking ''by the Under Secretary of Defense for Acquisition, Technology, and Logistics''; and

(II) by striking ''of the United States under consideration by the Department of Defense''; and

(iv) in subparagraph (D)—

(I) by striking ''The'' and inserting ''A''; and

(II) by striking ''of the Under Secretary'' and inserting ''to the milestone decision authority''.

(2) Section 803 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2430 note) is repealed.

SEC. 842. RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) GUIDANCE ON RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.—The Secretary of Defense shall ensure that the acquisition strategy developed pursuant to section 2431a of title 10, United States Code, as added by section 841, for each major defense acquisition program for which development activities are required includes the following elements:

(1) A comprehensive approach to continuously identifying and addressing risk (including technical, cost, and schedule risk) beginning at program initiation and continuing until the start of full rate production as a means to improve programmatic decision making and appropriately minimize and manage program concurrency.

(2) Documentation of the major sources of risk identified and the approach to retiring that risk.

(b) ELEMENTS OF COMPREHENSIVE APPROACH TO RISK REDUCTION.—The comprehensive approach to identifying and addressing risk for purposes of subsection (a)(1) shall include some combination of the following elements as appropriate for the item or system being acquired:

(1) Development planning.

(2) Systems engineering.

(3) Integrated developmental and operational testing.

(4) Preliminary and critical design reviews and technical reviews.

(5) Prototyping (including prototyping at the system or subsystem level and competitive prototyping, where appropriate).

(6) Modeling and simulation.

(7) Technology demonstrations and technology off ramps.

(8) Manufacturability and industrial base availability.

(9) Multiple design approaches.

(10) Alternative, lower risk reduced performance designs.

(11) Schedule and funding margins for or specific risks.

(12) Independent risk element assessments by outside subject matter experts.

(13) Program phasing to address high risk areas as early as possible.

(c) PREFERENCE FOR PROTOTYPING.—To the maximum extent practicable and consistent with the economical use of available financial resources, the milestone decision authority for each major defense acquisition program shall ensure that the acquisition strategy for the program provides for—

(1) the production of competitive prototypes at the system or subsystem level before Milestone B approval; or

(2) if the production of competitive prototypes is not practicable, the production of single prototypes at the system or subsystem level.

(d) REPEAL OF MANDATORY PROTOTYPING PROVISION.—Section 203 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2430 note) is repealed.

SEC. 843. DESIGNATION OF MILESTONE DECISION AUTHORITY.

(a) IN GENERAL.—Section 2430 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The milestone decision authority for major defense acquisition programs shall be the service acquisition executive of the military service that is managing the program, unless the Secretary of Defense designates another official to serve as the milestone decision authority.

''(2) The Secretary of Defense may designate an alternate milestone decision authority in programs where—

''(A) the Secretary determines that the program is addressing a joint requirement;

''(B) the Secretary determines that the program is best managed by a defense agency;

''(C) the program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433 of this title;

''(D) the program has failed to develop an acquisition program baseline within 2 years of program initiation;

''(E) the program is critical to a major interagency requirement or technology development effort, or has significant international partner involvement; or

''(F) the Secretary certifies that an alternate official serving as the milestone decision authority will best position the program to achieve desired cost, schedule, and performance outcomes.

''(3)(A) The Secretary of Defense may redelegate the position of milestone decision authority for a program designated above upon request of the Secretary of the military department concerned. A decision on redelegation must be made within 180 days of the request of the Secretary of the military department concerned.

''(B) If the Secretary of Defense denies the request for redelegation, the Secretary shall certify to the congressional defense committees that an alternate official serving as milestone decision authority will best position the program to achieve desired cost, schedule, and performance outcomes. No such redelegation is authorized after a program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433 of this title, except for exceptional circumstances.

''(4) For major defense acquisition programs where the service acquisition executive of the military service that is managing the program is the milestone decision authority—

''(A) the Secretary of Defense shall ensure that no documentation is required outside of the military service organization, without a determination by the Deputy Chief Management Officer that the documentation supports a specific statutory requirement and is implemented in a manner that will not result in program delays or increased costs, and no acquisition programmatic approvals shall be required outside of the military service organization, with the exception of approval of the Director of Operational Test and Evaluation of the Test and Evaluation Master Plan; and

''(B) the Secretary of the military department concerned and the chief of the Armed Force concerned shall, in each Selected Acquisition Report required under section 2432 of this title, certify that program requirements are stable and funding is adequate to meet cost, schedule, and performance objectives for the program and identify and report to the congressional defense committees on any increased risk to the program since the last report.''.

(b) CONFORMING AMENDMENT.—Section 133(b)(5) of such title is amended by inserting before the period at the end the following: '', except that the Under Secretary shall exercise only advisory authority over service acquisition programs for which the service acquisition executive is the milestone decision authority''.

(c) IMPLEMENTATION.—

(1) IMPLEMENTATION PLAN.—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 plan for implementing subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a) of this section.

(2) GUIDANCE.—The Deputy Chief Management Officer of the Department of Defense,

in consultation with the Under Secretary of Defense for Acquisition, Technology and Logistics and the service acquisition executives, shall issue guidance to ensure that by not later than October 1, 2016, the acquisition policy, guidance, and practices of the Department of Defense conform to the requirements of subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a) of this section. The guidance shall be designed to ensure a streamlined decision-making and approval process and to minimize any information requests, consistent with the requirement of paragraph (4)(A) of such subsection (d).

(3) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2016.

SEC. 844. REVISION OF MILESTONE A DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISION TO MILESTONE A REQUIREMENTS.—

(1) IN GENERAL.—Section 2366a of title 10, United States Code, is amended to read as follows:

''§ 2366a. Major defense acquisition programs: responsibilities at Milestone A approval

''(a) RESPONSIBILITIES.—Before granting Milestone A approval for a major defense acquisition program or a major subprogram, the milestone decision authority for the program or subprogram shall ensure that—

''(1) information about the program or subprogram is sufficient to warrant entry of the program or subprogram into the risk reduction phase;

''(2) the Secretary of the relevant military department and the chief of the relevant military service concur in cost, schedule, technical feasibility, and performance tradeoffs that have been made with regard to the program; and

''(3) there are sound plans for progression of the program or subprogram to the development phase.

''(b) CONSIDERATIONS.—In carrying out subsection (a), the milestone decision authority shall take appropriate action to ensure that—

''(1) the program or subprogram—

''(A) meets a joint military requirement and responds to an anticipated or likely threat;

''(B) has been developed in light of appropriate market research and a review of alternative approaches and does not unnecessarily duplicate a capability already provided by an existing system; and

''(C) is affordable in light of cost estimates developed pursuant to the guidance of the Director of Cost Assessment and Program Evaluation; and

''(2) the acquisition strategy for the program or subprogram—

''(A) identifies areas of risk and, for each such identified area of risk, includes a plan to reduce the risk;

''(B) addresses planning for sustainment; and

''(C) complies with the requirements of section 2431a of this title and the policies and procedures implementing such section; and

''(3) the program or subprogram meets any other considerations the milestone decision authority considers relevant.

''(c) NOTIFICATION.—Not later than 30 days after granting Milestone A approval for a major defense acquisition program or major subprogram, the milestone decision authority for that program or subprogram shall submit to the congressional defense committees notice of the approval in writing. The milestone decision authority's decision memorandum with respect to such approval shall be available to the congressional defense committees upon request, consistent with any relevant classification requirements.

''(d) DEFINITIONS.—In this section:

''(1) The term 'major defense acquisition program' means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

''(2) The term 'major subprogram' means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

''(3) The term 'milestone decision authority', with respect to a major defense acquisition program or a major subprogram, means the official within the Department of Defense designated with the overall responsibility and authority for acquisitions decisions for the program or subprogram, including authority to approve entry of the program or subprogram into the next phase of the acquisition process.

''(4) The term 'Milestone A approval' means a decision to enter into a risk reduction phase pursuant to guidance prescribed by the Secretary of Defense for the management of Department of Defense acquisition programs.

''(5) The term 'joint military requirement' has the meaning given that term in section 181(g)(1) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2366a and inserting the following:

''2366a. Major defense acquisition programs: responsibilities at Milestone A approval.''.

(b) CONSIDERATIONS IN MAKING MILESTONE A DETERMINATIONS.—In making a Milestone A determination pursuant to section 2366a of title 10, United States Code, the milestone decision authority shall include consideration of the following:

(1) With respect to joint military requirements, the factors outlined under section 181(b) of title 10, United States Code.

(2) With respect to alternative approaches, the factors outlined under section 201(a) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2302 note).

(3) With respect to affordability and cost estimates and analyses, the factors outlined under section 2334(a) of title 10, United States Code.

(4) With respect to risk, the factors outlined under—

(A) section 138b(b) of title 10, United States Code; and

(B) section 842.

(5) With respect to sustainment, the factors outlined under section 2337 and section 2464 of this title 10, United States Code.

SEC. 845. REVISION OF MILESTONE B DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISION TO MILESTONE B REQUIREMENTS.—Section 2366b of title 10, United Stated Code, is amended to read as follows:

''§ 2366b. Major defense acquisition programs: certification required before Milestone B approval

''(a) CERTIFICATION.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority certifies that the technology in the program has been demonstrated in a relevant environment, as determined by the Milestone Decision Authority on the basis of an independent review and assessment by the Assistant Secretary of Defense for Research and Engineering, in consultation with the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation.

''(b) DETERMINATION.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority determines that appropriate steps have been taken to ensure that—

''(1) the program is affordable when considering the ability of the Department of Defense to accomplish the program's mission using alternative systems;

''(2) trade-offs among cost, schedule, technical feasibility, and performance objectives have been made to ensure that the program is affordable when considering the per unit cost and the total acquisition cost in the context of the total resources available during the period covered by the future-years defense program submitted during the fiscal year in which the certification is made;

''(3) the Secretary of the relevant military department and the chief of the relevant military service concur in the trade-offs made in accordance with paragraph (2);

''(4) reasonable cost and schedule estimates have been developed to execute, with the concurrence of the Director of Cost Assessment and Program Evaluation, the product development and production plan under the program;

''(5) funding is available to execute the product development and production plan under the program, through the period covered by the future-years defense program submitted during the fiscal year in which the certification is made, consistent with the estimates described in paragraph (4) for the program;

''(6) market research has been conducted prior to technology development to reduce duplication of existing technology and products;

''(7) the Department of Defense has completed an analysis of alternatives and a business case analysis with respect to the program;

''(8) the Joint Requirements Oversight Council has accomplished its duties with respect to the program pursuant to section 181(b) of this title, including an analysis of the operational requirements for the program;

''(9) life-cycle sustainment planning, including corrosion prevention and mitigation planning, has identified and evaluated relevant sustainment costs throughout development, production, operation, sustainment, and disposal of the program, and any alternatives, and that such costs are reasonable and have been accurately estimated;

''(10) an estimate has been made of the requirements for core logistics capabilities and the associated sustaining workloads required to support such requirements;

''(11) there is a plan to mitigate and account for any costs in connection with any anticipated de-certification of cryptographic systems and components during the production and procurement of the major defense acquisition program to be acquired;

''(12) a preliminary design review or assessment of engineering design knowledge of the system has been satisfactorily completed; and

''(13) the program complies with all relevant policies, regulations, and directives of the Department of Defense.

''(c) CHANGES TO CERTIFICATION.—(1) The program manager for a major defense acquisition program that has received milestone B approval under this section shall immediately notify the milestone decision authority of any changes to the program or a designated major subprogram of such program that—

''(A) alter the substantive basis for the certification of the milestone decision authority under subsection (a) or any element of

the determination of the milestone decision authority under subsection (b); or

''(B) otherwise cause the program or subprogram to deviate significantly from the material provided to the milestone decision authority in support of such certification or determination.

''(2) Upon receipt of information under paragraph (1), the milestone decision authority may withdraw the certification or determination concerned or rescind Milestone B approval if the milestone decision authority determines that such certification, determination, or approval is no longer valid.

''(d) SUBMISSION TO CONGRESS.—(1) The certification required under subsection (a) and the determination under subsection (b) with respect to a major defense acquisition program shall be submitted to the congressional defense committees with the first Selected Acquisition Report submitted under section 2432 of this title after completion of the certification.

''(2) A summary of any information provided to the milestone decision authority pursuant to subsection (c) and a description of the actions taken as a result of such information shall be submitted with the first Selected Acquisition Report submitted under section 2432 of this title after receipt of such information by the milestone decision authority.

''(e) WAIVER FOR NATIONAL SECURITY.—(1) The milestone decision authority may waive the applicability to a major defense acquisition program of the certification requirement in subsection (a) or one or more components of the determination requirement in subsection (b) if the milestone decision authority determines that, but for such a waiver, the Department would be unable to meet critical national security objectives.

''(2) Whenever the milestone decision authority makes such a determination and authorizes such a waiver the waiver, the determination, and the reasons for the determination shall be submitted in writing to the congressional defense committees within 30 days after the waiver is authorized.

''(f) NONDELEGATION.—The milestone decision authority may not delegate the certification requirement under subsection (a), the determination requirement under subsection (b), or the authority to waive any component of such requirement under subsection (e).

''(g) DEFINITIONS.—In this section:

''(1) The term 'major defense acquisition program' means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

''(2) The term 'designated major subprogram' means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

''(3) The term 'milestone decision authority', with respect to a major defense acquisition program, means the individual within the Department of Defense designated with overall responsibility for the program.

''(4) The term 'Milestone B approval' has the meaning provided that term in section 2366(e)(7) of this title.

''(5) The term 'core logistics capabilities' means the core logistics capabilities identified under section 2464(a) of this title.''.

(b) CONSIDERATIONS IN MAKING MILESTONE B DETERMINATIONS.—In making a Milestone B determination pursuant to section 2366b of title 10, United States Code, the milestone decision authority shall review the acquisition strategy required by section 2431a of title 10, as added by section 841 of this Act and include consideration of the following:

(1) With respect to affordability, the factors outlined under section 2334 of title 10, United States Code.

(2) With respect to risk, the factors outlined under—

(A) section 842; and

(B) section 138b(b) of title 10, United States Code.

(3) With respect to fulfilling a joint military requirement, the factors outlined under section 181 of title 10, United States Code.

(4) With respect to competition—

(A) the factors outlined under section 202 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23; 10 U.S.C. 2430 note); and

(B) the requirements of section 2304 of title 10, United States Code.

(5) With respect to sustainment, the factors outlined under section 2337 and section 2464 of title 10, United States Code.

(c) CONFORMING CHANGE.—Section 2334(a) of title 10, United States Code, is amended in paragraph (6)(A)(i) by striking ''any certification under'' and inserting in lieu thereof ''any decision to grant milestone approval pursuant to''.

SEC. 846. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM DEVELOPMENT PERIODS.

(a) REVISED GUIDANCE REQUIRED.—Not later than 180 days after date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers for the program development period of defense acquisition programs.

(b) PROGRAM DEVELOPMENT PERIOD.—For the purpose of this section, the term ''program development period'' refers to the period before a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) RESPONSIBILITIES.—The revised guidance required by subsection (a) shall provide that the program manager for the program development period of a defense acquisition program is responsible for—

(1) bringing to maturity the technologies and manufacturing processes that will be needed to carry out the program;

(2) ensuring continuing focus during program development on meeting stated mission requirements and other requirements of the Department of Defense;

(3) making trade-offs between program cost, schedule, and performance for the lifecycle of the program;

(4) developing a business case for the program; and

(5) ensuring that appropriate information is available to the milestone decision authority to make a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program), including information necessary to make the certification required by section 2366a of title 10, United States Code.

(d) QUALIFICATIONS, RESOURCES, AND TENURE.—The Secretary of Defense shall ensure that each program manager for the program development period of a defense acquisition program—

(1) has the appropriate management, engineering, technical, and financial expertise needed to meet the responsibilities assigned pursuant to subsection (c);

(2) is provided the resources and support (including systems engineering expertise, cost estimating expertise, and software development expertise) needed to meet such responsibilities; and

(3) is assigned to the program manager position for such program until such time as such program is ready for a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program), unless removed for cause or due to exceptional circumstances.

SEC. 847. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM EXECUTION PERIODS.

(a) REVISED GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers for the program execution period of defense acquisition programs.

(b) PROGRAM EXECUTION PERIOD.—For purposes of this section, the term ''program execution period'' refers to the period after Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) RESPONSIBILITIES.—The revised guidance required by subsection (a) shall—

(1) require the program manager for the program execution period of a defense acquisition program to enter into a performance agreement with the milestone decision authority for such program within six months of assignment, that—

(A) establishes expected parameters for the cost, schedule, and performance of the program consistent with the business case for the program;

(B) provides the commitment of the milestone decision authority to provide the level of funding and resources required to meet such parameters; and

(C) provides the assurance of the program manager that such parameters are achievable and that the program manager will be accountable for meeting such parameters; and

(2) provide the program manager with the authority to—

(A) veto the addition of new program requirements that would be inconsistent with the parameters established in the performance agreement entered into pursuant to paragraph (1), subject to the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics to override the veto based on critical national security reasons;

(B) make trade-offs between cost, schedule, and performance, provided that such trade-offs are consistent with the parameters established in the performance agreement entered into pursuant to paragraph (1);

(C) redirect funding within such program, to the extent necessary to achieve the parameters established in the performance agreement entered into pursuant to paragraph (1);

(D) develop such interim goals and milestones as may be required to achieve the parameters established in the performance agreement entered into pursuant to paragraph (1); and

(E) use program funds to recruit and hire such technical experts as may be required to carry out the program, if necessary expertise is not otherwise provided by the Department of Defense.

(d) QUALIFICATIONS, RESOURCES, AND TENURE.—The Secretary shall ensure that each program manager for the program execution period of a defense acquisition program—

(1) has the appropriate management, engineering, technical, and financial expertise needed to meet the responsibilities assigned pursuant to subsection (c);

(2) is provided the resources and support (including systems engineering expertise, cost estimating expertise, and software development expertise) needed to meet such responsibilities; and

(3) is assigned to the program manager position for such program at the time of Milestone B approval (or Key Decision Point B approval in the case of a space program) and continues in such position until the delivery of the first production units of the program, unless removed for cause or due to exceptional circumstances.

(e) LIMITED WAIVER AUTHORITY.—The Secretary may waive the requirement in paragraph (3) of subsection (d) that a program manager for the program execution period of a defense acquisition program serve in that position until the delivery of the first production units of such program upon submitting to the congressional defense committees a written determination that—

(1) the program is so complex, and the delivery of the first production units will take so long, that it would not be feasible for a single individual to serve as program manager for the entire period covered by such paragraph; and

(2) the complexity of the program, and length of time that will be required to deliver the first production units, are not the result of a failure to meet the certification requirements under section 2366a of title 10, United States Code.

SEC. 848. REPEAL OF REQUIREMENT FOR STAND-ALONE MANPOWER ESTIMATES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPEAL OF REQUIREMENT.—Subsection (a)(1) of section 2434 of title 10, United States Code, is amended by striking ''and a manpower estimate for the program have'' and inserting ''has''.

(b) CONFORMING AMENDMENTS RELATING TO REGULATIONS.—Subsection (b) of such section is amended—

(1) by striking paragraph (2);

(2) by striking ''shall require—'' and all that follows through ''that the independent'' and inserting ''shall require that the independent'';

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and moving those paragraphs, as so redesignated, two ems to the left; and

(4) in paragraph (2), as so redesignated—

(A) by striking ''and operations and support,'' and inserting ''operations and support, and manpower to operate, maintain, and support the program upon full operational deployment,''; and

(B) by striking ''; and'' and inserting a period.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 2434. Independent cost estimates''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 144 of such title is amended by striking the item relating to section 2434 and inserting the following:

''2434. Independent cost estimates.''.

SEC. 849. PENALTY FOR COST OVERRUNS.

(a) IN GENERAL.—For each fiscal year beginning with fiscal year 2015, the Secretary of each military department shall pay a penalty for cost overruns on the covered major defense acquisition programs of the military department.

(b) CALCULATION OF PENALTY.—For the purposes of this section:

(1) The amount of the cost overrun or underrun on any major defense acquisition program or subprogram in a fiscal year is the difference between the current program acquisition unit cost for the program or subprogram and the program acquisition unit cost for the program as shown in the original Baseline Estimate for the program or subprogram, multiplied by the quantity of items to be purchased under the program or subprogram, as reported in the final Selected Acquisition Report for the fiscal year in accordance with section 2432 of title 10, United States Code.

(2) Cost overruns or underruns for covered major defense acquisition programs that are joint programs of more than one military department shall be allocated among the military departments in percentages determined by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(3) The cumulative amount of cost overruns for a military department in a fiscal year is the sum of the cost overruns and cost underruns for all covered major defense acquisition programs of the department in the fiscal year (including cost overruns or underruns allocated to the military department in accordance with paragraph (2)).

(4) The cost overrun penalty for a military department in a fiscal year is three percent of the cumulative amount of cost overruns of the military department in the fiscal year, as determined pursuant to paragraph (3), except that the cost overrun penalty may not be a negative amount.

(c) TRANSFER OF FUNDS.—

(1) REDUCTION OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACCOUNTS.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2015, the Secretary of each military department shall reduce each research, development, test, and evaluation account of the military department by the percentage determined under paragraph (2), and remit such amount to the Secretary of Defense.

(2) DETERMINATION OF AMOUNT.—The percentage reduction to research, development, test, and evaluation accounts of a military department referred to in paragraph (1) is the percentage reduction to such accounts necessary to equal the cost overrun penalty for the fiscal year for such department determined pursuant to subsection (b)(4).

(3) CREDITING OF FUNDS.—Any amount remitted under paragraph (1) shall be credited to the Rapid Prototyping Fund established pursuant to section 803 of this Act.

(d) COVERED PROGRAMS.—A major defense acquisition program is covered under this section if the original Baseline Estimate was established for such program under section 2435(d) (1) or (2) on or after the date of the enactment of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23).

SEC. 850. STREAMLINING OF REPORTING REQUIREMENTS APPLICABLE TO ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING REGARDING MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPORTING TO UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS BEFORE MILESTONE B APPROVAL.—Subparagraph (A) of paragraph (8) of section 138(b) of title 10, United States Code, as amended by section 901(h)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3466), is further amended—

(1) by striking ''periodically'';

(2) by striking ''the major defense acquisition programs'' and inserting ''each major defense acquisition program'';

(3) by inserting ''before the Milestone B approval for that program'' after ''Department of Defense''; and

(4) by striking ''such reviews and assessments'' and inserting ''such review and assessment''.

(b) ANNUAL REPORT TO SECRETARY OF DEFENSE AND CONGRESSIONAL DEFENSE COMMITTEES.—Subparagraph (B) of such paragraph is amended by inserting ''for which a Milestone B approval occurred during the preceding fiscal year'' after ''Department of Defense''.

SEC. 851. CONFIGURATION STEERING BOARDS FOR COST CONTROL UNDER MAJOR DEFENSE ACQUISITION PROGRAMS.

Section 814(c)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4529) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively; and

(2) by inserting after ''for the following:'' the following new subparagraph:

''(A) Monitoring changes in program requirements and ensuring all such changes receive the approval of the Chief of the relevant military service, in consultation with the Secretary of the relevant military department.''.

Subtitle D—Provisions Relating to Commercial Items

SEC. 861. INAPPLICABILITY OF CERTAIN LAWS AND REGULATIONS TO THE ACQUISITION OF COMMERCIAL ITEMS AND COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS.

(a) AMENDMENT TO TITLE 10, UNITED STATES CODE.—Section 2375 of title 10, United States Code, is amended to read as follows:

''§ 2375. Relationship of commercial item provisions to other provisions of law

''(a) APPLICABILITY OF GOVERNMENT-WIDE STATUTES.—(1) No contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1906(b) of title 41.

''(2) No subcontract under a contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1906(c) of title 41.

''(3) No contract for the procurement of a commercially available off-the-shelf item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1907 of title 41.

''(b) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO CONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of defense-unique provisions of law that are inapplicable to contracts for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to purchases of commercial items by the Department of Defense. This section does not render a provision of law not included on the list inapplicable to contracts for the procurement of commercial items.

''(2) A provision of law described in subsection (e) that is enacted after January 1, 2015, shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercial items from the applicability of the provision.

''(c) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO SUBCONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to subcontracts under a Department of Defense contract or subcontract for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to those subcontracts. This section does not render a provision of law not included on the list inapplicable to subcontracts under a contract for the procurement of commercial items.

''(2) A provision of law described in subsection (e) shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that

it would not be in the best interest of the Department of Defense to exempt subcontracts under a contract for the procurement of commercial items from the applicability of the provision.

''(3) In this subsection, the term 'subcontract' includes a transfer of commercial items between divisions, subsidiaries, or affiliates of a contractor or subcontractor. The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the performance of multiple contracts with the Department of Defense and other parties and are not identifiable to any particular contract.

''(4) This subsection does not authorize the waiver of the applicability of any provision of law with respect to any first-tier subcontract under a contract with a prime contractor reselling or distributing commercial items of another contractor without adding value.

''(d) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO CONTRACTS FOR COMMERCIALLY AVAILABLE, OFF-THE-SHELF ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to contracts for the procurement of commercially available off-the-shelf items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to Department of Defense contracts for the procurement of commercially available off-the-shelf items. This section does not render a provision of law not included on the list inapplicable to contracts for the procurement of commercially available off-the-shelf items.

''(2) A provision of law described in subsection (e) shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercially available off-the-shelf items from the applicability of the provision.

''(e) COVERED PROVISION OF LAW.—A provision of law referred to in subsections (b)(2), (c)(2), and (d)(2) is a provision of law that the Under Secretary of Defense for Acquisition, Technology, and Logistics determines sets forth policies, procedures, requirements, or restrictions for the procurement of property or services by the Federal Government, except for a provision of law that—

''(1) provides for criminal or civil penalties; or

''(2) specifically refers to this section and provides that, notwithstanding this section, it shall be applicable to contracts for the procurement of commercial items.''.

(b) CHANGES TO DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT.—

(1) IN GENERAL.—To the maximum extent practicable, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall ensure that—

(A) the Defense Federal Acquisition Regulation Supplement does not require the inclusion of contract clauses in contracts for the procurement of commercial items or contracts for the procurement of commercially available off-the-shelf items, unless such clauses are—

(i) required to implement provisions of law or executive orders applicable to such contracts; or

(ii) determined to be consistent with standard commercial practice; and

(B) the flow-down of contract clauses to subcontracts under contracts for the procurement of commercial items or commercially available off-the-shelf items is prohibited unless such flow-down is required to implement provisions of law or executive orders applicable to such subcontracts.

(2) SUBCONTRACTS.—In this subsection, the term ''subcontract'' includes a transfer of commercial items between divisions, subsidiaries, or affiliates of a contractor or subcontractor. The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the performance of multiple contracts with the Department of Defense and other parties and are not identifiable to any particular contract.

(c) REPORT ON INCLUSION OF CONTRACT CLAUSES.—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 listing all standard contract clauses included in contracts awarded using commercial acquisition procedures under part 12 of the Federal Acquisition Regulation, including a justification for the inclusion of each such clause.

SEC. 862. MARKET RESEARCH AND PREFERENCE FOR COMMERCIAL ITEMS.

(a) GUIDANCE REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance to ensure that acquisition officials of the Department of Defense fully comply with the requirements of section 2377 of title 10, United States Code, regarding market research and commercial items. The guidance issued pursuant to this subsection shall, at a minimum—

(1) provide that the head of an agency may not enter into a contract in excess of the simplified acquisition threshold for information technology products or services that are not commercial items unless the head of the agency determines in writing that no commercial items are suitable to meet the agency's needs as provided in subsection (c)(2) of such section; and

(2) ensure that market research conducted in accordance with subsection (c) of such section is used, where appropriate, to inform price reasonableness determinations.

(b) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Chairman and the Vice Chairman of the Joint Chiefs of Staff, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall review Chairman of the Joint Chiefs of Staff Instruction 3170.01, the Manual for the Operation of the Joint Capabilities Integration and Development System, and other documents governing the requirements development process and revise these documents as necessary to ensure that the Department of Defense fully complies with the requirement in section 2377(c) of title 10, United States Code, and section 10.001 of the Federal Acquisition Regulation for Federal agencies to conduct appropriate market research before developing new requirements.

(c) MARKET RESEARCH DEFINED.—For the purposes of this section, the term ''market research'' means a review of existing systems, subsystems, capabilities, and technologies that are available or could be made available to meet the needs of the Department of Defense in whole or in part. The review may include any of the techniques for conducting market research provided in section 10.002(b)(2) of the Federal Acquisition Regulation and shall include, at a minimum, contacting knowledgeable individuals in Government and industry regarding existing market capabilities.

SEC. 863. CONTINUING VALIDITY OF COMMERCIAL ITEM DETERMINATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be modified to address the validity of commercial item determinations for multiple procurements.

(b) REQUIRED ELEMENTS.—The modification required by paragraph (1) shall, at a minimum—

(1) provide that a written determination by an authorized agency official that an item is a commercial item for the purposes of section 2306a of title 10, United States Code, shall be presumed to be valid for any subsequent procurement unless the contracting officer for such procurement determines in writing that the earlier determination was made in error or was based on inadequate information; and

(2) establish a process by which the contractor may appeal a determination by a contracting officer that an earlier determination was made in error or was based on inadequate information to the head of contracting for the agency.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the contracting officer for the procurement of a commercial item from requiring the contractor to supply information that is sufficient to determine the reasonableness of price, regardless whether or not the contractor was required to provide such information in connection with any earlier procurement.

SEC. 864. TREATMENT OF COMMERCIAL ITEMS PURCHASED AS MAJOR WEAPON SYSTEMS.

(a) AMENDMENTS TO REQUIREMENTS RELATED TO MAJOR WEAPON SYSTEMS.—Section 2379 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and inserting ''section 103 of title 41, United States Code''; and

(ii) in subparagraph (B), by striking the semicolon at the end and inserting ''; and'';

(B) by striking paragraph (2); and

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

(2) in subsection (b)—

(A) by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41, United States Code,''; and

(B) in paragraph (2)—

(i) by striking ''in writing that—'' and all that follows through ''(A) the subsystem'' and inserting ''in writing that the subsystem'';

(ii) by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)); and'' and inserting ''section 103 of title 41, United States Code.''; and

(iii) by striking subparagraph (B);

(3) in subsection (c)(1)—

(A) by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41, United States Code,''; and

(B) in subparagraph (B)—

(i) by striking ''in writing that—'' and all that follows through ''(i) the component'' and inserting ''in writing that the component'';

(ii) by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)); and'' and inserting ''section 103 of title 41, United States Code.''; and

(iii) by striking clause (ii); and

(4) by amending subsection (d) to read as follows:

''(d) INFORMATION SUBMITTED.—(1) To the extent necessary to determine the reasonableness of the price for items acquired under this section, the contracting officer shall require the offeror to submit—

''(A) prices paid for the same or similar commercial items under comparable terms and conditions by both government and commercial customers;

''(B) if the contracting officer determines that the offeror does not have access to and cannot provide sufficient information described in subparagraph (A) to determine the reasonableness of price, information on—

''(i) prices for the same or similar items sold under different terms and conditions;

''(ii) prices for similar levels of work or effort on related products or services;

''(iii) prices for alternative solutions or approaches; and

''(iv) other relevant information that can serve as the basis for a price assessment; and

''(C) if the contracting officer determines that the information submitted pursuant to subparagraphs (A) and (B) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, material costs, and overhead rates.

''(2) An offeror may not be required to submit information described in paragraph (1)(C) with regard to a commercially available off-the-shelf item or any other item that was developed exclusively at private expense.''.

(b) CONFORMING AMENDMENT TO TRUTH IN NEGOTIATIONS ACT.—Section 2306a(d)(1) of such title is amended by adding at the end the following new sentence: ''If the contracting officer determines that the offeror does not have access to and cannot provide sufficient information on prices for the same or similar items to determine the reasonableness of price, the contracting officer shall require the submission of information on prices for similar levels or work or effort on related products or services, prices for alternative solutions or approaches, and other information that is relevant to the determination of a fair and reasonable price.''.

SEC. 865. LIMITATION ON CONVERSION OF PROCUREMENTS FROM COMMERCIAL ACQUISITION PROCEDURES.

(a) LIMITATION.—

(1) IN GENERAL.—The Secretary of Defense may not convert the procurement of commercial items or services from commercial acquisition procedures under part 12 of the Federal Acquisition Regulation to non-commercial acquisition procedures under part 15 of the Federal Acquisition Regulation unless the Secretary, in consultation with the head of the acquisition component, certifies to the congressional defense committees that the Department of Defense will realize a significant cost savings compared to the cost of procuring a similar quantity or level of such item or service using commercial acquisition procedures.

(2) CERTIFICATION FACTORS.—In making a certification under paragraph (1), the Secretary of Defense shall consider the following factors:

(A) The estimated cost of foregone research and development to be performed by the existing contractor to improve future products or services.

(B) The transaction costs for the Department of Defense and the contractor in assessing and responding to data requests to support a conversion to non-commercial acquisition procedures.

(C) Changes in purchase quantities.

(D) Costs associated with potential procurement delays resulting from the conversion.

(b) REPORTING REQUIREMENTS.—

(1) INVENTORY.—The Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procedures during the previous five years.

(2) REPORTS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on each conversion identified in the inventory prepared under paragraph (1) that identifies and compares per unit costs and prices paid for the item or service under commercial acquisition procedures with those paid under non-commercial procurement procedures.

(c) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW OF REPORTS.—Not later than 180 days after the Secretary of Defense submits a report under subsection (b)(2), the Comptroller General of the United States shall submit to the congressional defense committees a review of the accuracy of the report.

(2) RECOMMENDATIONS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General shall submit to the congressional defense committees a report including any recommendations for additional costs and benefits that should be considered when the Department of Defense is planning to convert a procurement of items or services from commercial to non-commercial procurement procedures.

(B) FACTORS.—In making recommendations under subparagraph (A), the Comptroller General shall consider the following factors:

(i) Industrial base considerations.

(ii) The estimated cost of foregone research and development to be performed by existing contractors to improve future products or services.

(iii) The transaction costs for the Department of Defense and contractors in assessing and responding to data requests to support conversions to non-commercial acquisition procedures.

(iv) Costs associated with potential procurement delays resulting from conversions.

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

SEC. 866. TREATMENT OF GOODS AND SERVICES PROVIDED BY NONTRADITIONAL CONTRACTORS AS COMMERCIAL ITEMS.

(a) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2380. Treatment of goods and services provided by nontraditional contractors as commercial items

''Notwithstanding section 2376(1) of this title, items and services provided by nontraditional contractors (as that term is defined in section 2302(9) of this title) may be treated by the head of an agency as commercial items for purposes of this chapter.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 140 of such title is amended by inserting after the item relating to section 2379 the following new item:

''2380. Treatment of goods and services provided by nontraditional contractors as commercial items.''.

Subtitle E—Other Matters

SEC. 871. STREAMLINING OF REQUIREMENTS RELATING TO DEFENSE BUSINESS SYSTEMS.

(a) STREAMLINING OF REQUIREMENTS.—

(1) IN GENERAL.—Section 2222 of title 10, United States Code, is amended to read as follows:

''§ 2222. Defense business systems: business process reengineering; enterprise architecture; management

''(a) DEFENSE BUSINESS SYSTEMS GENERALLY.—The Secretary of Defense shall ensure that each covered defense business system developed, deployed, and operated by the Department of Defense—

''(1) is integrated into a comprehensive defense business enterprise architecture;

''(2) is managed in a manner that provides visibility into, and traceability of, expenditures for the system; and

''(3) uses an acquisition and sustainment strategy that prioritizes use of commercial software and business practices.

''(b) DEFENSE BUSINESS PROCESSES GENERALLY.—The Secretary of Defense shall ensure that defense business processes are reviewed, and as appropriate revised through business process reengineering to match best commercial practices, to the maximum extent practicable, so as to minimize customization of commercial business systems.

''(c) ISSUANCE OF GUIDANCE.—

''(1) SECRETARY OF DEFENSE GUIDANCE.—The Secretary shall issue guidance to provide for the coordination of, and decision making for, the planning, programming, and control of investments in covered defense business systems.

''(2) SUPPORTING GUIDANCE.—The Secretary shall direct the Deputy Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief Management Officer of each of the military departments to issue and maintain supporting guidance for the guidance of the Secretary issued under paragraph (1), within their respective areas of responsibility, as necessary.

''(d) GUIDANCE ELEMENTS.—The guidance issued pursuant to subsection (c)(1) shall include the following elements:

''(1) Policy to ensure that the business processes of the Department of Defense are continuously evolved to—

''(A) implement the most streamlined and efficient business process practicable; and

''(B) eliminate or reduce the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces to the maximum extent practicable.

''(2) A process to establish requirements for covered defense business systems.

''(3) Policy requiring the periodic review of covered defense business systems that have been fully deployed, by portfolio, to ensure that investments in such portfolios are appropriate.

''(4) Policy to ensure full consideration of sustainability and technological refreshment requirements, and the appropriate use of open architectures.

''(e) DEFENSE BUSINESS COUNCIL.—The Secretary shall establish a Defense Business Council to provide advice to the Secretary on reengineering the Department's business processes and developing and deploying defense business systems. The Council shall be chaired by the Deputy Chief Management Officer of the Department of Defense, and shall include membership from the public sector, defense industry, and commercial industry.

''(f) APPROVALS REQUIRED FOR DEVELOPMENT.—(1) The Secretary shall ensure that a covered defense business system program cannot proceed into development (or, if no development is required, into production or fielding) unless the appropriate approval officials (as specified in paragraph (3)) have determined that—

''(A) a business process has been, or is being, reengineered to be as streamlined and efficient as practicable, and the implementation of the business process will maximize the elimination of unique software requirements and unique interfaces;

''(B) the system has valid, achievable requirements and a viable plan for implementing those requirements (including, as appropriate, market research, business process reengineering, and prototyping activities);

''(C) the system has an acquisition strategy designed to eliminate or reduce the need

to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces to the maximum extent practicable; and

''(D) the system is in compliance with the Department's auditability requirements.

''(2)(A) For any fiscal year in which funds are expended for development or sustainment pursuant to a covered defense business system program, the appropriate approval officials shall review the system and certify, certify with conditions, or decline to certify, as the case may be, that—

''(i) it continues to satisfy the requirements of paragraph (1);

''(ii) an acquisition program baseline has been established within two years of program initiation; and

''(iii) program requirements and have not changed in a manner that is increasing acquisition costs or schedule, without sufficient cause and only after maximum efforts to reengineer business processes prior to changing requirements.

''(B) If an approval officially determines that full certification cannot be granted, the approval official shall notify the acquisition milestone decision authority for the program and provide a recommendation for corrective action, and provide a copy of such recommendations to the congressional defense committees within 60 days.

''(3) For purposes of paragraph (1), the appropriate approval officials with respect to a covered defense business system are the following:

''(A) In the case of a priority defense business system, the Deputy Chief Management Officer of the Department of Defense.

''(B) In the case of other covered business systems, an official designated under procedures established by the Secretary of Defense.

''(g) RESPONSIBILITY OF MILESTONE DECISION AUTHORITY.—The milestone decision authority for a covered defense business system program shall be responsible for the acquisition of such system and shall ensure that acquisition process approvals are not considered for such system until the relevant certifications and approvals have been made under this section.

''(h) DEFINITIONS.—In this section:

''(1) DEFENSE BUSINESS SYSTEM.—(A) The term 'defense business system' means an information system that is operated by, for, or on behalf of the Department of Defense, including any of the following:

''(i) A financial system.

''(ii) A financial data feeder system.

''(iii) A contracting system.

''(iv) A logistics system.

''(v) A planning and budgeting system.

''(vi) An installations management system.

''(vii) A human resources management system.

''(viii) A training and readiness system.

''(B) The term does not include—

''(i) a national security system; or

''(ii) an information system used exclusively by and within the defense commissary system or the exchange system or other instrumentality of the Department of Defense conducted for the morale, welfare, and recreation of members of the armed forces using nonappropriated funds.

''(2) COVERED DEFENSE BUSINESS SYSTEM.—The term 'covered defense business system' means a defense business system that is expected to have a total amount of budget authority over the period of the current future-years defense program submitted to Congress under section 221 of this title, in excess of $50,000,000.

''(3) COVERED DEFENSE BUSINESS SYSTEM PROGRAM .—The term 'covered defense business system program' means a defense acquisition program to develop and field a covered defense business system or an increment of a covered defense business system.

''(4) PRIORITY DEFENSE BUSINESS SYSTEM PROGRAM.—The term 'priority defense business system' means a defense business system that is—

''(A) expected to have a total amount of budget authority over the period of the current future-years defense program submitted to Congress under section 221 of this title in excess of $250,000,000; or

''(B) designated by the Deputy Chief Management Officer of the Department of Defense as a priority defense business system, based on specific program analyses of factors including complexity, scope, and technical risk, and after notification to Congress of such designation.

''(5) ENTERPRISE ARCHITECTURE.—The term 'enterprise architecture' has the meaning given that term in section 3601(4) of title 44.

''(6) INFORMATION SYSTEM.—The term 'information system' has the meaning given that term in section 11101 of title 40, United States Code.

''(7) NATIONAL SECURITY SYSTEM.—The term 'national security system' has the meaning given that term in section 3552(b)(2) of title 44.

''(8) MILESTONE DECISION AUTHORITY.—The term 'milestone decision authority', with respect to a defense acquisition program, means the individual within the Department of Defense designated with the responsibility to grant milestone approvals for that program.

''(9) BUSINESS PROCESS MAPPING.—The term 'business process mapping' means a procedure in which the steps in a business process are clarified and documented in both written form and in a flow chart.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 131 of such title is amended to read as follows:

''2222. Defense business systems: business process reengineering; enterprise architecture; management.''.

(b) IMPLEMENTATION OF PREVIOUSLY ENACTED TITLE CHANGE.—Effective February 1, 2017, section 2222 of title 10, United States Code, as amended by subsection (a), is further amended by striking ''the Deputy Chief Management Officer'' each place that it appears and inserting ''the Under Secretary of Defense for Business Management and Information''.

(c) DEADLINE FOR GUIDANCE.—The guidance required by subsection (b)(1) of section 2222 of title 10, United States Code, as amended by subsection (a)(1), shall be issued not later than December 31, 2016.

(d) MODIFICATION OF COMPTROLLER GENERAL ASSESSMENT.—Section 332(d) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1856) is amended to read as follows:

''(d) COMPTROLLER GENERAL ASSESSMENT.—In each odd-numbered year, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the extent to which the actions taken by the Department of Defense comply with the requirements of such section.''.

SEC. 872. ACQUISITION WORKFORCE.

(a) MODIFICATIONS TO DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (2), by amending subparagraph (C) to read as follows:

''(C) For purposes of this paragraph, the applicable percentage for a fiscal year is the percentage that results in the credit to the Fund of $500,000,000 in each fiscal year.''; and

(B) in paragraph (3), by striking ''24-month period'' and inserting ''36-month period'';

(2) in subsection (f), by striking ''60 days'' and inserting ''120 days''; and

(3) in subsection (g)(2), by striking ''September 30, 2017'' and inserting ''September 30, 2023''.

(b) MODIFICATIONS TO BIENNIAL STRATEGIC WORKFORCE PLAN.—Section 115b(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''the defense acquisition workforce, including both military and civilian personnel'' and inserting ''the military, civilian, and contractor personnel that directly support the acquisition processes of the Department of Defense, including persons serving in acquisition-related positions designated by the Secretary of Defense under section 1721 of this title'';

(2) in paragraph (2)(D)—

(A) in clause (i), by striking ''; and'' and inserting a semicolon;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following new clause:

''(ii) a description of steps that will be taken to address any new or expanded critical skills and competencies the civilian employee workforce will need to address recent trends in defense acquisition, emerging best practices, changes in the government and commercial marketplace, and new requirements established in law or regulation; and''; and

(3) by adding at the end the following new paragraph:

''(3) For the purposes of paragraph (1), contractor personnel shall be treated as directly supporting the acquisition processes of the Department if, and to the extent that, such contractor personnel perform functions in support of personnel in Department of Defense positions designated by the Secretary of Defense under section 1721 of this title.''.

SEC. 873. UNIFIED INFORMATION TECHNOLOGY SERVICES.

(a) BUSINESS CASE ANALYSIS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Deputy Chief Management Officer, the Chief Information Officer of the Department of Defense, and the Under Secretary of Defense for Acquisition, Technology and Logistics shall jointly complete a business case analysis, using the resources of the Director of Cost Analysis and Program Evaluation, to determine the most effective and efficient way to procure and deploy information technology services.

(2) ELEMENTS.—The business case analysis required by paragraph (1) shall include an assessment of whether the Department of Defense should—

(A)(i) acquire a unified set of commercially provided common or enterprise information technology services, including such services as messaging, collaboration, directory, security, and content delivery; or

(ii) allow the military departments and other components of the Department to acquire such services separately;

(B)(i) acquire such services from a single provider that bundles all of the services; or

(ii) require that each common service be independently defined and use open standards to enable continuous adoption of best commercial technology; and

(C) enable availability of multiple versions of each type of service and application to enable choice and competition while supporting interoperability where necessary.

(b) GOVERNANCE MECHANISM AND PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Deputy Chief Management Officer and the

Chief Information Officer, establish a governance mechanism and process to ensure essential interoperability across Department networks through the imposition of a minimum set of standards or common solutions.

SEC. 874. CLOUD STRATEGY FOR DEPARTMENT OF DEFENSE.

(a) CLOUD STRATEGY FOR SECRET INTERNET PROTOCOL NETWORK.—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense for Intelligence, the Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the chief information officers of the military departments, develop a cloud strategy for the Secret Internet Protocol Network (SIPRNet) of the Department.

(2) MATTERS ADDRESSED.—This strategy required by paragraph (1) shall address the following:

(A) Security requirements.

(B) The compatibility of applications currently utilized within the Secret Internet Protocol Network with a cloud computing environment.

(C) How a Secret Internet Protocol Network cloud capability should be competitively acquired.

(D) How a Secret Internet Protocol Network cloud system would achieve interoperability with the cloud systems of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) operating at the security level Sensitive Compartmented Information.

(b) PRICING POLICY AND COST RECOVERY PROCESS FOR CERTAIN CLOUD SERVICES.—The Chief Information Officer of the Department of Defense shall, in coordination with the Director of National Intelligence and in consultation with the Under Secretary of Defense for Intelligence, develop a consistent pricing policy and cost recovery process for the use by Department of Defense components of the cloud services provided through the Intelligence Community Information Technology Environment.

(c) ASSESSMENT OF FEASIBILITY AND ADVISABILITY OF IMPOSING MINIMUM STANDARDS.—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense shall assess the feasibility and advisability of imposing a minimum set of open standards for cloud infrastructure, middle-ware, metadata, and application programming interfaces to promote interoperability, information sharing, and ease of access to data, and competition across all of the cloud computing systems and services utilized by components of the Department of Defense.

(2) COORDINATION.—The Chief Information Officer shall coordinate the assessment required by paragraph (1) with the Director of National Intelligence with respect to the cloud services offered through the Intelligence Community Information Technology Environment.

SEC. 875. DEVELOPMENT PERIOD FOR DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY SYSTEMS.

(a) FLEXIBLE LIMITATION ON DEVELOPMENT PERIOD.—Section 2445b of title 10, United States Code is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) TIME-CERTAIN DEVELOPMENT.—If the baseline documents prepared under subsection (c) for a major automated information system that is not a national security system provide for a period in excess of five years from the time of program initiation to the time of a full deployment decision, the documents submitted pursuant to subsection (a) shall include a written determination by the senior Department of Defense official responsible for the program justifying the need for the longer period.''.

(b) REPEAL OF INCONSISTENT REQUIREMENTS.—

(1) Section 2445c(c)(2) of title 10, United States Code, is amended—

(A) in subparagraph (B), by striking the semicolon at the end and inserting ''; or'';

(B) in subparagraph (C), by striking ''; or'' and inserting a period; and

(C) by striking subparagraph (D), as added by section 802(a)(3) of the Carl Levin and Howard ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3427).

(2) Section 811 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2316) is repealed.

SEC. 876. REVISIONS TO PILOT PROGRAM ON ACQUISITION OF MILITARY PURPOSE NON-DEVELOPMENTAL ITEMS.

Section 866 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 (a)(2), by striking ''with nontraditional defense contractors''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''awarded using competitive procedures in accordance with chapter 137 of title 10, United States Code''; and

(B) in paragraph (2), by striking ''$50,000,000'' and inserting ''$100,000,000''.

SEC. 877. EXTENSION OF THE DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ PILOT PROGRAM.

Section 831(j) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amended—

(1) in paragraph (1), by striking ''September 30, 2015'' and inserting ''September 30, 2016''; and

(2) in paragraph (2), by striking ''September 30, 2018'' and inserting ''September 30, 2019''.

SEC. 878. IMPROVED AUDITING OF CONTRACTS.

(a) ADDRESSING AUDIT BACKLOG.—

(1) IN GENERAL.—Beginning October 1, 2016, the Defense Contract Audit Agency may provide audit support for non-Defense Agencies once the Secretary of Defense certifies that the backlog for incurred cost audits is less than 12 months of incurred cost inventory.

(2) ADJUSTMENT IN FUNDING FOR REIMBURSEMENTS FROM NON-DEFENSE AGENCIES.—The amount appropriated and otherwise available to the Defense Contract Audit Agency for a fiscal year beginning after September 30, 2016, shall be reduced by an amount equivalent to any reimbursements received by the Agency from non-Defense Agencies for support provided in violation of the limitation under paragraph (1).

(b) USE OF THIRD PARTY AUDITS.—The Secretary of Defense shall use up to 5 percent of the auditing staff of the service audit agencies augmented by private sector auditors to help eliminate the audit backlog in incurred cost, pre-award accounting systems audits and to reduce the time to complete pre-award audits.

(c) USE OF INSPECTOR GENERAL AUDITING STAFF.—The Office of the Inspector General of the Department of Defense shall make available 5 percent of its auditing staff to the Defense Contract Audit Agency to help eliminate the audit backlog in incurred cost, pre-award accounting systems audits and to reduce the time to complete pre-award audits.

(d) DEFENSE CONTRACT AUDIT AGENCY ANNUAL REPORT.—Section 2313a(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by amending subparagraph (D) to read as follows:

''(D) the total costs of sustained or recovered costs both as a total number and as a percentage of questioned costs; and'';

(2) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(3) by redesignating paragraph (4) as paragraph (6); and

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

''(4) a description of actions taken to ensure alignment of policies and practices across the Defense Contract Audit Agency regional organizations, offices, and individual auditors;

''(5) a description of outreach actions toward industry to promote more effective use of audit resources; and''.

(e) ACQUISITION OVERSIGHT AND AUDITS.—The Secretary of Defense shall review the oversight and audit structure of the Department of Defense with the goal of enhancing the productivity of oversight and program and contract auditing to avoid duplicative audits and the streamlining of oversight reviews. The Secretary shall take all necessary measures to streamline oversight reviews and avoid duplicative audits and make recommendation for any necessary changes in law.

(f) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken to avoid duplicative audits and streamline oversight reviews.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of actions taken to avoid duplicative audits and streamline oversight reviews based on the review conducted under subsection (e).

(B) A comparison of commercial industry accounting practices, including requirements under the Sarbanes-Oxley Act of 2002 (Public Law 107–204), with the Cost Accounting Standards (CAS) to determine if some portions of CAS compliance can be met through such practices or requirements.

(C) A description of standards of materiality used by the Defense Contract Audit Agency and the Inspector General of the Department of Defense for defense contract audits.

(D) An estimate of average delay and range of delays in contract awards due to time necessary for the Defense Contract Audit Agency to complete pre-award audits.

(g) INCURRED COST INVENTORY DEFINED.—In this section, the term ''incurred cost inventory'' means the level of contractor incurred cost proposals in inventory from prior fiscal years that are currently being audited by the Defense Contract Audit Agency.

SEC. 879. SURVEY ON THE COSTS OF REGULATORY COMPLIANCE.

(a) SURVEY.—The Secretary of Defense shall conduct a survey of the top ten contractors with the highest level of reimbursements for cost type contracts with the Department of Defense during fiscal year 2014 to estimate industry's cost of regulatory compliance (as a percentage of total costs) with government unique acquisition regulations and requirements in the categories of quality assurance, accounting and financial management, contracting and purchasing, program management, engineering, logistics, material management, property administration, and other unique requirements not imposed on contracts for commercial items.

(b) REPORT.—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 findings of the survey conducted under subsection (a). The data received as a result of the survey and included in the report shall be aggregated to protect against the public release of proprietary information.

SEC. 880. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON BID PROTESTS.

(a) REPORT REQUIRED.—Not later than 270 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 prevalence and impact of bid protests on Department of Defense acquisitions over the previous 10 years, including both protests to the Government Accountability Office and protests filed in Federal court.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following elements:

(1) A description of trends in the number of bid protests filed, and the rate of such bid protests compared to the number of procurements.

(2) A description of comparative rates for bid protests filed by incumbent contractors and bid protests filed by non-incumbent contractors.

(3) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed by incumbent contractors on contracts for services with a value in excess of $100,000,000.

(4) A description of trends in the number of bid protests filed and the rate of such bid protests on contracts for the procurement of major defense acquisition programs.

(5) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed on contracts for the procurement of major defense acquisition programs.

(6) A description of any views the Comptroller General may have on the likely impact of a provision requiring a losing protester on a contract for the procurement of a major defense acquisition program to pay the legal fees of the government.

SEC. 881. STEPS TO IDENTIFY AND ADDRESS POTENTIAL UNFAIR COMPETITIVE ADVANTAGE OF TECHNICAL ADVISORS TO ACQUISITION OFFICIALS.

(a) GUIDANCE REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance on steps that should be taken to identify and evaluate, and to avoid, neutralize, or mitigate, any potentially unfair competitive advantage of entities providing technical advice to acquisition officials in the award of research and development work by such officials.

(b) DEFINITIONS.—For the purposes of this section—

(1) the term ''potentially unfair competitive advantage'' means unequal access to acquisition officials responsible for award decisions or allocation of resources or to acquisition information relevant to award decisions or allocation of resources; and

(2) the term ''entity providing technical advice to acquisition officials'' means a contractor, Federally-funded research and development center and other non-profit entity, or Federal laboratory that provides systems engineering and technical direction, participates in technical evaluations, helps prepare specifications or work statements, or otherwise provides technical advice to acquisition officials on the conduct of defense acquisition programs.

SEC. 882. HUBZONE QUALIFIED DISASTER AREAS.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.)) is amended—

(1) in section 3(p) (15 U.S.C. 632(p))—

(A) in paragraph (1)—

(i) in subparagraph (D), by striking ''or'';

(ii) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(F) qualified disaster areas.''; and

(B) in paragraph (4), by adding at the end the following:

''(E) QUALIFIED DISASTER AREA.—

''(i) IN GENERAL.—The term 'qualified disaster area' means any census tract or nonmetropolitan county located in an area for which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or located in an area in which a catastrophic incident has occurred, if—

''(I) in the case of a census tract, the census tract ceased to be a qualified census tract during the period beginning 5 years before and ending 2 years after the date on which—

''(aa) the President declared the major disaster; or

''(bb) the catastrophic incident occurred; or

''(II) in the case of a nonmetropolitan county, the nonmetropolitan county ceased to be a qualified nonmetropolitan county during the period beginning 5 years before and ending 2 years after the date on which—

''(aa) the President declared the major disaster; or

''(bb) the catastrophic incident occurred.

''(ii) TREATMENT.—A qualified disaster area shall only be treated as a HUBZone—

''(I) in the case of a major disaster declared by the President, during the 5-year period beginning on the date on which the President declared the major disaster for the area in which the census tract or nonmetropolitan county, as applicable, is located; and

''(II) in the case of a catastrophic incident, during the 10-year period beginning on the date on which the catastrophic incident occurred in the area in which the census tract or nonmetropolitan county, as applicable, is located.''; and

(2) in section 31(c)(3) (15 U.S.C. 657a(c)(3)), by inserting ''the Administrator of the Federal Emergency Management Agency,'' after ''the Secretary of Labor,''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or a catastrophic incident that occurs on or after the date of enactment of this Act.

SEC. 883. BASE CLOSURE HUBZONES.

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) PERIOD FOR BASE CLOSURE AREAS.—

(1) AMENDMENTS.—

(A) IN GENERAL.—Section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(B) CONFORMING AMENDMENT.—Section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendments made by paragraph (1) shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military instillation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of enactment of this Act.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. UPDATE OF STATUTORY SPECIFICATION OF FUNCTIONS OF CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO ADVICE ON REQUIREMENTS, PROGRAMS, AND BUDGET.

Section 153(a)(4) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(H) Advising the Secretary on development of joint command, control, communications, and cyber capabilities, including integration and interoperability of such capabilities, through requirements, integrated architectures, data standards, and assessments.''.

SEC. 902. REORGANIZATION AND REDESIGNATION OF OFFICE OF FAMILY POLICY AND OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.

(a) OFFICE OF FAMILY POLICY.—

(1) REDESIGNATION AS OFFICE OF MILITARY FAMILY READINESS POLICY.—Section 1781(a) of title 10, United States Code, is amended—

(A) by striking ''Office of Family Policy'' and inserting ''Office of Military Family Readiness Policy''; and

(B) by striking ''Director of Family Policy'' and inserting ''Director of Military Family Readiness Policy''.

(2) REQUIREMENT FOR DIRECTOR TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Such section is further amended by adding at the end the following new sentence: ''The Director shall be a member of the Senior Executive Service or a general officer or flag officer.''.

(3) INCLUSION OF DIRECTOR ON MILITARY FAMILY READINESS COUNCIL.—Subsection (b)(1)(E) of section 1781a of such title is amended by striking ''Office of Community Support for Military Families with Special Needs'' and inserting ''Office of Military Family Readiness Policy''.

(4) CONFORMING AMENDMENT.—Section 131(b)(7)(F) of such title is amended by striking ''Director of Family Policy'' and inserting ''Director of Military Family Readiness Policy''.

(5) HEADING AND CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of section 1781 of such title is amended to read as follows:

"§ 1781. Office of Military Family Readiness Policy".

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of such title is amended by striking the item relating to section 1781 and inserting the following new item:

''1781. Office of Military Family Readiness Policy.''.

(b) OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.—

(1) REDESIGNATION AS OFFICE OF SPECIAL NEEDS.—Subsection (a) of section 1781c of title 10, United States Code, is amended by striking ''Office of Community Support for Military Families with Special Needs'' and inserting ''Office of Special Needs''.

(2) REORGANIZATION UNDER OFFICE OF MILITARY FAMILY READINESS POLICY.—Such subsection is further amended by striking ''Office of the Under Secretary of Defense for Personnel and Readiness'' and inserting ''Office of Military Family Readiness Policy''.

(3) REPEAL OF REQUIREMENT FOR HEAD OF OFFICE TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Such section is further amended by striking subsection (c).

(4) CONFORMING AMENDMENTS.—Such section is further amended—

(A) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively;

(B) by striking ''subsection (e)'' each place it appears and inserting ''subsection (d)'';

(C) in subsection (c), as so redesignated, by striking ''subsection (f)'' in paragraph (2) and inserting ''subsection (e)''; and

(D) in subsection (g), as so redesignated, by striking ''subsection (d)(4)'' in paragraph (2)(B) and inserting ''subsection (c)(4)''.

(5) HEADING AND CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 1781c. Office of Special Needs".

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of such title is amended by striking the item relating to section 1781c and inserting the following new item:

''1781c. Office of Special Needs.''.

SEC. 903. REPEAL OF REQUIREMENT FOR ANNUAL DEPARTMENT OF DEFENSE FUNDING FOR OCEAN RESEARCH ADVISORY PANEL.

Section 7903 of title 10, United States Code, is amended by striking subsection (c).

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 2016 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. ANNUAL AUDIT OF FINANCIAL STATEMENTS OF DEPARTMENT OF DEFENSE COMPONENTS BY INDEPENDENT EXTERNAL AUDITORS.

(a) AUDITS REQUIRED.—For purposes of satisfying the requirement under section 3521(e) of title 31, United States Code, for audits of financial statements of Department of Defense components identified by the Director of the Office of Management and Budget under section 3515(c) of such title, the Inspector General of the Department of Defense shall obtain each year audits of the financial statements of each such component by an independent external auditor.

(b) INSPECTOR GENERAL SELECTION AND OVERSIGHT.—The Inspector General shall—

(1) select independent external auditors for purposes of subsection (a) based, among other appropriate criteria, on their qualifications, independence, and capacity to conduct audits described in subsection (a) in accordance with applicable generally accepted government auditing standards; and

(2) shall monitor the conduct of such audits.

(c) REPORTS ON AUDITS.—

(1) IN GENERAL.—The Inspector General shall require the independent external auditors conducting audits under subsection (a) to submit a report on their audits each year to the Secretary of Defense, the Controller of the Office of Federal Financial Management in the Office of Management and Budget, and the appropriate committees of Congress.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(d) RELATIONSHIP TO EXISTING LAW.—The requirements of this section—

(1) shall be implemented in a manner that is consistent with the requirements of section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 2222 note);

(2) shall not be construed to alter the requirement under section 3521(e) of title 31, United States Code, that the financial statements of the Department of Defense as a whole be audited by the Inspector General or by an independent external auditor, as determined by the Inspector General; and

(3) shall not be construed to limit or alter the authorities of the Comptroller General of the United States under section 3521(g) of title 31, United States Code.

SEC. 1003. TREATMENT AS PART OF THE BASE BUDGET OF CERTAIN AMOUNTS AUTHORIZED FOR OVERSEAS CONTINGENCY OPERATIONS UPON ENACTMENT OF AN ACT REVISING THE BUDGET CONTROL ACT DISCRETIONARY SPENDING LIMITS FOR FISCAL YEAR 2016.

(a) IN GENERAL.—In the event of the enactment of an Act revising in proportionally equal amounts the defense and non-defense discretionary spending limits for fiscal year 2016, the amount authorized to be appropriated by title XV that is in excess of the $50,900,000,000 that is authorized to be appropriated by that title for revised security category activities, and is also not greater than the amount of the increase in the discretionary spending limit for revised security category activities revised by that Act, shall be deemed to have been authorized to be appropriated by title III.

(b) DEFINITIONS.—In this section:

(1) The term ''Act revising the defense and non-defense discretionary spending limits for fiscal year 2016'' means an Act—

(A) enacted after the date of enactment of this Act; and

(B) that—

(i) increases in proportionally equal amounts the discretionary spending limits for fiscal year 2016 for the revised security category and the revised nonsecurity category; and

(ii) may include increases to the discretionary spending limits for fiscal years 2017 through 2021.

(2) The terms ''discretionary spending limit'', ''revised nonsecurity category'', and ''revised security category'' have the meanings given such terms in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900).

SEC. 1004. SENSE OF SENATE ON SEQUESTRATION.

It is the sense of the Senate that—

(1) the nation's fiscal challenges are a top priority for Congress, and sequestration—non-strategic, across-the-board budget cuts—remains an unreasonable and inadequate budgeting tool to address the nation's deficits and debt;

(2) sequestration relief must be accomplished for fiscal years 2016 and 2017;

(3) sequestration relief should include equal defense and non-defense relief; and

(4) sequestration relief should be offset through targeted changes in mandatory and discretionary categories and revenues.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) EXTENSION OF AUTHORITY.—Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1011(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended—

(1) In subsection (a), by striking ''2016'' and inserting ''2017''; and

(2) In subsection (c), by striking ''2016'' and inserting ''2017''.

(b) EXTENSION OF ANNUAL NOTICE TO CONGRESS ON ASSISTANCE.—Section 1011(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking ''(as amended by subsection (a)) using funds available for fiscal year 2015'' and inserting ''using funds available for any fiscal year''.

SEC. 1012. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) EXTENSION.—Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1013 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 844), is further amended by striking ''2016'' and inserting ''2017''.

(b) MAXIMUM AMOUNT OF SUPPORT.—Subsection (e)(2) of such section 1033, as so amended, is further amended by striking ''2016'' and inserting ''2017''.

(c) ADDITIONAL GOVERNMENTS ELIGIBLE TO RECEIVE SUPPORT.—Subsection (b) of such section 1033, as so amended, is further amended by adding at the end of the following new paragraphs:

''(40) Government of Kenya.

''(41) Government of Tanzania.

''(42) Government of Somalia.''.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. STUDIES OF FLEET PLATFORM ARCHITECTURES FOR THE NAVY.

(a) INDEPENDENT STUDIES.—

(1) IN GENERAL.—The Secretary of Defense shall provide for the performance of three independent studies of alternative future fleet platform architectures for the Navy in the 2030 timeframe.

(2) SUBMISSION TO CONGRESS.—Not later than May 1, 2016, the Secretary shall forward the results of each study to the congressional defense committees.

(3) FORM.—Each such study shall be submitted in unclassified form, but may contain a classified annex as necessary.

(b) ENTITIES TO PERFORM STUDIES.—The Secretary of Defense shall provide for the studies under subsection (a) to be performed as follows:

(1) One study shall be performed by the Department of the Navy and shall include participants from—

(A) the Office of Net Assessment within the Office of the Secretary of Defense; and

(B) the Naval Surface Warfare Center Dahlgren Division.

(2) The second study shall be performed by a federally funded research and development center.

(3) The final study shall be conducted by an independent, non-governmental institute which is described in section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in national security and military affairs.

(c) PERFORMANCE OF STUDIES.—

(1) INDEPENDENT PERFORMANCE.—The Secretary of Defense shall require the three studies under this section to be conducted independently of each other.

(2) MATTERS TO BE CONSIDERED.—In performing a study under this section, the organization performing the study, while being aware of the current and projected fleet platform architectures, shall not be limited by the current or projected fleet platform architecture and shall consider the following matters:

(A) The National Security Strategy of the United States.

(B) Potential future threats to the United States and to United States naval forces in the 2030 timeframe.

(C) Traditional roles and missions of United States naval forces.

(D) Alternative roles and missions for United States naval forces.

(E) Other government and non-government analyses that would contribute to the study through variations in study assumptions or potential scenarios.

(F) The role of evolving technology on future naval forces, including unmanned systems.

(G) Opportunities for reduced personnel and sustainment costs.

(H) Current and projected capabilities of other United States military services that could affect force structure capability and capacity requirements of United States naval forces.

(d) STUDY RESULTS.—The results of each study under this section shall—

(1) present the alternative fleet platform architectures considered, with assumptions and possible scenarios identified for each;

(2) provide for presentation of minority views of study participants; and

(3) for the recommended architecture, provide—

(A) the numbers, kinds, and sizes of vessels, the numbers and types of associated manned and unmanned vehicles, and the basic capabilities of each of those platforms;

(B) other information needed to understand that architecture in basic form and the supporting analysis;

(C) deviations from the current Annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code;

(D) options to address ship classes that begin decommissioning prior to 2035; and

(E) implications for naval aviation, including the future carrier air wing and land-based aviation platforms.

SEC. 1022. AMENDMENT TO NATIONAL SEA-BASED DETERRENCE FUND.

Section 1022(b)(1) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking ''for the Navy for the Ohio Replacement Program''.

SEC. 1023. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS AFLOAT.

(a) EXTENSION.—Subsection (b) of section 1014 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4585), as amended by section 1021 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4348), is further amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(b) TECHNICAL AND CLARIFYING AMENDMENTS.—Subsection (a) of such section, as so amended, is further amended—

(1) in the matter preceding paragraph (1), by striking ''not more that'' and inserting ''not more than''; and

(2) in paragraph (2), by striking ''Naval vessels'' and inserting ''such vessels''.

Subtitle D—Counterterrorism

SEC. 1031. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION.—No amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on the effective date specified in section 1032(f), to construct or modify any facility in the United States, its territories, or possessions to house an individual detained at Guantanamo for the purpose of detention or imprisonment in the custody or control of the United States Government unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States 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 under detention at United States Naval Station, Guantanamo Bay, Cuba.

(d) REPEAL OF SUPERSEDED PROHIBITION.—Section 1033 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 850), as amended by section 1032 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is repealed.

SEC. 1032. LIMITATION ON THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Except as provided in subsection (b), no amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) TRANSFER FOR DETENTION AND TRIAL.—The Secretary of Defense may transfer a detainee described in subsection (a) to the United States for detention pursuant to the Authorization for Use of Military Force (Public Law 107–40), trial, and incarceration if the Secretary—

(1) determines that the transfer is in the national security interest of the United States;

(2) determines that appropriate actions have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States; and

(3) notifies the appropriate committees of Congress not later than 30 days before the date of the proposed transfer.

(c) NOTIFICATION ELEMENTS.—A notification on a transfer under subsection (b)(3) shall include the following:

(1) A statement of the basis for the determination that the transfer is in the national security interest of the United States.

(2) A description of the action the Secretary determines have been taken, or will be taken, to address any risk to the public safety that could arise in connection with the detention and trial in the United States.

(d) STATUS WHILE IN THE UNITED STATES.—A detainee who is transferred to the United States under this section—

(1) shall not be permitted to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) or be eligible to apply for admission into the United States;

(2) shall be considered to be paroled into the United States temporarily pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A));

(3) 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; and

(4) shall not, as a result of such transfer, have a change in designation as an unprivileged enemy belligerent eligible for detention pursuant to the Authorization for Use of Military Force, as determined in accordance with applicable law and regulations.

(e) LIMITATIONS ON JUDICIAL REVIEW.—

(1) LIMITATIONS.—Except as provided for in paragraph (2), no court, justice, or judge shall have jurisdiction to hear or consider any action against the United States or its agents relating to any aspect of the detention, transfer, treatment, or conditions of confinement of a detainee described in subsection (a) who is held by the Armed Forces of the United States.

(2) EXCEPTION.—A detainee who is transferred to the United States under this section shall not be deprived of the right to challenge his designation as an unprivileged enemy belligerent by filing a writ of habeas corpus as provided by the Supreme Court in Hamdan v. Rumsfeld (548 U.S. 557 (2006)) and Boumediene v. Bush (553 U.S. 723 (2008)).

(3) NO CAUSE OF ACTION IN DECISION NOT TO TRANSFER.—A decision not to transfer a detainee to the United States under this section shall not give rise to a judicial cause of action.

(f) EFFECTIVE DATE.—Subsections (b), (c), (d), and (e) shall take effect on the effective date of a joint resolution approved pursuant to subsection (h) on the plan on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, submitted pursuant to subsection (g).

(g) PLAN FOR DISPOSITION OF DETAINEES.—

(1) REPORT ON PLAN REQUIRED.—The Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth a comprehensive plan on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba.

(2) ELEMENTS.—The report required by paragraph (1) shall contain the following:

(A) A case-by-case determination made for each individual detained at Guantanamo of whether such individual is intended to be transferred to a foreign country, transferred to the United States for the purpose of civilian or military trial, or transferred to the United States or another country for continued detention under the law of armed conflict.

(B) The specific facility or facilities that are intended to be used, or modified to be used, to hold individuals inside the United States for the purpose of trial, for detention in the aftermath of conviction, or for continued detention under the law of armed conflict.

(C) The estimated costs associated with the detention inside the United States of individuals detained at Guantanamo.

(D) A description of the legal implications associated with the detention inside the United States of an individual detained at Guantanamo, including but not limited to the right to challenge such detention as unlawful.

(E) A detailed description and assessment, made in consultation with the Secretary of State and the Director of National Intelligence, of the actions that would be taken prior to the transfer to a foreign country of an individual detained at Guantanamo that would substantially mitigate the risk of such individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States person or interests.

(F) What additional authorities, if any, may be necessary to detain an individual detained at Guantanamo inside the United States as an unprivileged enemy belligerent pursuant to the Authorization for Use of Military Force, pending the end of hostilities or a future determination by the Secretary of Defense that such individual no longer poses a threat to the United States or United States persons or interests.

(G) A plan for the disposition of any individuals who are detained by the United States under the law of armed conflict after the date of the report, including a plan to detain and interrogate such individuals for the purposes of—

(i) protecting the security of the United States, its persons, allies, and interests; and

(ii) collecting intelligence necessary to ensure the security of the United States, its person, allies, and interests.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(h) CONSIDERATION BY CONGRESS OF SECRETARY OF DEFENSE PLAN.—

(1) TERMS OF THE RESOLUTION.—For purposes of this section the term ''joint resolution'' means only a joint resolution which is introduced within the 10-day period beginning on the date on which the Secretary of Defense submits to Congress a report under subsection (g) and—

(A) which does not have a preamble;

(B) the matter after the resolving clause of which is as follows: ''That Congress approves the plan of the Secretary of Defense on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, under section 1032(g) of the National Defense Authorization Act for Fiscal Year 2016 as submitted by the Secretary of Defense to Congress on _____'', the blank space being filled in with the appropriate date; and

(C) the title of which is as follows: ''Joint resolution approving the plan of the Secretary of Defense on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba.''.

(2) REFERRAL.—A resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in paragraph (1) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

(3) DISCHARGE.—If the committee to which a resolution described in paragraph (1) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Secretary submits to Congress a report under subsection (g), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(4) CONSIDERATION.—(A) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under paragraph (3)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(B) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) Immediately following the conclusion of the debate on a resolution described in paragraph (1) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) CONSIDERATION BY OTHER HOUSE.—(A) If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(i) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in clause (ii)(II).

(ii) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(II) the vote on final passage shall be on the resolution of the other House.

(B) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(6) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(i) LIMITATION ON TRANSFER OR RELEASE OF DETAINEES TRANSFERRED TO THE UNITED STATES.—

(1) LIMITATION PENDING ENACTMENT OF JOINT RESOLUTION APPROVING PLAN.—Notwithstanding any other provision of law and subject to paragraph (2), any individual detained at Guantanamo who is transferred to the United States after the date of the enactment of this Act shall not be released within the United States or its territories, and may only be transferred or released in accordance with the procedures under section 1033.

(2) LIMITATION ON TRANSFER OVERSEAS AFTER ENACTMENT OF JOINT RESOLUTION APPROVING PLAN.—Effective on the effective date specified in subsection (f)—

(A) the provisions of section 1035 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851; 10 U.S.C. 801 note), as previously repealed by section 1033, shall be revived;

(B) the procedures under such section 1035, as so revived, shall apply to the transfer of individuals detained at Guantanamo to foreign countries rather than the procedures under section1033; and

(C) in the application of procedures under such section 1035 as described in subparagraph (B), any reference to an individual detained at Guantanamo shall be deemed to refer also to any such individual transferred to the United States after such effective date.

(j) REPEAL OF SUPERSEDED PROHIBITION.—Section 1034 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851), as amended by section 1033 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is repealed.

(k) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to the appropriate committees of Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify the appropriate committees of Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies;

(2) the United States Government and the government of the foreign country have entered into a written memorandum of understanding (MOU) regarding the transfer of the individual and such memorandum of understanding has previously been transmitted to the appropriate committees of Congress; and

(3) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Subject to subsection (e), paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify the appropriate committees of Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1), or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by subsection (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) RECORD OF COOPERATION.—

(1) IN GENERAL.—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(A) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(B) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(2) REPORTS.—Each certification under subsection (b) or report under subsection (d)(2) that includes an assessment in which favorable consideration was given an individual as described in paragraph (1) shall also include the following:

(A) A description of the cooperation for which favorable consideration was so given.

(B) A description of operational outcomes, if any, affected by such cooperation.

(f) DEFINITIONS.—In this section:

(1)(A) The term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(B) In connection with a certification made under subsection (b), the term also includes the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, but only with respect to the submittal to such committees of a copy of the written memorandum of understanding concerned described in subsection (b)(2).

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(4) The term ''state sponsor of terrorism'' has the meaning given that term in section 301(13) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(13)).

(g) REPEAL OF SUPERSEDED REQUIREMENTS AND LIMITATIONS.—Section 1035 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851; 10 U.S.C. 801 note) is repealed.

SEC. 1034. AUTHORITY TO TEMPORARILY TRANSFER INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES FOR EMERGENCY OR CRITICAL MEDICAL TREATMENT.

(a) TRANSFER FOR EMERGENCY OR CRITICAL MEDICAL TREATMENT AUTHORIZED.—Notwithstanding any other provision of this subtitle, or any other provision of law enacted after September 30, 2013, but subject to subsection (b), the Secretary of Defense may temporarily transfer any 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 determines that—

(1) the Senior Medical Officer, Joint Task Force–Guantanamo Bay, Cuba, has determined that the medical treatment is necessary to prevent death or imminent significant injury or harm to the health of the individual;

(2) based on the recommendation of the Senior Medical Officer, Joint Task Force–Guantanamo Bay, Cuba, the medical treatment is not available to be provided at United States Naval Station, Guantanamo Bay, Cuba, without incurring excessive and unreasonable costs;

(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 subsection; and

(4) except in cases involving the especially immediate need for the provision of medical treatment to prevent death or imminent significant injury or harm to the health of the individual, the estimated aggregate cost of providing the individual medical treatment in a Department of Defense medical facility in the United States (including the cost of transferring and securing the individual in such facility during any period in which the individual is temporarily in the United States for treatment and the cost of treatment) would be less than the estimated cost of providing the individual such medical treatment at United States Naval Station, Guantanamo Bay.

(b) NOTICE TO CONGRESS REQUIRED BEFORE TRANSFER.—

(1) IN GENERAL.—In addition to the requirements in subsection (a), an individual may not be temporarily transferred under the authority in that subsection unless the Secretary of Defense submits to the appropriate committees of Congress the notice described in paragraph (2)—

(A) not later than 30 days before the date of the proposed transfer; or

(B) if notice cannot be provided in accordance with subparagraph (A) because of an especially immediate need for the provision of medical treatment to prevent death or imminent significant injury or harm to the health of the individual, as soon as is practicable, but not later than 5 days after the date of transfer.

(2) NOTICE ELEMENTS.—The notice on the transfer of an individual under this subsection shall include the following:

(A) A statement of the basis for the determination that the transfer is necessary to prevent death or imminent significant injury or harm to the health of the individual.

(B) The specific Department of Defense medical facility that will provide medical treatment to the individual.

(C) A description of the actions the Secretary determines have been taken, or will be taken, to address any risk to the public safety that could arise in connection with the provision of medical treatment to the individual in the United States.

(c) 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 by another official of the Department of Defense at the level of Under Secretary of Defense or higher.

(d) 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 that—

(A) the individual is medically cleared to travel; and

(B) in consultation with the Commander, Joint Task Force–Guantanamo Bay, Cuba, any necessary follow-up medical care may reasonably be provided the individual at United States Naval Station, Guantanamo Bay, Cuba.

(e) 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, Cuba; 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, Cuba, pursuant to the Authorization for Use of Military Force (Public Law 107–40), as determined in accordance with applicable law and regulations..

(f) JUDICIAL REVIEW PRECLUDED.—

(1) NO CREATION OF ENFORCEABLE RIGHTS.—Nothing in this section is intended to create any enforceable right or benefit, or any claim or cause of action, by any party against the United States, or any other person or entity.

(2) LIMITATION ON JUDICIAL REVIEW.—Except as provided in paragraph (3), no court, justice, or judge shall have jurisdiction to hear or consider any claim or action against the United States or its agents relating to any aspect of the detention, transfer, treatment, or conditions of confinement of an individual transferred under this section.

(3) HABEAS CORPUS.—

(A) JURISDICTION.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to consider an application for writ of habeas corpus challenging the fact or duration of detention and seeking release from custody filed by or on behalf of an individual who is in the United States pursuant to a temporary transfer under subsection (a). Such jurisdiction shall be limited to that required by the Constitution with respect to the fact or duration of detention.

(B) SCOPE OF AUTHORITY.—A court order in a proceeding covered by paragraph (3) may not—

(i) review, halt, or stay the return of the individual who is the object of the application to United States Naval Station, Guantanamo Bay, Cuba, including pursuant to subsection (d); or

(ii) order the release of the individual within the United States.

(g) NOTIFICATION.—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives of any temporary transfer of an individual under the authority in subsection (a) not later than 5 days after the transfer of the individual under that authority.

(h) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1035. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO YEMEN OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Notwithstanding any other provision of law, no amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the Republic of Yemen or any entity within Yemen.

SEC. 1036. REPORT ON CURRENT DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, DETERMINED OR ASSESSED TO BE HIGH RISK OR MEDIUM RISK.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees and members of Congress a report, in unclassified form, setting forth a list of the individuals detained at Guantanamo as of the date of the enactment of this Act who have been determined or assessed by Joint Task Force Guantanamo, at any time before the date of the report, to be a high-risk or medium-risk threat to the United States, its interests, or its allies.

(b) ELEMENTS.—The report under subsection (a) shall set forth, for each individual covered by the report, the following:

(1) The name and country of origin.

(2) The date on which first designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(3) Whether, as of the date of the report, currently designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(4) If the designation or assessment changed between the date specified pursuant to paragraph (2) and the date of the report, the year and month in which the designation or assessment changed and the designation or assessment to which changed.

(5) To the extent practicable, without jeopardizing intelligence sources and methods—

(A) prior actions in support of terrorism, hostile actions against the United States or its allies, gross violations of human rights, and other violations of international law; and

(B) any affiliations with al Qaeda, al Qaeda affiliates, or other terrorist groups.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees and members of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate;

(B) the Majority Leader and the Minority Leader of the Senate;

(C) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(D) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1037. REPORT TO CONGRESS ON MEMORANDA OF UNDERSTANDING WITH FOREIGN COUNTRIES REGARDING TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall transmit to the appropriate committees of Congress a report setting forth the written memorandum of understanding between the United States Government and the government of the foreign country concerned regarding each individual detained at Guantanamo who was transferred to a foreign country during the 18-month period ending on the date of the enactment of this Act.

(2) STATEMENT ON LACK OF MOU.—If an individual detained at Guantanamo was transferred to a foreign country during the period described in paragraph (1) and no memorandum of understanding exists between the United States Government and the government of the foreign country regarding such individual, the report under paragraph (1) shall include an unclassified statement of that fact.

(b) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) 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 ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. SEMIANNUAL REPORTS ON USE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND ANY OTHER DEPARTMENT OF DEFENSE OR BUREAU OF PRISONS PRISON OR OTHER DETENTION OR DISCIPLINARY FACILITY IN RECRUITMENT AND OTHER PROPAGANDA OF TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, and every six months thereafter, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to Congress a report on the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes during the six-month period ending on the date of such report. Each report shall include the following:

(1) A description and assessment of the effectiveness of the use of such images and symbols for recruitment and other propaganda purposes.

(2) A description and assessment of the efforts of the United States Government to counter the use of such images and symbols for such purposes and to disseminate accurate information about such facilities.

(b) ADDITIONAL MATERIAL IN FIRST REPORT.—The first report under subsection (a) shall include a description of the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes before the date of the enactment of this Act.

SEC. 1039. EXTENSION AND MODIFICATION OF AUTHORITY TO MAKE REWARDS FOR COMBATING TERRORISM.

(a) EXTENSION OF AUTHORITY TO MAKE REWARDS THROUGH GOVERNMENT PERSONNEL OF ALLIED FORCES.—Subsection (c)(3)(C) of section 127b of title 10, United States Code, is amended by striking ''September 30, 2015'' and inserting ''December 31, 2016''.

(b) MODIFICATION OF REPORTING REQUIREMENTS.—Subsection (f)(2) of such section is amended—

(1) by striking subparagraph (D);

(2) by redesignating subparagraphs (E), (F), and (G), as subparagraphs (D), (E), and (F), respectively; and

(3) in subparagraph (D), as redesignated by paragraph (2), by inserting before the period at the end the following: '', including in which countries the program is being operated''.

(c) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Such section is further amended by adding at the end the following new subsection:

''(h) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Not later than 15 days after the date on which the Secretary designates a country as a country in which an operation or activity of the armed forces is occurring in connection with which rewards may be paid under this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the designation. Each report shall include the following:

''(1) The country so designated.

''(2) The reason for the designation of the country.

''(3) A justification for the designation of the country for purposes of this section.''.

(d) CHANGE OF SECTION HEADING TO REFLECT NAME OF PROGRAM.—

(1) IN GENERAL.—The heading of such section is amended to read as follows:

''§ 127b. Department of Defense Rewards Program''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 127b and inserting the following new item:

''127b. Department of Defense Rewards Program.''.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. ASSISTANCE TO SECURE THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States.

(b) CONCURRENCE IN ASSISTANCE.—Assistance under subsection (a) shall be provided with the concurrence of the Secretary of Homeland Security.

(c) TYPES OF ASSISTANCE AUTHORIZED.—The assistance provided under subsection (a) may include the following:

(1) Deployment of members and units of the regular and reserve components of the

Armed Forces to the southern land border of the United States.

(2) Deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern land border of the United States.

(3) Intelligence analysis support.

(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense is authorized to deploy such materiel and equipment and logistics support as is necessary to ensure the effectiveness of assistance provided under subsection (a).

(e) FUNDING.—Of the amounts authorized to be appropriated for the Department of Defense by this Act, the Secretary of Defense may use up to $75,000,000 to provide assistance under this section.

(f) REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on any provision of assistance under subsection (a) during the 90-day period ending on the date of such report. Each report shall include, for the period covered by such report, the following:

(1) A description of the assistance provided.

(2) A description of the sources and amounts of funds used to provide such assistance.

(3) A description of the amounts obligated to provide such assistance.

SEC. 1042. PROTECTION OF DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) SECRETARY OF DEFENSE AUTHORITY.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2671 the following new section:

''§ 2672. Protection of buildings, grounds, property, and persons

''(a) IN GENERAL.—The Secretary of Defense shall protect the buildings, grounds, and property that are under the jurisdiction, custody, or control of the Department of Defense and the persons on that property.

''(b) OFFICERS AND AGENTS.—(1)(A) The Secretary of Defense may designate military or civilian personnel of the Department of Defense as officers and agents to perform the functions of the Secretary under subsection (a), including, with regard to civilian officers and agents, duty in areas outside the property specified in that subsection to the extent necessary to protect that property and persons on that property.

''(B) A designation under subparagraph (A) may be made by individual, by position, by installation, or by such other category of personnel as the Secretary determines appropriate.

''(C) In making a designation under subparagraph (A) with respect to any category of personnel, the Secretary shall specify each of the following:

''(i) The personnel or positions to be included in the category.

''(ii) Which authorities provided for in paragraph (2) may be exercised by personnel in that category.

''(iii) In the case of civilian personnel in that category—

''(I) which authorities provided for in paragraph (2), if any, are authorized to be exercised outside the property specified in subsection (a); and

''(II) with respect to the exercise of any such authorities outside the property specified in subsection (a), the circumstances under which coordination with law enforcement officials outside of the Department of Defense should be sought in advance.

''(D) The Secretary may make a designation under subparagraph (A) only if the Secretary determines, with respect to the category of personnel to be covered by that designation, that—

''(i) the exercise of each specific authority provided for in paragraph (2) to be delegated to that category of personnel is necessary for the performance of the duties of the personnel in that category and such duties cannot be performed as effectively without such authorities; and

''(ii) the necessary and proper training for the authorities to be exercised is available to the personnel in that category.

''(2) Subject to subsection (h) and to the extent specifically authorized by the Secretary, while engaged in the performance of official duties pursuant to this section, an officer or agent designated under this subsection may—

''(A) enforce Federal laws and regulations for the protection of persons and property;

''(B) carry firearms;

''(C) make arrests—

''(i) without a warrant for any offense against the United States committed in the presence of the officer or agent; or

''(ii) for any felony cognizable under the laws of the United States if the officer or agent has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;

''(D) serve warrants and subpoenas issued under the authority of the United States; and

''(E) conduct investigations, on and off the property in question, of offenses that may have been committed against property under the jurisdiction, custody, or control of the Department of Defense or persons on such property.

''(c) REGULATIONS.—(1) The Secretary of Defense may prescribe regulations, including traffic regulations, necessary for the protection and administration of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property. The regulations may include reasonable penalties, within the limits prescribed in paragraph (2), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property to which they apply.

''(2) A person violating a regulation prescribed under this subsection shall be fined under title 18, imprisoned for not more than 30 days, or both.

''(d) LIMITATION ON DELEGATION OF AUTHORITY.—The authority of the Secretary of Defense under subsections (b) and (c) may be exercised only by the Secretary or the Deputy Secretary of Defense.

''(e) DISPOSITION OF PERSONS ARRESTED.—A person who is arrested pursuant to authority exercised under subsection (b) may not be held in a military confinement facility, other than in the case of a person who is subject to chapter 47 of this title (the Uniform Code of Military Justice).

''(f) FACILITIES AND SERVICES OF OTHER AGENCIES.—In implementing this section, when the Secretary of Defense determines it to be economical and in the public interest, the Secretary may utilize the facilities and services of Federal, State, Indian tribal, and local law enforcement agencies, with the consent of those agencies, and may reimburse those agencies for the use of their facilities and services. Such services of State, Indian tribal, and local law enforcement, including application of their powers of law enforcement, may be provided notwithstanding that the property is subject to the legislative jurisdiction of the United States.

''(g) AUTHORITY OUTSIDE FEDERAL PROPERTY.—For the protection of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property, the Secretary of Defense may enter into agreements with Federal agencies and with State, Indian tribal, and local governments to obtain authority for civilian officers and agents designated under this section to enforce Federal laws and State, Indian tribal, and local laws concurrently with other Federal law enforcement officers and with State, Indian tribal, and local law enforcement officers.

''(h) ATTORNEY GENERAL APPROVAL.—The powers granted pursuant to subsection (b)(2) to officers and agents designated under subsection (b)(1) shall be exercised in accordance with guidelines approved by the Attorney General. Such guidelines may include specification of the geographical extent of property outside of the property specified in subsection (a) within which those powers may be exercised.

''(i) LIMITATION WITH REGARD TO OTHER FEDERAL AGENCIES.—Nothing in this section shall be construed as affecting the authority of the Secretary of Homeland Security to provide for the protection of facilities (including the buildings, grounds, and properties of the General Services Administration) that are under the jurisdiction, custody, or control, in whole or in part, of a Federal agency other than the Department of Defense and that are located off of a military installation.

''(j) COOPERATION WITH LOCAL LAW ENFORCEMENT AGENCIES.—Before authorizing civilian officers and agents to perform duty in areas outside the property specified in subsection (a), the Secretary of Defense shall consult with, and is encouraged to enter into agreements with, local law enforcement agencies exercising jurisdiction over such areas for the purposes of avoiding conflicts of jurisdiction, promoting notification of planned law enforcement actions, and otherwise facilitating productive working relationships.

''(k) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to preclude or limit the authority of any Federal law enforcement agency;

''(2) to restrict the authority of the Secretary of Homeland Security under the Homeland Security Act of 2002 or of the Administrator of General Services, including the authority to promulgate regulations affecting property under the custody and control of that Secretary or the Administrator, respectively;

''(3) to expand or limit section 21 of the Internal Security Act of 1950 (50 U.S.C. 797);

''(4) to affect chapter 47 of this title;

''(5) to restrict any other authority of the Secretary of Defense or the Secretary of a military department; or

''(6) to restrict the authority of the Director of the National Security Agency under section 11 of the National Security Agency Act of 1959 (50 U.S.C. 3609).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 159 of such title is amended by inserting after the item relating to section 2671 the following new item:

''2672. Protection of buildings, grounds, property, and persons.''.

SEC. 1043. STRATEGY TO PROTECT UNITED STATES NATIONAL SECURITY INTERESTS IN THE ARCTIC REGION.

(a) REPORT ON STRATEGY REQUIRED.—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 sets forth an updated military strategy for the protection of United States national security interests in the Arctic region.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of United States military interests in the Arctic region.

(2) A description of operational plans and associated military requirements for the protection of United States national security interests in the Arctic region, including United States citizens, territory, freedom of navigation, and economic and trade interests.

(3) An identification of any operational seams and a plan to enhance unity of effort among the combatant commands with responsibility for the Arctic region.

(4) A description of the security environment in the Arctic region, including the activities of foreign nations operating within the Arctic region.

(5) A description of United States military capabilities required to implement the strategy required by subsection (a).

(6) An identification of any capability gaps and resource gaps, including in installations, infrastructure, and personnel in the Arctic region, that would impact the implementation of the strategy required by subsection (a) or the execution of any associated operational plan, and a mitigation plan to address such gaps.

(7) A plan to enhance military-to-military cooperation with partner nations that have mutual security interests in the Arctic region.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1044. EXTENSION OF LIMITATIONS ON THE TRANSFER TO THE REGULAR ARMY OF AH–64 APACHE HELICOPTERS ASSIGNED TO THE ARMY NATIONAL GUARD.

(a) EXTENSION.—Section 1712 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking ''March 31, 2016'' each place it appears and inserting ''September 30, 2016''.

(b) READINESS OF AIRCRAFT AND PERSONNEL.—Subsection (c) of such section is amended by striking ''fiscal year 2015'' and inserting ''fiscal years 2015 and 2016''.

SEC. 1045. TREATMENT OF CERTAIN PREVIOUSLY TRANSFERRED ARMY NATIONAL GUARD HELICOPTERS AS COUNTING AGAINST NUMBER TRANSFERRABLE UNDER EXCEPTION TO LIMITATION ON TRANSFER OF ARMY NATIONAL GUARD HELICOPTERS.

(a) NOTICE TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report setting forth the number of AH–64D Apache helicopters that have been transferred from the Army National Guard to the original equipment manufacturer for the purpose of remanufacture to the AH–64E Apache helicopter variant.

(b) TREATMENT AS COUNTING AGAINST NUMBER TRANSFERRABLE.—The Secretary of the Army shall treat the number of helicopters specified in the report under subsection (a) as counting against the total number of AH–64 Apache helicopters that may be transferred from the Army National Guard to the regular Army pursuant to subsection (e) of section 1712 of the Carl Levin and Howard B. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3668).

(c) CONSTRUCTION WITH REQUIRED CERTIFICATION.—Nothing in this subsection may be construed to alter or terminate the requirement for a certification by the Secretary of Defense pursuant to subsection (f) of section 1712 of the Carl Levin and Howard B. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 as a precondition for any action under subsection (e) of such section.

SEC. 1046. MANAGEMENT OF MILITARY TECHNICIANS.

(a) CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS TO CIVILIAN POSITIONS.—

(1) IN GENERAL.—The Secretary of Defense shall convert not fewer than 20 percent of the positions described in paragraph (2) as of January 1, 2017, from military technician (dual status) positions to positions filled by individuals who are employed under section 3101 of title 5, United States Code, and are not military technicians.

(2) COVERED POSITIONS.—The positions described in this paragraph are military technician (dual status) positions as follows:

(A) Military technician (dual status) positions identified as general administration, clerical, and office service occupations in the report of the Secretary of Defense under section 519 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 112–81; 125 Stat. 1397).

(B) Such other military technician (dual status) positions as the Secretary shall specify for purposes of this subsection.

(b) PHASED-IN TERMINATION OF ARMY RESERVE, AIR FORCE RESERVE, AND NATIONAL GUARD NON-DUAL STATUS TECHNICIANS.—

(1) IN GENERAL.—Section 10217 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) PHASED-IN TERMINATION OF POSITIONS.—(1) No individual may be newly hired or employed, or rehired or reemployed, as a non-dual status technician for the purposes of this section after December 31, 2016.

''(2) Commencing January 1, 2017, the maximum number of non-dual status technicians employable by the Army Reserve and by the Air Force Reserve shall be reduced from the number otherwise provided by subsection (c)(1) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the Army Reserve or the Air Force Reserve, as the case may be, after such date until the maximum number of non-dual status technicians employable by the Army Reserve or the Air Force Reserve, as the case may be, is zero.

''(3) Commencing January 1, 2017, the maximum number of non-dual status technicians employable by the National Guard shall be reduced from the number otherwise provided by subsection (c)(2) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the National Guard after such date until the maximum number of non-dual status technicians employable by the National Guard is zero.

''(4) Any individual newly hired or employed, or rehired or employed, to a position required to be filled by reason of the amendment made by paragraph (1) shall be an individual employed in such position under section 3101 of title 5, and may not be a military technician.

''(5) Nothing in this subsection shall be construed to terminate the status as a non-dual status technician under this section after December 31, 2016, of any individual who is a non-dual status technician for the purposes of this section on that date.''.

(2) REPORT ON PHASED-IN TERMINATIONS.—Not later than February 1, 2016, the Secretary of Defense shall submit to Congress a report setting forth a plan for implementing the amendment made by paragraph (1).

SEC. 1047. SENSE OF CONGRESS ON CONSIDERATION OF THE FULL RANGE OF DEPARTMENT OF DEFENSE MANPOWER WORLDWIDE IN DECISIONS ON THE PROPER MIX OF MILITARY, CIVILIAN, AND CONTRACTOR PERSONNEL TO ACCOMPLISH THE NATIONAL DEFENSE STRATEGY.

It is the sense of Congress that, as the Department of Defense makes decisions on military end strength requests, proper sizing of the civilian workforce, and the proper mix of these sources of manpower with contractor personnel to accomplish the National Defense Strategy, the Secretary of Defense should consider the full range of manpower available to the Secretary in all locations worldwide in order to arrive at the proper mix and size of manpower to accomplish that Strategy without arbitrarily protecting or exempting any particular group or location of manpower.

SEC. 1048. SENSE OF SENATE ON THE UNITED STATES MARINE CORPS.

(a) FINDINGS.—The Senate makes the following findings:

(1) As senior United States statesmen Dr. Henry Kissinger wrote in testimony submitted to the Committee on Armed Services of the Senate on January 29, 2015, ''[t]he United States has not faced a more diverse and complex array of crises since the end of the Second World War.''.

(2) The rise of committed, non-state forces and near peer competitors has introduced destabilizing pressures around the globe.

(3) Advances in information and weapons technology have reduced the time available for the United States to prepare for a respond to crises against either known or unknown threats.

(4) The importance of the maritime domain cannot be overstated. As acknowledged in the March 2015 Navy, Marine Corps, and Coast Guard maritime strategy entitled ''A Cooperative Strategy for 21st Century Seapower: Forward, Engaged, Ready'', ''[o]ceans are the lifeblood of the interconnected global community. . .90 percent of trade by volume across the oceans. Approximately 70 percent of the world's population lives within 100 miles of the coastline''.

(5) In this global security environment, it is critical that the United States possess a maritime forces whose mission and ethos is readiness, a fight tonight force, forward deployed, that can respond immediately to emergent crises across the full range of military operations around the globe either from the sea or home station.

(6) The need for such forces was recognized by the 82nd Congress during the Korean War, when it mandated a core mission for the Nation's leanest force, the Marine Corps, to be most ready when the nation is least ready.

(7) In recognition of this continued need and the wisdom of the 82nd Congress, the Senate reaffirms section 5063 of title 10, United States Code, uniquely charging the United States Marine Corps with this responsibility.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Marine Corps, within the Department of the Navy, should remain the Nation's expeditionary, crisis response force; and

(2) as provided in section 5063 of title 10, United States Code, the Marine Corps should—

(A) be organized to include no less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic to it;

(B) be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign; and

(C) provide detachments and organizations for service on armed vessels of the Navy, provide security detachments for the protection of naval property at naval stations and bases, and perform such other duties as the President may direct;

(D) develop, in coordination with the Army and the Air Force, those phases of amphibious operations that pertain to the tactics, techniques, and equipment used by landing forces; and

(E) be responsible, in accordance with the integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

Subtitle F—Studies and Reports

SEC. 1061. REPEAL OF REPORTING REQUIREMENTS.

(a) REPORTS UNDER TITLE 10, UNITED STATES CODE.—

(1) ANNUAL REPORT ON GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.—Section 974(d) of title 10, United States Code, is amended by striking paragraph (3).

(2) BIENNIAL REPORT ON SPACE SCIENCE AND TECHNOLOGY STRATEGY.—Section 2272(a) of title 10, United States Code, is amended by striking paragraph (5).

(3) ANNUAL REPORT ON PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—Section 2374a of title 10, United States Code, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(b) REPORTS UNDER PUBLIC LAW 113–66.—

(1) REPORTS ON USE OF TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DOD RESEARCH AND ENGINEERING FACILITIES.—Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 2358 note) is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(2) ANNUAL REPORT ON ADVANCING SMALL BUSINESS GROWTH.—Section 1611 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 946) is amended by striking subsection (d).

(c) REPORTS UNDER PUBLIC LAW 112–239.—

(1) ANNUAL REPORTS ON QUALITY ASSURANCE PROGRAMS FOR MEDICAL EVALUATION BOARDS AND PHYSICIAN EVALUATION BOARDS AND RELATED PERSONNEL.—Section 524 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1723; 10 U.S.C. 1222 note) is amended by striking subsection (c).

(2) ANNUAL IMPACT STATEMENT ON NUMBER OF MEMBERS IN INTEGRATED DISABILITY EVALUATION SYSTEM ON READINESS REQUIREMENTS.—Section 528 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1725) is repealed.

(3) SENSE OF CONGRESS ON NOTICE ON UNFUNDED PRIORITIES.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1903) is repealed.

(d) ANNUAL UPDATES ON IMPLEMENTATION PLAN FOR WHOLE-OF-GOVERNMENT VISION PRESCRIBED IN THE NATIONAL SECURITY STRATEGY.—Section 1072 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1592; 50 U.S.C. 3043 note) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(e) REPORTS UNDER PUBLIC LAW 111–383.—

(1) REPORTS ON DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.—Section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4366; 10 U.S.C. 2359 note) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(2) REPORT ON TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.—Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (124 Stat. 4426) is amended by striking paragraph (6).

(f) ANNUAL REPORT ON THE ELECTRONIC WARFARE STRATEGY OF THE DEPARTMENT OF DEFENSE.—Section 1053 of National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2458) is repealed.

(g) REPORTS UNDER PUBLIC LAW 110–417.—

(1) MITIGATION OF POWER OUTAGE RISKS FOR DEPARTMENT OF DEFENSE FACILITIES AND ACTIVITIES.—Section 335 of the Duncan Hunter Nation Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4422; 10 U.S.C. 2911 note) is amended by striking subsection (c).

(2) UPDATES OF INCREASES IN NUMBER OF UNITS OF JROTC.—Section 548 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4466) is amended by striking subsection (e).

(3) ANNUAL REPORTS ON CENTER OF EXCELLENCE ON TRAUMATIC EXTREMITY INJURIES AND AMPUTATIONS.—Section 723 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4508) is amended by striking (d).

(4) SEMI-ANNUAL REPORT ON STATUS OF NAVY NEXT GENERATION ENTERPRISE NETWORKS PROGRAM.—Section 1034 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4593) is hereby repealed.

(h) REPORTS UNDER PUBLIC LAW 110–181.—

(1) BIENNIAL UPDATE OF STRATEGIC MANAGEMENT PLAN.—Section 904(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 275) is amended by striking paragraph (3).

(2) REPORTS ON ACCESS OF RECOVERING SERVICEMEMBERS TO ADEQUATE OUTPATIENT RESIDENTIAL FACILITIES.—Section 1662 of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 479; 10 U.S.C. 1071 note) is amended—

(A) by striking ''(a) REQUIRED INSPECTIONS OF FACILITIES.—''; and

(B) by striking subsection (b).

(i) REPORTS UNDER PUBLIC LAW 109–364.—

(1) ROADMAPS AND REPORTS ON HYPERSONICS DEVELOPMENT.—Section 218 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (10 U.S.C. 2358 note) is amended—

(A) in subsection (d), by striking paragraph (4); and

(B) by striking subsection (f).

(2) UPDATES OF ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES EXPERIENCING GROWTH IN ENROLLMENT DUE TO FORCE STRUCTURE CHANGE AND OTHER CIRCUMSTANCES.—Section 574 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(3) ANNUAL REPORT ON OVERHAUL, REPAIR, AND MAINTENANCE OF VESSELS UNDER ACQUISITION POLICY ON OBTAINING CARRIAGE BY VESSEL.—Section 1017 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2379) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(j) REPORTS ON ANNUAL REVIEW OF ROLES AND MISSIONS OF THE RESERVE COMPONENTS.—Section 513(h) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1882; 10 U.S.C. 10101 note) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(k) ANNUAL SUBMITTAL OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.—Section 351 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 221 note) is hereby repealed.

(l) REPORTS ON EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking subsection (g).

SEC. 1062. TERMINATION OF REQUIREMENT FOR SUBMITTAL TO CONGRESS OF REPORTS REQUIRED OF THE DEPARTMENT OF DEFENSE BY STATUTE.

(a) TERMINATION.—Effective on the date that is two years after the date of the enactment of this Act, each report described in subsection (b) that is still required to be submitted to Congress as of such effective date shall no longer be required to be submitted to Congress.

(b) COVERED REPORTS.—A report described in this subsection is a report that is required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code, and any annual national defense authorization Act) as of April 1, 2015.

SEC. 1063. ANNUAL SUBMITTAL TO CONGRESS OF MUNITIONS ASSESSMENTS.

Not later than March 1, 2016, and each year thereafter, the Secretary of Defense shall submit to the congressional defense committees each of the following:

(1) The most current Munitions Assessments, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense munitions process.

(2) The most current Sufficiency Assessments, as defined by that Department of Defense Instruction.

(3) The most current approved memorandum of the Joint Requirements Oversight Council resulting from the Munitions Requirements Process (MRP).

SEC. 1064. POTENTIAL ROLE FOR UNITED STATES GROUND FORCES IN THE PACIFIC THEATER.

(a) GENERAL ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive operational assessment of a potential future role for United States ground forces in the island chains of the western Pacific in creating anti-access and area denial capabilities in cooperation with host nations in order to deter and defeat aggression in the western Pacific region.

(2) CAPABILITIES TO BE EXAMINED.—In conducting the assessment, the Secretary and the Chairman shall assess the feasibility and potential effectiveness of the deployment by United States ground forces, jointly with host nations, of the following:

(A) Anti-ship mines and mobile missiles as a means of neutralizing adversary naval forces, including amphibious forces, and inhibiting their movement, and protecting the shores of host nations and friendly naval forces and supply operations.

(B) Mobile air defense surveillance and missile systems to protect host-nation territory and ground, naval, and air forces, and to deny access to defended airspace by adversaries.

(C) Electronic warfare capabilities to support air and naval operations.

(D) Hardened ground-based communications capabilities for host-nation defense and for augmentation and extension of naval, air, and satellite communications.

(E) Maneuver forces to assist in host-nation defense, deny access to adversaries, and provide security for air and naval deployments.

(b) GEOPOLITICAL IMPACT OF ENHANCED GROUND FORCE ROLE.—The Secretary and the Chairman shall also jointly assess the potential geopolitical impact on the United States

posture in the Pacific theater of a strategy of long-term engagement by United States ground forces with the island nations of the western Pacific to enhance United States strategic relationships with potential partners in the region.

(c) TYPES OF ANALYSES TO BE CONDUCTED.—The Secretary and the Chairman shall conduct the assessment required by subsection (a) using operations research methods and war gaming, in addition to historical analysis of the use of ground forces by the United States and Japan in the Pacific theater during World War II.

(d) RESOURCES.—In conducting the assessment required by subsection (a), the Secretary and the Chairman shall use the following, as appropriate:

(1) The United States Pacific Command.

(2) The Joint Requirements and Analysis Division and the war gaming resources of the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate of the Joint Staff, augmented as necessary and appropriate from the war colleges of the military departments.

(3) The Office of Net Assessment.

(4) Appropriate Federally funded research and development centers (FFRDCs).

(e) COMPLETION DATE.—The assessments required by this section shall be completed not later than one year after the date of the enactment of this Act

(f) BRIEFING OF CONGRESS.—Upon the completion of the assessments required by this section, the Secretary and the Chairman shall provide a briefing on the assessments to—

(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.

Subtitle G—Other Matters

SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of such subtitle, are each amended by striking the item relating to chapter 19 and inserting the following new item:

"19. Cyber Matters ..... 391".

(2) The heading of section 130e is amended to read as follows:

"§ 130e. Treatment under Freedom of Information Act of certain critical infrastructure security information".

(3) The heading of section 153(a)(5) is amended to read as follows: ''JOINT FORCE DEVELOPMENT ACTIVITIES.—''.

(4) The table of sections at the beginning of chapter 19 is amended by striking the item relating to section 391 and inserting the following new item:

''391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.''.

(5) The table of sections at the beginning of subchapter I of chapter 21 is amended by inserting after the item relating to section 429 the following new item:

''430. Tactical exploitation of national capabilities executive agent.''.

(6) Section 2006a is amended—

(A) in subsection (a), by striking ''August, 1'' and inserting ''August 1''; and

(B) by striking ''the such program or authorities'' and inserting ''the program''.

(7) Sections 2222(j)(5), 2223(c)(3), and 2315 are each amended by striking ''section 3552(b)(5)'' and inserting ''section 3552(b)(6)''.

(8) Section 2229(d)(1) is amended by striking ''certification'' and inserting ''a certification''.

(9) Section 2679, as transferred, redesignated, and amended by section 351 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3346), is amended in subsection (a)(1) by striking ''with'' before '', on a sole source''.

(10) Section 2684(d)(1) is amended by striking ''section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a))'' and inserting ''section 302101 of title 54''.

(11) Section 2687a(d)(2) is amended by inserting ''fair market'' before ''value''.

(12) Section 2926, as added and amended by section 901(g) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3464), is amended in subsections (a), (b), (c), and (d) by striking ''for Installations, Energy,'' each place it appears and inserting ''for Energy, Installations,''.

(13) Section 9314a(b) is amended by striking ''only so long at'' and inserting ''only so long as''.

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Effective as of December 19, 2014, and as if included therein as enacted, the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended as follows:

(1) Section 351(b)(1) (128 Stat. 3346) is amended by striking the period at the end of subparagraph (C) and inserting ''; and''.

(2) Section 901(g)(1)(F) (128 Stat. 3465) is amended by inserting ''paragraph (4) of'' before ''subsection (b) of section 2926''.

(3) Section 1072(a)(2) (128 Stat. 3516) is amended by inserting ''in the table of sections'' before ''at the beginning of''.

(4) Section 1079(a)(1) (128 Stat. 3561) is amended by striking ''section 12102 of title 42, United States Code'' and inserting ''section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)''.

(5) Section 1104(b)(2) (128 Stat. 3526) is amended by striking ''paragraph (2)'' and inserting ''paragraph (1)(A)''.

(6) Section 1208 (128 Stat. 3551) is amended by striking ''of Fiscal Year'' each place it appears and inserting ''for Fiscal Year''.

(7) Section 2803(a) (128 Stat. 3696) is amended in paragraph (2) of the subsection (f) being added by the amendment to be made by that section by inserting ''section'' before ''1105 of title 31''.

(8) Section 2832(c)(3) (128 Stat. 3704) is amended by striking ''United State Code'' and inserting ''United States Code''.

(9) Section 3006(i) (128 Stat. 3744) is amended—

(A) in paragraph (1), by striking ''Section 8'' and inserting ''Section 18''; and

(B) in paragraph (2), by striking ''S1/2 N1/2 SE'' and inserting ''S1/2 N1/2 SE1/4''.

(10) Section 3023 (128 Stat. 3762) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(B) in paragraph (2), as so redesignated, in the matter being added by subparagraph (C)—

(i) by inserting ''has been waived,'' after ''expired,''; and

(ii) by striking ''the permit or lease required'' and inserting ''the allotment management plan, permit, or lease required'';

(C) in paragraph (4), as so redesignated, in the matter being added as subsection (h)(1)—

(i) by striking ''a grazing permit or lease'' in the matter preceding subparagraph (A) of such subsection and inserting ''an allotment management plan or grazing permit or lease'';

(ii) in subparagraph (A) of such subsection, by striking ''permit or lease'' and inserting ''allotment management plan, permit, or lease''; and

(iii) in subparagraph (B)(i) of such subsection, by striking ''lease or permit'' and inserting ''allotment management plan, permit, or lease''; and

(D) by inserting before paragraph (2), as so redesignated, the following new paragraph:

''(1) in subsection (a), by striking 'by the Secretary of Agriculture, with respect to lands within National Forests in the sixteen contiguous Western States' and inserting 'on National Forest System land by the Secretary of Agriculture (notwithstanding, for purposes of this section, the definition in section 103(p))';''.

(11) Section 3024 (16 U.S.C. 6214; 128 Stat. 3764) is amended—

(A) in subsection (e), by inserting before the period at the end the following: ''report using National Median Price values''; and

(B) in subsection (f)(3)—

(i) in subparagraph (A), by striking ''by regulation establish criteria pursuant to which the annual fee determined in accordance with this section may be suspended or reduced temporarily'' and inserting ''provide for suspension or reduction temporarily of the annual fee determined in accordance with this section''; and

(ii) in subparagraph (B), by striking ''by regulation''.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Section 1709(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 962; 10 U.S.C. 113 note) is amended—

(1) by striking ''RETALIATION AND PERSONNEL ACTION DESCRIBED.—'' and all that follows through ''For purposes of the'' and inserting ''RETALIATION DESCRIBED.—For purposes of the'';

(2) by striking ''at a minimum—'' and that follows through ''ostracism'' and inserting ''at a minimum ostracism''; and

(3) by striking paragraph (2).

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 943(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578) by striking the second period at the end of the first sentence.

(e) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005.—Section 1208(f)(2) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as amended by section 1202(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 363) and section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat 2512), is further amended—

(1) by redesignating the paragraphs (1) through (8) added by section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat 2512) as subparagraphs (A) through (H), respectively; and

(2) by moving the margins of such subparagraphs, as so redesignated, two ems to the right.

(f) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1082. AUTHORITY TO PROVIDE TRAINING AND SUPPORT TO PERSONNEL OF FOREIGN MINISTRIES OF DEFENSE.

(a) AUTHORITY.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 168 note), as amended by section 1047 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further 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) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—

''(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, carry out a program to provide training and associated training support services to personnel of foreign ministries of defense (or ministries with security force oversight) or regional organizations with security missions—

''(A) for the purpose of—

''(i) enhancing civilian oversight of foreign security forces;

''(ii) establishing responsible defense governance and internal controls in order to help build effective, transparent, and accountable defense institutions;

''(iii) assessing organizational weaknesses and establishing a roadmap for addressing shortfalls; and

''(iv) enhancing ministerial, general or joint staff, or service level core management competencies; and

''(B) for such other purposes as the Secretary considers appropriate, consistent with the authority in subsection (a).

''(2) NOTICE TO CONGRESS.—Each fiscal year quarter, the Secretary of Defense shall submit to the appropriate committees of Congress a report on activities under the program under paragraph (1) during the preceding fiscal year quarter. Each report shall include, for the fiscal year quarter covered by such report, the following:

''(A) A list of activities under the program.

''(B) A list of any organization described in paragraph (1) to which the Secretary assigned employees under the program, including the number of such employees so assigned, the duration of each assignment, a brief description of each assigned employee's activities, and a statement of the cost of each assignment.

''(C) A comprehensive justification of any activities conducted pursuant to paragraph (1)(B).''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''MINISTRY OF DEFENSE ADVISOR'' before ''AUTHORITY'';

(2) in subsections (d) and (e), as redesignated by subsection (a)(1) of this section, by striking ''the Committees on Armed Services and Foreign Relations of the Senate and the Armed Services and Foreign Affairs of the House of Representatives'' and inserting ''the appropriate committees of Congress''; and

(3) by adding at the end the following new subsection:

''(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term 'appropriate committees of Congress' means—

''(1) the Committees on Armed Services and Foreign Relations of the Senate; and

''(2) the Committees on Armed Services and Foreign Affairs of the House of Representatives.''.

(c) CONFORMING AMENDMENT TO SECTION HEADING TO REFLECT NAME OF PROGRAM.—The heading of such section is amended to read as follows:

''SEC. 1081. DEFENSE INSTITUTION CAPACITY BUILDING PROGRAM.''.

SEC. 1083. EXPANSION OF OUTREACH FOR VETERANS TRANSITIONING FROM SERVING ON ACTIVE DUTY.

(a) EXPANSION OF PILOT PROGRAM.—Subsection (c)(2) of section 5 of the Clay Hunt Suicide Prevention for American Veterans Act (Public Law 114–2; 38 U.S.C. 1712A note) is amended—

(1) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) conducts outreach to individuals transitioning from serving on active duty in the Armed Forces who are participating in the Transition Assistance Program of the Department of Defense or other similar transition programs to inform such individuals of the community oriented veteran peer support network under paragraph (1) and other support programs and opportunities that are available to such individuals.''.

(b) INCLUSION OF INFORMATION IN INTERIM REPORT.—Subsection (d)(1) of such section is amended—

(1) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) the number of veterans who—

''(i) received outreach from the Department of Veterans Affairs while serving on active duty as a member of the Armed Forces; and

''(ii) participated in a peer support program under the pilot program for veterans transitioning from serving on active duty.''.

SEC. 1084. MODIFICATION OF CERTAIN REQUIREMENTS APPLICABLE TO MAJOR MEDICAL FACILITY LEASE FOR A DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC IN TULSA, OKLAHOMA.

Section 601(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 128 Stat. 1793) is amended—

(1) by striking out ''IN TULSA.—'' and all that follows through ''In carrying out'' and inserting ''IN TULSA.—In carrying out'';

(2) by striking paragraph (2);

(3) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively, and adjusting the indentation of the margin of such paragraphs, as so redesignated, two ems to the left;

(4) in paragraph (1), as so redesignated, by striking ''140,000 gross square feet'' and inserting ''140,000 net usable square feet'';

(5) in paragraph (2), as so redesignated, by striking ''not more than the average'' and all that follows and inserting ''not more than the average of equivalent medical facility leases executed by the Department of Veterans Affairs over the last five years, plus 20 percent;''; and

(6) in paragraph (5), as so redesignated, by striking ''30-year life cycle'' and inserting ''20-year life cycle''.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. REQUIRED PROBATIONARY PERIOD FOR NEW EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) REQUIRED PROBATIONARY PERIOD.—

(1) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1599e. Probationary period for employees

''(a) IN GENERAL.—Notwithstanding sections 3321 and 3393(d) of title 5, the appointment of a covered employee shall become final only after such employee has served a probationary period of two years. The Secretary of the military department concerned may extend a probationary period under this subsection at the discretion of such Secretary.

''(b) COVERED EMPLOYEE DEFINED.—In this section, the term 'covered employee' means any individual—

''(1) appointed to a permanent position within the competitive service at the Department of Defense; or

''(2) appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department.

''(c) EMPLOYMENT BECOMES FINAL.—Upon the expiration of a covered employee's probationary period under subsection (a), the supervisor of the employee shall determine whether the appointment becomes final based on regulations prescribed for such purpose by the Secretary.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by adding at the end the following new item:

''1599e. Probationary period for employees.''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply to any covered employee (as that term is defined in section 1599e of title 10, United States Code, as added by such subsection) appointed after the date of the enactment of this section.

(c) CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3321(c)—

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

(B) by inserting at the end before the period the following: '', or any individual covered by section 1599e of title 10''; and

(2) in section 3393(d), by adding at the end the following: ''The preceding sentence shall not apply to any individual covered by section 1599e of title 10.''.

SEC. 1102. DELAY OF PERIODIC STEP INCREASE FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE BASED UPON UNACCEPTABLE PERFORMANCE.

(a) DELAY.—Under procedures established by the Secretary of Defense, upon a determination by the Secretary that the work of an employee is not at an acceptable level of competence, the period of time during which the work of the employee is not at an acceptable level of competence shall not count toward completion of the period of service required for purposes of subsection (a) of section 5335 of title 5, United States Code, or subsection (e)(1) or (e)(2) of section 5343 of such title.

(b) APPLICABILITY TO PERIODS OF SERVICE.—Subsection (a) shall not apply with respect to any period of service performed before the date of the enactment of this Act.

SEC. 1103. PROCEDURES FOR REDUCTION IN FORCE OF DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL.

Section 1597 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) REDUCTIONS BASED PRIMARILY ON PERFORMANCE.—The Secretary of Defense shall establish procedures to provide that, in implementing any reduction in force for civilian positions in the Department of Defense in the competitive service or the excepted service, the determination of which employees shall be separated from employment in the Department shall be made primarily on the basis of performance, as determined under any applicable performance management system.''.

SEC. 1104. UNITED STATES CYBER COMMAND WORKFORCE.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1599e. United States Cyber Command recruitment and retention

''(a) GENERAL AUTHORITY.—(1) The Secretary of Defense may—

''(A) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the United States Cyber Command including—

''(i) staff of the headquarters of the United States Cyber Command provided to the Command by the Air Force;

''(ii) elements of the United States Cyber Command enterprise relating to cyberspace operations;

''(iii) elements of the United States Cyber Command provided by the armed forces; and

''(iv) positions formerly identified as—

''(I) senior level positions designated under section 5376 of title 5; and

''(II) positions in the Senior Executive Service;

''(B) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

''(C) subject to the requirements of subsections (b) and (c), fix the compensation of an individual for service in a qualified position.

''(2) The authority of the Secretary under this subsection applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

''(b) BASIC PAY.—(1) In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under subsection (a)—

''(A) in relation to the rates of pay provided for employees in comparable positions in the Department, in which the incumbent performs, manages, or supervises functions that execute the cyber mission of the Department; and

''(B) subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

''(2) The Secretary may—

''(A) consistent with section 5341 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay; and

''(B) apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of such title.

''(c) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—(1) The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5.

''(2) An employee in a qualified position whose rate of basic pay is fixed under subsection (b)(1) shall be eligible for an allowance under section 5941 of title 5 on the same basis and to the same extent as if the employee was an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

''(d) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this section.

''(e) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in subsection (a) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

''(f) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

''(g) ANNUAL REPORT.—(1) Not later than one year after the date of the enactment of this section and not less frequently than once each year thereafter until the date that is five years after the date of the enactment of this section, the Director of the Office of Personnel Management, in coordination with the Secretary, shall submit to the appropriate committees of Congress a detailed report on the administration of this section during the most recent one-year period.

''(2) Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

''(A) A discussion of the process used in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position.

''(B) A description of the following:

''(i) How the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions.

''(ii) The measures that will be used to measure progress.

''(iii) Any actions taken during the reporting period to fulfill such critical need.

''(C) A discussion of how the planning and actions taken under subparagraph (B) are integrated into the strategic workforce planning of the Department.

''(D) The metrics on actions occurring during the reporting period, including the following:

''(i) The number of employees in qualified positions hired, disaggregated by occupation, grade, and level or pay band.

''(ii) The placement of employees in qualified positions, disaggregated by directorate and office within the Department.

''(iii) The total number of veterans hired.

''(iv) The number of separations of employees in qualified positions, disaggregated by occupation and grade and level or pay band.

''(v) The number of retirements of employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

''(vi) The number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

''(E) A description of the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

''(h) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be three years.

''(i) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—(1) An individual serving in a position on the date of enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

''(2) After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

''(j) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(2) The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5.

''(3) The term 'excepted service' has the meaning given that term in section 2103 of title 5.

''(4) The term 'preference eligible' has the meaning given that term in section 2108 of title 5.

''(5) The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the United States Cyber Command relating to cyber operations.

''(6) The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5.''.

(b) CONFORMING AMENDMENT.—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii), by inserting ''or'' after the semicolon; and

(3) by inserting after clause (iii) the following new clause:

''(iv) any position established as a qualified position in the excepted service by the Secretary of Defense under section 1599e of title 10;''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of title 10, United States Code, is amended by inserting after the item relating to section 1599d the following new item:

''1599e. United States Cyber Command recruitment and retention.''.

SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2016, section 1101(a) 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 1101 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended by striking ''through 2015'' and inserting ''through 2016''.

SEC. 1106. FIVE-YEAR EXTENSION OF EXPEDITED HIRING AUTHORITY FOR DESIGNATED DEFENSE ACQUISITION WORKFORCE POSITIONS.

Section 1705(g)(2) of title 10, United States Code, is amended by striking ''September 30, 2017'' and inserting ''September 30, 2022''.

SEC. 1107. ONE-YEAR EXTENSION OF DISCRETIONARY 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 1102 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended by striking ''2016'' and inserting ''2017''.

SEC. 1108. EXTENSION OF RATE OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking ''September 30, 2015'' and inserting ''September 30, 2017''.

SEC. 1109. EXPANSION OF TEMPORARY AUTHORITY TO MAKE DIRECT APPOINTMENTS OF CANDIDATES POSSESSING BACHELOR'S DEGREES TO SCIENTIFIC AND ENGINEERING POSITIONS AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) EXPANSION.—Section 1107(c)(1) of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 2358 note) is amended by striking ''3 percent'' and inserting ''5 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to appointments of candidates under section 1107(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 on or after that date.

SEC. 1110. EXTENSION OF AUTHORITY FOR THE CIVILIAN ACQUISITION WORKFORCE PERSONNEL DEMONSTRATION PROJECT.

(a) EXTENSION.—Section 1762(g) of title 10, United States Code, is amended by striking ''September 30, 2017'' and inserting ''December 31, 2020''.

(b) TECHNICAL AMENDMENT.—Such section is further amended by striking ''demonstration program'' and inserting ''demonstration project''.

SEC. 1111. PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to assess the feasability and advisability of the use of the authorities specified in subsection (b) at the Department of Defense laboratories specified in subsection (c) to permit the directors of such laboratories to dynamically shape the mix of technical skills and expertise in the workforces of such laboratories in order to achieve one or more of the following:

(1) To meet organizational and Department-designated missions in the most cost-effective and efficient manner.

(2) To upgrade and enhance the scientific quality of the workforces of such laboratories.

(3) To shape such workforces to better respond to such missions.

(4) To reduce the average unit cost of such workforces.

(b) WORKFORCE SHAPING AUTHORITIES.—The authorities that may be used by the director of a Department of Defense laboratory under the pilot program are the following:

(1) FLEXIBLE LENGTH AND RENEWABLE TERM TECHNICAL APPOINTMENTS.—

(A) IN GENERAL.—Subject to the provisions of this paragraph, authority otherwise available to the director by law (and within the available budgetary resources of the laboratory) to appoint qualified scientific and technical personnel who are not currently 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.

(B) BENEFITS.—Personnel appointed under this paragraph shall be provided with benefits comparable to those provided to similar employees at the laboratory concerned, including professional development opportunities, eligibility for all laboratory awards programs, and designation as ''status applicants'' for the purposes of eligibility for positions in the Federal service.

(C) EXTENSION OF APPOINTMENTS.—The appointment of any individual under this paragraph may be extended at any time during any term of service of the individual under this paragraph for an additional period of up to six years under such conditions as the director concerned shall establish for purposes of this paragraph.

(D) CONSTRUCTION WITH CERTAIN LIMITATION.—For purposes of determining the workforce size of a laboratory in connection with compliance with section 955 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1896; 10 U.S.C. 129a note), any individual serving in an appointment under this paragraph shall be treated as a fractional employee of the laboratory, which fraction is—

(i) the current term of appointment of the individual under this paragraph; divided by

(ii) the average length of tenure of a career employee at the laboratory, as calculated at the end of the last fiscal year ending before the date of the most recent appointment or extension of the individual under this paragraph.

(2) REEMPLOYMENT OF ANNUITANTS.—Authority to reemploy annuitants in accordance with section 9902(g) of title 5, United States Code, except that as a condition for reemployment the director may authorize the deduction from the pay of any annuitant so reemployed of an amount up to the amount of the annuity otherwise payable to such annuitant allocable to the period of actual employment of such annuitant, which amount shall be determined in a manner specified by the director for purposes of this paragraph to ensure the most cost effective execution of designated missions by the laboratory while retaining critical technical skills.

(3) EARLY RETIREMENT INCENTIVES.—Authority to authorize voluntary early retirement of employees in accordance with section 8336 of title 5, United States Code, without regard to section 8336(d)(2)(D) or 3522 of such title, and with employees so separated voluntarily from service under regulations prescribed by the Secretary of Defense for purposes of the pilot program.

(4) SEPARATION INCENTIVE PAY.—Authority to pay voluntary separation pay to employees in accordance with section 8414(b)(1)(B) of title 5, United States Code, without regard to clause (iv) or (v) of such section or section 3522, of such title, and with—

(A) employees so separated voluntarily from service under regulations prescribed by the Secretary of Defense for purposes of the pilot program; and

(B) payments to employees so separated authorized under section 3523 of such title without regard to—

(i) the plan otherwise required by section 3522 of such title; and

(ii) paragraph (1) or (3) of section 3523(b) of such title.

(c) LABORATORIES.—The Department of Defense laboratories specified in this subsection are the laboratories specified in section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10 U.S.C. 2358 note).

(d) EXPIRATION.—

(1) IN GENERAL.—The authority in this section shall expire on December 31, 2023.

(2) CONTINUATION OF AUTHORITIES EXERCISED BEFORE TERMINATION.—The expiration in paragraph (1) shall not be construed to effect the continuation after the date specified in paragraph (1) of any term of employment or other benefit authorized under this section before that date in accordance with the terms of such authorization.

SEC. 1112. PILOT PROGRAM ON TEMPORARY EXCHANGE OF FINANCIAL MANAGEMENT AND ACQUISITION PERSONNEL.

(a) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of the temporary assignment of covered employees of the Department of Defense to nontraditional defense contractors and of covered employees of such contractors to the Department.

(b) COVERED EMPLOYEES; NONTRADITIONAL DEFENSE CONTRACTORS.—

(1) COVERED EMPLOYEES.—An employee of the Department of Defense or a nontraditional Defense contractor is a covered employee for purposes of this section if the employee—

(A) works in the field of financial management or in the acquisition field;

(B) is considered by the Secretary of Defense to be an exceptional employee; and

(C) is compensated at not less than the GS–11 level (or the equivalent).

(2) NONTRADITIONAL DEFENSE CONTRACTORS.—For purposes of this section, the term ''nontraditional defense contractor'' has the meaning given that term in section 2302(9) of title 10, United States Code.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of Defense shall provide for a written agreement among the Department of Defense, the nontraditional defense contractor concerned, and the employee concerned regarding the terms and conditions of the employee's assignment under this section.

(2) ELEMENTS.—An agreement under this subsection—

(A) shall require, in the case of an employee of the Department, that upon completion of the assignment, the employee will serve in the civil service for a period at least equal to three times the length of the assignment, unless the employee is sooner involuntarily separated from the service of the employee's agency; and

(B) shall provide that if the employee of the Department or of the contractor (as the case may be) fails to carry out the agreement, or if the employee is voluntarily separated from the service of the employee's agency before the end of the period stated in the agreement, the employee shall be liable to the United States for payment of all expenses of the assignment unless that failure or voluntary separation was for good and sufficient reason, as determined by the Secretary.

(3) DEBT TO THE UNITED STATES.—An amount for which an employee is liable under paragraph (2)(B) shall be treated as a debt due the United States. The Secretary may waive, in whole or in part, collection of such a debt based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States.

(d) TERMINATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the nontraditional defense contractor concerned.

(e) DURATION.—An assignment under this section shall be for a period of not less than three months and not more than one year.

(f) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO CONTRACTORS.—An employee of the Department of Defense who is assigned to a nontraditional defense contractor under this section shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department for all purposes. The written agreement established under subsection (c) shall address the specific terms and conditions related to

the employee's continued status as a Federal employee.

(g) TERMS AND CONDITIONS FOR PRIVATE SECTOR EMPLOYEES.—An employee of a nontraditional defense contractor who is assigned to a Department of Defense organization under this section—

(1) shall continue to receive pay and benefits from the contractor from which such employee is assigned;

(2) shall be deemed to be an employee of the Department of Defense for the purposes of—

(A) chapter 73 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code, and any other conflict of interest statute;

(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(D) the Federal Tort Claims Act and any other Federal tort liability statute;

(E) the Ethics in Government Act of 1978;

(F) section 1043 of the Internal Revenue Code of 1986;

(G) chapter 21 of title 41, United States Code; and

(H) subchapter I of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries; and

(3) may not have access, while the employee is assigned to a Department organization, to any trade secrets or to any other nonpublic information which is of commercial value to the contractor from which such employee is assigned.

(h) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO FEDERAL GOVERNMENT.—A nontraditional defense contractor may not charge the Department of Defense or any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the contractor to an employee assigned to a Department organization under this section for the period of the assignment.

(i) CONSIDERATION.—In providing for assignments of employees under this section, the Secretary of Defense shall take into consideration the question of how assignments might best be used to help meet the needs of the Department of Defense with respect to the training of employees in financial management or in acquisition.

(j) NUMERICAL LIMITATIONS.—

(1) DEPARTMENT EMPLOYEES.—The number of employees of the Department of Defense who may be assigned to nontraditional defense contractors under this section at any given time may not exceed the following:

(A) Five employees in the field of financial management.

(B) Five employees in the acquisition field.

(2) NONTRADITIONAL DEFENSE CONTRACTOR EMPLOYEES.—The total number of nontraditional defense contractor employees who may be assigned to the Department under this section at any given time may not exceed 10 such employees.

(k) TERMINATION OF AUTHORITY FOR ASSIGNMENTS.—No assignment of an employee may commence under this section after September 30, 2019.

SEC. 1113. PILOT PROGRAM ON ENHANCED PAY AUTHORITY FOR CERTAIN ACQUISITION AND TECHNOLOGY POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the Office of the Secretary of Defense and the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and developing complex, high cost, technological acquisition efforts of the Department of Defense.

(b) APPROVAL REQUIRED.—The pilot program may be carried out only with approval as follows:

(1) Approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics, in the case of positions in the Office of the Secretary of Defense.

(2) Approval of the Service Acquisition Executive of the military department concerned, in the case of positions in a military department.

(c) POSITIONS.—The positions described in this subsection are positions that—

(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

(2) are critical to the successful accomplishment of an important acquisition or technology development mission.

(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics or the Service Acquisition Executive concerned, as applicable.

(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of Defense.

(e) LIMITATIONS.—

(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in the Office of the Secretary of Defense and more than five positions in each military department at any one time.

(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having terms less than five years.

(f) TERMINATION.—

(1) IN GENERAL.—The authority to fix rates of basic pay for a position under this section shall terminate on October 1, 2020.

(2) CONTINUATION OF PAY.—Nothing in paragraph (1) shall be construed to prohibit the payment after October 1, 2020, of basic pay at rates fixed under this section before that date for positions whose terms continue after that date.

SEC. 1114. PILOT PROGRAM ON DIRECT HIRE AUTHORITY FOR VETERAN TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of appointing qualified veteran candidates to positions described in subsection (b) in the defense acquisition workforce of the military departments without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code. The Secretary shall carry out the pilot program in each military department through the Service Acquisition Executive of such military department.

(b) POSITIONS.—The positions described in this subsection are scientific, technical, engineering, and mathematics positions, including technicians, within the defense acquisition workforce.

(c) LIMITATION.—Authority under subsection (a) may not, in any calendar year and with respect to any military department, be exercised with respect to a number of candidates greater than the number equal to 1 percent of the total number positions the acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) DEFINITIONS.—In this section:

(1) The term ''employee'' has the meaning given that term in section 2105 of title 5, United States Code.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(e) TERMINATION.—

(1) IN GENERAL.—The authority to appoint candidates to positions under the pilot program shall expire on the date that is five years after the date of the enactment of this Act.

(2) EFFECT ON EXISTING APPOINTMENTS.—The termination by paragraph (1) of the authority in subsection (a) shall not affect any appointment made under that authority before the termination date specified in paragraph (1) in accordance with the terms of such appointment.

SEC. 1115. DIRECT HIRE AUTHORITY FOR TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) AUTHORITY.—Each Secretary of a military department may appoint qualified candidates possessing a scientific or engineering degree to positions described in subsection (b) for that military department without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code.

(b) APPLICABILITY.—Positions described in this subsection are scientific and engineering positions within the defense acquisition workforce.

(c) LIMITATION.—Authority under this section may not, in any calendar year and with respect to any military department, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of scientific and engineering positions within the acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) NATURE OF APPOINTMENT.—Any appointment under this section shall be treated as an appointment on a full-time equivalent basis, unless such appointment is made on a term or temporary basis.

(e) EMPLOYEE DEFINED.—In this section, the term ''employee'' has the meaning given that term in section 2105 of title 5, United States Code.

(f) TERMINATION.—The authority to make appointments under this section shall not be available after December 31, 2020.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Training and Assistance

SEC. 1201. ONE-YEAR EXTENSION OF FUNDING LIMITATIONS FOR AUTHORITY TO BUILD THE CAPACITY OF FOREIGN SECURITY FORCES.

Section 1205(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in paragraph (1)—

(A) by striking ''for fiscal year 2015'' and all that follows through ''section 4301'' and inserting ''for fiscal year 2015 or 2016 for the Department of Defense for operation and maintenance''; and

(B) by inserting '', in such fiscal year'' before the period; and

(2) in paragraph (2), by striking ''for fiscal year 2015'' and inserting ''for a fiscal year specified in that paragraph''.

SEC. 1202. EXTENSION AND EXPANSION OF AUTHORITY FOR REIMBURSEMENT TO THE GOVERNMENT OF JORDAN FOR BORDER SECURITY OPERATIONS.

(a) EXPANSION TO GOVERNMENT OF LEBANON.—Subsection (a) of section 1207 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 902; 22 U.S.C. 2151 note) is amended—

(1) by inserting ''and the Government of Lebanon'' after ''the Government of Jordan'' each place it appears; and

(2) by striking ''armed forces of Jordan'' each place it appears and inserting ''armed forces of the country concerned''.

(b) SCOPE OF AUTHORITY.—Subsection (a) of such section is further amended—

(1) in paragraph (1)—

(A) by striking ''maintaining'' and inserting ''enhancing''; and

(B) by striking ''increase security and sustain increased security along the border between Jordan and Syria'' and inserting ''sustain security along the border of Jordan with Syria and Iraq and increase or sustain security along the border of Lebanon with Syria, as applicable''; and

(2) in paragraph (3)—

(A) by striking ''maintain'' and inserting ''enhance''; and

(B) by striking ''increase security or sustain increased security along the border between Jordan and Syria'' and inserting ''sustain security along the border of Jordan with Syria and Iraq or increase or sustain security along the border of Lebanon with Syria, as applicable''.

(c) FUNDS.—Subsection (b) of such section is amended to read as follows:

''(b) FUNDS AVAILABLE FOR ASSISTANCE.—While the authority in this section is in effect, amounts may be used to provide assistance under the authority in subsection (a) as follows:

''(1) Amounts authorized to be appropriated for a fiscal year for the Department of Defense and available for reimbursement of certain coalition nations for support provided to United States military operations pursuant to section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81).

''(2) Amounts authorized to be appropriated for a fiscal year for the Department of Defense for the Counterterrorism Partnerships Fund.''.

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

(1) in paragraph (1), by striking ''may not exceed $150,000,000'' and inserting ''in any fiscal year may not exceed $125,000,000''; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) ASSISTANCE TO GOVERNMENT OF LEBANON.—Assistance provided under the authority in subsection (a) to the Government of Lebanon may be used only for the armed forces of Lebanon, and may not be used for or to reimburse Hezbollah or any forces other than the armed forces of Lebanon.''.

(e) EXPIRATION OF AUTHORITY.—Subsection (f) of such section is amended by striking ''December 31, 2015'' and inserting ''December 31, 2020''.

(f) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 1207. ASSISTANCE TO THE GOVERNMENT OF JORDAN AND THE GOVERNMENT OF LEBANON FOR BORDER SECURITY OPERATIONS.''.

SEC. 1203. EXTENSION OF AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

Section 1204(h) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 10 U.S.C. 401 note) is amended by striking ''September 30, 2017'' and inserting ''September 30, 2018''.

SEC. 1204. REDESIGNATION, MODIFICATION, AND EXTENSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) REDESIGNATION.—The heading of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107 note) is amended to read as follows:

''SEC. 1205. DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.''.

(b) SCOPE OF AUTHORITY.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking ''a program of exchanges'' and all that follows and inserting ''a program of activities described in paragraph (2) between members of the National Guard of a State or territory and any of the following:

''(A) The military forces of a foreign country.

''(B) The security forces of a foreign country.

''(C) Governmental organizations of a foreign country whose primary functions include disaster response or emergency response.''; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) STATE PARTNERSHIP.—Each program established under this subsection shall be known as a 'State Partnership'.''.

(c) LIMITATION.—Subsection (b) of such section is amended by striking ''activity under a program'' and all that follows through ''State or territory,'' and inserting ''activity with forces referred to in subsection (a)(1)(B) or organizations described in subsection (a)(1)(C) under a program established under subsection (a)''.

(d) STATE PARTNERSHIP PROGRAM FUND.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy and the Under Secretary of Defense (Comptroller) shall jointly submit to the congressional defense committees a report setting forth a joint assessment of the feasibility and advisability of establishing a central fund to manage funds for programs and activities under the Department of Defense State Partnership Program under section 1205 of the National Defense Authorization Act for Fiscal Year 2014, as amended by this section.

(e) CONFORMING AMENDMENTS.—Subsection (e)(2) of such section is amended—

(1) by striking ''a program'' and inserting ''each program''; and

(2) by striking ''the program'' and inserting ''such program''.

(f) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (i).

SEC. 1205. AUTHORITY TO PROVIDE SUPPORT TO NATIONAL MILITARY FORCES OF ALLIED COUNTRIES FOR COUNTERTERRORISM OPERATIONS IN AFRICA.

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide, on a nonreimbursable basis, logistic support, supplies, and services to the national military forces of an allied country conducting counterterrorism operations in Africa if the Secretary of Defense determines that the provision of such logistic support, supplies, and services, on a nonreimbursable basis, is—

(1) in the national security interests of the United States; and

(2) critical to the timely and effective participation of such national military forces in such operations.

(b) NOTICE TO CONGRESS ON SUPPORT PROVIDED.—Not later than 15 days after providing logistic support, supplies, or services under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a notice setting forth the following:

(1) The determination of the Secretary specified in subsection (a).

(2) The type of logistic support, supplies, or services provided.

(3) The national military forces supported.

(4) The purpose of the operations for which such support was provided, and the objectives of such support.

(5) The estimated cost of such support.

(6) The intended duration of such support.

(c) LIMITATIONS.—

(1) IN GENERAL.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of support that is otherwise prohibited by any other provision of law.

(2) AMOUNT.—The aggregate amount of logistic support, supplies, and services provided under subsection (a) in any fiscal year may not exceed $100,000,000.

(d) REPORTS.—Not later than six months after the date of the enactment of this Act, and every six months thereafter through the expiration date in subsection (f) of the authority provided by this section, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the use of the authority provided by this section during the six-month period ending on the date of such report. Each report shall include the following:

(1) An assessment of the extent to which the support provided under this section during the period covered by such report facilitated the national military forces of allied countries so supported in conducting counterterrorism operations in Africa.

(2) A description of any efforts by countries that received such support to address, as practicable, the requirements of their forces for logistics support, supplies, or services for conducting counterterrorism operations in Africa, including under acquisition and cross-servicing agreements.

(e) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES DEFINED.—In this section, the term ''logistic support, supplies, and services'' has the meaning given that term in section 2350(1) of title 10, United States Code.

(f) EXPIRATION.—The authority provided by this section may not be exercised after September 30, 2018.

SEC. 1206. AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY INTELLIGENCE FORCES.

(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Director of National Intelligence and the Secretary of State, is authorized to conduct or support a program or programs to train the military intelligence forces of a foreign county in order for that country to—

(1) improve interoperability with United States and allied forces;

(2) enhance the capacity of such forces to receive and act upon time-sensitive intelligence;

(3) increase the capacity and capability of such forces to fuse and analyze intelligence; and

(4) ensure the ability of such forces to support the military forces of that country in conducting lawful military operations in which intelligence plays a critical role.

(b) TYPES OF SUPPORT.—

(1) AUTHORIZED ELEMENTS.—A program under subsection (a) may include the provision of training, and associated supplies and support.

(2) REQUIRED ELEMENTS.—A program under subsection (a) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for civilian control of the military.

(c) LIMITATIONS.—

(1) ANNUAL FUNDING LIMITATION.—Of the amount authorized to be appropriated for the Department of Defense for a fiscal year and available for the military intelligence program (MIP), the Secretary of Defense may use up to $25,000,000 in such fiscal year to carry out programs authorized by subsection (a).

(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in subsection (b) that is otherwise prohibited by any provision of law.

(3) LIMITATION ON ELIGIBLE COUNTRIES.—The Secretary of Defense may not use the authority in subsection (a) to provide assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such assistance under any other provision of law.

(d) CONGRESSIONAL NOTIFICATION.—Not less than 15 days before initiating activities under a program under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice on the following:

(1) The country whose capacity to engage in activities in subsection (a) will be built under the program.

(2) The budget, implementation timeline with milestones, military department responsible for management and associated program executive office, and completion date for the program.

(3) Assurances, if any, provided with respect to an enduring arrangement between the United States and the forces provided training pursuant to subsection (a).

(4) The objectives and assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient forces.

(5) An assessment of the capacity of the recipient country to absorb assistance under the program.

(6) An assessment of the manner in which the program fits into the theater security cooperation strategy of the applicable geographic combatant command.

(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, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1207. PROHIBITION ON ASSISTANCE TO ENTITIES IN YEMEN CONTROLLED BY THE HOUTHI MOVEMENT.

(a) PROHIBITION.—No amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by this Act may be used to provide assistance to an entity in Yemen that is controlled by members of the Houthi movement.

(b) NATIONAL SECURITY EXCEPTION.—

(1) IN GENERAL.—The prohibition in subsection (a) shall not apply if the Secretary of Defense, in consultation with the Director of National Intelligence, determines that the provision of assistance as described in that subsection is important to the national security interests of the United States.

(2) NOTICE REQUIRED.—Not later than 30 days after providing assistance under this subsection, the Secretary shall submit to the congressional defense committees notice on such assistance, including the following:

(A) The assistance provided.

(B) The rationale for the provision of such assistance.

(C) The national security interests of the United States in providing such assistance.

(3) FORM.—Each notice under paragraph (2) shall be submitted in an unclassified form, but may include a classified annex.

SEC. 1208. REPORT ON POTENTIAL SUPPORT FOR THE VETTED SYRIAN OPPOSITION.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a detailed description of the military support the Secretary considers it necessary to provide to recipients of assistance under section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) upon their return to Syria to make use of such assistance.

(b) COVERED POTENTIAL SUPPORT.—The support the Secretary may consider it necessary to provide for purposes of the report is the following:

(1) Logistical support.

(2) Defensive supportive fire.

(3) Intelligence.

(4) Medical support.

(5) Any other support the Secretary considers appropriate for purposes of the report.

(c) ELEMENTS.—The report shall include the following:

(1) For each type of support the Secretary considers it necessary to provide as described in subsection (a), a description of the actions to be taken by the Secretary to ensure that such support would not benefit any of the following:

(A) The Islamic State of Iraq and Syria (ISIS), the Al-Nusra Front, al-Qaeda, the Khorasan Group, or any other extremist Islamic organization

(B) The Syrian Arab Army or any group or organization supporting President Bashir Assad.

(2) An estimate of the cost of providing such support.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to constitute an authorization for the use of force in Syria.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

SEC. 1221. DRAWDOWN OF UNITED STATES FORCES IN AFGHANISTAN.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the drawdown of United States forces in Afghanistan should be based on security conditions in Afghanistan and United States security interests in the region; and

(2) as the Afghan National Defense Security Forces develop security capabilities and capacity, an appropriate United States and international presence should continue, upon invitation by the Government of Afghanistan, to provide adequate capability and capacity to preserve gains made to date and continue counterterrorism operations in Afghanistan against terrorist organizations that can threaten United States interests or the United States homeland.

(b) CERTIFICATION ON REDEPLOYMENTS OF US FORCES FROM AFGHANISTAN.—

(1) IN GENERAL.—Not later than 10 days after the approval by the Secretary of Defense of orders to redeploy United States forces from Afghanistan in order to effect a reduction of the United States force presence in Afghanistan by a significant amount in accordance with plans approved by the President to drawdown United States forces in Afghanistan, the President shall certify to the congressional defense committees that the reduction of such force presence will result in an acceptable level of risk to United States national security objectives taking into consideration the security conditions on the ground.

(2) SIGNIFICANT AMOUNT.—For the purposes of this subsection, a significant amount in the reduction of the force presence of United States forces shall be a reduction by the lesser of—

(A) 1,000 or more troops; or

(B) the number of troops equal to 20 percent of the troops in Afghanistan at the time of the reduction.

(3) WAIVER.—The President may waive the requirement for a certification under paragraph (1) if the making of the certification would impede national security objectives of the United States. The President shall submit to the congressional defense committees a report on each such waiver, including the national security objectives that would otherwise be impeded if not for the waiver.

SEC. 1222. EXTENSION AND MODIFICATION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) ONE-YEAR EXTENSION.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1221 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3546), is further amended by striking ''fiscal year 2015'' in subsections (a), (b), and (f) and inserting ''fiscal year 2016''.

(b) RESTRICTION ON AMOUNT OF PAYMENTS.—Subsection (e) of such section 1201, as so amended, is further amended by striking ''$2,000,000'' and inserting ''$500,000''.

(c) SUBMITTAL OF REVISED GUIDANCE.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the Commanders' Emergency Response Program in Afghanistan as revised to take into account the amendments made by this section.

(d) AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS IN IRAQ.—

(1) IN GENERAL.—During fiscal year 2016, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of the Armed Forces in Iraq.

(2) AUTHORITIES APPLICABLE TO PAYMENT.—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (h) of such section.

(3) CONSTRUCTION WITH RESTRICTION ON AMOUNT OF PAYMENTS.—For purposes of the application of subsection (e) of such section 1201, as so amended, to any payment under this subsection, such payment shall be deemed to be a project described by such subsection (e).

SEC. 1223. 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 amended by section 1231 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2105 (Public Law 113–291), is further amended by striking ''December 31, 2015'' and inserting ''December 31, 2016''.

(b) QUARTERLY REPORTS.—Subsection (f)(1) of such section, as so amended, is further amended by striking ''March 31, 2016'' and inserting ''March 31, 2017''.

(c) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking '', 2014, and 2015'' each place it appears and inserting ''through 2016''.

SEC. 1224. 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 110–81; 122 Stat. 393), as most recently amended by section 1222 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Act for Fiscal Year 2015 (Public Law 113–291), is further amended—

(1) by striking ''fiscal year 2015'' and inserting ''fiscal year 2016''; and

(2) in paragraph (1), by striking ''Operation Enduring Freedom'' and inserting ''Operation Freedom's Sentinel''.

(b) OTHER SUPPORT.—Subsection (b) of such section 1233, as so amended, is further amended by striking ''Operation Enduring Freedom'' and inserting ''Operation Freedom's Sentinel''.

(c) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section 1233, as so amended, is further amended—

(1) in the second sentence, by striking ''during fiscal year 2015 may not exceed $1,200,000,000'' and inserting ''during fiscal year 2016 may not exceed $1,160,000,000''; and

(2) in the third sentence, by striking ''during fiscal year 2015 may not exceed $1,000,000,000'' and inserting ''during fiscal year 2016 may not exceed $900,000,000''.

(d) QUARTERLY REPORTS.—Subsection (f) of such section 1233, as added by section 1223(e) of the National Defense Authorization act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2520), is amended by striking ''on any'' and all that follows and inserting ''on any reimbursements made during such quarter under the authorities as follows:

''(1) Subsection (a).

''(2) Subsection (b).

''(3) Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2016.''.

(e) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1222 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Act for Fiscal Year 2015, is further amended by striking ''September 30, 2015'' and inserting ''September 30, 2016''.

(f) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as so amended, is further amended by striking ''fiscal year 2015'' and inserting ''fiscal year 2016''.

(g) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the total amount of reimbursements and support authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (c)(2)), $300,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) Pakistan has undertaken military operations in North Waziristan that have contributed to significantly disrupting the safe haven and freedom of movement of the Haqqani network in Pakistan;

(2) Pakistan has taken actions that have demonstrated a commitment to ensuring that North Waziristan does not return to being a safe haven for the Haqqani network; and

(3) the Government of Pakistan has taken actions to promote stability in Afghanistan, including encouraging the participation of the Taliban in reconciliation talks with the Government of Afghanistan.

(h) AVAILABILITY OF CERTAIN FUNDS FOR STABILITY ACTIVITIES IN FATA.—

(1) IN GENERAL.—Of the total amount of reimbursements and support authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as so amended), $100,000,000 may be available for stability activities undertaken by Pakistan in the Federally Administered Tribal Areas (FATA), including the provision of funds to the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa for activities undertaken in support of the following:

(A) Building and maintaining border outposts.

(B) Strengthening cooperative efforts between the Pakistan military and the Afghan National Defense Security Forces in activities that include—

(i) bilateral meetings to enhance border security coordination;

(ii) sustaining critical infrastructure within the Federally Administered Tribal Areas, such as maintaining key ground lines of communication;

(iii) increasing training for the Pakistan Frontier Corps Khyber Pakhtunkhwa; and

(iv) training to improve interoperability between the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkwha.

(2) REPORT.—Not later than December 31, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds available under paragraph (1), including a description of the following:

(A) The purpose for which such funds were expended.

(B) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization trained with such amount.

(C) Any limitation imposed on the expenditure of funds under that paragraph, including on any recipient of funds or any use of funds expended.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' has the meaning given that term in section 1233(g) of the National Defense Authorization Act for Fiscal Year 2008.

SEC. 1225. PROHIBITION ON TRANSFER TO VIOLENT EXTREMIST ORGANIZATIONS OF EQUIPMENT OR SUPPLIES PROVIDED BY THE UNITED STATES TO THE GOVERNMENT OF IRAQ.

(a) PROHIBITION.—No assistance authorized by section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) may be provided to the Government of Iraq after the date that is 30 days after the date of the enactment of this Act unless the Secretary of Defense certifies to Congress, after the date of the enactment of this Act, that appropriate steps have been taken by the Government of Iraq to safeguard against transferring or otherwise providing such assistance to violent extremist organizations.

(b) VIOLENT EXTREMIST ORGANIZATION.—For purposes of this section, an organization is a violent extremist organization if the organization—

(1) is a terrorist group or is associated with a terrorist group; or

(2) is known to be under the command and control of, or is associated with, the Government of Iran.

(c) REPORTS ON TRANSFERS OF EQUIPMENT OR SUPPLIES TO VIOLENT EXTREMIST ORGANIZATIONS.—

(1) REPORTS REQUIRED.—Not later than 30 days after the Secretary of Defense makes any determination that equipment or supplies provided pursuant to section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 have been transferred to a violent extremist organization, the Secretary shall submit to Congress a report on the determination and the transfer.

(2) ELEMENTS.—Each report under paragraph (1) shall include, for the transfer covered by such report, the following:

(A) An assessment of the type and quantity of equipment or supplies so transferred.

(B) A description of the criteria used to determine that the organization to which transferred was a violent extremist organization.

(C) A description, if known, of how such equipment or supplies were transferred or acquired by the violent extremist organization concerned.

(D) If such equipment or supplies are determined to remain under the current control of any violent extremist organization, a description of each such organization, including its relationship, if any, with the security forces of the Government of Iraq.

(E) A description of end use monitoring or other policies and procedures in place for the equipment or supplies so transferred in order prevent the transfer or acquisition of such equipment or supplies by violent extremist organizations.

(d) SUBMITTAL TIME FOR QUARTERLY PROGRESS REPORTS ON ASSISTANCE TO COUNTER ISIL.—Section 1236(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking ''30 days thereafter'' and inserting ''90 days thereafter''.

SEC. 1226. REPORT ON LINES OF COMMUNICATION OF ISLAMIC STATE OF IRAQ AND THE LEVANT AND OTHER FOREIGN TERRORIST ORGANIZATIONS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth the following:

(1) An assessment of the lines of communication that enable the Islamic State of Iraq and the Levant (ISIL), Jabhal al-Nusra, and other foreign terrorist organizations by facilitating the delivery of foreign fighters, funding, equipment, or other assistance through countries bordering on Syria.

(2) An assessment of the impacts of the lines of communication described in paragraph (1) on the security of the United States homeland and the protection of personnel and installations of the Department of Defense and diplomatic facilities in Europe and the Middle East.

(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 Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1227. MODIFICATION OF PROTECTION FOR AFGHAN ALLIES.

(a) COVERED AFGHANS.—

(1) TERM OF EMPLOYMENT.—Clause (ii) of section 602(b)(2)(A) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is

amended by striking ''year—'' and inserting ''year, or, if submitting a petition after September 30, 2015, for a period of not less than 2 years—''.

(2) TECHNICAL AMENDMENTS.—

(A) SUCCESSOR NAME FOR INTERNATIONAL SECURITY ASSISTANCE FORCE.—Subclause (II) of section 602(b)(2)(A)(ii) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(i) in the matter preceding item (aa), by striking ''Force'' and inserting ''Force (or any successor name for such Force)'';

(ii) in item (aa), by striking ''Force,'' and inserting ''Force (or any successor name for such Force),''; and

(iii) in item (bb), by striking ''Force;'' and inserting ''Force (or any successor name for such Force);''.

(B) SHORT TITLE.—Section 601 of the Afghan Allies Protection Act of 2009 is amended by striking ''This Act'' and inserting ''This title''.

(C) EXECUTIVE AGENCY REFERENCE.—Section 602(c)(4) of the Afghan Allies Protection Act of 2009 is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and inserting ''section 133 of title 41, United States Code''.

(b) NUMERICAL LIMITATIONS.—Subparagraph (F) of section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ''2015 AND 2016'' and inserting ''2015, 2016, AND 2017'';

(2) in the matter preceding clause (i)—

(A) by striking ''and ending on September 30, 2016,'' and inserting ''until such time that available special immigrant visas under subparagraphs (D) and (E) and this subparagraph are exhausted,'' and

(B) by striking ''4,000.'' and inserting ''7,000.'';

(3) in clause (i), by striking ''September 30, 2015;'' and inserting ''December 31, 2016;'';

(4) in clause (ii), by striking ''December 31, 2015;'' and inserting ''December 31, 2016;''; and

(5) in clause (iii), by striking ''March 31, 2017.'' and inserting ''the date such visas are exhausted.''.

(c) REPORTS AND SENSE OF CONGRESS.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

''(15) REPORTS INFORMING THE CONCLUSION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.—Not later than June 1, 2016, and every six months thereafter, the Secretary of Defense, in conjunction with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on the Judiciary of the Senate and the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives a report that contains—

''(A) a description of the United States force presence in Afghanistan during the previous 6 months;

''(B) a description of the projected United States force presence in Afghanistan;

''(C) the number of citizens or nationals of Afghanistan who were employed by or on behalf of the entities described in paragraph (2)(A)(ii) during the previous 6 months; and

''(D) the projected number of such citizens or nationals who will be employed by or on behalf of such entities.

''(16) SENSE OF CONGRESS.—It is the sense of Congress that the necessity of providing special immigrant status under this subsection should be assessed at regular intervals by the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, taking into account the scope of the current and planned presence of United States troops in Afghanistan, the current and prospective numbers of citizens and nationals of Afghanistan employed by or on behalf of the entities described in paragraph (2)(A)(ii), and the security climate in Afghanistan.''.

SEC. 1228. EXTENSION 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 2015'' and inserting ''fiscal year 2016''.

(b) AMOUNT AVAILABLE.—Such section is further amended—

(1) in subsection (c), by striking ''fiscal year 2015'' and all that follows and inserting ''fiscal year 2016 may not exceed $80,000,000.''; and

(2) in subsection (d), by striking ''fiscal year 2015'' and inserting ''fiscal year 2016''.

(c) SUPERSEDING REPORT REQUIREMENTS.—Subsection (g) of such section is amended to read as follows:

''(g) REPORTS.—

''(1) IN GENERAL.—Not later than September 30, 2015, and every 180 days thereafter until the authority in this section expires, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the activities of the Office of Security Cooperation in Iraq.

''(2) ELEMENTS.—Each report under this subsection shall include the following:

''(A) A current description of capability gaps in the security forces of Iraq, including capability gaps relating to intelligence matters, protection of Iraq airspace, and logistics and maintenance, and a current description of the extent, if any, to which the Government of Iraq has requested assistance in addressing such capability gaps.

''(B) A current description of the activities of the Office of Security Cooperation in Iraq and the extent, if any, to which the programs conducted by the Office in conjunction with other United States programs (such as the Foreign Military Financing program, the Foreign Military Sales program, and the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291)) will address the capability gaps described pursuant to subparagraph (A).

''(C) A current description of how the activities of the Office of Security Cooperation in Iraq are coordinated with, and complement and enhance, the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.

''(D) A current description of end use monitoring programs, and any other programs or procedures, used to improve accountability for equipment provided to the Government of Iraq.

''(E) A current description of the measures of effectiveness used to evaluate the activities of the Office of the Security Cooperation in Iraq, and an analysis of any determinations to expand, alter, or terminate specific activities of the Office based on such evaluations.

''(F) A current evaluation of the effectiveness of the training described in subsection (f)(2) in promoting respect for human rights, military professionalism, and respect for legitimate civilian authority in Iraq.

''(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' 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.''.

SEC. 1229. SENSE OF SENATE ON SUPPORT FOR THE KURDISTAN REGIONAL GOVERNMENT.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses an acute threat to the people and territorial integrity of Iraq, including the Iraqi Kurdistan Region, and the security and stability of the Middle East and the world;

(2) the United States should, in coordination with coalition partners, provide, in an expeditious and responsive manner and without undue delay, the security forces of the Kurdistan Regional Government associated with the Government of Iraq with defense articles and assistance described in subsection (b), defense services, and related training to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant;

(3) defeating the Islamic State of Iraq and the Levant is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq;

(4) due to the threat to United States national security and a free and inclusive Iraq brought by the Islamic State of Iraq and the Levant, section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) authorizes the Secretary of Defense to provide assistance, including training, equipment, logistics support, supplies, and services, stipends, facility and infrastructure repair and renovation, and sustainment, to military and other security forces of or associated with the Government of Iraq, including Kurdish forces;

(5) leaders of the Islamic State of Iraq and the Levant have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and its interests; and

(6) the Kurdistan Regional Government is the democratically elected government of the Iraqi Kurdistan Region, and Iraqi Kurds have been a reliable, stable, and capable partner of the United States, particularly in support of United States military and civilian personnel during Operation Iraqi Freedom and Operation New Dawn.

(b) DEFENSE ARTICLES AND ASSISTANCE.—The defense articles and assistance described in this subsection include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, night optical devices, and other excess defense articles and military assistance considered appropriate by the President.

Subtitle C—Matters Relating to Iran

SEC. 1241. MODIFICATION AND EXTENSION OF ANNUAL REPORT ON THE MILITARY POWER OF IRAN.

(a) ELEMENT ON CYBER CAPABILITIES IN DESCRIPTION OF STRATEGY.—Paragraph (1) of subsection (b) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(D) Iranian strategy regarding offensive cyber capabilities and defensive cyber capabilities.''.

(b) ELEMENTS ON CYBER CAPABILITIES IN ASSESSMENTS OF UNCONVENTIONAL FORCES.—Paragraph (3) of such subsection, as amended by section 1232(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 920), is further amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(F) offensive cyber capabilities and defensive cyber capabilities; and

''(G) Iranian ability to manipulate the information environment both domestically and against the interests of the United States and its allies.''.

(c) EXTENSION OF REPORTS.—Subsection (d) of such section 1245, as amended by section 1277 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3592), is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2021''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010, as so amended, after that date.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1251. UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Of the amounts authorized to be appropriated for fiscal year 2016 by title XV and available for overseas contingency operations as specified in the funding tables in division D, $300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including training, equipment, and logistics support, supplies and services, to military and other security forces of the Government of Ukraine for the purposes as follows:

(1) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

(2) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

(3) To support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the ceasefire agreements of September 4, 2014, and February 11, 2015.

(b) APPROPRIATE SECURITY ASSISTANCE AND INTELLIGENCE SUPPORT.—For purposes of subsection (a), appropriate security assistance and intelligence support includes the following:

(1) Real time or near real time actionable intelligence.

(2) Lethal assistance such as anti-armor weapon systems, mortars, crew-served weapons and ammunition, grenade launchers and ammunition, and small arms and ammunition.

(3) Counter-artillery radars.

(4) Unmanned aerial tactical surveillance systems.

(5) Cyber capabilities.

(6) Counter-electronic warfare capabilities such as secure communications equipment and other electronic protection systems.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battle-field first aid, and medical evacuation.

(c) FUNDING AVAILABILITY AND LIMITATION.—

(1) TRAINING.—Up to 20 percent of the amount described in subsection (a) may be used to support training pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(2) LIMITATION.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in subparagraphs (2) and (3) of subsection (b) for the Government of Ukraine.

(3) ALTERNATIVE OF FUNDS.—In the event funds otherwise available pursuant to subsection (a) are not used by reason of the limitation in paragraph (2), such funds may be used at the discretion of the Secretary of Defense, with concurrence of the Secretary of State, to provide security assistance and intelligence support, including training, equipment, logistics support, supplies and services to military and other national-level security forces of Partnership for Peace nations other than Ukraine that the Secretary of Defense determines to be appropriate to assist such governments in preserving their sovereignty and territorial integrity against Russian aggression.

(d) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) IN GENERAL.—In addition to any assistance provided pursuant to subsection (a), the Secretary of Defense is authorized, with the concurrence of the Secretary of State, to make available to the Government of Ukraine weapons and other defense articles, from the United States inventory and other sources, and defense services, in such quantity as the Secretary of Defense determines to be appropriate to achieve the purposes specified in subsection (a).

(2) REPLACEMENT.—Amounts for the replacement of any items provided to the Government of Ukraine pursuant to paragraph (1) shall be derived from amounts authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

SEC. 1252. EASTERN EUROPEAN TRAINING INITIATIVE.

(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, carry out a program (to be known as the ''Eastern European Training Initiative'') to provide training, and pay the incremental expenses incurred by a country as the direct result of participation in such training, for the national military forces of the following:

(1) A country that is a signatory to the Partnership for Peace Framework Documents, but is not a member of the North Atlantic Treaty Organization (NATO).

(2) A country that became a member of the North Atlantic Treaty Organization after January 1, 1999.

(b) TYPES OF TRAINING.—The training provided to the national military forces of a country under subsection (a) shall be limited to multilateral or regional training—

(1) to maintain and increase interoperability and readiness;

(2) to increase capacity to respond to external threats;

(3) to increase capacity to respond to hybrid warfare; or

(4) to increase capacity to respond to calls for collective action within the North Atlantic Treaty Organization.

(c) REQUIRED ELEMENTS.—Training provided to the national military forces of a country under subsection (a) shall include elements that promote—

(1) observance of and respect for human rights and fundamental freedoms; and

(2) respect for legitimate civilian authority within that country.

(d) FUNDING.—

(1) ANNUAL FUNDING LIMITATION.—Of the amounts authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance, up to $28,000,000 may be used to provide training and pay incremental expenses under subsection (a) in that fiscal year.

(2) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.—Amounts available in a fiscal year to carry out the authority in subsection (a) may be used for training under that authority that begins in that fiscal year and ends in the next fiscal year.

(e) BRIEFING TO CONGRESS ON USE OF AUTHORITY.—Not later that 90 days after the end of each fiscal year in which the authority in subsection (a) is used, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority during such fiscal year, including each country with which training under the authority was conducted and the types of training provided.

(f) CONSTRUCTION OF AUTHORITY.—The authority provided in subsection (a) is in addition to any other authority provided by law authorizing the provision of training for the national military forces of a foreign country, including section 2282 of title 10, United States Code.

(g) INCREMENTAL EXPENSES DEFINED.—In this section, the term ''incremental expenses'' means the reasonable and proper cost of the goods and services that are consumed by a country as a direct result of that country's participation in training under the authority of this section, including rations, fuel, training ammunition, and transportation. Such term does not include pay, allowances, and other normal costs of a country's personnel.

(h) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on September 30, 2018. Any activity under this section initiated before that date may be completed, but only using funds available for fiscal years 2016 through 2018.

SEC. 1253. INCREASED PRESENCE OF UNITED STATES GROUND FORCES IN EASTERN EUROPE TO DETER AGGRESSION ON THE BORDER OF THE NORTH ATLANTIC TREATY ORGANIZATION.

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

(1) the increased presence of United States and allied ground forces in Eastern Europe since April 2014 has provided a level of reassurance to North Atlantic Treaty Organization (NATO) members in the region and strengthened the capability of the Organization to respond to any potential Russian aggression against Organization members;

(2) at the North Atlantic Treaty Organization Wales summit in September 2014 member countries agreed on a Readiness Action Plan which is intended to improve the ability of the Organization to respond quickly and effectively to security threats on the borders of the Organization, including in Eastern Europe, and the challenges posed by hybrid warfare;

(3) the capability of the North Atlantic Treaty Organization to respond to threats on the eastern border of the Organization would be enhanced by a more sustained presence on the ground of Organization forces on the territories of Organization members in Eastern Europe; and

(4) an increased presence of United States ground forces in Eastern Europe should be matched by an increased force presence of European allies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the congressional defense committees a report setting forth an assessment of options for expanding the presence of United States ground forces of the size of a Brigade Combat Team in Eastern Europe to respond, along with European allies and partners, to the security challenges posed by Russia and increase the combat capability of forces able to respond to unconventional or hybrid warfare tactics such as those used by the Russian Federation in Crimea and Eastern Ukraine.

(2) ELEMENTS.—The report under this subsection shall include the following:

(A) An evaluation of the optimal location or locations of the enhanced ground force presence described in paragraph (1) that considers such factors as—

(i) proximity, suitability, and availability of maneuver and gunnery training areas;

(ii) transportation capabilities;

(iii) availability of facilities, including for potential equipment storage and prepositioning;

(iv) ability to conduct multinational training and exercises;

(v) a site or sites for prepositioning of equipment, a rotational presence or permanent presence of troops, or a combination of options; and

(vi) costs.

(B) A description of any initiatives by other members of the North Atlantic Treaty Organization, or other European allies and partners, for enhancing force presence on a permanent or rotational basis in Eastern Europe to match or exceed the potential increased presence of United States ground forces in the region.

SEC. 1254. SENSE OF CONGRESS ON EUROPEAN DEFENSE AND NORTH ATLANTIC TREATY ORGANIZATION SPENDING.

(a) FINDINGS.—Congress makes the following findings:

(1) North Atlantic Treaty Organization (NATO) countries, at the 2014 North Atlantic Treaty Organization Summit in Wales, pledged to ''reverse the trend of declining defense budgets, to make the most effective use of our funds and to further a more balanced sharing of costs and responsibilities''.

(2) Former Secretary of Defense Chuck Hagel stated on May 2, 2014, that ''[t]oday, America's GDP is smaller than the combined GDPs of our 27 NATO allies. But America's defense spending is three times our Allies' combined defense spending. Over time, this lopsided burden threatens NATO's integrity, cohesion, and capability, and ultimately both European and transatlantic security''.

(3) Former North Atlantic Treaty Organization Secretary General Anders Fogh Rasmussen stated on July 3, 2014, that ''[d]uring the last five years, Russia has increased defense spending by 50 percent, while NATO allies on average have decrease their defense spending by 20 percent. That is not sustainable, we need more investment in defense and security''.

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

(1) it is in the national security and fiscal interests of the United States that prompt efforts should be undertaken by North Atlantic Treaty Organization allies to meet defense budget commitments made in Declaration 14 of the Wales Summit Declaration of September 2014;

(2) the United States Government should continue efforts through the Department of Defense and other agencies to encourage North Atlantic Treaty Organization allies towards meeting the defense spending goals set out at the Wales Summit;

(3) some North Atlantic Treaty Organization allies have already taken positive steps to reverse declines in defense spending and should continue to be supported in those efforts; and

(4) thoughtful and coordinated defense investments by European allies in military capabilities would add deterrence value to the posture of the North Atlantic Treaty Organization against Russian aggression and terrorist organizations and more appropriately balance the share of Atlantic defense spending.

SEC. 1255. ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) ADDITIONAL MATTERS.—Subsection (b) of section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) by redesignating paragraphs (4) through (15) as paragraphs (6) through (17), respectively; and

(2) by inserting after paragraph (3) the following new paragraphs (4) and (5):

''(4) An assessment of the force structure and capabilities of Russian military forces stationed in each of the Arctic, Kaliningrad, and Crimea, including a description of any changes to such force structure or capabilities during the one-year period ending on the date of such report and with a particular emphasis on the anti-access and area denial capabilities of such forces.

''(5) An assessment of Russian military strategy and objectives for the Arctic region.''.

(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 reports submitted under section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

SEC. 1256. REPORT ON ALTERNATIVE CAPABILITIES TO PROCURE AND SUSTAIN NONSTANDARD ROTARY WING AIRCRAFT HISTORICALLY PROCURED THROUGH ROSOBORONEXPORT.

(a) REPORT ON ASSESSMENT OF ALTERNATIVE CAPABILITIES.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth an assessment, obtained by the Under Secretary for purposes of the report, of the feasibility and advisability of using alternative industrial base capabilities to procure and sustain, with parts and service, nonstandard rotary wing aircraft historically acquired through Rosoboronexport, or nonstandard rotary wing aircraft that are in whole or in part reliant upon Rosoboronexport for continued sustainment, in order to benefit United States national security interests.

(b) INDEPENDENT ASSESSMENT.—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in the procurement and sustainment of complex weapon systems, selected by the Under Secretary for purposes of the assessment.

(c) ELEMENTS.—The assessment obtained for purposes of subsection (a) shall include the following:

(1) An identification and assessment of international industrial base capabilities, other than Rosoboronexport, to provide one or more of the following:

(A) Means of procuring nonstandard rotary wing aircraft historically procured through Rosoboronexport.

(B) Reliable and timely supply of required and appropriate parts, spares, and consumables of such aircraft.

(C) Certifiable maintenance of such aircraft, including major periodic overhauls, damage repair, and modifications.

(D) Access to required reference data on such aircraft, including technical manuals and service bulletins.

(E) Credible certification of airworthiness of such aircraft through physical inspection, notwithstanding any current administrative requirements to the contrary.

(2) An assessment (including an assessment of associated costs and risks) of alterations to administrative processes of the United States Government that may be required to procure any of the capabilities specified in paragraph (1), including waivers to Department of Defense or Department of State requirements applicable to foreign military sales or alterations to procedures for approval of airworthiness certificates.

(3) An assessment of the potential economic impact to Rosoboronexport of procuring nonstandard rotary wing aircraft described in paragraph (1)(A) through entities other than Rosoboronexport.

(4) An assessment of the risks and benefits of using the entities identified pursuant to paragraph (1)(A) to procure aircraft described in that paragraph.

(5) Such other matters as the Under Secretary considers appropriate.

(d) USE OF PREVIOUS STUDIES.—The entity conducting the assessment for purposes of subsection (a) may use and incorporate information from previous studies on matters appropriate to the assessment.

(e) FORM OF REPORT.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle E—Matters Relating to the Asia-Pacific Region

SEC. 1261. SOUTH CHINA SEA INITIATIVE.

(a) ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized, for the purpose of increasing maritime security and maritime domain awareness of foreign countries along the South China Sea—

(A) to provide assistance to national military or other security forces of such countries that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION OF ASSISTANCE AND TRAINING.—The provision of assistance and training under this section may be referred to as the ''South China Sea Initiative''.

(b) RECIPIENT COUNTRIES.—The foreign countries that may be provided assistance and training under subsection (a) are the following:

(1) Indonesia.

(2) Malaysia.

(3) The Philippines.

(4) Thailand.

(5) Vietnam.

(c) TYPES OF ASSISTANCE AND TRAINING.—

(1) AUTHORIZED ELEMENTS OF ASSISTANCE.—Assistance provided under subsection (a)(1)(A) may include the provision of equipment, supplies, training, and small-scale military construction.

(2) REQUIRED ELEMENTS OF ASSISTANCE AND TRAINING.—Assistance and training provided under subsection (a) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall accord a priority to assistance, training, or both that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.

(e) INCREMENTAL EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—

(1) AUTHORITY FOR PAYMENT.—If the Secretary of Defense determines that the payment of incremental expenses in connection with training described in subsection (a)(1)(B) will facilitate the participation in such training of organization personnel of foreign countries specified in paragraph (2), the Secretary may use amounts available under subsection (f) for assistance and training under subsection (a) for the payment of such incremental expenses.

(2) COVERED COUNTRIES.—The foreign countries specified in this paragraph are the following:

(A) Brunei.

(B) Singapore.

(C) Taiwan.

(f) FUNDING.—Funds may be used to provide assistance and training under subsection (a) as follows:

(1) In fiscal year 2016, $50,000,000 from amounts authorized to be appropriated for the Department of Defense for that fiscal year for operation and maintenance, Defense-wide.

(2) In fiscal year 2017, $75,000,000 from amounts authorized to be appropriated for the Department of Defense for that fiscal year for operation and maintenance, Defense-wide.

(3) In each of fiscal years 2018 through 2020, $100,000,000 from amounts authorized to be appropriated for the Department of Defense for such fiscal year for operation and maintenance, Defense-wide.

(g) NOTICE TO CONGRESS ON ASSISTANCE AND TRAINING.—Not later than 15 days before exercising the authority under subsection (a) or (e) with respect to a recipient foreign country, the Secretary of Defense shall submit to the congressional defense committees a notification containing the following:

(1) The recipient foreign country.

(2) A detailed justification of the program for the provision of the assistance or training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation timeline for the program with milestones (including anticipated delivery schedules for any assistance under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support host nation sustainment of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(h) EXPIRATION.—The authority provided under this section may not be exercised after September 30, 2020.

SEC. 1262. SENSE OF CONGRESS REAFFIRMING THE IMPORTANCE OF IMPLEMENTING THE REBALANCE TO THE ASIA-PACIFIC REGION.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States has a longstanding national interest in maintaining security in the Asia-Pacific region.

(2) The Asia-Pacific region is home to the world's three largest economies, four most populous countries, and five largest militaries. The Asia-Pacific's rapid economic growth and mounting security tensions require a renewed focus from the United States on the region to maintain security, expand prosperity, and support common values.

(3) In 2011, President Barack Obama announced that the United States would rebalance to the Asia-Pacific. Since then, there have been a number of actions taken to strengthen the United States posture and relationships in the region, including the negotiation of the Enhanced Defense Cooperation Agreement with the Philippines, the distributed laydown of the United States Marines Corps in the Pacific, the rotational stationing of the Littoral Combat Ship in Singapore, and a new comprehensive partnership with Vietnam on defense and security.

(4) Leaders in regional states remain concerned about a variety of regional military challenges. These include China's military modernization and its increasingly assertive actions in the East and South China Sea and North Korea's continued belligerence and its pursuit of nuclear and ballistic missile technology. United States allies and partners are looking to the United States to demonstrate its willingness and ability to maintain regional peace and security by fully implementing the rebalance to the Asia-Pacific.

(5) In April 2015, the Commander of the United States Pacific Command Admiral Samuel Locklear warned, ''Our relative superiority I think has declined and continues to decline. . .we rely very heavily on power projection, which means we have to be able to get the forces forward. . .''. Admiral Locklear also noted, ''Any significant force structure moves out of my AOR in the middle of a rebalance would have to be understood and have to be explained because it would counterintuitive to a rebalance to move significant forces in another direction.''

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

(1) in order to maintain the credibility of the United States rebalance, it is vital that the United States continue to shift forces to the Asia-Pacific region to strengthen the ability of the United States Armed Forces to project power to shape the choices of regional states and to deter, and if necessary defend, against hostile military actions;

(2) United States allies and partners in the Asia-Pacific region, as well as potential adversaries, would take note of any withdrawal of forces from the Asia-Pacific theater;

(3) any withdrawal of United States forces from Outside the Continental United States (''OCONUS'') Asia-Pacific region or from United States Pacific Command would therefore seriously undermine the rebalance; and

(4) in order to properly implement United States rebalance policy, United States forces under the operational control of the United States Pacific Command should be increased consistent with commitments already made by the Department of Defense and aligned with the requirement to maintain a balance of military power that favors the United States and United States allies in the Asia-Pacific region.

SEC. 1263. SENSE OF SENATE ON TAIWAN ASYMMETRIC MILITARY CAPABILITIES AND BILATERAL TRAINING ACTIVITIES.

It is the sense of the Senate that—

(1) the United States, in accordance with the Taiwan Relations Act (Public Law 96–8), should continue to make available to Taiwan such defense articles and services as may be necessary to enable Taiwan to maintain a sufficient self-defense;

(2) the United States should continue to support the efforts of Taiwan to integrate innovative and asymmetric measures to balance the growing military capabilities of the People's Republic of China, including fast-attack craft, coastal-defense cruise missiles, rapid-runway repair systems, offensive mines, and submarines optimized for defense of the Taiwan straits;

(3) the military forces of Taiwan should be permitted to participate in bilateral training activities hosted by the United States that increase credible deterrent capabilities of Taiwan, particularly those that emphasize the defense of Taiwan Island from missile attack, maritime blockade, and amphibious invasion by the People's Republic of China;

(4) toward that goal, Taiwan should be encouraged to participate in exercises that include realistic air-to-air combat training, including the exercise conducted at Eielson Air Force Base, Alaska, and Nellis Air Force Base, Nevada, commonly referred to as ''Red Flag''; and

(5) Taiwan should also be encouraged to participate in advanced bilateral training for its ground forces, Apache attack helicopters, and P–3C surveillance aircraft in island-defense scenarios.

Subtitle F—Reports and Related Matters

SEC. 1271. ITEM IN QUARTERLY REPORTS ON ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT ON FORCES INELIGIBLE TO RECEIVE ASSISTANCE DUE TO A GROSS VIOLATION OF HUMAN RIGHTS.

(a) ITEM IN REPORTS.—Section 1236(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by adding at the end the following new paragraph

''(11) A list of the forces or elements of forces restricted from receiving assistance under subsection (a), unless waived pursuant to subsection (j), as a result of vetting required by subsection (e) or section 2249e of title 10, United States Code, and a detailed description of the reasons for such restriction, including for each force or element—

''(A) information relating to gross violation of human rights by such force or element (including the timeframe of the alleged violation);

''(B) the source of the information described in subparagraph (A), and an assessment of the veracity of the information;

''(C) the association of such force or element with terrorist groups or groups associated with the Government of Iran; and

''(D) the amount and type of any assistance provided such force or element by the Government of Iran.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted pursuant to section 1236(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

SEC. 1272. REPORT ON BILATERAL AGREEMENT WITH ISRAEL ON JOINT ACTIVITIES TO ESTABLISH AN ANTI-TUNNELING DEFENSE SYSTEM.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the feasibility and advisability of the entry by the United States and Israel into a bilateral agreement through which the governments of the two countries carry out research, development, and test activities on a joint basis to establish an anti-tunneling defense system to detect, map, and neutralize underground tunnels into and directed at the territory of Israel.

(b) APPROPRIATE COMMITTEE 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. 1273. SENSE OF SENATE AND REPORT ON QATAR FIGHTER AIRCRAFT CAPABILITY CONTRIBUTION TO REGIONAL SECURITY.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States should consider, in a timely manner, opportunities to enhance the strike capability of fighter aircraft of the Qatar air force that would contribute to Qatar's self-defense and deter Iran's regional ambitions and simultaneously preserve the qualitative military edge of Israel; and

(2) Qatar should be afforded the opportunity through acquisition of appropriate technologies and exercises with the United States Armed Forces and the armed forces of partner nations to develop improved self-defense and counter force aviation capabilities that advanced fighter aircraft would provide.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 31, 2016, the Secretary of Defense, shall, in consultation with the Secretary of State, submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the risks and benefits under consideration as they relate to capabilities described in subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following elements:

(A) A description of the key assumptions regarding the increase to Qatar air force capabilities as a result of potential pending transfer of technologies and weapons systems.

(B) A description of the key assumptions regarding items described in subparagraph (A) as they impact considerations regarding preservation of Israel's qualitative military edge.

(C) Estimated timelines for final adjudication of decisions to approve such transfers.

(3) FORM.—The report required by paragraph (1) may be submitted in classified or unclassified form.

Subtitle G—Other Matters

SEC. 1281. NATO SPECIAL OPERATIONS HEADQUARTERS.

Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541), as most recently amended by section 1272(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2023), is further amended by striking ''each of fiscal years 2013, 2014, and 2015'' and inserting ''each of fiscal years 2016, 2017, and 2018''.

SEC. 1282. TWO-YEAR EXTENSION AND MODIFICATION OF AUTHORIZATION FOR NONCONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) EXTENSION.—Subsection (h) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1261(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended by striking ''2016'' and inserting ''2018''.

(b) SOURCE OF FUNDS.—Subsection (a) of such section 943, as amended by section 1205(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1623), is further amended by striking ''for 'Operation and Maintenance, Defense-wide'\'' and inserting ''for the Department of Defense for operation and maintenance''.

(c) OVERSIGHT.—Subsection (b) of such section 943 is amended—

(1) by striking ''(b) PROCEDURES.—The Secretary'' and inserting the following:

''(b) PROCEDURES AND OVERSIGHT.—

''(1) PROCEDURES.—The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2) PROGRAMMATIC AND POLICY OVERSIGHT.—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall have primary programmatic and policy oversight of non-conventional assisted recovery activities authorized by this section.''.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FISCAL YEAR 2016 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2016 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 2016, 2017, and 2018.

SEC. 1302. FUNDING ALLOCATIONS.

Of the $358,496,000 authorized to be appropriated to the Department of Defense for fiscal year 2016 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, $1,289,000.

(2) For chemical weapons destruction, $942,000.

(3) For global nuclear security, $20,555,000.

(4) For cooperative biological engagement, $264,608,000.

(5) For proliferation prevention, $38,945,000.

(6) For threat reduction engagement, $2,827,000.

(7) For activities designated as Other Assessments/Administrative Costs, $29,320,000.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2016 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. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. 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 2016 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. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 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. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2016 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—Other Matters

SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1406 and available for the Defense Health Program for operation and maintenance, $120,400,000 may be transferred by the

Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2016 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

SEC. 1413. INSPECTIONS OF THE ARMED FORCES RETIREMENT HOME BY THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) INSPECTIONS.—Subsection (b)(1) of section 1518 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 418) is amended by striking ''a comprehensive inspection of all aspects of each facility of the Retirement Home'' and all that follows and inserting ''an inspection of the Retirement Home. The Inspector General shall determine the scope of each such inspection using a risk-based analysis of the operations of the Retirement Home.''.

(b) REPORTS.—Subsection (c)(1) of such section is amended in the second sentence by striking ''Not later than 90 days after completing the inspection of the facility, the Inspector General'' and inserting ''The Inspector General''.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2016 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 2016 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.

SEC. 1503. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2016 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 2016 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 2016 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 2016 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 2016 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 2016 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 2016 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 2016 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1511. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Counterterrorism Partnerships Fund, as specified in the funding table in section 4502.

(b) DURATION OF AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2017.

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 2016 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 $4,000,000,000.

(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—Limitations, Reports, and Other Matters

SEC. 1531. 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 2016 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) EXTENSION OF AUTHORITY TO ACCEPT CERTAIN EQUIPMENT.—Section 1532(b)(1) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking ''this Act'' and inserting ''Acts enacted before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.''.

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2016.

(b) EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—Section 1532(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057) is amended—

(1) in paragraph (1), by inserting ''and for fiscal year 2016,'' after ''fiscal year 2013,''; and

(2) in paragraph (4), as most recently amended by section 1533(c) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), by striking ''December 31, 2015'' and inserting ''December 31, 2016''.

(c) LIMITATION ON USE OF FUNDS FOR CERTAIN ASSIGNMENTS OF PERSONNEL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Organization may be used for the purposes of the Joint Improvised Explosive Device Defeat Organization assigning personnel or contractors on a permanent or temporary basis, or as a detail, to the combatant commands or associated military components, or the combat support agencies, unless such personnel or contractors are supporting—

(1) Operation Freedom's Sentinel or any successor operation to that operation;

(2) Operation Inherent Resolve or any successor operation to that operation; or

(3) another operation that, as determined by the Secretary of Defense, requires the direct support of the Joint Improvised Explosive Device Defeat Organization.

(d) NOTICE TO CONGRESS.—If after the date of the enactment of this Act the Secretary of Defense makes a determination described in subsection (c)(3) that an operation requires the direct support of the Joint Improvised Explosive Device Defeat Organization, the Secretary shall submit to the congressional defense committees a notice of the determination and the reasons for the determination.

(e) LIMITATION ON IMPLEMENTATION OF JIEDDO AS COMBAT SUPPORT AGENCY.—Relating to the determination by the Deputy Secretary of Defense on March 11, 2015, to make the Joint Improvised Explosive Device Defeat Organization a combat support agency, the Secretary of Defense is prohibited from implementing such determination until 90 days after the date on which the Secretary submits to the congressional defense committees a report setting forth the following

(1) A detailed plan for the disposition of the Organization as a combat support agency, including the enduring requirements and key functions of the Organization, the chain of command for the Organization, and funding for the Organization as such an agency.

(2) A statement of potential alternative means to achieving the objective of designating the Organization as a combat support agency, including the assumption of one or more functions of the Organization by one or more other components or elements of the Department of Defense, and an assessment of the feasibility and advisability of each such alternative.

SEC. 1533. AVAILABILITY OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND FUNDS FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFEAT IMPROVISED EXPLOSIVE DEVICES.

(a) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Fund, up to $30,000,000 may be available to provide training to foreign security forces in defeating improvised explosive devices under authority provided the Department of Defense under any other provision of law.

(b) CONSTRUCTION OF AVAILABILITY OF FUNDS.—The availability of funds under subsection (a) shall not be construed as authority in and of itself for the provision of training as described in that subsection.

(c) GEOGRAPHIC LIMITATION.—Training may be provided using funds available under subsection (a) only—

(1) in locations in which the Department of Defense is conducting a named operation; or

(2) in geographic areas in which the Secretary of Defense has determined that a foreign security force is facing a significant threat from improvised explosive devices.

(d) COORDINATION WITH GEOGRAPHIC COMBATANT COMMANDS.—The Secretary shall, to the extent practicable, coordinate the provision of training using funds available under subsection (a) with requests received from the commanders of the geographic combatant commands.

(e) EXPIRATION.—The authority to use funds described in subsection (a) in accordance with this section shall expire on December 31, 2018.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. INTEGRATED POLICY TO DETER ADVERSARIES IN SPACE.

(a) IN GENERAL.—The President shall establish an interagency process to provide for the development of a policy to deter adversaries in space—

(1) with the objectives of—

(A) reducing risks to the United States and allies of the United States in space; and

(B) protecting and preserving the rights, access, capabilities, use, and freedom of action of the United States in space and the right of the United States to respond to an attack in space and, if necessary, deny adversaries the use of space capabilities hostile to the national interests of the United States; and

(2) that integrates the interests and responsibilities of the agencies participating in the process.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy developed pursuant to subsection (a).

(2) FUNDING RESTRICTION.—If the President has not submitted the policy developed under subsection (a) and the answers to Enclosure 1, regarding offensive space control policy, of the classified annex to this Act, to the Committees on Armed Services of the Senate and the House of Representatives by the date required by paragraph (1), an amount equal to $10,000,000 of the amount authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2016 to provide support services to the Executive Office of the President shall be withheld from obligation or expenditure until the policy and such answers are submitted to such Committees.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1602. PRINCIPAL ADVISOR ON SPACE CONTROL.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code is amended by adding at the end the following new section:

''§ 2279a. Principal Advisor on Space Control

''(a) IN GENERAL.—The Secretary of Defense shall designate an individual to serve as the Principal Space Control Advisor, who shall act as the principal advisor to the Secretary on space control activities.

''(b) RESPONSIBILITIES.—The Principal Space Control Advisor shall be responsible for the following:

''(1) Supervision of space control activities related to the development, procurement, and employment of, and strategy relating to, space control capabilities.

''(2) Oversight of policy, resources, personnel, and acquisition and technology relating to space control activities.

''(c) CROSS-FUNCTIONAL TEAM.—The Principal Space Control Advisor shall integrate the space control expertise and perspectives of appropriate organizational entities of the Office of the Secretary of Defense, the Joint Staff, the military departments, the Defense Agencies, and the combatant commands, by establishing and maintaining a full-time, cross-functional team of subject-matter experts from those entities.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2799 the following new item:

''2279a. Principal Advisor on Space Control.''.

SEC. 1603. EXCEPTION TO THE PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Section 1608 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note) is amended—

(1) in subsection (a), by striking ''subsections (b) and (c)'' and inserting ''subsections (b), (c), and (d)''; and

(2) by adding at the end the following new subsection:

''(d) SPECIAL RULE FOR PHASE 1A COMPETITIVE OPPORTUNITIES.—

''(1) IN GENERAL.—For not more than 9 competitive opportunities described in paragraph (2), the Secretary of Defense may award a contract—

''(A) requiring the use of a rocket engine designed or manufactured in the Russian Federation that is eligible for a waiver under subsection (b) or an exception under subsection (c); or

''(B) if a rocket engine described in subparagraph (A) is not available, requiring the use of a rocket engine designed or manufactured in the Russian Federation that is not eligible for such a waiver or exception.

''(2) COMPETITIVE OPPORTUNITIES DESCRIBED.—A competitive opportunity described in this paragraph is—

''(A) an opportunity to compete for a contract for the procurement of property or services for space launch activities under the evolved expendable launch vehicle program; and

''(B) one of the 9 Phase 1A competitive opportunities for fiscal years 2015 through 2017, as specified in the budget justification materials submitted to Congress in support of the budget of the President for fiscal year 2016 (as submitted to Congress under section 1105(a) of title 31, United States Code).''.

SEC. 1604. ELIMINATION OF LAUNCH CAPABILITIES CONTRACTS UNDER EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) IN GENERAL.—Except as provided by subsections (b) and (c), on and after the date of the enactment of this Act, the Secretary of Defense may not award or renew a contract, or maintain a separate contract line item, for the procurement of property or services for space launch capabilities under the evolved expendable launch vehicle program.

(b) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) and award or renew a contract or maintain a separate contract line item for the procurement of property or services for space launch capabilities if the Secretary of Defense determines, and reports to the congressional defense committees not later than 30 days before the waiver takes effect, that—

(1) awarding or renewing such a contract or maintaining such a contract line item is necessary for the national security interests of the United States and the contract or contract line item does not support space launch activities using rocket engines designed or manufactured in the Russian Federation; and

(2) failing to award or renew such a contract or maintain such a contract line item will have significant consequences to national security and will result in the significant loss of life or property or economic harm.

(c) EXCEPTION.—

(1) IN GENERAL.—The prohibition under subsection (a) shall not apply to the placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013.

(2) TERMINATION.—The exception under paragraph (1) shall terminate on September 30, 2019.

(d) SPACE LAUNCH CAPABILITIES DEFINED.—In this section, the term ''space launch capabilities'' includes all work associated with space launch infrastructure maintenance and sustainment, program management, systems engineering, launch site operations, launch site depreciation, and maintenance commodities.

SEC. 1605. ALLOCATION OF FUNDING FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) IN GENERAL.—The amount requested in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2017, 2018, or 2019 for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch capability program shall bear the same ratio to the total amount requested in that budget for that fiscal year for the launch of national security satellites under the evolved expendable launch vehicle launch capability program as the amount requested in that budget for that fiscal year for the procurement of cores for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch services program bears to the total amount requested in that budget for that fiscal year for the procurement of cores for the launch of national security satellites under the evolved expendable launch vehicle launch services program.

(b) NATIONAL SECURITY SATELLITE DEFINED.—In this section, the term ''national security satellite'' is a satellite launched for national security purposes, including such a satellite launched by the Air Force, the Navy, or the National Reconnaissance Office, or any other element of the Department of Defense.

SEC. 1606. INCLUSION OF PLAN FOR DEVELOPMENT AND FIELDING OF A FULL-UP ENGINE IN ROCKET PROPULSION SYSTEM DEVELOPMENT PROGRAM.

Section 1604(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(4) a plan for the development and fielding of a full-up engine.''.

SEC. 1607. LIMITATIONS ON AVAILABILITY OF FUNDS FOR THE DEFENSE METEOROLOGICAL SATELLITE PROGRAM.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Defense Meteorological Satellite program (PE# 0305160F and line number MS0554) or for the launch of Defense Meteorological Satellite program satellite #20 (in this section referred to as ''DMSP20''), and none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 for that program or the launch of DMSP20 that remain available for obligation as of the date of the enactment of this Act, may be obligated or expended until the Secretary of Defense and the Chairman of the Joint Chiefs of Staff jointly certify to the congressional defense committees that—

(1) relying on civil and international contributions to meet space-based environmental monitoring requirements is insufficient or is a risk to national security and launching DMSP20 will meet those requirements;

(2) launching DMSP20 is the most affordable solution to meeting requirements validated by the Joint Requirements Oversight Council; and

(3) nonmaterial solutions within the Department of Defense, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration are incapable of meeting the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council.

(b) COMPARATIVE COST AND CAPABILITY ASSESSMENT.—If the Secretary and the Chairman determine that a material solution is required to meet the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council, the Secretary and the Chairman shall jointly submit to the congressional defense committees a cost and capability assessment that compares the cost of meeting those requirements with DMSP20 and with an alternate material solution that includes electro-optical infrared weather imaging or other comparable solutions.

SEC. 1608. QUARTERLY REPORTS ON GLOBAL POSITIONING SYSTEM III SPACE SEGMENT, GLOBAL POSITIONING SYSTEM OPERATIONAL CONTROL SEGMENT, AND MILITARY GLOBAL POSITIONING SYSTEM USER EQUIPMENT ACQUISITION PROGRAMS.

(a) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall submit to the Comptroller General of the United States a report on the Global Positioning System III space segment, the Global Positioning System operational control segment, and the Military Global Positioning System user equipment acquisition programs.

(b) ELEMENTS.—Each report required by subsection (a) shall include, with respect to an acquisition program specified in that subsection, the following:

(1) A statement of the status of the program with respect to cost, schedule, and performance.

(2) A description of any changes to the requirements of the program.

(3) A description of any technical risks impacting the cost, schedule, and performance of the program.

(4) An assessment of how such risks are to be addressed and the costs associated with such risks.

(5) An assessment of the extent to which the segments of the program are synchronized.

(c) BRIEFINGS BY COMPTROLLER GENERAL.—The Comptroller General shall provide to the congressional defense committees a briefing on a report submitted under subsection (a)—

(1) in the case of the first such report, not later than 30 days after receiving that report; and

(2) as the Comptroller General considers appropriate thereafter.

(d) TERMINATION.—The requirement under subsection (a) shall terminate with respect to an acquisition program specified in that subsection on the date on which that program reaches full operational capability.

SEC. 1609. PLAN FOR CONSOLIDATION OF ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Not later than January 31, 2016, the Department of Defense Executive Agent for Space shall submit to the congressional defense committees a plan for the consolidation, during the three-year period beginning on the date on which the plan is submitted, of the acquisition of commercial satellite communications services from across the Department of Defense into a program office in the Space and Missile Systems Center of the Air Force.

(b) REQUIREMENTS.—

(1) IN GENERAL.—The plan required by subsection (a) shall include—

(A) an assessment of the management and overhead costs relating to the acquisition of commercial satellite communications services across the Department of Defense; and

(B) an estimate of—

(i) the costs of implementing the consolidation of the acquisition of such services described in subsection (a); and

(ii) the projected savings of the consolidation.

(2) VALIDATION BY DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.—The assessment required by paragraph (1)(A) and the estimates required by paragraph (1)(B) shall be validated by the Director of Cost Assessment and Program Evaluation.

SEC. 1610. COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTERPRISE.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 1602, is further amended by adding at the end the following new section:

''§ 2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise

''(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the 'Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise' (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—The members of the Council shall be as follows:

''(1) The Under Secretary of Defense for Policy.

''(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

''(3) The Vice Chairman of the Joint Chiefs of Staff.

''(4) The Commander of the United States Strategic Command.

''(5) The Commander of the United States Northern Command.

''(6) The Commander of United States Cyber Command.

''(7) The Director of the National Security Agency.

''(8) The Chief Information Officer of the Department of Defense.

''(9) Such other officers of the Department of Defense as the Secretary may designate.

''(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

''(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the Department of Defense positioning, navigation, and timing enterprise, including positioning, navigation, and timing services provided to civil, commercial, scientific, and international users.

''(2) In carrying out the responsibility for oversight of the Department of Defense positioning, navigation, and timing enterprise as specified in paragraph (1), the Council shall be responsible for the following:

''(A) Oversight of performance assessments (including interoperability).

''(B) Vulnerability identification and mitigation.

''(C) Architecture development.

''(D) Resource prioritization.

''(E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

''(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress under section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

''(1) A description and assessment of the activities of the Council during the previous fiscal year.

''(2) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

''(3) Any changes to the requirements of the Department of Defense positioning, navigation, and timing enterprise made during

the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of such enterprise.

''(4) A breakdown of each program element in such budget that relates to the Department of Defense positioning, navigation, and timing enterprise, including how such program element relates to the operation and sustainment, research and development, procurement, or other activity of such enterprise.

''(f) BUDGET AND FUNDING MATTERS.—(1) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

''(A) whether such budget allows the Federal Government to meet the required capabilities of the Department of Defense positioning, navigation, and timing enterprise during the fiscal year covered by the budget and the four subsequent fiscal years; and

''(B) if the Commander determines that such budget does not allow the Federal Government to meet such required capabilities, a description of the steps being taken to meet such required capabilities.

''(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under paragraph (1), the Chairman shall submit to the congressional defense committees—

''(A) such assessment as it was submitted to the Chairman; and

''(B) any comments of the Chairman.

''(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the Department of Defense positioning, navigation, and timing enterprise that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

''(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the Department of Defense positioning, navigation, and timing enterprise that is reported to the Secretary or the Council by not later than 14 days after the date on which the Secretary or the Council learns of such anomaly, as the case may be.

''(2) In this subsection, the term 'anomaly' means any unplanned, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

''(h) TERMINATION.—The Council shall terminate on the date that is 10 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 1602, is further amended by inserting after the item relating to section 2799a the following new item:

''2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.''.

SEC. 1611. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND COMMUNICATIONS.

(a) IN GENERAL.—The Secretary of Defense shall conduct an analysis of alternatives for a follow-on wide-band communications system to the Wideband Global SATCOM System that includes space, air, and ground layer communications capabilities of the Department of Defense.

(b) REPORT REQUIRED.—Not later than March 31, 2017, the Secretary shall submit to the congressional defense committees a report on the analysis conducted under subsection (a).

SEC. 1612. EXPANSION OF GOALS FOR PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1605(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2208 note) is amended—

(1) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) demonstrates the potential to achieve order-of-magnitude improvements in satellite communications capability.''.

SEC. 1613. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing United States launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms ''launch'', ''reenter'', and ''reentry'' include landing of a launch vehicle or reentry vehicle; and

(C) the terms ''United States Government launch site'' and ''United States Government reentry site'' include any necessary facility, at that location, that is commercially operated on United States Government property.

Subtitle B—Cyber Warfare, Cyber Security, and Related Matters

SEC. 1621. AUTHORIZATION OF MILITARY CYBER OPERATIONS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 130g. Authorities concerning military cyber operations

''The Secretary of Defense shall develop, prepare, coordinate, and, when authorized by the President to do so, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by adding at the end the following new item:

''130g. Authorities concerning military cyber operations.''.

SEC. 1622. DESIGNATION OF DEPARTMENT OF DEFENSE ENTITY RESPONSIBLE FOR ACQUISITION OF CRITICAL CYBER CAPABILITIES.

(a) DESIGNATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, for each critical cyber capability described in paragraph (2), designate an entity of the Department of

Defense to be responsible for the acquisition of the critical cyber capability.

(2) CRITICAL CYBER CAPABILITIES DESCRIBED.—The critical cyber capabilities described in this paragraph are all of the cyber capabilities that the Secretary considers critical to the mission of the Department of Defense, including the following:

(A) The Unified Platform.

(B) A persistent cyber training environment.

(C) A cyber situational awareness and battle management system.

(b) REPORT.—

(1) IN GENERAL.—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 on the designations made under subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) Identification of each designation made under subsection (a).

(B) Estimates of the funding requirements and acquisition timelines for each critical cyber capability for which a designation was made under subsection (a).

(C) An explanation of whether critical cyber capabilities could be acquired more quickly with changes to acquisition authorities.

(D) Such recommendations as the Secretary may have for legislation or administrative action to improve the acquisition of, or acquire more quickly, the critical cyber capabilities for which designations are made under subsection (a).

SEC. 1623. INCENTIVE FOR SUBMITTAL TO CONGRESS BY PRESIDENT OF INTEGRATED POLICY TO DETER ADVERSARIES IN CYBERSPACE.

Until the President submits to the congressional defense committees the report required by section 941 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 837; Public Law 113–66), $10,000,000 of the unobligated balance of the amounts appropriated or otherwise made available to the Department of Defense to provide support services to the Executive Office of the President may not be obligated or expended.

SEC. 1624. AUTHORIZATION FOR PROCUREMENT OF RELOCATABLE SENSITIVE COMPARTMENTED INFORMATION FACILITY.

Of the unobligated amounts appropriated or otherwise made available in fiscal years 2014 and 2015 for procurement for the Army, $10,600,000 may be used for the procurement of a relocatable Sensitive Compartmented Information Facility for the Cyber Center of Excellence at Fort Gordon, Georgia, as described in the reprogramming action prior approval request submitted by the Under Secretary of Defense (Comptroller) to Congress on February 6, 2015.

SEC. 1625. EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) EVALUATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall complete an evaluation of the cyber vulnerabilities of each major weapon system of the Department of Defense by not later than December 31, 2019.

(2) EXCEPTION.—The Secretary may waive the requirement of paragraph (1) with respect to a weapon system or complete the evaluation of a weapon system required by such paragraph after the date specified in such paragraph if the Secretary certifies to the congressional defense committees before that date that all known cyber vulnerabilities in the weapon system have minimal consequences for the capability of the weapon system to meet operational requirements or otherwise satisfy mission requirements.

(b) PLAN FOR EVALUATION.—

(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 the plan of the Secretary for the evaluations of major weapon systems required by subsection (a), including an identification of each of the weapon systems to be evaluated and an estimate of the funding required to conduct the evaluations.

(2) PRIORITY IN EVALUATIONS.—The plan under paragraph (1) shall accord a priority among evaluations based on the criticality of major weapon systems, as determined by the Chairman of the Joint Chiefs of Staff based on an assessment of employment of forces and threats.

(3) INTEGRATION WITH OTHER EFFORTS.—The plan under paragraph (1) shall build upon existing efforts regarding the identification and mitigation of cyber vulnerabilities of major weapon systems, and shall not duplicate similar ongoing efforts such as ''Task Force Cyber Awakening'' of the Navy or ''Task Force Cyber Secure'' of the Air Force.

(c) STATUS ON PROGRESS.—On a regular basis, the Secretary shall inform the congressional defense committees of the activities undertaken in the evaluation of major weapon systems under this section.

(d) RISK MITIGATION STRATEGIES.—As part of the evaluation of cyber vulnerabilities of major weapon systems of the Department under this section, the Secretary shall develop strategies for mitigating the risks of cyber vulnerabilities identified in the course of such evaluations.

(e) AUTHORIZATION OF APPROPRIATIONS.—Of amounts appropriated or otherwise made available under section 201, $200,000,000 shall be available to the Secretary to conduct the evaluations required by subsection (a)(1).

SEC. 1626. ASSESSMENT OF CAPABILITIES OF UNITED STATES CYBER COMMAND TO DEFEND THE UNITED STATES FROM CYBER ATTACKS.

(a) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Principal Cyber Advisor, with the assistance of the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall sponsor an independent panel to assess the ability of the National Mission Forces of the United States Cyber Command to reliably prevent or block large-scale attacks on the United States by foreign powers with capabilities comparable to the capabilities of China, Iran, North Korea, and Russia expected in the years 2020 and 2025.

(2) INDEPENDENT EXPERTS.—The panel sponsored under paragraph (1) shall include—

(A) independent experts in cyber warfare technology, intelligence, and operations; and

(B) independent experts in non-cyber military operations.

(b) WAR GAMES.—The Chairman of the Joint Chiefs of Staff, in consultation with the Principal Cyber Advisor, shall conduct a series of war games through the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate to assess the strategy, assumptions, and capabilities of the United States Cyber Command to prevent large-scale cyber attacks by foreign powers with capabilities described in subsection (a)(1) from reaching United States targets.

(c) FINDINGS.—Not later than one year after the date of the enactment of this Act—

(1) the Principal Cyber Advisor shall convey to the congressional defense committees the findings of the Principal Cyber Advisor with respect to the assessment conducted by the panel sponsored under subsection (a)(1); and

(2) the Chairman of the Joint Chiefs of Staff shall convey to the congressional defense committees the findings of the Chairman with respect to the war games conducted under subsection (b)(1).

(d) FOREIGN POWER DEFINED.—In this section, the term ''foreign power'' has the meaning given the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SEC. 1627. BIENNIAL EXERCISES ON RESPONDING TO CYBER ATTACKS AGAINST CRITICAL INFRASTRUCTURE.

(a) BIENNIAL EXERCISES REQUIRED.—Not less frequently than once every two years until the date that is six years after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the heads of the critical infrastructure sector-specific agencies designated under Presidential Policy Directive–21 (entitled ''Critical Infrastructure Security Resilience'' and dated February 12, 2013) and in consultation with governors of the States and the owners and operators of critical infrastructure, organize and execute one or more exercises based on scenarios in which—

(1) critical infrastructure of the United States is attacked through cyberspace; and

(2) the President directs the Secretary to—

(A) defend the United States; and

(B) provide support to civil authorities in responding to and recovering from cyber attacks.

(b) PURPOSES.—The purposes of the exercises required by subsection (a) are as follows:

(1) To improve cooperation and coordination between various parts of the Government and industry so that the Government and industry can more effectively and efficiently respond to cyber attacks.

(2) To exercise command and control, coordination, communications, and information sharing capabilities under the stressing conditions of an ongoing cyber attack.

(3) To identify gaps and problems that require new enhanced training, capabilities, procedures, or authorities.

(4) To identify—

(A) interdependencies;

(B) strengths that should be leveraged; and

(C) weaknesses that need to be mitigated.

(c) REQUIREMENT FOR VARIATION OF ASSUMPTIONS AND CONDITIONS.—In conducting the exercises required by subsection (a), the Secretary shall ensure that there is an appropriate degree of variation from exercise to exercise of the following:

(1) The size, scope, duration, and sophistication of the cyber attacks.

(2) The degree of warning and knowledge that is available to the Department of Defense about the attack and the means used in the attack and the degree of delegation of authority from the President to react, including with pre-planned responses.

(3) The effectiveness of the National Mission Force of the United States Cyber Command in preempting and defeating the attack.

(4) The effectiveness of the attacks on critical infrastructure in general and particularly in specific industry sectors.

(5) The effectiveness of resilience and recovery mechanisms.

(d) COST SHARING AGREEMENTS.—The Secretary shall coordinate with those with whom the Secretary is required to coordinate under subsection (a) to develop equitable cost sharing agreements to defray the expenses of the exercises required by subsection (a).

Subtitle C—Nuclear Forces

SEC. 1631. DESIGNATION OF AIR FORCE OFFICIALS TO BE RESPONSIBLE FOR POLICY ON AND PROCUREMENT OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.

(a) DESIGNATION OF OFFICIALS.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems

''(a) PROCUREMENT.—The Secretary of the Air Force shall designate a senior acquisition official of the Air Force to be responsible for ensuring the procurement and integration of the nuclear command, control, and communication systems of the Air Force.

''(b) POLICY.—The Secretary shall designate an official of the Air Force to be responsible for—

''(1) formulating an integrated policy for the nuclear command, control, and communications systems of the Air Force that includes long-term requirements to satisfy the requirements of the Department of Defense for nuclear command, control, and communications; and

''(2) ensuring that such policy is integrated across all Air Force systems using nuclear command, control, and communications systems.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 498 the following new item:

''499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems.''.

(b) DEADLINE.—The Secretary of the Air Force shall—

(1) designate the officials required by section 499 of title 10, United States Code, as added by subsection (a)(1), not later than 90 days after the date of the enactment of this Act; and

(2) promptly notify the congressional defense committees of such designation.

SEC. 1632. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF RECOMMENDATIONS RELATING TO THE NUCLEAR SECURITY ENTERPRISE.

(a) IN GENERAL.—The Comptroller General of the United States shall, in each of fiscal years 2016 through 2021, conduct a review of the process of the Department of Defense for addressing the recommendations of the Department of Defense Internal Nuclear Enterprise Review, the Independent Review of the Department of Defense Nuclear Enterprise, and the Nuclear Deterrence Enterprise Review Group, that are evaluated by the Office of Cost Assessment and Program Evaluation of the Department of Defense.

(b) BRIEFING AND REPORT.—After conducting each review under subsection (a), the Comptroller General shall—

(1) provide to the congressional defense committees an initial briefing on the review; and

(2) after providing the briefing under paragraph (1), submit to those committees a written report on the review and such other topics as the committees request during the briefing.

SEC. 1633. ASSESSMENT OF GLOBAL NUCLEAR ENVIRONMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) Nuclear competition among countries has become both different and in some ways more complex than was the case during the Cold War.

(2) During the 25 years preceding the date of the enactment of this Act, additional countries have obtained nuclear weapons. North Korea is a nuclear-armed country and Iran aspires to acquire a nuclear weapons capability.

(3) A regional nuclear competition has emerged in South Asia between India and Pakistan. Another such competition may emerge in the Middle East between Iran and Israel, triggering a nuclear proliferation cascade across the Middle East, involving Saudi Arabia, Turkey, and perhaps other countries as well.

(4) The proliferation of nuclear weapons to countries the cultures of which are quite different from that of the United States raises concerns regarding how leaders in those countries calculate cost, benefit, and risk with respect to decisions regarding the use of nuclear weapons.

(b) ASSESSMENT REQUIRED.—The Director of Net Assessment of the Department of Defense shall, in coordination with the Commander of the United States Strategic Command, conduct an assessment of the global environment with respect to nuclear weapons and the role of United States nuclear forces, policy, and strategy in that environment.

(c) OBJECTIVES.—The objectives of the assessment required by subsection (b) are to inform the long-term planning of the Department of Defense and policies relating to regional nuclear crises and operations that may involve the escalation of nuclear competition among countries.

(d) REQUIREMENTS.—

(1) IN GENERAL.—In conducting the assessment required by subsection (b), the Director shall develop and analyze a range of contingencies and scenarios, including crises that may emerge from nuclear competition during the 10-year period beginning on the date of the enactment of this Act that involve the following:

(A) The United States and one other country that possesses a nuclear weapon.

(B) The United States and multiple such countries.

(C) Two other such countries.

(D) Three or more other such countries.

(E) Regional and cross-regional geography, including contingencies and scenarios in Europe, the Middle East, South Asia, and East Asia, and contingencies and scenarios that transcend regions.

(F) The long-term geopolitical and military-technical competition as it relates to nuclear weapons and strategic warfare.

(2) ANALYSIS OF COMPETITIVE DISCONTINUITIES.—In analyzing the long-term geopolitical and military-technical competition as it relates to nuclear weapons and strategic warfare under paragraph (1)(F), the Director shall identify—

(A) prospective discontinuities in that competition; and

(B) strategies and capabilities the United States could adopt to improve its competitive position following such discontinuities.

(e) STAFFING.—In conducting the assessment required by subsection (b), the Director shall engage the best talent available, with particular emphasis on engaging individuals and independent entities with demonstrated expertise in strategy and net assessment methodology.

(f) REPORT REQUIRED.—Not later than November 15, 2016, the Director shall submit to the congressional defense committees a report on the assessment required by subsection (b).

SEC. 1634. DEADLINE FOR MILESTONE A DECISION ON LONG-RANGE STANDOFF WEAPON.

Not later than May 31, 2016, the Secretary of Defense shall make a Milestone A decision on the long-range standoff weapon.

SEC. 1635. AVAILABILITY OF AIR FORCE PROCUREMENT FUNDS FOR CERTAIN COMMERCIAL OFF-THE-SHELF PARTS FOR INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) AVAILABILITY OF PROCUREMENT FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2016 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 4101, $13,700,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645 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'' has the meaning given that term in section 1645(c) of such Act.

SEC. 1636. SENSE OF CONGRESS ON POLICY ON THE NUCLEAR TRIAD.

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

(1) the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States; and

(2) retaining all three legs of the nuclear triad is among the highest priorities of the Department of Defense and will best maintain strategic stability at a reasonable cost, while hedging against potential technical problems and vulnerabilities.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems consisting of—

(A) heavy bombers equipped with nuclear gravity bombs and air-launched nuclear cruise missiles;

(B) land-based intercontinental ballistic missiles equipped with nuclear warheads that are capable of carrying multiple independently targetable reentry vehicles; and

(C) ballistic missile submarines equipped with submarine launched ballistic missiles and multiple nuclear warheads;

(2) to operate, sustain, and modernize or replace a capability to forward-deploy nuclear weapons and dual-capable fighter-bomber aircraft;

(3) to deter potential adversaries and assure allies and partners of the United States through strong and long-term commitment to the nuclear deterrent of the United States and the personnel, systems, and infrastructure that comprise such deterrent;

(4) to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members; and

(5) to achieve a modern and responsive nuclear infrastructure to support the full spectrum of deterrence requirements.

Subtitle D—Missile Defense Programs

SEC. 1641. PLAN FOR EXPEDITING DEPLOYMENT TIME OF CONTINENTAL UNITED STATES INTERCEPTOR SITE.

(a) IN GENERAL.—Not later than 30 days after the date on which the Secretary of Defense completes preparation of an environmental impact statement pursuant to section 227(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), the Secretary of Defense shall—

(1) develop a plan for expediting the deployment time for a potential future continental United States interceptor site by at

least two years, in the case that the President decides to proceed with such deployment; and

(2) submit to the congressional defense committees a report on such plan.

(b) REPORT ELEMENTS.—The report submitted under subsection (a)(2) shall include the following:

(1) A description of the plan, including estimates of the cost of carrying out the plan and a schedule for carrying out the plan.

(2) A description of such legislative or administrative action as may be necessary to carry out the plan.

(3) An assessment of the risks associated with decreasing the deployment time, including with respect to cost and the operational effectiveness and reliability of interceptors.

(4) Identification of any deviation in the plan from robust acquisition processes, including with respect to testing prior to full operational capability designation.

(c) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits a report under subsection (a)(2), the Comptroller General shall—

(A) complete a review of the report submitted under subsection (a)(2); and

(B) submit to the congressional defense committees a report on the review conducted pursuant to subparagraph (A).

(2) REPORT ELEMENTS.—The report required by paragraph (1)(B) shall include the following:

(A) The findings of the Comptroller General with respect to the review conducted pursuant to paragraph (1)(A); and

(B) such recommendations as the Comptroller General may have for legislative or administrative action.

SEC. 1642. ADDITIONAL MISSILE DEFENSE SENSOR COVERAGE FOR THE PROTECTION OF THE UNITED STATES HOMELAND.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Director of the Missile Defense Agency, there are two fundamental means for improving homeland missile defense capability and capacity, ''one, is the reliability of the interceptor, and two, is the discrimination capability of the system''.

(2) The Department of Defense will deploy a new midcourse tracking radar to provide persistent coverage and improve discrimination capabilities against threats to the United States homeland from the Pacific region.

(3) According to the Director of the Missile Defense Agency, a long-range discrimination radar will provide larger hit assessment coverage thereby enabling improved warfighting capabilities to manage ground-based interceptor (GBI) inventory and improve the capacity of the ballistic missile defense system.

(4) According to the Principal Deputy Under Secretary of Defense for Policy, ''while Iran has not yet deployed an intercontinental ballistic missile, its progress on space launch vehicles—along with its desire to deter the United States and its allies—provides Tehran with the means and motivation to develop longer-range missiles, including an ICBM. Iran publically stated that it intends to launch a space-launch vehicle as early as this year capable of intercontinental ranges, if configured as such''.

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

(1) the currently deployed ground-based midcourse defense system protects the entire United States homeland, including the East Coast, against the threat of limited ballistic missile attack from North Korea and Iran; and

(2) additional missile defense sensor discrimination capabilities are needed to enhance the protection of the United States homeland against potential long-range ballistic missiles from Iran that, according to the Department of Defense, could soon be obtained by Iran as a result of its active space launch program.

(c) DEPLOYMENT OF ADDITIONAL COVERAGE.—The Director of the Missile Defense Agency shall, in cooperation with the relevant combatant command, deploy by not later than December 31, 2020, a long-range discrimination radar or other appropriate tracking and discrimination sensor capabilities in a location optimized to support the defense of the homeland of the United States from emerging long-range ballistic missile threats from Iran.

SEC. 1643. AIR DEFENSE CAPABILITY AT NORTH ATLANTIC TREATY ORGANIZATION MISSILE DEFENSE SITES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, in consultation with the relevant combatant command, should ensure that arrangements are in place, including support from other members of the North Atlantic Treaty Organization (NATO), to provide anti-air defense capability at all missile defense sites of the North Atlantic Treaty Organization in support of phases 2 and 3 of the European Phased Adaptive Approach.

(b) REPORTS.—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 describing—

(1) the plan to provide anti-air defense capability as described in subsection (a); and

(2) the contributions being made by the North Atlantic Treaty Organization and members of such organization to support the provision of the capability described in such subsection.

SEC. 1644. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.

(a) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated for fiscal year 2016 for Procurement, Defense-wide, and available for the Missile Defense Agency, not more than $41,400,000 may be provided to the Government of Israel to procure the Iron Dome short-range rocket defense system, including for co-production of Iron Dome parts and components in the United States by industry of the United States.

(b) CONDITIONS.—

(1) AGREEMENT.—Funds described in subsection (a) to produce 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, including any terms and conditions applicable to coproduction of Iron Dome radar components under a negotiated amendment to that agreement.

(2) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in subsection (a), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the congressional defense committees—

(A) a certification that the agreement specified in paragraph (1) is being implemented as provided in such agreement; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

SEC. 1645. ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND POTENTIAL COPRODUCTION.

(a) IN GENERAL.—Except as otherwise provided in this section, of the amount authorized to be appropriated for fiscal year 2016 for Procurement, Defense-wide, and available for the Missile Defense Agency, $150,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System and $15,000,000 for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(b) CERTIFICATION.—Following successful completion of milestones and production readiness reviews in the research, development, and technology agreements for the David's Sling Weapon System and the Arrow 3 Upper Tier Development Program, the Director of the Missile Defense Agency may disburse amounts available pursuant to subsection (a) on the basis of a one-for-one cash match with such funds provided by the Government of Israel, or in amounts that otherwise meet best efforts (as mutually agreed by the United States and Israel), on or after the date that is 90 days after the date the Director and the Under Secretary of Defense for Acquisition, Technology and Logistics jointly submit to the congressional defense committees a certification that the United States has entered into a bilateral agreement with the Government of Israel that accomplishes the following:

(1) Establishes the terms of co-production of parts and components of the respective systems—

(A) on the basis of what will minimize nonrecurring engineering and facilitization expenses; and

(B) that ensures that, in the case of co-production for the David's Sling Weapon System, not less than half of such co-production is carried out by United States persons.

(2) Establishes complete transparency on the Israeli requirement for the number of interceptors and batteries of the respective systems that will be procured.

(3) Allows the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology and Logistics to establish technical milestones for coproduction and procurement of the respective systems.

(4) Establishes joint approval processes for third party sales of such systems.

SEC. 1646. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-OBJECT KILL VEHICLE FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

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

(1) the defense of the United States homeland against the threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate) is a national priority; and

(2) as the threat described in paragraph (1) continues to evolve, the multiple-object kill vehicle could contribute critical capabilities to the future of the ballistic missile defense of the United States homeland.

(b) MULTIPLE-OBJECT KILL VEHICLE.—

(1) DEVELOPMENT.—The Director of the Missile Defense Agency shall develop a highly reliable, cost-effective multiple-object kill vehicle for the ground-based midcourse defense system.

(2) DEPLOYMENT.—The Director shall—

(A) conduct flight testing of the multiple-object kill vehicle developed under paragraph (1) by not later than 2020; and

(B) field such vehicle as soon as technically practicable.

(c) CAPABILITIES AND CRITERIA.—The Director shall ensure that the multiple-object kill vehicle developed under subsection (b)(1)

meets, at a minimum, the following capabilities and criteria:

(1) Vehicle-to-vehicle communications.

(2) Vehicle-to-ground communications.

(3) Kill assessment capability.

(4) The ability to counter advanced counter measures, decoys, and penetration aids.

(5) Produceability and manufacturability.

(6) Use of technology involving high technology readiness levels.

(7) Options to be integrated onto other missile defense interceptor vehicles other than the ground-based interceptors of the ground-based midcourse defense system.

(8) Sound acquisition processes, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Missile Defense Executive Board.

(d) PROGRAM MANAGEMENT.—The management of the multiple-object kill vehicle program under subsection (b) shall report directly to the Deputy Director of the Missile Defense Agency.

SEC. 1647. REQUIREMENT TO REPLACE CAPABILITY ENHANCEMENT I EXOATMOSPHERIC KILL VEHICLES.

(a) IN GENERAL.—Subject to subsection (b), the Director of the Missile Defense Agency shall ensure, to the maximum extent practicable, that all remaining ground-based interceptors of the ground-based midcourse defense system that are armed with the capability enhancement I exoatmospheric kill vehicle are replaced with the redesigned exoatmospheric kill vehicle before September 30, 2022.

(b) CONDITION.—Subsection (a) shall not apply if the Director determines that flight and intercept testing of the redesigned exoatmospheric kill vehicle is not successful.

SEC. 1648. AIRBORNE BOOST PHASE DEFENSE SYSTEM.

(a) FINDINGS.—Congress makes the following findings:

(1) To address the growing threat posed by increasingly accurate and longer-ranged ballistic and cruise missiles, the Missile Defense Agency, in collaboration with the Defense Advanced Research Projects Agency and the military services, is pursuing a suite of laser technologies that could serve as a cost-effective solution for destroying cruise missiles and ballistic missiles in the boost phase.

(2) A successful airborne boost phase defense system could transform United States missile defense capabilities against a broad range of missile threats, and place defense on the winning side of the offense-defense cost-curve.

(b) POLICY.—The Secretary of Defense shall—

(1) prioritize technology investments in the Department of Defense to support efforts by the Missile Defense Agency to develop and field an airborne boost phase defense system by fiscal year 2025;

(2) ensure that development and fielding of the airborne boost phase defense system supports multiple warfighter missile defense requirements, including, specifically, protection of the homeland and allies against cruise missiles and ballistic missiles, particularly in the boost phase;

(3) continue development and fielding of high-energy lasers and high-power microwave systems as part of a layered architecture to defend ships and theater bases against air and cruise missile strikes;

(4) encourage collaboration amongst the military services and the Defense Advanced Research Projects Agency with respect to their high energy laser and directed energy efforts carried out in support of the Missile Defense Agency; and

(5) ensure cooperation and coordination between the Missile Defense Agency in its plans to develop an airborne laser and the Air Force in its requirements for unmanned aerial vehicles.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—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 efforts of the Department of Defense to develop and deploy an airborne boost phase defense system for missile defense by fiscal year 2025.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) Such schedules, costs, warfighter requirements, operational concept, constraints, potential alternative boost phase approaches, and other information regarding the efforts described in paragraph (1) as the Secretary considers appropriate.

(B) Analysis of the efforts described in paragraph (1) with respect to the following cases:

(i) A case in which the Department is under no funding constraints with respect to such efforts and progress is based on the state of the technology.

(ii) A case in which the Department is under funding constraints and the efforts are carried out in accordance with a moderately aggressive schedule and are subject to moderate technical risk.

(iii) A case in which the Department is under funding constraints and the efforts are carried out in accordance with a less aggressive schedule and are subject to less technical risk.

(C) An update on related efforts of the Department to develop high energy lasers and high power microwave systems to defend ships and theater bases against air and cruise missile strikes.

(D) Such recommendations as the Secretary may have for legislative or administrative action to enable more rapid fielding of a directed-energy based missile defense system.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1649. EXTENSION OF LIMITATION ON PROVIDING CERTAIN SENSITIVE MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.

Section 1246(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 923), as amended by section 1243(2)(A) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3564), is further amended by striking ''for fiscal year 2014 or 2015'' and inserting ''for fiscal years 2014 through 2017''.

SEC. 1650. EXTENSION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''through 2015'' and inserting ''through 2020''; and

(B) in paragraph (2), in the first sentence, by striking ''through 2016'' and inserting ''through 2021''; and

(2) in subsection (b), in the matter before paragraph (1), by striking ''first three''.

Subtitle E—Other Matters

SEC. 1661. MEASURES IN RESPONSE TO VIOLATIONS OF THE INTERMEDIATE-RANGE NUCLEAR FORCES TREATY BY THE RUSSIAN FEDERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) On July 31, 2014, the Department of State released its annual report entitled ''Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments'', which included the finding that ''[t]he United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles''.

(2) The United States has undertaken diplomatic efforts to address with the Russian Federation its violations of the INF Treaty since 2013, and the Russian Federation has failed to respond to those efforts in any way.

(3) The Commander of the United States European Command, and Supreme Allied Commander of Europe, General Philip Breedlove stated that ''[a] weapon capability that violates the I.N.F., that is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with'' and ''[i]t can't go unanswered''.

(4) The Secretary of Defense has informed Congress that the range of options in response to the violation by the Russian Federation of the INF Treaty could include ''active defenses to counter intermediate-range ground-launched cruise missiles; counterforce capabilities to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S. or allied forces''.

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

(1) the development and deployment of a nuclear ground-launched cruise missile by the Russian Federation in violation of the INF Treaty would pose a dangerous threat to the United States and its allies;

(2) the Russian Federation has established an increasing role for nuclear weapons in its military strategy;

(3) efforts taken by the President to compel the Russian Federation to return to compliance with the INF Treaty must be persistent and are in the best interests of the United States, but cannot be open-ended; and

(4) efforts by the United States to develop military and nonmilitary options for responding to violations of the INF Treaty could encourage the Russian Federation to return to compliance with the INF Treaty.

(c) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall notify the appropriate congressional committees with respect to whether the Russian Federation—

(1) has flight-tested, has deployed, or possesses a military system that has achieved an initial operating capability that is either a ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers; or

(2) has begun taking measures to return to full compliance with the INF Treaty, including verification measures necessary to achieve high confidence that any missile described in paragraph (1) will be eliminated.

(d) UPDATES TO ALLIES.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall, in coordination with the Secretary of State and the Director of National Intelligence, submit to the appropriate congressional committees a report that describes—

(1) the status of updates provided to the North Atlantic Treaty Organization and other allies of the United States on the Russian Federation's flight testing, operating capability, and deployment of ground-launched ballistic missiles or ground-launched cruise missiles with a flight-tested range of between 500 and 5,500 kilometers; and

(2) efforts to develop, with the North Atlantic Treaty Organization and such allies, collective responses, including economic and military responses, to arms control violations by the Russian Federation, including violations of the INF Treaty.

(e) PLAN ON RESPONSE OPTIONS.—

(1) MILITARY RESPONSE OPTIONS.—

(A) IN GENERAL.—If, as of the date of the enactment of this Act, the Russian Federation has not begun taking measures to return to full compliance with the INF Treaty, including by agreeing to verification measures necessary to achieve high confidence that any ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers will be eliminated, the Secretary of Defense shall, not later than 120 days after such date of enactment, submit to Congress a plan with respect to developing the following military capabilities:

(i) Counterforce capabilities to prevent intermediate-range ground-launched ballistic missile and cruise missile attacks, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(ii) Countervailing strike capabilities to enhance the forces of the United States or allies of the United States, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(iii) Active defenses to defend against intermediate-range ground-launched cruise missile attacks.

(B) COST AND SCHEDULE ESTIMATES.—The Secretary shall include, in the plan required by subparagraph (A), with respect to each military capability described in clauses (i), (ii), and (iii) of that subparagraph, an estimate of cost and the approximate time for achieving a Milestone A decision, if such a decision is required.

(C) AVAILABILITY OF FUNDS FOR RECOMMENDED CAPABILITIES.—The Secretary may use funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201, to carry out the development of capabilities pursuant to subparagraph (A) that are recommended by the Chairman of the Joint Chiefs of Staff to meet military requirements and current capability gaps. In making such a recommendation, the Chairman shall give priority to such capabilities that the Chairman determines could be tested and fielded most expediently, with the most priority given to capabilities that the Chairman determines could be fielded in two years.

(2) OTHER RESPONSE OPTIONS.—The President shall include in the plan required by paragraph (1)(A) such other options as the President considers useful to encourage the Russian Federation to return to full compliance with the INF Treaty or necessary to respond to the failure of the Russian Federation to return to full compliance with the INF Treaty.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INF TREATY.—The term ''INF Treaty'' means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the ''Intermediate-Range Nuclear Forces Treaty'' or ''INF Treaty'').

SEC. 1662. MODIFICATION OF NOTIFICATION AND ASSESSMENT OF PROPOSAL TO MODIFY OR INTRODUCE NEW AIRCRAFT OR SENSORS FOR FLIGHT BY THE RUSSIAN FEDERATION UNDER THE OPEN SKIES TREATY.

(a) IN GENERAL.—Section 1242(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in paragraph (1), by striking ''30 days'' and inserting ''90 days''; and

(2) in paragraph (2), by adding at the end the following new sentence: ''The assessment shall also include an assessment of the proposal by the commander of each combatant command potentially affected by the proposal, including an assessment of the potential effects of the proposal on operations and any potential vulnerabilities raised by the proposal.''.

(b) REPORTS ON MEETINGS OF OPEN SKIES CONSULTATIVE COMMISSION.—

(1) IN GENERAL.—Not later than 30 days after the date of any meeting of the Open Skies Consultative Commission that occurs after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth a description of such meeting, including a description of any agreements entered into during such meeting and whether any such agreement will result in a modification to the aircraft or sensors of any State Party to the Open Skies Treaty that will be subject to the Open Skies Treaty.

(2) DEFINITIONS.—In this subsection, the term ''appropriate committees of Congress'' and ''Open Skies Treaty'' have the meaning given such terms in section 1242 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015.

SEC. 1663. MILESTONE A DECISION FOR THE CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.

The Secretary of Defense shall make a Milestone A decision for the Conventional Prompt Global Strike Weapons System not later than the earlier of—

(1) September 30, 2020; or

(2) the date that is 8 months after the successful completion of Intermediate Range Flight 2 of that System.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2016''.

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 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, 2018; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

(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, 2018; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2019 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Greely	$7,800,000
California	Concord	$98,000,000
Colorado	Fort Carson	$5,800,000
Georgia	Fort Gordon	$90,000,000
Maryland	Fort Meade	$34,500,000
New York	Fort Drum	$19,000,000
	U. S. Military Academy	$70,000,000
Oklahoma	Fort Sill	$69,400,000
Texas	Corpus Christi	$85,000,000
Virginia	Fort Lee	$33,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects outside the United States as specified in the funding table in section 4601,

the Secretary of the Army may acquire real property and carry out the military construction 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 or Location	Amount
Cuba	Guantanamo Bay	$76,000,000
Germany	Grafenwoehr	$51,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation or Location	Units	Amount
Florida	Camp Rudder	Family Housing New Construction	$8,000,000
Illinois	Rock Island	Family Housing New Construction	$20,000,000
Korea	Camp Walker	Family Housing New Construction	$61,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $7,195,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $3,500,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, 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 sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $226,400,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291) for a Command and Control Facility at Fort Shafter, Hawaii).

(3) $6,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for cadet barracks at the United States Military Academy, New York).

(4) $78,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119), as amended by section 2105(d) of this Act, for a Secure Administration/Operations Facility at Fort Belvoir, Virginia).

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for the United States Military Academy, New York, for construction of a Cadet barracks building at the installation, the Secretary of the Army may install mechanical equipment and distribution lines sufficient to provide chilled water for air conditioning the nine existing historical Cadet barracks which are being renovated through the Cadet Barracks Upgrade Program.

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (125 Stat. 1661), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
Georgia	Fort Benning	Land Acquisition	$25,000,000
	Fort Benning	Land Acquisition	$5,100,000
Virginia	Fort Belvoir	Road and Infrastructure Improvements	$25,000,000

SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2013 Project Authorizations

State or Country	Installation or Location	Project	Amount
District of Columbia	Fort McNair	Vehicle Storage Building, Installation	$7,191,000
Kansas	Fort Riley	Unmanned Aerial Vehicle Complex	$12,184,000
North Carolina	Fort Bragg	Aerial Gunnery Range	$41,945,000
Texas	Joint Base San Antonio	Barracks	$20,971,000

Army: Extension of 2013 Project Authorizations—Continued

State or Country	Installation or Location	Project	Amount
Virginia	Fort Belvoir	Secure Admin/Operations Facility	$93,876,000
Italy	Camp Ederle	Barracks	$35,952,000
Japan	Sagami	Vehicle Maintenance Shop	$17,976,000

SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a vehicle bridge and traffic circle to facilitate traffic flow to and from the Medical Center at Rhine Ordnance Barracks, Germany, in the amount of $12,400,000.

(b) USE OF HOST-NATION PAYMENT-IN-KIND FUNDS.—The Secretary may use available host-nation payment-in-kind funding for the project described in subsection (a).

SEC. 2109. LIMITATION ON CONSTRUCTION OF NEW FACILITIES AT GUANTANAMO BAY, CUBA.

(a) LIMITATION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be used to construct new facilities at Guantanamo Bay, Cuba, until the Secretary of Defense certifies to the congressional defense committees that any new construction of facilities at Guantanamo Bay, Cuba, has enduring military value independent of a high value detention mission.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed as limiting the ability of the Department of Defense to obligate or expend available funds to correct a deficiency that is life-threatening, health-threatening, or safety-threatening.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$50,635,000
California	Coronado	$4,856,000
	Lemoore	$71,830,000
	Miramar	$11,200,000
	Pendleton	$83,800,000
	Point Mugu	$22,427,000
	San Diego	$37,366,000
	Twentynine Palms	$9,160,000
Florida	Jacksonville	$16,751,000
	Mayport	$16,159,000
	Pensacola	$18,347,000
	Whiting Field	$10,421,000
Georgia	Albany	$7,851,000
	Kings Bay	$8,099,000
	Townsend	$43,279,000
Hawaii	Barking Sands	$30,623,000
	Joint Base Pearl Harbor-Hickam	$14,881,000
	Kaneohe Bay	$106,618,000
	Marine Corps Base Hawaii	$12,800,000
Maryland	Patuxent River	$40,935,000
North Carolina	Camp Lejeune	$74,249,000
	Cherry Point Marine Corps Air Station	$57,726,000
	New River	$8,230,000
South Carolina	Parris Island	$27,075,000
Virginia	Dam Neck	$23,066,000
	Norfolk	$126,677,000
	Portsmouth	$45,513,000
	Quantico	$75,399,000
Washington	Bangor	$34,177,000
	Bremerton	$22,680,000
	Indian Island	$4,472,000

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

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Southwest Asia	$89,791,000
Guam	Joint Region Marianas	$181,768,000
Italy	Sigonella	$102,943,000
Japan	Camp Butler	$11,697,000
	Iwakuni	$17,923,000
	Kadena Air Base	$23,310,000
	Yokosuka	$13,846,000
Poland	RedziKowo Base	$51,270,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the

Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or Location	Units	Amount
Virginia	Wallops Island	Family Housing New Construction	$438,000

(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 $4,588,000.

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 $11,515,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, 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 sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $274,099,000 (the balance of the amount authorized under section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington).

(3) $68,196,000 (the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2633) for ramp parking at Joint Region Marianas, Guam.

SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (125 Stat. 1666) and extended by section 2208 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3678), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Infantry Squad Defense Range	$29,187,000
Florida	Jacksonville	P–8A Hangar Upgrades	$6,085,000
Georgia	Kings Bay	Crab Island Security Enclave	$52,913,000

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (126 Stat. 2122), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendleton	Comm. Information Systems Ops Complex	$78,897,000
	Coronado	Bachelor Quarters	$76,063,000
	Twentynine Palms	Land Expansion Phase 2	$47,270,000
Greece	Souda Bay	Intermodal Access Road	$4,630,000
South Carolina	Beaufort	Recycling/Hazardous Waste Facility	$3,743,000
Virginia	Quantico	Infrastructure—Widen Russell Road	$14,826,000
Worldwide Unspecified	Various Worldwide Locations	BAMS Operational Facilities	$34,048,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

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

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

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	$71,400,000
Arizona	Davis-Monthan Air Force Base	$16,900,000
	Luke Air Force Base	$77,700,000
Colorado	U. S. Air Force Academy	$10,000,000
CONUS Classified	Classified Location	$77,130,000
Florida	Cape Canaveral Air Force Station	$21,000,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
	Eglin Air Force Base	$8,700,000
	Hurlburt Field	$14,200,000
Hawaii	Joint Base Pearl Harbor-Hickam	$46,000,000
Kansas	McConnell Air Force Base	$15,500,000
Louisiana	Barksdale	$20,000,000
Missouri	Whiteman Air Force Base	$29,500,000
Montana	Malmstrom Air Force Base	$19,700,000
Nebraska	Offutt Air Force Base	$21,000,000
Nevada	Nellis Air Force Base	$68,950,000
New Mexico	Cannon Air Force Base	$7,800,000
	Holloman Air Force Base	$6,200,000
	Kirtland Air Force Base	$12,800,000
New York	Fort Drum	$6,000,000
North Carolina	Seymour Johnson Air Force Base	$17,100,000
Oklahoma	Altus Air Force Base	$28,400,000
	Tinker Air Force Base	$49,900,000
South Dakota	Ellsworth Air Force Base	$23,000,000
Texas	Joint Base San Antonio	$106,000,000
Utah	Hill Air Force Base	$38,400,000
Wyoming	F. E. Warren Air Force Base	$95,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Greenland	Thule Air Base	$41,965,000
Guam	Joint Region Marianas	$50,800,000
Japan	Kadena Air Base	$3,000,000
	Yokota Air Base	$8,461,000
Niger	Agadez	$50,000,000
Oman	Al Musannah Air Base	$25,000,000
United Kingdom	Royal Air Force Croughton	$130,615,000

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 $9,849,000.

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 $150,649,000.

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, 2015, 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 sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $21,000,000 (the balance of the amount authorized under section 2301(a) of the Military Construction Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 992) for the CYBERCOM Joint Operations Center at Fort Meade, Maryland).

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2636), for Hickam Air Force Base, Hawaii, for construction of a ground control tower at the installation, the Secretary of the Air Force may install communications cabling.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 993) for RAF Lakenheath, United Kingdom, for construction of a Guardian Angel Operations Facility at the installation, the Secretary of the Air Force may construct the facility at an unspecified worldwide location.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3679) for McConnell Air Force Base, Kansas, for construction of a KC-46A Alter Composite Maintenance Shop at the installation, the Secretary of the Air Force may construct a 696 square meter (7,500 square foot) facility consistent with Air Force guidelines for composite maintenance shops.

SEC. 2308. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (125 Stat. 1670), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2012 Project Authorization

Country	Installation or Location	Project	Amount
Italy	Sigonella Naval Air Station	UAS SATCOM Relay Pads and Facility ...	$15,000,000

SEC. 2309. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 2126), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2013 Project Authorization

Country	Installation or Location	Project	Amount
Portugal	Lajes Field	Sanitary Sewer Lift/Pump Station	$2,000,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

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

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

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	$46,787,000
	Maxwell Air Force Base	$32,968,000
Arizona	Fort Huachuca	$3,884,000
California	Camp Pendleton	$20,552,000
	Coronado	$47,218,000
	Fresno Yosemite IAP ANG	$10,700,000
Colorado	Fort Carson	$8,243,000
CONUS Classified	Classified Location	$20,065,000
Delaware	Dover Air Force Base	$21,600,000
Florida	Hurlburt Field	$17,989,000
	MacDill Air Force Base	$39,142,000
Georgia	Moody Air Force Base	$10,900,000
Hawaii	Kaneohe Bay	$122,071,000
	Schofield Barracks	$123,838,000
Kentucky	Fort Campbell	$12,553,000
	Fort Knox	$23,279,000
Maryland	Fort Meade	$816,077,000
Nevada	Nellis Air Force Base	$39,900,000
New Mexico	Cannon Air Force Base	$45,111,000
New York	West Point	$55,778,000
North Carolina	Camp Lejeune	$69,006,000
	Fort Bragg	$168,811,000
Ohio	Wright-Patterson Air Force Base	$6,623,000
Oregon	Klamath Falls IAP	$2,500,000
South Carolina	Fort Jackson	$26,157,000
Texas	Joint Base San Antonio	$61,776,000
Virginia	Fort Belvoir	$9,500,000
	Joint Base Langley-Eustis	$28,000,000
	Joint Expeditionary Base Little Creek-Story	$23,916,000

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

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonier	$43,700,000
Germany	Garmisch	$14,676,000
	Grafenwoehr	$38,138,000
	Spangdahlem Air Base	$39,571,000
	Stuttgart-Patch Barracks	$49,413,000
Japan	Kadena Air Base	$37,485,000
Poland	RedziKowo Base	$169,153,000
Spain	Rota	$13,737,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects inside the United States 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 inside 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
American Samoa	Wake Island	$5,331,000
	Edwards Air Force Base	$4,550,000
	Fort Hunter Liggett	$22,000,000
Colorado	Schriever Air Force Base	$4,400,000
District of Columbia	NSA Washington/NRL	$10,990,000
Guam	Naval Base Guam	$5,330,000
Hawaii	Joint Base Pearl Harbor-Hickam	$13,780,000
	Marine Corps Recruiting Command Kaneohe Bay	$5,740,000
Idaho	Moutain Home Air Force Base	$6,471,000
Montana	Malmstrom Air Force Base	$4,260,000
Virginia	Pentagon	$4,528,000
Washington	Joint Base Lewis-McChord	$14,770,000
Various locations	Various locations	$25,809,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States 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: Outside the United States

Country	Installation or Location	Amount
Bahamas	Ascension Aux Airfield St. Helena	$5,500,000
Japan	Yokoska	$12,940,000
Various locations	Various locations	$3,600,000

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, 2015, 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 sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $747,435,000 (the balance of the amount authorized under section 2401(a) of this Act for an operations facility at Fort Meade, Maryland).

(3) $20,800,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2129) for the Aegis Ashore Missile Defense System Complex at Deveselu, Romania).

(4) $141,039,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B Public Law 112–239; 126 Stat. 2131), for a data center at Fort Meade, Maryland).

(5) $50,500,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base Andrews, Maryland).

(6) $54,300,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base San Antonio, Texas).

(7) $441,134,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673) for a hospital at the Rhine Ordnance Barracks, Germany).

(8) $41,441,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2640) for a hospital at Fort Bliss, Texas).

(9) $123,827,000 (the balance of the amount authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888) for a data center at Camp Williams, Utah).

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2131), for Fort Meade, Maryland, for construction of the High Performance Computing Center at the installation, the Secretary of Defense may construct a generator plant capable of producing up to 60 megawatts of back-up electrical power in support of the 60 megawatt technical load.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672) and as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3685), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
California	Naval Base Coronado	SOF Support Activity Operations Facility	$38,800,000
Virginia	Pentagon Reservation	Heliport Control Tower and Fire Station	$6,457,000
		Pedestrian Plaza	$2,285,000

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (126 Stat. 2127), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Naval Base Coronado	SOF Mobile Communications Detachment Support Facility	$9,327,000
Colorado	Pikes Peak	High Altitude Medical Research Center	$3,600,000
Germany	Ramstein AB	Replace Vogelweh Elementary School	$61,415,000
Hawaii	Joint Base Pearl Harbor-Hickam	SOF SDVT–1 Waterfront Operations Facility	$22,384,000
Japan	CFAS Sasebo	Replace Sasebo Elementary School	$35,733,000
	Camp Zama	Renovate Zama High School	$13,273,000
Pennsylvania	DEF Distribution Depot New Cumberland	Replace reservoir	$4,300,000
United Kingdom	RAF Feltwell	Feltwell Elementary School Addition	$30,811,000

SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 995) for Fort Knox, Kentucky, for construction of an Ambulatory Care Center at that location, subsequently cancelled by the Department of Defense, substitute authorization is provided for a 102,000-square foot Medical Clinic Replacement at that location in the amount of $80,000,000, using appropriations available for the original project pursuant to the authorization of appropriations in section 2403 of such Act (127 Stat. 997). This substitute authorization shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, 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.

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

Army National Guard

State	Location	Amount
Alabama	Camp Foley	$4,500,000
Connecticut	Camp Hartell	$11,000,000
Florida	Palm Coast	$18,000,000
Georgia	Fort Stewart	$6,800,000
Illinois	Sparta	$1,900,000
Kansas	Salina	$6,700,000
Maryland	Easton	$13,800,000
Mississippi	Gulfport	$40,000,000
Nevada	Reno	$8,000,000
Ohio	Camp Ravenna	$3,300,000
Oregon	Salem	$16,500,000
Pennsylvania	Fort Indiantown Gap	$16,000,000
Vermont	North Hyde Park	$7,900,000
Virginia	Richmond	$29,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

Army Reserve: Inside the United States

State	Location	Amount
California	Miramar	$24,000,000
Florida	MacDill Air Force Base	$55,000,000
New York	Orangeburg	$4,200,000
Pennsylvania	Conneaut Lake	$5,000,000
Virginia	A.P. Hill	$24,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out a military construction project for the Army Reserve location outside the United States, and in the amount, set forth in the following table:

Army Reserve: Outside the United States

Country	Location	Amount
Puerto Rico	Fort Buchanan	$10,200,000

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

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

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Nevada	Fallon	$11,408,000
New York	Brooklyn	$2,479,000
Virginia	Dam Neck	$18,443,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

Air National Guard

State	Location	Amount
Alabama	Dannelly Field	$7,600,000
California	Moffett Field	$6,500,000
Colorado	Buckley Air Force Base	$5,100,000
Connecticut	Bradley	$6,300,000
Florida	Cape Canaveral	$6,100,000
Georgia	Savannah/Hilton Head IAP	$9,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$9,700,000
Iowa	Des Moines Map	$6,700,000
Kansas	Smokey Hill ANG Range	$2,900,000
Louisiana	New Orleans	$10,000,000
Maine	Bangor IAP	$7,200,000
New Hampshire	Pease International Tradeport	$4,300,000
New Jersey	Atlantic City IAP	$10,200,000
New York	Niagara Falls IAP	$7,700,000
North Carolina	Charlotte/Douglas IAP	$9,000,000
North Dakota	Hector IAP	$7,300,000
Oklahoma	Will Rogers World Airport	$7,600,000
Oregon	Klamath Falls IAP	$7,200,000
West Virginia	Yeager Airport	$3,900,000

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

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

Air Force Reserve

State	Location	Amount
California	March Air Force Base	$4,600,000
Florida	Patrick Air Force Base	$3,400,000
Georgia	Dobbins Air Reserve Base	$10,400,000
Ohio	Youngstown	$9,400,000
Texas	Joint Base San Antonio	$9,900,000

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

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, 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—Others Matters

SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) MODIFICATION.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135) for Aberdeen Proving Ground, Maryland, for construction of an Army Reserve Center at that location, the Secretary of the Army may construct a new facility in the vicinity of Aberdeen Proving Ground, Maryland.

(b) DURATION OF AUTHORITY.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in subsection (a) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) DAVIS-MONTHAN AFB.—In the case of the authorization contained in the table in section 2605 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Davis-Monthan Air Force Base, Arizona, for

construction of a Guardian Angel Operations facility at that location, the Secretary of the Air Force may construct a new 5,913 square meter (63,647 square foot) facility in the amount of $18,200,000.

(b) FORT SMITH.—In the case of the authorization contained in the table in section 2604 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Fort Smith Municipal Airport, Arkansas, for construction of a consolidated Secure Compartmented Information Facility at that location, the Secretary of the Air Force may construct a new facility in the amount of $15,200,000.

SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2602 of that Act (125 Stat. 1678), and extended by section 2611 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3690, 3691), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2012 National Guard and Reserve Project Authorization

State	Location	Project	Amount
Kansas	Kansas City	Army Reserve Center	$13,000,000
Massachusetts	Attleboro	Army Reserve Center	$22,000,000

SEC. 2614. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2603 of that Act (126 Stat. 2134, 2135) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2013 National Guard and Reserve Project Authorization

State	Location	Project	Amount
Arizona	Yuma	Reserve Training Facility—Yuma	$5,379,000
California	Tustin	Army Reserve Center	$27,000,000
Iowa	Fort Des Moines	Joint Reserve Center—Des Moines	$19,162,000
Louisiana	New Orleans	Transient Quarters	$7,187,000
New York	Camp Smith (Stormville)	Combined Support Maintenance Shop Phase 1	$24,000,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, 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 the Act shall be construed to authorize an additional round of defense base closure and realignment.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN MUTUALLY BENEFICIAL PROJECTS.

(a) AUTHORITY.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2350n. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation

''(a) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense, after consultation with the Secretary of State, may accept cash contributions from any partner nation for the purposes specified in subsection (c).

''(b) ACCOUNTING.—Contributions accepted under subsection (a) shall be placed in an account established by the Secretary of Defense and shall remain available until expended for the purposes specified in subsection (c).

''(c) AVAILABILITY OF CONTRIBUTIONS.—Contributions accepted under subsection (a) shall be available only for payment of costs in connection with mutually beneficial construction (including military construction not otherwise authorized by law), maintenance, and repair projects.

''(d) PROHIBITION ON USE OF CONTRIBUTIONS TO OFFSET BURDEN SHARING CONTRIBUTIONS REQUIRED OF PARTNER NATIONS.—Contributions accepted under subsection (a) may not be used to offset burden sharing contributions that are otherwise required to be provided by partner nations.

''(e) MUTUALLY BENEFICIAL DEFINED.—A project shall be considered to be 'mutually beneficial' for purposes of this section if—

''(1) the project is in support of a bilateral defense cooperation agreement between the United States and a partner nation; or

''(2) the Secretary of Defense determines that the United States may derive a benefit from the project, including—

''(A) access to and use of facilities of the armed forces of a partner nation;

''(B) ability or capacity for future force posture; and

''(C) increased interoperability between the Department of Defense and the armed forces of a partner nation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2350n. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation.''.

SEC. 2802. CHANGE IN AUTHORITIES RELATING TO SCOPE OF WORK VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS.

(a) LIMITED AUTHORITY FOR SCOPE OF WORK INCREASE.—Section 2853 of title 10, United States Code, is amended—

(1) in subsection (b)(2), by striking ''The scope of work'' and inserting ''Except as provided in subsection (d), the scope of work'';

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (c) the following new subsection:

''(d) The limitation in subsection (b)(2) on an increase in the scope of work does not apply if—

''(1) the increase in the scope of work is not more than 10 percent of the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition;

''(2) the increase is approved by the Secretary concerned;

''(3) the Secretary concerned notifies the congressional defense committees in writing of the increase in scope and the reasons therefor; and

''(4) a period of 21 days has elapsed after the date on which the notification is received by the committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.''.

(b) CROSS-REFERENCE AMENDMENTS.—

(1) Subsection (a) of such section is amended by striking ''subsection (c) or (d)'' and inserting ''subsection (c), (d), or (e)''.

(2) Subsection (f) of such section, as redesignated by subsection (a)(2), is amended by striking ''through (d)'' and inserting ''through (e)''.

(c) ADDITIONAL TECHNICAL AMENDMENT.—Subsection (a) of such section is further amended by inserting ''of this title'' after ''section 2805(a)''.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2806 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3699), is amended—

(1) in paragraph (1), by striking ''December 31, 2015'' and inserting ''December 31, 2016''; and

(2) in paragraph (2), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

(1) by striking ''October 1, 2014'' and inserting ''October 1, 2015'';

(2) by striking ''December 31, 2015'' and inserting ''December 31, 2016''; and

(3) by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''.

(c) ELIMINATION OF REPORTING REQUIREMENT.—Such section is further amended by striking subsection (d).

SEC. 2804. MODIFICATION OF REPORTING REQUIREMENT ON IN-KIND CONSTRUCTION AND RENOVATION PAYMENTS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2016, and annually thereafter, the Secretary of Defense shall provide the congressional defense committees a report on in-kind construction and renovation payments received during the preceding fiscal year.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) A listing of each facility constructed or renovated for the Department of Defense as payment in-kind.

(B) An estimate of the value in United States dollars of that construction or renovation.

(C) A description of the source of the in-kind payment.

(D) A description of the agreement pursuant to which the in-kind payment was made.

(E) A description of the purpose and need for the construction or renovation.

(b) REPEAL OF EXISTING REPORTING REQUIREMENT.—Section 2805 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2149) is repealed.

SEC. 2805. LAB MODERNIZATION PILOT PROGRAM.

(a) AUTHORITY TO USE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.—The Secretary of Defense may fund military construction projects at the Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)), using amounts appropriated or otherwise made available to the Department of Defense for research, development, test, and evaluation.

(b) CONDITIONS.—Amounts made available pursuant to subsection (a) may be used for the purpose of funding major military construction projects that meet the following conditions:

(1) Projects are subject to the requirements of section 2802 of title 10, United States Code.

(2) Projects are included in the budget submitted to Congress pursuant to section 1105 of title 31, United States Code.

(3) Funds are specifically appropriated for the projects.

(c) CERTIFICATION.—The Secretary shall certify, as part of the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, that military construction projects proposed pursuant to subsection (a)—

(1) will support the research and development activities at Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)) of more than one military department or Defense Agency or a technology development program that is consistent with the fielding of offset technologies as described in section 212.

(2) have been endorsed for funding by more than one military department or Defense Agency;

(3) will establish facilities that will have significant potential for use by entities outside the Department of Defense, including universities, industrial partners, and other Federal agencies; and

(4) cannot be fully funded under the thresholds specified by section 2805 of title 10, United States Code.

(d) FUNDS.—Amounts used for the pilot program established under this section may not exceed $100,000,000 for any fiscal year.

(e) TERMINATION OF AUTHORITY.—The authority provided under this section terminates on October 1, 2020.

SEC. 2806. CONVEYANCE TO INDIAN TRIBES OF CERTAIN HOUSING UNITS.

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director of Walking Shield, Inc.

(2) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C.479a–1).

(b) REQUESTS FOR CONVEYANCE.—

(1) IN GENERAL.—The Executive Director may submit to the Secretary of the military department concerned, on behalf of any Indian tribe, a request for conveyance of any relocatable military housing unit located at a military installation in the United States.

(2) CONFLICTS.—The Executive Director shall resolve any conflict among requests of Indian tribes for housing units described in paragraph (1) before submitting a request to the Secretary of the military department concerned under this subsection.

(c) CONVEYANCE BY A SECRETARY.—Notwithstanding any other provision of law, on receipt of a request under subsection (b)(1), the Secretary of the military department concerned may convey to the Indian tribe that is the subject of the request, at no cost to such military department and without consideration, any relocatable military housing unit described in subsection (b)(1) that, as determined by such Secretary, is in excess of the needs of the military.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. UTILITY SYSTEM CONVEYANCE AUTHORITY.

Section 2688(j) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''CONSTRUCTION OF'' and inserting ''CONVEYANCE OF ADDITIONAL''; and

(2) in paragraph (1)—

(A) by striking subparagraphs (A) and (C);

(B) by redesignating subparagraphs (B) and (D) as subparagraphs (A) and (B), respectively;

(C) in subparagraph (A), as redesignated by subparagraph (B) of this paragraph, by striking ''utility system;'' and inserting '', or operating the additional utility infrastructure would be in the best interest of the government using a business case analysis similar to the analysis required under subsection (d)(2); and''; and

(D) in subparagraph (B), as so redesignated, by striking ''amount equal to the fair market value of'' and inserting ''amount for''.

SEC. 2812. LEASING OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES; TREATMENT OF VALUE PROVIDED BY LOCAL EDUCATION AGENCIES AND ELEMENTARY AND SECONDARY SCHOOLS.

Section 2667 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(k) LEASES FOR EDUCATION.—Notwithstanding subsection (b)(4), the Secretary concerned may accept consideration in an amount that is less than the fair market value of the lease, if the lease is to a local education agency or an elementary or secondary school (as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).''.

SEC. 2813. MODIFICATION OF FACILITY REPAIR NOTIFICATION REQUIREMENT.

Section 2811 of title 10, United States Code, is amended—

(1) in subsection (d), by inserting ''or 75 percent of the estimated cost of a military construction project to replace the facility, or the facility is located at an overseas location that has not been designated a main operating base or forward operating site'' after ''in excess of $7,500,000'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection:

''(e) NOTIFICATION THRESHOLD.—The congressional notification requirement under subsection (d) does not apply to a repair project costing less than $1,000,000.''.

SEC. 2814. INCREASE OF THRESHOLD OF NOTICE AND WAIT REQUIREMENT FOR CERTAIN FACILITIES FOR RESERVE COMPONENTS AND PARITY WITH AUTHORITY FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION AND REPAIR PROJECTS.

(a) NOTICE AND WAIT REQUIREMENT.—Subsection (a) of section 18233a of title 10, United States Code, is amended by striking ''$750,000'' and inserting ''the amount specified in section 2805(b)(1) of this title''.

(b) REPAIR PROJECTS.—Subsection (b)(3) of such section is amended by striking ''$7,500,000'' and inserting ''the amount specified in section 2811(b) of this title''.

Subtitle C—Land Conveyances

SEC. 2821. RELEASE OF REVERSIONARY INTEREST RETAINED AS PART OF CONVEYANCE TO THE ECONOMIC DEVELOPMENT ALLIANCE OF JEFFERSON COUNTY, ARKANSAS.

(a) RELEASE OF CONDITIONS AND RETAINED INTERESTS.—With respect to a parcel of real property in Jefferson County, Arkansas, consisting of approximately 1,447 acres and conveyed by deed to the Economic Development Alliance of Jefferson County, Arkansas (in this section referred to as the ''Economic Development Alliance'') by the United States for use as the facility known as the ''Bioplex'' and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201), the Secretary of the Army may release subject to the conditions of subsections (b) and (d) below, the conditions of conveyance of subsection (c) of such section 2827 and the reversionary interest retained by the United States under subsection (e) of such section.

(b) CONSIDERATION.—

(1) EFFECT OF RECONVEYANCE.—Notwithstanding subsection (d) of such section 2827,

the release authorized by subsection (a) of this section shall be subject to the condition that, if the Economic Development Alliance reconveys all or any part of the conveyed property during the 25-year period referred to in subsection (c)(2) of such section, the Economic Development Alliance shall pay to the United States, upon reconveyance, an amount equal to the fair market value of the reconveyed property as of the time of the reconveyance, excluding the value of any improvements made to the property by the Economic Development Alliance.

(2) DETERMINATION OF FAIR MARKET VALUE.—The Secretary of the Army shall determine fair market value in accordance with Federal appraisal standards and procedures.

(3) TREATMENT OF LEASES.—The Secretary of the Army may treat a lease of the property within such 25-year period as a reconveyance if the Secretary determines that the lease is being used to avoid application of paragraph (1).

(4) DEPOSIT OF PROCEEDS.—The Secretary of the Army shall deposit any proceeds received under this subsection in the special account established pursuant to section 572(b) of title 40, United States Code.

(c) INSTRUMENT OF RELEASE.—The Secretary of the Army may execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of conditions and retained interests under subsection (a).

(d) PAYMENT OF ADMINISTRATIVE COSTS.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the Economic Development Alliance to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of conditions and retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the release. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Economic Development Alliance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release 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 release. 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.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the release of conditions and retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, including provisions that the Secretary determines are necessary to preclude any use of the property that would interfere with activities at Pine Bluff Arsenal.

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

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 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 the following new plant project for the National Nuclear Security Administration:

Project 16–D–621, Substation Replacement at Technical Area 3, Los Alamos National Laboratory, Los Alamos, New Mexico, $25,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 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 2016 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. RESPONSIVE CAPABILITIES PROGRAM.

(a) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

''SEC. 4220. RESPONSIVE CAPABILITIES PROGRAM.

''(a) IN GENERAL.—The Administrator shall establish and carry out a program to exercise the technical capabilities of the Administration with respect to design and production of nuclear weapons to ensure that the Administration is ready to respond to future uncertainties not addressed by existing life extension programs.

''(b) PROGRAM ELEMENTS.—The Administrator shall ensure that the program required by subsection (a)—

''(1) is integrated across the science, engineering, design, and manufacturing cycle of the Administration;

''(2) results in—

''(A) physics models of components and systems the understanding of which will ensure existing models and experimental capabilities are robust, capable of being certified as safe and reliable in the absence of testing, and contribute to the predictive design framework;

''(B) shortened engineering design cycles that minimize the amount of time leading to an engineering prototype; and

''(C) rapid manufacturing capabilities to reduce the time and cost of production; and

''(3) integrates physics, engineering, and production capabilities into joint test assemblies and designs.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4219 the following new item:

''Sec. 4220. Responsive capabilities program.''.

SEC. 3112. LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.

(a) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3111, is further amended by adding at the end the following new section:

''SEC. 4221. LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.

''(a) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each even-numbered year beginning in 2016, the Secretary of Energy shall submit to the congressional defense committees a plan for meeting national security requirements for unencumbered uranium through 2065.

''(b) PLAN REQUIREMENTS.—The plan required by subsection (a) shall include the following:

''(1) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is allocated to national security requirements.

''(2) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is not allocated to national security requirements but could be allocated to such requirements.

''(3) An identification of national security requirements for unencumbered uranium, by program source and enrichment level.

''(4) A description of any shortfall in obtaining unencumbered uranium to meet national security requirements and an assessment of whether that shortfall could be mitigated through the blending down of uranium that is of a higher enrichment level.

''(5) An inventory of unencumbered depleted uranium, an assessment of the portion of that uranium that could be allocated to national security requirements through re-enrichment, and an estimate of the costs of re-enriching that uranium.

''(6) A description of the swap and barter agreements involving unencumbered uranium needed to meet national security requirements that are in effect on the date of the plan.

''(7) An assessment of whether additional enrichment of uranium will be required to meet national security requirements and an estimate of the time for production operations and the cost for each type of enrichment being considered.

''(8) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

''(c) FORM OF PLAN.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

''(d) DEFINITIONS.—In this section:

''(1) The term 'depleted', with respect to uranium, means that the uranium is depleted in uranium-235 compared with natural uranium.

''(2) The term 'unencumbered', with respect to uranium, means that the United States has no obligation to foreign governments to use the uranium for only peaceful purposes.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act, as amended by section 3111, is further amended by inserting after the item relating to section 4220 the following new item:

''Sec. 4221. Long-term plan for meeting national security requirements for unencumbered uranium.''.

SEC. 3113. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.

(a) IN GENERAL.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2563 et seq.) is amended by adding at the end the following new section:

''SEC. 4309. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.

''(a) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each odd-numbered year beginning in 2017, the Administrator shall submit to the congressional defense

committees a five-year management plan for activities associated with the defense nuclear nonproliferation programs of the Administration.

''(b) ELEMENTS.—The plan required by subsection (a) shall include, with respect to each defense nuclear nonproliferation program of the Administration, the following:

''(1) A description of the following:

''(A) The policy context in which the program operates, including—

''(i) a list of relevant laws, policy directives issued by the President, and international agreements; and

''(ii) nuclear nonproliferation activities carried out by other Federal agencies.

''(B) The objectives and priorities of the program during the year preceding the submission of the plan required by subsection (a).

''(C) The activities carried out under the program during that year.

''(D) The accomplishments and challenges of the program during that year.

''(2) Plans for activities of the program during the five-year period beginning on the date on which the plan required by subsection (a) is submitted, including activities with respect to the following:

''(A) Preventing nuclear and radiological proliferation and terrorism, including through—

''(i) material management and minimization;

''(ii) global nuclear material security;

''(iii) nonproliferation and arms control;

''(iv) defense nuclear research and development; and

''(v) nonproliferation construction programs, including activities associated Department of Energy Order 413.1 (relating to program management controls).

''(B) Countering nuclear and radiological proliferation and terrorism.

''(C) Responding to nuclear and radiological proliferation and terrorism, including through—

''(i) crisis operations;

''(ii) consequences management; and

''(iii) emergency management, including international capacity building.

''(3) A threat analysis in support of the plans described in paragraph (2).

''(4) A plan for funding the program during the five-year period beginning on the date on which the plan required by subsection (a) is submitted.

''(5) A description of funds for the program received through contributions from or cost-sharing agreements with foreign governments consistent section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)).

''(6) Such other matters as the Administrator considers appropriate.

''(c) FORM OF REPORT.—The plan required by subsection (a) may be submitted to the congressional defense committees in classified form if necessary.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4308 the following new item:

''Sec. 4309. Defense nuclear nonproliferation management plan.''.

(c) CONFORMING REPEALS.—

(1) Section 3122 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1710) is amended—

(A) by striking subsections (a) and (b);

(B) by redesignating subsections (c), (d), and (e) as subsections (a), (b), and (c), respectively; and

(C) in paragraph (2) of subsection (b), as redesignated by subparagraph (B), by striking ''subsection (c)(2)'' and inserting ''subsection (a)(2)''.

(2) Section 3145 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2197) is repealed.

SEC. 3114. PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NONOPERATIONAL DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subtitle B of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2602 et seq.) is amended by adding at the end the following new section:

''SEC. 4423. PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NONOPERATIONAL DEFENSE NUCLEAR FACILITIES.

''(a) IN GENERAL.—During each even-numbered year beginning in 2016, the Secretary of Energy shall develop a plan to provide guidance for the activities of the Department of Energy relating to the deactivation and decommissioning of nonoperational defense nuclear facilities.

''(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

''(1) A list of nonoperational defense nuclear facilities, prioritized for deactivation and decommissioning based on the potential to reduce risks to human health, property, or the environment and to maximize cost savings.

''(2) An assessment of the life cycle costs of each nonoperational defense nuclear facility during the period beginning on the date on which the plan is submitted under subsection (c) and ending on the earlier of—

''(A) the date that is 25 years after the date on which the plan is submitted; or

''(B) the estimated date for deactivation and decommissioning of the facility.

''(3) An estimate of the cost and time needed to deactivate and decommission each nonoperational defense nuclear facility, if available.

''(4) An estimate of the time at which the Office of Environmental Management anticipates accepting nonoperational defense nuclear facilities for deactivation and decommissioning.

''(5) An estimate of costs that could be avoided by—

''(A) accelerating the cleanup of nonoperational defense nuclear facilities; or

''(B) other means, such as reusing such facilities for another purpose.

''(c) SUBMISSION TO CONGRESS.—Not later than March 31 of each even-numbered year beginning in 2016, the Secretary shall submit to the congressional defense committees a report that includes—

''(1) the plan required by subsection (a);

''(2) a description of the deactivation and decommissioning actions expected to be taken during the following fiscal year pursuant to the plan; and

''(3) in the case of a report submitted during 2018 or any year thereafter, a description of the deactivation and decommissioning actions taken at each nonoperational defense nuclear facility during the preceding fiscal year.

''(d) TERMINATION.—The requirements of this section shall terminate after the submission to the congressional defense committees of the report required by subsection (c) to be submitted not later than March 31, 2026.

''(e) DEFINITIONS.—In this section:

''(1) The term 'life cycle costs', with respect to a facility, means—

''(A) the present and future costs of all resources and associated cost elements required to develop, produce, deploy, or sustain the facility; and

''(B) the present and future costs to deactivate, decommission, and deconstruct the facility.

''(2) The term 'nonoperational defense nuclear facility' means a production facility or utilization facility (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)) under the control or jurisdiction of the Secretary of Energy and operated for national security purposes that is no longer needed for the mission of the Department of Energy, including the National Nuclear Security Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4422 the following new item:

''Sec. 4423. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.''.

SEC. 3115. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

(a) IN GENERAL.—Subtitle C of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

''SEC. 4446. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of Energy shall arrange to have an owner's agent assist the Secretary in carrying out the oversight responsibilities of the Secretary with respect to the contract described in subsection (b).

''(b) CONTRACT DESCRIBED.—The contract described in this subsection is the contract between the Office of River Protection of the Department of Energy and Bechtel National, Inc. or its successor relating to the Hanford Waste Treatment and Immobilization Plant (contract number DE–AC27–01RV14136).

''(c) DUTIES.—The duties of the owner's agent under subsection (a) shall include the following:

''(1) Performing design, construction, nuclear safety, and operability oversight of each facility covered by the contract described in subsection (b).

''(2) Beginning not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, ensuring that the preliminary documented safety analyses for all facilities covered by the contract meet the requirements of all applicable Department of Energy regulations and guidance, including section 830.206 of title 10, Code of Federal Regulations, and the Department of Energy Standard on the Integration of Safety into the Design Process (DOE–STD–1189–2008).

''(3) Assisting the Secretary in ensuring that, until the Secretary approves the documented safety analysis for each facility covered by the contract, the contractor ensures that each preliminary documented safety analysis is current.

''(4) Ensuring that the contractor acts to promptly resolve any unreviewed safety questions.

''(d) REPORT REQUIRED.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, and every 180 days thereafter, the owner's agent specified in subsection (a) shall submit to the Secretary and the congressional defense committees a report on the assistance provided by the owner's agent to the Secretary under that subsection with respect to oversight of the contract described in subsection (b).

''(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

''(A) Information on the status of, and the plan for resolving, each unreviewed safety question at each facility covered by the contract described in subsection (b).

''(B) An identification of each instance of disagreement between the owner's agent and

the contractor with respect to whether an unreviewed safety question exists and the plan for resolution of the disagreement.

''(C) An identification of each aspect of each preliminary documented safety analysis that is not current, the plan for making that aspect current, and the status of the corrective efforts.

''(D) Information on the status of, and the plan for resolving, each unresolved technical issue at each facility covered by the contract, and the status of corrective efforts.

''(e) DEFINITIONS.—In this section:

''(1) The term 'contractor' means Bechtel National, Inc.

''(2) The term 'current', with respect to a documented safety analysis, means that the documented safety analysis includes any design changes approved by the contractor and any safety evaluation reports issued by the Secretary with respect to the facility covered by the analysis before the date that is 60 days before the date of the analysis.

''(3) The terms 'documented safety analysis', 'safety evaluation report', and 'unreviewed safety question' have the meanings given those terms in section 830.3 of title 10, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(4) The term 'owner's agent' means a private third-party entity with nuclear safety management expertise and without any contractual relationship with the contractor or conflict of interest.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4445 the following new item:

''Sec. 4446. Hanford Waste Treatment and Immobilization Plant contract oversight.''.

SEC. 3116. ASSESSMENT OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by inserting after section 4802 the following new section:

''SEC. 4802A. ASSESSMENTS OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

''(a) IN GENERAL.—The Secretary of Energy shall include, in each award-fee evaluation conducted under section 16.401 of title 48, Code of Federal Regulations, of a management and operating contract for a Department of Energy defense nuclear facility in 2016 or any even-numbered year thereafter, an assessment of the adequacy of the emergency preparedness of that facility, including an assessment of the seniority level of employees and contractors of the Department of Energy that participate in emergency preparedness exercises at that facility.

''(b) REPORT REQUIRED.—Not later than 60 days after conducting an assessment under subsection (a), the Secretary shall submit to the congressional defense committees a report on the assessment.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4802 the following new item:

''Sec. 4802A. Assessments of emergency preparedness of defense nuclear facilities.''.

SEC. 3117. LABORATORY- AND FACILITY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) FUNDING FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—Section 4811(c) of the Atomic Energy Defense Act (50 U.S.C. 2791(c)) is amended by striking ''not to exceed 6 percent'' and inserting ''of not less than 5 percent and not more than 8 percent''.

(b) FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—Subtitle B of title XLVIII of such Act (50 U.S.C. 2791 et seq.) is amended by inserting after section 4811 the following new section:

''SEC. 4811A. FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.

''(a) AUTHORITY.—A covered facility that is funded out of funds available to the Department of Energy for national security programs may carry out facility-directed research and development.

''(b) REGULATIONS.—The Secretary of Energy shall prescribe regulations for the conduct of facility-directed research and development under subsection (a).

''(c) FUNDING.—Of the funds provided by the Department of Energy to covered facilities, the Secretary shall provide a specific amount, not to exceed 4 percent of such funds, to be used by such facilities for facility-directed research and development.

''(d) DEFINITIONS.—In this section:

''(1) COVERED FACILITY.—The term 'covered facility' means a nuclear weapons production facility or the Nevada Site Office of the Department of Energy.

''(2) FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.—The term 'facility-directed research and development' means research and development work of a creative and innovative nature that, under the regulations prescribed pursuant to subsection (b), is selected by the director or manager of a covered facility for the purpose of maintaining the vitality of the facility in defense-related scientific disciplines.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4811 the following new item:

''Sec. 4811A. Facility-directed research and development.''.

SEC. 3118. LIMITATION ON BONUSES FOR EMPLOYEES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT.

(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. 3245. LIMITATION ON BONUSES FOR EMPLOYEES WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT.

''(a) LIMITATION.—If the Secretary of Energy or the Administrator determines that a senior employee of the Administration committed improper program management, the Secretary and the Administrator may not pay a bonus to that employee during the one-year period beginning on the date of the determination.

''(b) WAIVER.—The Secretary or the Administrator may waive the limitation on the payment of bonuses under subsection (a) on a case-by-case basis if—

''(1) the Secretary or the Administrator, as the case may be, notifies the congressional defense committees of the waiver; and

''(2) a period of 60 days elapses following the notification before the bonus is paid.

''(c) DEFINITIONS.—In this section:

''(1) The term 'bonus' means any bonus or cash award, including—

''(A) an award under chapter 45 of title 5, United States Code;

''(B) an additional step-increase under section 5336 of title 5, United States Code;

''(C) an award under section 5384 of title 5, United States Code;

''(D) a recruitment or relocation bonus under section 5753 of title 5, United States Code; and

''(E) a retention bonus under section 5754 of title 5, United States Code.

''(2) The term 'covered project' means—

''(A) a construction project of the Administration that is not a minor construction project (as defined in section 4703(d) of the Atomic Energy Defense Act (50 U.S.C. 2743(d))); or

''(B) a life extension program.

''(3) The term 'improper program management' means actions relating to the management of a covered project that significantly—

''(A) delay the project;

''(B) reduce the scope of the project; or

''(C) increase the cost of the project.''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 3244 the following new item:

''Sec. 3245. Limitation on bonuses for employees who engage in improper program management.''.

SEC. 3119. MODIFICATION OF AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

Section 3241A(b)(3) of the National Nuclear Security Administration Act (50 U.S.C. 2441a(b)(3)) is amended by adding at the end the following new subparagraph:

''(E) 100 employees in positions established under section 3241.''.

SEC. 3120. MODIFICATION OF SUBMISSION OF ASSESSMENTS OF CERTAIN BUDGET REQUESTS RELATING TO THE NUCLEAR WEAPONS STOCKPILE.

Section 3255(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2455(a)(2)) is amended by inserting ''in each even-numbered year and 150 days in each odd-numbered year'' after ''90 days''.

SEC. 3121. REPEAL OF PHASE THREE REVIEW OF CERTAIN DEFENSE ENVIRONMENTAL CLEANUP PROJECTS.

Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713), as amended by section 3134(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2193), is further amended—

(1) in subsection (a), by striking ''a series of three reviews, as described in subsections (b), (c), and (d)'' and inserting ''two reviews, as described in subsections (b) and (c)''; and

(2) by striking subsection (d).

SEC. 3122. 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 amended by section 3124 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1062), is further amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively; and

(B) by striking paragraphs (1) through (3) and inserting the following new paragraphs:

''(1) a clear and complete description of the cost savings the Administrator expects to result from the competition for the contract over the life of the contract, including associated analyses, assumptions, and information sources used to determine such cost savings;

''(2) a description of any key limitations or uncertainties that could affect such costs savings, including costs savings that are anticipated but not fully known;

''(3) the costs of the competition for the contract, including the immediate costs of conducting the competition;

''(4) a description of any expected disruptions or delays in mission activities or deliverables resulting from the competition for the contract;

''(5) a clear and complete description of the benefits expected by the Administrator with respect to mission performance or operations resulting from the competition;'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following new subsection (c):

''(c) INFORMATION QUALITY.—A report required by subsection (a) shall be prepared in accordance with—

''(1) the information quality guidelines of the Department of Energy that are relevant to the clear and complete presentation of information on each matter required to be included in the report under subsection (b); and

''(2) best practices of the Government Accountability Office and relevant industries for cost estimating, if appropriate.'';

(4) in subsection (d), as redesignated by paragraph (2), by striking paragraph (1) and inserting the following new paragraph (1):

''(1) IN GENERAL.—Except as provided in paragraph (2), the Comptroller General of the United States shall submit to the congressional defense committees a review of each report required by subsection (a) with respect to a contract not later than 3 years after the report is submitted to such committees that includes an assessment, based on the most current information available, of the following:

''(A) 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.

''(B) Any disruptions or delays in mission activities or deliverables resulting from the competition for the contract compared to the disruptions and delayed estimated under subsection (b)(4).

''(C) Whether expected benefits of the competition with respect to mission performance or operations have been achieved.''; and

(5) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking ''2013 through 2017'' and inserting ''2015 through 2020'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C), by striking ''subsections (a) and (d)(2)'' and inserting ''subsection (a)''.

SEC. 3123. REVIEW OF IMPLEMENTATION OF RECOMMENDATIONS OF THE CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the National Academy of Sciences and the National Academy of Public Administration (in this section referred to as the ''joint panel'') to review the implementation of the recommendations specified in subsection (b) of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise established by section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2208).

(b) RECOMMENDATIONS SPECIFIED.—The recommendations specified in this subsection are recommendations 4 through 10, 12, 13, and 15 through 19 in the table of recommendations in the report of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise entitled ''A New Foundation for the Nuclear Security Enterprise'' and submitted to Congress pursuant to section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2208), as amended by section 3142 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1069).

(c) REPORT REQUIRED.—Not later than March 31, 2016, and annually thereafter through 2020, the joint panel shall submit to the congressional defense committees a report on the review required by subsection (a) that includes an assessment of—

(1) the status of the implementation of the recommendations specified in subsection (b); and

(2) the extent to which the implementation of the recommendations is resulting in the desired effect as envisioned by the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2016, $29,150,000 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.).

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 AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

SEC. 4002. CLARIFICATION OF APPLICABILITY OF UNDISTRIBUTED REDUCTIONS OF CERTAIN OPERATION AND MAINTENANCE FUNDING AMONG ALL OPERATION AND MAINTENANCE FUNDING.

Any undistributed reduction in funding available for fiscal year 2016 for the Department of Defense for operation and maintenance, as specified in the funding table in section 4301, that is attributable to savings in connection with foreign currency fluctuations or bulk fuel purchases, may be applied against any funds available for that fiscal year for the Department for operation and maintenance, regardless of whether available as specified in the funding table in section 4301 or available as specified in the funding table in section 4302.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
2	UTILITY F/W AIRCRAFT	879	879
4	MQ–1 UAV	260,436	260,436
	ROTARY		
6	HELICOPTER, LIGHT UTILITY (LUH)	187,177	187,177
7	AH–64 APACHE BLOCK IIIA REMAN	1,168,461	1,168,461
8	AH–64 APACHE BLOCK IIIA REMAN (AP)	209,930	209,930
11	UH–60 BLACKHAWK M MODEL (MYP)	1,435,945	1,435,945
12	UH–60 BLACKHAWK M MODEL (MYP) (AP)	127,079	127,079
13	UH–60 BLACK HAWK A AND L MODELS	46,641	46,641
14	CH–47 HELICOPTER	1,024,587	1,024,587
15	CH–47 HELICOPTER (AP)	99,344	99,344
	MODIFICATION OF AIRCRAFT		
16	MQ–1 PAYLOAD (MIP)	97,543	97,543
19	MULTI SENSOR ABN RECON (MIP)	95,725	95,725
20	AH–64 MODS	116,153	116,153
21	CH–47 CARGO HELICOPTER MODS (MYP)	86,330	86,330
22	GRCS SEMA MODS (MIP)	4,019	4,019
23	ARL SEMA MODS (MIP)	16,302	16,302
24	EMARSS SEMA MODS (MIP)	13,669	13,669
25	UTILITY/CARGO AIRPLANE MODS	16,166	16,166

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
26	UTILITY HELICOPTER MODS	13,793	13,793
28	NETWORK AND MISSION PLAN	112,807	112,807
29	COMMS, NAV SURVEILLANCE	82,904	82,904
30	GATM ROLLUP	33,890	33,890
31	RQ–7 UAV MODS	81,444	81,444
	GROUND SUPPORT AVIONICS		
32	AIRCRAFT SURVIVABILITY EQUIPMENT	56,215	56,215
33	SURVIVABILITY CM	8,917	8,917
34	CMWS	78,348	104,348
	Army UPL for AH–64 ASE: urgent survivability requirement		[26,000]
	OTHER SUPPORT		
35	AVIONICS SUPPORT EQUIPMENT	6,937	6,937
36	COMMON GROUND EQUIPMENT	64,867	64,867
37	AIRCREW INTEGRATED SYSTEMS	44,085	44,085
38	AIR TRAFFIC CONTROL	94,545	94,545
39	INDUSTRIAL FACILITIES	1,207	1,207
40	LAUNCHER, 2.75 ROCKET	3,012	3,012
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**5,689,357**	**5,715,357**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	115,075	115,075
2	MSE MISSILE	414,946	614,946
	Army UPL for Patriot PAC 3 for improved ballistic missile defense		[200,000]
	AIR-TO-SURFACE MISSILE SYSTEM		
3	HELLFIRE SYS SUMMARY	27,975	27,975
4	JOINT AIR-TO-GROUND MSLS (JAGM)	27,738	27,738
	ANTI-TANK/ASSAULT MISSILE SYS		
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	77,163	77,163
6	TOW 2 SYSTEM SUMMARY	87,525	87,525
8	GUIDED MLRS ROCKET (GMLRS)	251,060	251,060
9	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	17,428	17,428
	MODIFICATIONS		
11	PATRIOT MODS	241,883	241,883
12	ATACMS MODS	30,119	20,119
	Early to need		[–10,000]
13	GMLRS MOD	18,221	18,221
14	STINGER MODS	2,216	2,216
15	AVENGER MODS	6,171	6,171
16	ITAS/TOW MODS	19,576	19,576
17	MLRS MODS	35,970	35,970
18	HIMARS MODIFICATIONS	3,148	3,148
	SPARES AND REPAIR PARTS		
19	SPARES AND REPAIR PARTS	33,778	33,778
	SUPPORT EQUIPMENT & FACILITIES		
20	AIR DEFENSE TARGETS	3,717	3,717
21	ITEMS LESS THAN $5.0M (MISSILES)	1,544	1,544
22	PRODUCTION BASE SUPPORT	4,704	4,704
	TOTAL MISSILE PROCUREMENT, ARMY	**1,419,957**	**1,609,957**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	STRYKER VEHICLE	181,245	181,245
	MODIFICATION OF TRACKED COMBAT VEHICLES		
2	STRYKER (MOD)	74,085	74,085
3	STRYKER UPGRADE	305,743	305,743
5	BRADLEY PROGRAM (MOD)	225,042	225,042
6	HOWITZER, MED SP FT 155MM M109A6 (MOD)	60,079	60,079
7	PALADIN INTEGRATED MANAGEMENT (PIM)	273,850	273,850
8	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	123,629	195,629
	16 M88A2s to supports modernization of ABCTs and industrial base		[72,000]
9	ASSAULT BRIDGE (MOD)	2,461	2,461
10	ASSAULT BREACHER VEHICLE	2,975	2,975
11	M88 FOV MODS	14,878	14,878
12	JOINT ASSAULT BRIDGE	33,455	33,455
13	M1 ABRAMS TANK (MOD)	367,939	367,939
	SUPPORT EQUIPMENT & FACILITIES		
15	PRODUCTION BASE SUPPORT (TCV-WTCV)	6,479	6,479
	WEAPONS & OTHER COMBAT VEHICLES		
16	MORTAR SYSTEMS	4,991	4,991
17	XM320 GRENADE LAUNCHER MODULE (GLM)	26,294	26,294
18	PRECISION SNIPER RIFLE	1,984	0
	Early to need		[–1,984]
19	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	1,488	0
	Early to need		[–1,488]
20	CARBINE	34,460	34,460
21	COMMON REMOTELY OPERATED WEAPONS STATION	8,367	14,767
	Transferred funds		[6,400]
22	HANDGUN	5,417	0
	RFP release delayed, early to need		[–5,417]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	MOD OF WEAPONS AND OTHER COMBAT VEH		
23	MK–19 GRENADE MACHINE GUN MODS	2,777	2,777
24	M777 MODS	10,070	10,070
25	M4 CARBINE MODS	27,566	27,566
26	M2 50 CAL MACHINE GUN MODS	44,004	44,004
27	M249 SAW MACHINE GUN MODS	1,190	1,190
28	M240 MEDIUM MACHINE GUN MODS	1,424	1,424
29	SNIPER RIFLES MODIFICATIONS	2,431	1,031
	Early to need		[–1,400]
30	M119 MODIFICATIONS	20,599	20,599
32	MORTAR MODIFICATION	6,300	6,300
33	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	3,737	3,737
	SUPPORT EQUIPMENT & FACILITIES		
34	ITEMS LESS THAN $5.0M (WOCV-WTCV)	391	2,891
	Transfer funds		[2,500]
35	PRODUCTION BASE SUPPORT (WOCV-WTCV)	9,027	9,027
36	INDUSTRIAL PREPAREDNESS	304	304
37	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,392	2,392
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,887,073**	**1,957,684**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	43,489	43,489
2	CTG, 7.62MM, ALL TYPES	40,715	40,715
3	CTG, HANDGUN, ALL TYPES	7,753	6,801
	Program funding ahead of need		[–952]
4	CTG, .50 CAL, ALL TYPES	24,728	24,728
5	CTG, 25MM, ALL TYPES	8,305	8,305
6	CTG, 30MM, ALL TYPES	34,330	34,330
7	CTG, 40MM, ALL TYPES	79,972	69,972
	Early to need		[–10,000]
	MORTAR AMMUNITION		
8	60MM MORTAR, ALL TYPES	42,898	42,898
9	81MM MORTAR, ALL TYPES	43,500	43,500
10	120MM MORTAR, ALL TYPES	64,372	64,372
	TANK AMMUNITION		
11	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	105,541	105,541
	ARTILLERY AMMUNITION		
12	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	57,756	57,756
13	ARTILLERY PROJECTILE, 155MM, ALL TYPES	77,995	77,995
14	PROJ 155MM EXTENDED RANGE M982	45,518	45,518
15	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	78,024	78,024
	ROCKETS		
16	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	7,500	7,500
17	ROCKET, HYDRA 70, ALL TYPES	33,653	33,653
	OTHER AMMUNITION		
18	CAD/PAD, ALL TYPES	5,639	5,639
19	DEMOLITION MUNITIONS, ALL TYPES	9,751	9,751
20	GRENADES, ALL TYPES	19,993	19,993
21	SIGNALS, ALL TYPES	9,761	9,761
22	SIMULATORS, ALL TYPES	9,749	9,749
	MISCELLANEOUS		
23	AMMO COMPONENTS, ALL TYPES	3,521	3,521
24	NON-LETHAL AMMUNITION, ALL TYPES	1,700	1,700
25	ITEMS LESS THAN $5 MILLION (AMMO)	6,181	6,181
26	AMMUNITION PECULIAR EQUIPMENT	17,811	17,811
27	FIRST DESTINATION TRANSPORTATION (AMMO)	14,695	14,695
	PRODUCTION BASE SUPPORT		
29	PROVISION OF INDUSTRIAL FACILITIES	221,703	221,703
30	CONVENTIONAL MUNITIONS DEMILITARIZATION	113,250	113,250
31	ARMS INITIATIVE	3,575	3,575
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,233,378**	**1,222,426**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	TACTICAL TRAILERS/DOLLY SETS	12,855	12,855
2	SEMITRAILERS, FLATBED:	53	53
4	JOINT LIGHT TACTICAL VEHICLE	308,336	308,336
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	90,040	90,040
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	8,444	8,444
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	27,549	27,549
8	PLS ESP	127,102	127,102
10	TACTICAL WHEELED VEHICLE PROTECTION KITS	48,292	48,292
11	MODIFICATION OF IN SVC EQUIP	130,993	130,993
12	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	19,146	19,146
	NON-TACTICAL VEHICLES		
14	PASSENGER CARRYING VEHICLES	1,248	1,248
15	NONTACTICAL VEHICLES, OTHER	9,614	9,614
	COMM—JOINT COMMUNICATIONS		
16	WIN-T—GROUND FORCES TACTICAL NETWORK	783,116	583,116

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Line	Item	FY 2016 Request	Senate Authorized
	Delayed obligation of prior year funds		[–200,000]
17	SIGNAL MODERNIZATION PROGRAM	49,898	49,898
18	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	4,062	4,062
19	JCSE EQUIPMENT (USREDCOM)	5,008	5,008
	COMM—SATELLITE COMMUNICATIONS		
20	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	196,306	196,306
21	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	44,998	29,998
	Early to need in FY16 due to one year delay		[–15,000]
22	SHF TERM	7,629	7,629
23	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	14,027	14,027
24	SMART-T (SPACE)	13,453	13,453
25	GLOBAL BRDCST SVC—GBS	6,265	6,265
26	MOD OF IN-SVC EQUIP (TAC SAT)	1,042	1,042
27	ENROUTE MISSION COMMAND (EMC)	7,116	7,116
	COMM—C3 SYSTEM		
28	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,137	10,137
	COMM—COMBAT COMMUNICATIONS		
29	JOINT TACTICAL RADIO SYSTEM	64,640	64,640
30	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	27,762	27,762
31	RADIO TERMINAL SET, MIDS LVT(2)	9,422	9,422
32	AMC CRITICAL ITEMS—OPA2	26,020	26,020
33	TRACTOR DESK	4,073	4,073
34	SPIDER APLA REMOTE CONTROL UNIT	1,403	1,403
35	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	9,199	9,199
36	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	349	349
37	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	25,597	25,597
38	UNIFIED COMMAND SUITE	21,854	21,854
40	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	24,388	24,388
	COMM—INTELLIGENCE COMM		
42	CI AUTOMATION ARCHITECTURE	1,349	1,349
43	ARMY CA/MISO GPF EQUIPMENT	3,695	3,695
	INFORMATION SECURITY		
45	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	19,920	19,920
46	COMMUNICATIONS SECURITY (COMSEC)	72,257	72,257
	COMM—LONG HAUL COMMUNICATIONS		
47	BASE SUPPORT COMMUNICATIONS	16,082	16,082
	COMM—BASE COMMUNICATIONS		
48	INFORMATION SYSTEMS	86,037	86,037
50	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	8,550	8,550
51	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	73,496	73,496
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
54	JTT/CIBS-M	881	881
55	PROPHET GROUND	63,650	48,650
	Unjustified program growth		[–15,000]
57	DCGS-A (MIP)	260,268	260,268
58	JOINT TACTICAL GROUND STATION (JTAGS)	3,906	3,906
59	TROJAN (MIP)	13,929	13,929
60	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	3,978	3,978
61	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,542	7,542
62	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)	8,010	8,010
63	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	8,125	8,125
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
64	LIGHTWEIGHT COUNTER MORTAR RADAR	63,472	63,472
65	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	2,556	2,556
66	AIR VIGILANCE (AV)	8,224	8,224
67	CREW	2,960	2,960
68	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	1,722	1,722
69	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	447	447
70	CI MODERNIZATION	228	228
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
71	SENTINEL MODS	43,285	43,285
72	NIGHT VISION DEVICES	124,216	124,216
74	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	23,216	23,216
76	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	60,679	60,679
77	FAMILY OF WEAPON SIGHTS (FWS)	53,453	53,453
78	ARTILLERY ACCURACY EQUIP	3,338	3,338
79	PROFILER	4,057	4,057
81	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	133,339	133,339
82	JOINT EFFECTS TARGETING SYSTEM (JETS)	47,212	47,212
83	MOD OF IN-SVC EQUIP (LLDR)	22,314	22,314
84	COMPUTER BALLISTICS: LHMBC XM32	12,131	12,131
85	MORTAR FIRE CONTROL SYSTEM	10,075	10,075
86	COUNTERFIRE RADARS	217,379	142,379
	Under execution of prior year funds		[–75,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
87	FIRE SUPPORT C2 FAMILY	1,190	1,190
90	AIR & MSL DEFENSE PLANNING & CONTROL SYS	28,176	28,176
91	IAMD BATTLE COMMAND SYSTEM	20,917	20,917
92	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,850	5,850
93	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	12,738	12,738
94	MANEUVER CONTROL SYSTEM (MCS)	145,405	145,405
95	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	162,654	146,654

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(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	Program growth		[–16,000]
96	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	4,446	4,446
98	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	16,218	16,218
99	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,138	1,138
	ELECT EQUIP—AUTOMATION		
100	ARMY TRAINING MODERNIZATION	12,089	12,089
101	AUTOMATED DATA PROCESSING EQUIP	105,775	93,775
	Reduce IT procurement		[–12,000]
102	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	18,995	18,995
103	HIGH PERF COMPUTING MOD PGM (HPCMP)	62,319	62,319
104	RESERVE COMPONENT AUTOMATION SYS (RCAS)	17,894	17,894
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
106	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	4,242	4,242
	ELECT EQUIP—SUPPORT		
107	PRODUCTION BASE SUPPORT (C-E)	425	425
108	BCT EMERGING TECHNOLOGIES	7,438	7,438
	CLASSIFIED PROGRAMS		
108A	CLASSIFIED PROGRAMS	6,467	6,467
	CHEMICAL DEFENSIVE EQUIPMENT		
109	PROTECTIVE SYSTEMS	248	248
110	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	1,487	1,487
112	CBRN DEFENSE	26,302	26,302
	BRIDGING EQUIPMENT		
113	TACTICAL BRIDGING	9,822	9,822
114	TACTICAL BRIDGE, FLOAT-RIBBON	21,516	21,516
115	BRIDGE SUPPLEMENTAL SET	4,959	4,959
116	COMMON BRIDGE TRANSPORTER (CBT) RECAP	52,546	52,546
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
117	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	58,682	58,682
118	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	13,565	13,565
119	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	2,136	2,136
120	EOD ROBOTICS SYSTEMS RECAPITALIZATION	6,960	6,960
121	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	17,424	17,424
122	REMOTE DEMOLITION SYSTEMS	8,284	8,284
123	< $5M, COUNTERMINE EQUIPMENT	5,459	5,459
124	FAMILY OF BOATS AND MOTORS	8,429	8,429
	COMBAT SERVICE SUPPORT EQUIPMENT		
125	HEATERS AND ECU'S	18,876	18,876
127	SOLDIER ENHANCEMENT	2,287	2,287
128	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	7,733	7,733
129	GROUND SOLDIER SYSTEM	49,798	49,798
130	MOBILE SOLDIER POWER	43,639	43,639
132	FIELD FEEDING EQUIPMENT	13,118	13,118
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	28,278	28,278
135	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	34,544	34,544
136	ITEMS LESS THAN $5M (ENG SPT)	595	595
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	5,368	5,368
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	35,381	35,381
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	73,828	73,828
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25,270	25,270
141	ITEMS LESS THAN $5.0M (MAINT EQ)	2,760	2,760
	CONSTRUCTION EQUIPMENT		
142	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,903	5,903
143	SCRAPERS, EARTHMOVING	26,125	26,125
146	TRACTOR, FULL TRACKED	27,156	27,156
147	ALL TERRAIN CRANES	16,750	16,750
148	PLANT, ASPHALT MIXING	984	984
149	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	2,656	2,656
150	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	2,531	2,531
151	FAMILY OF DIVER SUPPORT EQUIPMENT	446	446
152	CONST EQUIP ESP	19,640	19,640
153	ITEMS LESS THAN $5.0M (CONST EQUIP)	5,087	5,087
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
154	ARMY WATERCRAFT ESP	39,772	39,772
155	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	5,835	5,835
	GENERATORS		
156	GENERATORS AND ASSOCIATED EQUIP	166,356	166,356
157	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,505	11,505
	MATERIAL HANDLING EQUIPMENT		
159	FAMILY OF FORKLIFTS	17,496	17,496
	TRAINING EQUIPMENT		
160	COMBAT TRAINING CENTERS SUPPORT	74,916	74,916
161	TRAINING DEVICES, NONSYSTEM	303,236	278,236
	Unjustified program growth		[–25,000]
162	CLOSE COMBAT TACTICAL TRAINER	45,210	45,210
163	AVIATION COMBINED ARMS TACTICAL TRAINER	30,068	30,068
164	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,793	9,793
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
165	CALIBRATION SETS EQUIPMENT	4,650	4,650

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Line	Item	FY 2016 Request	Senate Authorized
166	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	34,487	34,487
167	TEST EQUIPMENT MODERNIZATION (TEMOD)	11,083	11,083
	OTHER SUPPORT EQUIPMENT		
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	17,937	17,937
170	PHYSICAL SECURITY SYSTEMS (OPA3)	52,040	52,040
171	BASE LEVEL COMMON EQUIPMENT	1,568	1,568
172	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	64,219	64,219
173	PRODUCTION BASE SUPPORT (OTH)	1,525	1,525
174	SPECIAL EQUIPMENT FOR USER TESTING	3,268	3,268
176	TRACTOR YARD	7,191	7,191
	OPA2		
177	INITIAL SPARES—C&E	48,511	48,511
	TOTAL OTHER PROCUREMENT, ARMY	**5,899,028**	**5,541,028**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
2	F/A–18E/F (FIGHTER) HORNET	0	1,150,000
	Additional 12 aircraft, unfunded requirement		[1,150,000]
3	JOINT STRIKE FIGHTER CV	897,542	873,042
	Efficiencies and excess cost growth		[–24,500]
4	JOINT STRIKE FIGHTER CV (AP)	48,630	48,630
5	JSF STOVL	1,483,414	2,508,314
	Efficiencies and excess cost growth		[–25,100]
	Additional 6 aircraft, unfunded requirement		[1,050,000]
6	JSF STOVL (AP)	203,060	203,060
7	CH–53K (HEAVY LIFT)	41,300	41,300
8	V–22 (MEDIUM LIFT)	1,436,355	1,436,355
9	V–22 (MEDIUM LIFT) (AP)	43,853	43,853
10	H–1 UPGRADES (UH–1Y/AH–1Z)	800,057	800,057
11	H–1 UPGRADES (UH–1Y/AH–1Z) (AP)	56,168	56,168
12	MH–60S (MYP)	28,232	28,232
14	MH–60R (MYP)	969,991	969,991
16	P–8A POSEIDON	3,008,928	3,008,928
17	P–8A POSEIDON (AP)	269,568	269,568
18	E–2D ADV HAWKEYE	857,654	857,654
19	E–2D ADV HAWKEYE (AP)	195,336	195,336
	TRAINER AIRCRAFT		
20	JPATS	8,914	8,914
	OTHER AIRCRAFT		
21	KC–130J	192,214	192,214
22	KC–130J (AP)	24,451	24,451
23	MQ–4 TRITON	494,259	494,259
24	MQ–4 TRITON (AP)	54,577	54,577
25	MQ–8 UAV	120,020	120,020
26	STUASL0 UAV	3,450	3,450
	MODIFICATION OF AIRCRAFT		
28	EA–6 SERIES	9,799	9,799
29	AEA SYSTEMS	23,151	23,151
30	AV–8 SERIES	41,890	45,190
	AV–8B Link 16 upgrades, unfunded requirement		[3,300]
31	ADVERSARY	5,816	5,816
32	F–18 SERIES	978,756	1,148,756
	Jamming protection upgrades, unfunded requirement		[170,000]
34	H–53 SERIES	46,887	46,887
35	SH–60 SERIES	107,728	107,728
36	H–1 SERIES	42,315	42,315
37	EP–3 SERIES	41,784	41,784
38	P–3 SERIES	3,067	3,067
39	E–2 SERIES	20,741	20,741
40	TRAINER A/C SERIES	27,980	27,980
41	C–2A	8,157	8,157
42	C–130 SERIES	70,335	70,335
43	FEWSG	633	633
44	CARGO/TRANSPORT A/C SERIES	8,916	8,916
45	E–6 SERIES	185,253	185,253
46	EXECUTIVE HELICOPTERS SERIES	76,138	76,138
47	SPECIAL PROJECT AIRCRAFT	23,702	23,702
48	T–45 SERIES	105,439	105,439
49	POWER PLANT CHANGES	9,917	9,917
50	JPATS SERIES	13,537	13,537
51	COMMON ECM EQUIPMENT	131,732	131,732
52	COMMON AVIONICS CHANGES	202,745	202,745
53	COMMON DEFENSIVE WEAPON SYSTEM	3,062	3,062
54	ID SYSTEMS	48,206	48,206
55	P–8 SERIES	28,492	28,492
56	MAGTF EW FOR AVIATION	7,680	7,680
57	MQ–8 SERIES	22,464	22,464
58	RQ–7 SERIES	3,773	3,773
59	V–22 (TILT/ROTOR ACFT) OSPREY	121,208	144,208
	MV–22 Integrated Aircraft Survivability		[15,000]
	MV–22 Ballistic Protection		[8,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
60	F–35 STOVL SERIES	256,106	256,106
61	F–35 CV SERIES	68,527	68,527
62	QRC	6,885	6,885
	AIRCRAFT SPARES AND REPAIR PARTS		
63	SPARES AND REPAIR PARTS	1,563,515	1,563,515
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
64	COMMON GROUND EQUIPMENT	450,959	450,959
65	AIRCRAFT INDUSTRIAL FACILITIES	24,010	24,010
66	WAR CONSUMABLES	42,012	42,012
67	OTHER PRODUCTION CHARGES	2,455	2,455
68	SPECIAL SUPPORT EQUIPMENT	50,859	50,859
69	FIRST DESTINATION TRANSPORTATION	1,801	1,801
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**16,126,405**	**18,473,105**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,099,064	1,099,064
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,748	7,748
	STRATEGIC MISSILES		
3	TOMAHAWK	184,814	214,814
	Combined with 47 FY15 OCO missiles, returns production to MSR		[30,000]
	TACTICAL MISSILES		
4	AMRAAM	192,873	207,873
	Additional captive air training missiles		[15,000]
5	SIDEWINDER	96,427	96,427
6	JSOW	21,419	21,419
7	STANDARD MISSILE	435,352	435,352
8	RAM	80,826	80,826
11	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	4,265	4,265
12	AERIAL TARGETS	40,792	40,792
13	OTHER MISSILE SUPPORT	3,335	3,335
	MODIFICATION OF MISSILES		
14	ESSM	44,440	44,440
15	ESSM (AP)	54,462	54,462
16	HARM MODS	122,298	122,298
	SUPPORT EQUIPMENT & FACILITIES		
17	WEAPONS INDUSTRIAL FACILITIES	2,397	2,397
18	FLEET SATELLITE COMM FOLLOW-ON	39,932	39,932
	ORDNANCE SUPPORT EQUIPMENT		
19	ORDNANCE SUPPORT EQUIPMENT	57,641	61,309
	Classified Program		[3,668]
	TORPEDOES AND RELATED EQUIP		
20	SSTD	7,380	7,380
21	MK–48 TORPEDO	65,611	65,611
22	ASW TARGETS	6,912	6,912
	MOD OF TORPEDOES AND RELATED EQUIP		
23	MK–54 TORPEDO MODS	113,219	113,219
24	MK–48 TORPEDO ADCAP MODS	63,317	63,317
25	QUICKSTRIKE MINE	13,254	13,254
	SUPPORT EQUIPMENT		
26	TORPEDO SUPPORT EQUIPMENT	67,701	67,701
27	ASW RANGE SUPPORT	3,699	3,699
	DESTINATION TRANSPORTATION		
28	FIRST DESTINATION TRANSPORTATION	3,342	3,342
	GUNS AND GUN MOUNTS		
29	SMALL ARMS AND WEAPONS	11,937	11,937
	MODIFICATION OF GUNS AND GUN MOUNTS		
30	CIWS MODS	53,147	53,147
31	COAST GUARD WEAPONS	19,022	19,022
32	GUN MOUNT MODS	67,980	67,980
33	AIRBORNE MINE NEUTRALIZATION SYSTEMS	19,823	19,823
	SPARES AND REPAIR PARTS		
35	SPARES AND REPAIR PARTS	149,725	149,725
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,154,154**	**3,202,822**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	101,238	101,238
2	AIRBORNE ROCKETS, ALL TYPES	67,289	67,289
3	MACHINE GUN AMMUNITION	20,340	20,340
4	PRACTICE BOMBS	40,365	40,365
5	CARTRIDGES & CART ACTUATED DEVICES	49,377	49,377
6	AIR EXPENDABLE COUNTERMEASURES	59,651	59,651
7	JATOS	2,806	2,806
8	LRLAP 6″ LONG RANGE ATTACK PROJECTILE	11,596	11,596
9	5 INCH/54 GUN AMMUNITION	35,994	35,994
10	INTERMEDIATE CALIBER GUN AMMUNITION	36,715	36,715
11	OTHER SHIP GUN AMMUNITION	45,483	45,483
12	SMALL ARMS & LANDING PARTY AMMO	52,080	52,080

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
13	PYROTECHNIC AND DEMOLITION	10,809	10,809
14	AMMUNITION LESS THAN $5 MILLION	4,469	4,469
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION	46,848	46,848
16	LINEAR CHARGES, ALL TYPES	350	350
17	40 MM, ALL TYPES	500	500
18	60MM, ALL TYPES	1,849	1,849
19	81MM, ALL TYPES	1,000	1,000
20	120MM, ALL TYPES	13,867	13,867
22	GRENADES, ALL TYPES	1,390	1,390
23	ROCKETS, ALL TYPES	14,967	14,967
24	ARTILLERY, ALL TYPES	45,219	45,219
26	FUZE, ALL TYPES	29,335	29,335
27	NON LETHALS	3,868	3,868
28	AMMO MODERNIZATION	15,117	15,117
29	ITEMS LESS THAN $5 MILLION	11,219	11,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**723,741**	**723,741**
	SHIPBUILDING AND CONVERSION, NAVY		
	OTHER WARSHIPS		
1	CARRIER REPLACEMENT PROGRAM	1,634,701	1,634,701
2	CARRIER REPLACEMENT PROGRAM (AP)	874,658	874,658
3	VIRGINIA CLASS SUBMARINE	3,346,370	3,346,370
4	VIRGINIA CLASS SUBMARINE (AP)	1,993,740	2,793,740
	Accelerate shipbuilding funding		[800,000]
5	CVN REFUELING OVERHAULS	678,274	678,274
6	CVN REFUELING OVERHAULS (AP)	14,951	14,951
7	DDG 1000	433,404	433,404
8	DDG–51	3,149,703	3,549,703
	Incremental funding for one DDG–51		[400,000]
10	LITTORAL COMBAT SHIP	1,356,991	1,356,991
	AMPHIBIOUS SHIPS		
12	LPD–17	550,000	550,000
13	AFLOAT FORWARD STAGING BASE	0	97,000
	Accelerate shipbuilding funding		[97,000]
15	LHA REPLACEMENT	277,543	476,543
	Accelerate LHA–8 advanced procurement		[199,000]
XX	LX (R) AP	0	51,000
	Accelerate LX (R)		[51,000]
XXX	LCU Replacement	0	34,000
	Accelerate LCU replacement		[34,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
17	TAO FLEET OILER	674,190	674,190
19	MOORED TRAINING SHIP (AP)	138,200	138,200
20	OUTFITTING	697,207	697,207
21	SHIP TO SHORE CONNECTOR	255,630	255,630
22	SERVICE CRAFT	30,014	30,014
23	LCAC SLEP	80,738	80,738
24	YP CRAFT MAINTENANCE/ROH/SLEP	21,838	21,838
25	COMPLETION OF PY SHIPBUILDING PROGRAMS	389,305	389,305
XX	T-ATS(X) Fleet Tug	0	75,000
	Accelerate T-ATS(X)		[75,000]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**16,597,457**	**18,253,457**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	LM–2500 GAS TURBINE	4,881	4,881
2	ALLISON 501K GAS TURBINE	5,814	5,814
3	HYBRID ELECTRIC DRIVE (HED)	32,906	32,906
	GENERATORS		
4	SURFACE COMBATANT HM&E	36,860	36,860
	NAVIGATION EQUIPMENT		
5	OTHER NAVIGATION EQUIPMENT	87,481	87,481
	PERISCOPES		
6	SUB PERISCOPES & IMAGING EQUIP	63,109	63,109
	OTHER SHIPBOARD EQUIPMENT		
7	DDG MOD	364,157	424,157
	Restore additional DDG BMD modernization (CNO UPL)		[60,000]
8	FIREFIGHTING EQUIPMENT	16,089	16,089
9	COMMAND AND CONTROL SWITCHBOARD	2,255	2,255
10	LHA/LHD MIDLIFE	28,571	28,571
11	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	12,313	12,313
12	POLLUTION CONTROL EQUIPMENT	16,609	16,609
13	SUBMARINE SUPPORT EQUIPMENT	10,498	10,498
14	VIRGINIA CLASS SUPPORT EQUIPMENT	35,747	35,747
15	LCS CLASS SUPPORT EQUIPMENT	48,399	48,399
16	SUBMARINE BATTERIES	23,072	23,072
17	LPD CLASS SUPPORT EQUIPMENT	55,283	55,283
18	STRATEGIC PLATFORM SUPPORT EQUIP	18,563	18,563
19	DSSP EQUIPMENT	7,376	7,376

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
21	LCAC	20,965	20,965
22	UNDERWATER EOD PROGRAMS	51,652	51,652
23	ITEMS LESS THAN $5 MILLION	102,498	102,498
24	CHEMICAL WARFARE DETECTORS	3,027	3,027
25	SUBMARINE LIFE SUPPORT SYSTEM	7,399	7,399
	REACTOR PLANT EQUIPMENT		
27	REACTOR COMPONENTS	296,095	296,095
	OCEAN ENGINEERING		
28	DIVING AND SALVAGE EQUIPMENT	15,982	15,982
	SMALL BOATS		
29	STANDARD BOATS	29,982	29,982
	TRAINING EQUIPMENT		
30	OTHER SHIPS TRAINING EQUIPMENT	66,538	66,538
	PRODUCTION FACILITIES EQUIPMENT		
31	OPERATING FORCES IPE	71,138	71,138
	OTHER SHIP SUPPORT		
32	NUCLEAR ALTERATIONS	132,625	132,625
33	LCS COMMON MISSION MODULES EQUIPMENT	23,500	23,500
34	LCS MCM MISSION MODULES	85,151	29,351
	Procurement in excess of need ahead of satisfactory testing		[–55,800]
35	LCS SUW MISSION MODULES	35,228	35,228
36	REMOTE MINEHUNTING SYSTEM (RMS)	87,627	22,027
	Procurement in excess of need ahead of satisfactory testing		[–65,600]
	LOGISTIC SUPPORT		
37	LSD MIDLIFE	2,774	2,774
	SHIP SONARS		
38	SPQ–9B RADAR	20,551	20,551
39	AN/SQQ–89 SURF ASW COMBAT SYSTEM	103,241	103,241
40	SSN ACOUSTICS	214,835	234,835
	Towed Array-unfunded requirement		[20,000]
41	UNDERSEA WARFARE SUPPORT EQUIPMENT	7,331	7,331
42	SONAR SWITCHES AND TRANSDUCERS	11,781	11,781
	ASW ELECTRONIC EQUIPMENT		
44	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,119	21,119
45	SSTD	8,396	8,396
46	FIXED SURVEILLANCE SYSTEM	146,968	146,968
47	SURTASS	12,953	12,953
48	MARITIME PATROL AND RECONNSAISANCE FORCE	13,725	13,725
	ELECTRONIC WARFARE EQUIPMENT		
49	AN/SLQ–32	324,726	352,726
	SEWIP Block II unfunded requirement		[28,000]
	RECONNAISSANCE EQUIPMENT		
50	SHIPBOARD IW EXPLOIT	148,221	148,221
51	AUTOMATED IDENTIFICATION SYSTEM (AIS)	152	152
	SUBMARINE SURVEILLANCE EQUIPMENT		
52	SUBMARINE SUPPORT EQUIPMENT PROG	79,954	79,954
	OTHER SHIP ELECTRONIC EQUIPMENT		
53	COOPERATIVE ENGAGEMENT CAPABILITY	25,695	25,695
54	TRUSTED INFORMATION SYSTEM (TIS)	284	284
55	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,416	14,416
56	ATDLS	23,069	23,069
57	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	4,054	4,054
58	MINESWEEPING SYSTEM REPLACEMENT	21,014	21,014
59	SHALLOW WATER MCM	18,077	18,077
60	NAVSTAR GPS RECEIVERS (SPACE)	12,359	12,359
61	AMERICAN FORCES RADIO AND TV SERVICE	4,240	4,240
62	STRATEGIC PLATFORM SUPPORT EQUIP	17,440	17,440
	TRAINING EQUIPMENT		
63	OTHER TRAINING EQUIPMENT	41,314	41,314
	AVIATION ELECTRONIC EQUIPMENT		
64	MATCALS	10,011	10,011
65	SHIPBOARD AIR TRAFFIC CONTROL	9,346	9,346
66	AUTOMATIC CARRIER LANDING SYSTEM	21,281	21,281
67	NATIONAL AIR SPACE SYSTEM	25,621	25,621
68	FLEET AIR TRAFFIC CONTROL SYSTEMS	8,249	8,249
69	LANDING SYSTEMS	14,715	14,715
70	ID SYSTEMS	29,676	29,676
71	NAVAL MISSION PLANNING SYSTEMS	13,737	13,737
	OTHER SHORE ELECTRONIC EQUIPMENT		
72	DEPLOYABLE JOINT COMMAND & CONTROL	1,314	1,314
74	TACTICAL/MOBILE C4I SYSTEMS	13,600	13,600
75	DCGS-N	31,809	31,809
76	CANES	278,991	278,991
77	RADIAC	8,294	8,294
78	CANES-INTELL	28,695	28,695
79	GPETE	6,962	6,962
80	MASF	290	290
81	INTEG COMBAT SYSTEM TEST FACILITY	14,419	14,419
82	EMI CONTROL INSTRUMENTATION	4,175	4,175
83	ITEMS LESS THAN $5 MILLION	44,176	44,176
	SHIPBOARD COMMUNICATIONS		
84	SHIPBOARD TACTICAL COMMUNICATIONS	8,722	8,722

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
85	SHIP COMMUNICATIONS AUTOMATION	108,477	108,477
86	COMMUNICATIONS ITEMS UNDER $5M	16,613	16,613
	SUBMARINE COMMUNICATIONS		
87	SUBMARINE BROADCAST SUPPORT	20,691	20,691
88	SUBMARINE COMMUNICATION EQUIPMENT	60,945	60,945
	SATELLITE COMMUNICATIONS		
89	SATELLITE COMMUNICATIONS SYSTEMS	30,892	30,892
90	NAVY MULTIBAND TERMINAL (NMT)	118,113	118,113
	SHORE COMMUNICATIONS		
91	JCS COMMUNICATIONS EQUIPMENT	4,591	4,591
92	ELECTRICAL POWER SYSTEMS	1,403	1,403
	CRYPTOGRAPHIC EQUIPMENT		
93	INFO SYSTEMS SECURITY PROGRAM (ISSP)	135,687	135,687
94	MIO INTEL EXPLOITATION TEAM	970	970
	CRYPTOLOGIC EQUIPMENT		
95	CRYPTOLOGIC COMMUNICATIONS EQUIP	11,433	11,433
	OTHER ELECTRONIC SUPPORT		
96	COAST GUARD EQUIPMENT	2,529	2,529
	SONOBUOYS		
97	SONOBUOYS—ALL TYPES	168,763	168,763
	AIRCRAFT SUPPORT EQUIPMENT		
98	WEAPONS RANGE SUPPORT EQUIPMENT	46,979	46,979
100	AIRCRAFT SUPPORT EQUIPMENT	123,884	123,884
103	METEOROLOGICAL EQUIPMENT	15,090	15,090
104	DCRS/DPL	638	638
106	AIRBORNE MINE COUNTERMEASURES	14,098	14,098
111	AVIATION SUPPORT EQUIPMENT	49,773	49,773
	SHIP GUN SYSTEM EQUIPMENT		
112	SHIP GUN SYSTEMS EQUIPMENT	5,300	5,300
	SHIP MISSILE SYSTEMS EQUIPMENT		
115	SHIP MISSILE SUPPORT EQUIPMENT	298,738	298,738
120	TOMAHAWK SUPPORT EQUIPMENT	71,245	71,245
	FBM SUPPORT EQUIPMENT		
123	STRATEGIC MISSILE SYSTEMS EQUIP	240,694	240,694
	ASW SUPPORT EQUIPMENT		
124	SSN COMBAT CONTROL SYSTEMS	96,040	96,040
125	ASW SUPPORT EQUIPMENT	30,189	30,189
	OTHER ORDNANCE SUPPORT EQUIPMENT		
129	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	22,623	22,623
130	ITEMS LESS THAN $5 MILLION	9,906	9,906
	OTHER EXPENDABLE ORDNANCE		
134	TRAINING DEVICE MODS	99,707	99,707
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	PASSENGER CARRYING VEHICLES	2,252	2,252
136	GENERAL PURPOSE TRUCKS	2,191	2,191
137	CONSTRUCTION & MAINTENANCE EQUIP	2,164	2,164
138	FIRE FIGHTING EQUIPMENT	14,705	14,705
139	TACTICAL VEHICLES	2,497	2,497
140	AMPHIBIOUS EQUIPMENT	12,517	12,517
141	POLLUTION CONTROL EQUIPMENT	3,018	3,018
142	ITEMS UNDER $5 MILLION	14,403	14,403
143	PHYSICAL SECURITY VEHICLES	1,186	1,186
	SUPPLY SUPPORT EQUIPMENT		
144	MATERIALS HANDLING EQUIPMENT	18,805	18,805
145	OTHER SUPPLY SUPPORT EQUIPMENT	10,469	10,469
146	FIRST DESTINATION TRANSPORTATION	5,720	5,720
147	SPECIAL PURPOSE SUPPLY SYSTEMS	211,714	211,714
	TRAINING DEVICES		
148	TRAINING SUPPORT EQUIPMENT	7,468	7,468
	COMMAND SUPPORT EQUIPMENT		
149	COMMAND SUPPORT EQUIPMENT	36,433	36,433
150	EDUCATION SUPPORT EQUIPMENT	3,180	3,180
151	MEDICAL SUPPORT EQUIPMENT	4,790	4,790
153	NAVAL MIP SUPPORT EQUIPMENT	4,608	4,608
154	OPERATING FORCES SUPPORT EQUIPMENT	5,655	5,655
155	C4ISR EQUIPMENT	9,929	9,929
156	ENVIRONMENTAL SUPPORT EQUIPMENT	26,795	26,795
157	PHYSICAL SECURITY EQUIPMENT	88,453	88,453
159	ENTERPRISE INFORMATION TECHNOLOGY	99,094	99,094
	OTHER		
160	NEXT GENERATION ENTERPRISE SERVICE	99,014	99,014
	CLASSIFIED PROGRAMS		
160A	CLASSIFIED PROGRAMS	21,439	21,439
	SPARES AND REPAIR PARTS		
161	SPARES AND REPAIR PARTS	328,043	328,043
	TOTAL OTHER PROCUREMENT, NAVY	**6,614,715**	**6,601,315**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	26,744	26,744
2	LAV PIP	54,879	54,879

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	ARTILLERY AND OTHER WEAPONS		
3	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,652	2,652
4	155MM LIGHTWEIGHT TOWED HOWITZER	7,482	7,482
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	17,181	17,181
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	8,224	8,224
	OTHER SUPPORT		
7	MODIFICATION KITS	14,467	14,467
8	WEAPONS ENHANCEMENT PROGRAM	488	488
	GUIDED MISSILES		
9	GROUND BASED AIR DEFENSE	7,565	7,565
10	JAVELIN	1,091	1,091
11	FOLLOW ON TO SMAW	4,872	4,872
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	668	668
	OTHER SUPPORT		
13	MODIFICATION KITS	12,495	152,495
	Additional missiles		[140,000]
	COMMAND AND CONTROL SYSTEMS		
14	UNIT OPERATIONS CENTER	13,109	13,109
15	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,147	35,147
	REPAIR AND TEST EQUIPMENT		
16	REPAIR AND TEST EQUIPMENT	21,210	21,210
	OTHER SUPPORT (TEL)		
17	COMBAT SUPPORT SYSTEM	792	792
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
19	ITEMS UNDER $5 MILLION (COMM & ELEC)	3,642	3,642
20	AIR OPERATIONS C2 SYSTEMS	3,520	3,520
	RADAR + EQUIPMENT (NON-TEL)		
21	RADAR SYSTEMS	35,118	35,118
22	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	130,661	98,546
	Not meeting performance reqs reduce until technology is refined		[–32,115]
23	RQ–21 UAS	84,916	84,916
	INTELL/COMM EQUIPMENT (NON-TEL)		
24	FIRE SUPPORT SYSTEM	9,136	9,136
25	INTELLIGENCE SUPPORT EQUIPMENT	29,936	29,936
28	DCGS-MC	1,947	1,947
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
31	NIGHT VISION EQUIPMENT	2,018	2,018
	OTHER SUPPORT (NON-TEL)		
32	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	67,295	67,295
33	COMMON COMPUTER RESOURCES	43,101	43,101
34	COMMAND POST SYSTEMS	29,255	29,255
35	RADIO SYSTEMS	80,584	80,584
36	COMM SWITCHING & CONTROL SYSTEMS	66,123	66,123
37	COMM & ELEC INFRASTRUCTURE SUPPORT	79,486	79,486
	CLASSIFIED PROGRAMS		
37A	CLASSIFIED PROGRAMS	2,803	2,803
	ADMINISTRATIVE VEHICLES		
38	COMMERCIAL PASSENGER VEHICLES	3,538	3,538
39	COMMERCIAL CARGO VEHICLES	22,806	22,806
	TACTICAL VEHICLES		
41	MOTOR TRANSPORT MODIFICATIONS	7,743	7,743
43	JOINT LIGHT TACTICAL VEHICLE	79,429	79,429
44	FAMILY OF TACTICAL TRAILERS	3,157	3,157
	OTHER SUPPORT		
45	ITEMS LESS THAN $5 MILLION	6,938	6,938
	ENGINEER AND OTHER EQUIPMENT		
46	ENVIRONMENTAL CONTROL EQUIP ASSORT	94	94
47	BULK LIQUID EQUIPMENT	896	896
48	TACTICAL FUEL SYSTEMS	136	136
49	POWER EQUIPMENT ASSORTED	10,792	10,792
50	AMPHIBIOUS SUPPORT EQUIPMENT	3,235	3,235
51	EOD SYSTEMS	7,666	7,666
	MATERIALS HANDLING EQUIPMENT		
52	PHYSICAL SECURITY EQUIPMENT	33,145	33,145
53	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	1,419	1,419
	GENERAL PROPERTY		
57	TRAINING DEVICES	24,163	24,163
58	CONTAINER FAMILY	962	962
59	FAMILY OF CONSTRUCTION EQUIPMENT	6,545	6,545
60	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	7,533	7,533
	OTHER SUPPORT		
62	ITEMS LESS THAN $5 MILLION	4,322	4,322
	SPARES AND REPAIR PARTS		
63	SPARES AND REPAIR PARTS	8,292	8,292
	TOTAL PROCUREMENT, MARINE CORPS	**1,131,418**	**1,239,303**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
1	F–35	5,260,212	5,161,112
	Efficiencies and excess cost growth		[–99,100]
2	F–35 (AP)	460,260	460,260

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	TACTICAL AIRLIFT		
3	KC–46A TANKER	2,350,601	2,326,601
	FY15 excess to need by $24 million due to program delays		[–24,000]
	OTHER AIRLIFT		
4	C–130J	889,154	889,154
5	C–130J (AP)	50,000	50,000
6	HC–130J	463,934	463,934
7	HC–130J (AP)	30,000	30,000
8	MC–130J	828,472	828,472
9	MC–130J (AP)	60,000	60,000
	MISSION SUPPORT AIRCRAFT		
11	CIVIL AIR PATROL A/C	2,617	2,617
	OTHER AIRCRAFT		
12	TARGET DRONES	132,028	132,028
14	RQ–4	37,800	37,800
15	MQ–9	552,528	1,032,528
	Accelerating procurement schedule to meet CCDR demand		[480,000]
	STRATEGIC AIRCRAFT		
17	B–2A	32,458	32,458
18	B–1B	114,119	114,119
19	B–52	148,987	148,987
20	LARGE AIRCRAFT INFRARED COUNTERMEASURES	84,335	84,335
	TACTICAL AIRCRAFT		
22	F–15	464,367	713,671
	EPAWSS upgrade		[11,600]
	F–15C AESA radars		[48,000]
	F–15D AESA radars		[192,500]
	ADCP II upgrades		[10,000]
	F–15C MIDS JTRS transfer to RDT&E		[–6,387]
	F–15E MIDS JTRS transfer to RDT&E		[–6,409]
23	F–16	17,134	17,134
24	F–22A	126,152	126,152
25	F–35 MODIFICATIONS	70,167	70,167
26	INCREMENT 3.2B	69,325	69,325
	AIRLIFT AIRCRAFT		
28	C–5	5,604	5,604
30	C–17A	46,997	46,997
31	C–21	10,162	10,162
32	C–32A	44,464	44,464
33	C–37A	10,861	10,861
	TRAINER AIRCRAFT		
34	GLIDER MODS	134	134
35	T–6	17,968	17,968
36	T–1	23,706	23,706
37	T–38	30,604	30,604
	OTHER AIRCRAFT		
38	U–2 MODS	22,095	22,095
39	KC–10A (ATCA)	5,611	5,611
40	C–12	1,980	1,980
42	VC–25A MOD	98,231	98,231
43	C–40	13,171	13,171
44	C–130	7,048	130,248
	C–130H Electronic Prop Control System – UPL		[13,500]
	C–130H In-flight Prop Balancing System – UPL		[1,500]
	C–130H T–56 3.5 Engine Mods		[33,200]
	Funds added to comply with Sec 134, FY15 NDAA		[75,000]
45	C–130J MODS	29,713	29,713
46	C–135	49,043	49,043
47	COMPASS CALL MODS	68,415	97,115
	Modification for restored EC–130H		[28,700]
48	RC–135	156,165	156,165
49	E–3	13,178	13,178
50	E–4	23,937	23,937
51	E–8	18,001	18,001
52	AIRBORNE WARNING AND CONTROL SYSTEM	183,308	183,308
53	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	44,163	44,163
54	H–1	6,291	6,291
55	UH–1N REPLACEMENT	2,456	2,456
56	H–60	45,731	45,731
57	RQ–4 MODS	50,022	50,022
58	HC/MC–130 MODIFICATIONS	21,660	21,660
59	OTHER AIRCRAFT	117,767	115,521
	C2ISR TDL transfer to COMSEC equipment		[–2,246]
60	MQ–1 MODS	3,173	3,173
61	MQ–9 MODS	115,226	115,226
63	CV–22 MODS	58,828	58,828
	AIRCRAFT SPARES AND REPAIR PARTS		
64	INITIAL SPARES/REPAIR PARTS	656,242	656,242
	COMMON SUPPORT EQUIPMENT		
65	AIRCRAFT REPLACEMENT SUPPORT EQUIP	33,716	33,716
	POST PRODUCTION SUPPORT		
67	B–2A	38,837	38,837

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
68	B–52	5,911	5,911
69	C–17A	30,108	30,108
70	CV–22 POST PRODUCTION SUPPORT	3,353	3,353
71	C–135	4,490	4,490
72	F–15	3,225	3,225
73	F–16	14,969	14,969
74	F–22A	971	971
76	MQ–9	5,000	5,000
	INDUSTRIAL PREPAREDNESS		
77	INDUSTRIAL RESPONSIVENESS	18,802	18,802
	WAR CONSUMABLES		
78	WAR CONSUMABLES	156,465	156,465
	OTHER PRODUCTION CHARGES		
79	OTHER PRODUCTION CHARGES	1,052,814	1,111,900
	Transfer from RDT&E for NATO AWACS		[59,086]
	CLASSIFIED PROGRAMS		
79A	CLASSIFIED PROGRAMS	42,503	42,503
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**15,657,769**	**16,472,713**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	94,040	94,040
	TACTICAL		
3	JOINT AIR-SURFACE STANDOFF MISSILE	440,578	440,578
4	SIDEWINDER (AIM–9X)	200,777	200,777
5	AMRAAM	390,112	390,112
6	PREDATOR HELLFIRE MISSILE	423,016	423,016
7	SMALL DIAMETER BOMB	133,697	133,697
	INDUSTRIAL FACILITIES		
8	INDUSTR'L PREPAREDNS/POL PREVENTION	397	397
	CLASS IV		
9	MM III MODIFICATIONS	50,517	50,517
10	AGM–65D MAVERICK	9,639	9,639
11	AGM–88A HARM	197	197
12	AIR LAUNCH CRUISE MISSILE (ALCM)	25,019	25,019
	MISSILE SPARES AND REPAIR PARTS		
14	INITIAL SPARES/REPAIR PARTS	48,523	48,523
	SPECIAL PROGRAMS		
28	SPECIAL UPDATE PROGRAMS	276,562	276,562
	CLASSIFIED PROGRAMS		
28A	CLASSIFIED PROGRAMS	893,971	893,971
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,987,045**	**2,987,045**
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
1	ADVANCED EHF	333,366	333,366
2	WIDEBAND GAPFILLER SATELLITES(SPACE)	53,476	53,476
3	GPS III SPACE SEGMENT	199,218	0
	GPS III SV10 early to need		[–199,218]
4	SPACEBORNE EQUIP (COMSEC)	18,362	18,362
5	GLOBAL POSITIONING (SPACE)	66,135	66,135
6	DEF METEOROLOGICAL SAT PROG(SPACE)	89,351	0
	Cut DMSP #20		[–89,351]
7	EVOLVED EXPENDABLE LAUNCH CAPABILITY	571,276	571,276
8	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	800,201	800,201
9	SBIR HIGH (SPACE)	452,676	452,676
	TOTAL SPACE PROCUREMENT, AIR FORCE	**2,584,061**	**2,295,492**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	23,788	23,788
	CARTRIDGES		
2	CARTRIDGES	131,102	169,602
	Increase to match size of A–10 fleet		[38,500]
	BOMBS		
3	PRACTICE BOMBS	89,759	89,759
4	GENERAL PURPOSE BOMBS	637,181	637,181
5	MASSIVE ORDNANCE PENETRATOR (MOP)	39,690	39,690
6	JOINT DIRECT ATTACK MUNITION	374,688	374,688
	OTHER ITEMS		
7	CAD/PAD	58,266	58,266
8	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	5,612	5,612
9	SPARES AND REPAIR PARTS	103	103
10	MODIFICATIONS	1,102	1,102
11	ITEMS LESS THAN $5 MILLION	3,044	3,044
	FLARES		
12	FLARES	120,935	120,935
	FUZES		
13	FUZES	213,476	213,476

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	SMALL ARMS		
14	SMALL ARMS	60,097	60,097
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**1,758,843**	**1,797,343**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	8,834	8,834
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	58,160	58,160
3	CAP VEHICLES	977	977
4	ITEMS LESS THAN $5 MILLION	12,483	12,483
	SPECIAL PURPOSE VEHICLES		
5	SECURITY AND TACTICAL VEHICLES	4,728	4,728
6	ITEMS LESS THAN $5 MILLION	4,662	4,662
	FIRE FIGHTING EQUIPMENT		
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	10,419	10,419
	MATERIALS HANDLING EQUIPMENT		
8	ITEMS LESS THAN $5 MILLION	23,320	23,320
	BASE MAINTENANCE SUPPORT		
9	RUNWAY SNOW REMOV & CLEANING EQUIP	6,215	6,215
10	ITEMS LESS THAN $5 MILLION	87,781	87,781
	COMM SECURITY EQUIPMENT(COMSEC)		
11	COMSEC EQUIPMENT	136,998	139,244
	Transfer for Link 16 upgrades		[2,246]
12	MODIFICATIONS (COMSEC)	677	677
	INTELLIGENCE PROGRAMS		
13	INTELLIGENCE TRAINING EQUIPMENT	4,041	4,041
14	INTELLIGENCE COMM EQUIPMENT	22,573	22,573
15	MISSION PLANNING SYSTEMS	14,456	14,456
	ELECTRONICS PROGRAMS		
16	AIR TRAFFIC CONTROL & LANDING SYS	31,823	31,823
17	NATIONAL AIRSPACE SYSTEM	5,833	5,833
18	BATTLE CONTROL SYSTEM—FIXED	1,687	1,687
19	THEATER AIR CONTROL SYS IMPROVEMENTS	22,710	22,710
20	WEATHER OBSERVATION FORECAST	21,561	21,561
21	STRATEGIC COMMAND AND CONTROL	286,980	286,980
22	CHEYENNE MOUNTAIN COMPLEX	36,186	36,186
24	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,597	9,597
	SPCL COMM-ELECTRONICS PROJECTS		
25	GENERAL INFORMATION TECHNOLOGY	27,403	27,403
26	AF GLOBAL COMMAND & CONTROL SYS	7,212	7,212
27	MOBILITY COMMAND AND CONTROL	11,062	30,962
	Additional battlefield air operations kits to meet need		[19,900]
28	AIR FORCE PHYSICAL SECURITY SYSTEM	131,269	131,269
29	COMBAT TRAINING RANGES	33,606	33,606
30	MINIMUM ESSENTIAL EMERGENCY COMM N	5,232	5,232
31	C3 COUNTERMEASURES	7,453	7,453
32	INTEGRATED PERSONNEL AND PAY SYSTEM	3,976	3,976
33	GCSS-AF FOS	25,515	25,515
34	DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYSTEM	9,255	9,255
35	THEATER BATTLE MGT C2 SYSTEM	7,523	7,523
36	AIR & SPACE OPERATIONS CTR-WPN SYS	12,043	12,043
37	AIR OPERATIONS CENTER (AOC) 10.2	24,246	24,246
	AIR FORCE COMMUNICATIONS		
38	INFORMATION TRANSPORT SYSTEMS	74,621	74,621
39	AFNET	103,748	86,748
	Restructure program		[–17,000]
41	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
42	USCENTCOM	15,780	15,780
	SPACE PROGRAMS		
43	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	79,592	79,592
44	SPACE BASED IR SENSOR PGM SPACE	90,190	90,190
45	NAVSTAR GPS SPACE	2,029	2,029
46	NUDET DETECTION SYS SPACE	5,095	5,095
47	AF SATELLITE CONTROL NETWORK SPACE	76,673	76,673
48	SPACELIFT RANGE SYSTEM SPACE	113,275	113,275
49	MILSATCOM SPACE	35,495	35,495
50	SPACE MODS SPACE	23,435	23,435
51	COUNTERSPACE SYSTEM	43,065	43,065
	ORGANIZATION AND BASE		
52	TACTICAL C-E EQUIPMENT	77,538	113,538
	Increase JTAC training and rehearsal simulators per AF unfunded priority list		[36,000]
54	RADIO EQUIPMENT	8,400	8,400
55	CCTV/AUDIOVISUAL EQUIPMENT	6,144	6,144
56	BASE COMM INFRASTRUCTURE	77,010	77,010
	MODIFICATIONS		
57	COMM ELECT MODS	71,800	71,800
	PERSONAL SAFETY & RESCUE EQUIP		
58	NIGHT VISION GOGGLES	2,370	2,370
59	ITEMS LESS THAN $5 MILLION	79,623	79,623
	DEPOT PLANT+MTRLS HANDLING EQ		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
60	MECHANIZED MATERIAL HANDLING EQUIP	7,249	7,249
	BASE SUPPORT EQUIPMENT		
61	BASE PROCURED EQUIPMENT	9,095	9,095
62	ENGINEERING AND EOD EQUIPMENT	17,866	17,866
64	MOBILITY EQUIPMENT	61,850	61,850
65	ITEMS LESS THAN $5 MILLION	30,477	30,477
	SPECIAL SUPPORT PROJECTS		
67	DARP RC135	25,072	25,072
68	DCGS-AF	183,021	183,021
70	SPECIAL UPDATE PROGRAM	629,371	629,371
71	DEFENSE SPACE RECONNAISSANCE PROG.	100,663	100,663
	CLASSIFIED PROGRAMS		
71A	CLASSIFIED PROGRAMS	15,038,333	15,038,333
	SPARES AND REPAIR PARTS		
73	SPARES AND REPAIR PARTS	59,863	59,863
	TOTAL OTHER PROCUREMENT, AIR FORCE	**18,272,438**	**18,313,584**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCAA		
1	ITEMS LESS THAN $5 MILLION	1,488	1,488
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	2,494	2,494
	MAJOR EQUIPMENT, DHRA		
3	PERSONNEL ADMINISTRATION	9,341	9,341
	MAJOR EQUIPMENT, DISA		
7	INFORMATION SYSTEMS SECURITY	8,080	18,080
	Sharkseer increase		[10,000]
8	TELEPORT PROGRAM	62,789	62,789
9	ITEMS LESS THAN $5 MILLION	9,399	9,399
10	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,819	1,819
11	DEFENSE INFORMATION SYSTEM NETWORK	141,298	141,298
12	CYBER SECURITY INITIATIVE	12,732	12,732
13	WHITE HOUSE COMMUNICATION AGENCY	64,098	64,098
14	SENIOR LEADERSHIP ENTERPRISE	617,910	617,910
15	JOINT INFORMATION ENVIRONMENT	84,400	84,400
	MAJOR EQUIPMENT, DLA		
16	MAJOR EQUIPMENT	5,644	5,644
	MAJOR EQUIPMENT, DMACT		
17	MAJOR EQUIPMENT	11,208	11,208
	MAJOR EQUIPMENT, DODEA		
18	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,298	1,298
	MAJOR EQUIPMENT, DSS		
20	MAJOR EQUIPMENT	1,048	1,048
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
21	VEHICLES	100	100
22	OTHER MAJOR EQUIPMENT	5,474	5,474
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
23	THAAD	464,067	464,067
24	AEGIS BMD	558,916	706,681
	Increase SM–3 Block IB purchase		[117,880]
	Increase SM–3 Block IB canisters		[2,565]
	Undifferentiated Block IB test and evaluation costs		[27,320]
25	AEGIS BMD (AP)	147,765	0
	Early to need		[–147,765]
26	BMDS AN/TPY–2 RADARS	78,634	78,634
27	AEGIS ASHORE PHASE III	30,587	30,587
28	IRON DOME	55,000	41,100
	Request excess of requirement		[–13,900]
XX	DAVIDS SLING	0	150,000
	Increase for David's Sling co-production		[150,000]
XXX	ARROW 3	0	15,000
	Increase for Arrow 3 co-production		[15,000]
	MAJOR EQUIPMENT, NSA		
35	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	37,177	37,177
	MAJOR EQUIPMENT, OSD		
36	MAJOR EQUIPMENT, OSD	46,939	46,939
	MAJOR EQUIPMENT, TJS		
38	MAJOR EQUIPMENT, TJS	13,027	13,027
	MAJOR EQUIPMENT, WHS		
40	MAJOR EQUIPMENT, WHS	27,859	27,859
	CLASSIFIED PROGRAMS		
40A	CLASSIFIED PROGRAMS	617,757	617,757
	AVIATION PROGRAMS		
41	MC–12	63,170	0
	SOCOM requested realignment		[–63,170]
42	ROTARY WING UPGRADES AND SUSTAINMENT	135,985	135,985
44	NON-STANDARD AVIATION	61,275	61,275
45	U–28	0	63,170
	SOCOM requested realignment		[63,170]
47	RQ–11 UNMANNED AERIAL VEHICLE	20,087	20,087
48	CV–22 MODIFICATION	18,832	18,832

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
49	MQ–1 UNMANNED AERIAL VEHICLE	1,934	1,934
50	MQ–9 UNMANNED AERIAL VEHICLE	11,726	21,726
	MQ–9 capability enhancements		[10,000]
51	STUASL0	1,514	1,514
52	PRECISION STRIKE PACKAGE	204,105	204,105
53	AC/MC–130J	61,368	61,368
54	C–130 MODIFICATIONS	66,861	31,412
	C–130 TF/TA adjustments		[–35,449]
	SHIPBUILDING		
55	UNDERWATER SYSTEMS	32,521	32,521
	AMMUNITION PROGRAMS		
56	ORDNANCE ITEMS <$5M	174,734	174,734
	OTHER PROCUREMENT PROGRAMS		
57	INTELLIGENCE SYSTEMS	93,009	93,009
58	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,964	14,964
59	OTHER ITEMS <$5M	79,149	79,149
60	COMBATANT CRAFT SYSTEMS	33,362	33,362
61	SPECIAL PROGRAMS	143,533	143,533
62	TACTICAL VEHICLES	73,520	73,520
63	WARRIOR SYSTEMS <$5M	186,009	186,009
64	COMBAT MISSION REQUIREMENTS	19,693	19,693
65	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,967	3,967
66	OPERATIONAL ENHANCEMENTS INTELLIGENCE	19,225	19,225
68	OPERATIONAL ENHANCEMENTS	213,252	213,252
	CBDP		
74	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	141,223	141,223
75	CB PROTECTION & HAZARD MITIGATION	137,487	137,487
	UNDISTRIBUTED		
XX	USCC CYBER CAPABILITIES	0	75,000
	Cyber capabilities		[75,000]
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,130,853**	**5,341,504**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	99,701	99,701
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**99,701**	**99,701**
	TOTAL PROCUREMENT	**106,967,393**	**111,847,577**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	AERIAL COMMON SENSOR (ACS) (MIP)	99,500	99,500
4	MQ–1 UAV	16,537	16,537
	MODIFICATION OF AIRCRAFT		
16	MQ–1 PAYLOAD (MIP)	8,700	8,700
23	ARL SEMA MODS (MIP)	32,000	32,000
31	RQ–7 UAV MODS	8,250	8,250
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**164,987**	**164,987**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
3	HELLFIRE SYS SUMMARY	37,260	37,260
	TOTAL MISSILE PROCUREMENT, ARMY	**37,260**	**37,260**
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
16	MORTAR SYSTEMS	7,030	7,030
21	COMMON REMOTELY OPERATED WEAPONS STATION	19,000	19,000
	TOTAL PROCUREMENT OF W&TCV, ARMY	**26,030**	**26,030**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
4	CTG, .50 CAL, ALL TYPES	4,000	4,000
	MORTAR AMMUNITION		
8	60MM MORTAR, ALL TYPES	11,700	11,700
9	81MM MORTAR, ALL TYPES	4,000	4,000
10	120MM MORTAR, ALL TYPES	7,000	7,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	ARTILLERY AMMUNITION		
12	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	5,000	5,000
13	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
15	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	2,000	2,000
	ROCKETS		
17	ROCKET, HYDRA 70, ALL TYPES	136,340	136,340
	OTHER AMMUNITION		
19	DEMOLITION MUNITIONS, ALL TYPES	4,000	4,000
21	SIGNALS, ALL TYPES	8,000	8,000
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**192,040**	**192,040**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	243,998	243,998
9	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	223,276	223,276
11	MODIFICATION OF IN SVC EQUIP	130,000	130,000
12	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	393,100	393,100
	COMM—SATELLITE COMMUNICATIONS		
21	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	5,724	5,724
	COMM—BASE COMMUNICATIONS		
51	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	29,500	29,500
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
57	DCGS-A (MIP)	54,140	54,140
59	TROJAN (MIP)	6,542	6,542
61	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	3,860	3,860
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
68	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	14,847	14,847
69	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,535	19,535
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
84	COMPUTER BALLISTICS: LHMBC XM32	2,601	2,601
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
87	FIRE SUPPORT C2 FAMILY	48	48
94	MANEUVER CONTROL SYSTEM (MCS)	252	252
	ELECT EQUIP—AUTOMATION		
101	AUTOMATED DATA PROCESSING EQUIP	652	652
	CHEMICAL DEFENSIVE EQUIPMENT		
111	BASE DEFENSE SYSTEMS (BDS)	4,035	4,035
	COMBAT SERVICE SUPPORT EQUIPMENT		
131	FORCE PROVIDER	53,800	53,800
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	700	700
	MATERIAL HANDLING EQUIPMENT		
159	FAMILY OF FORKLIFTS	10,486	10,486
	OTHER SUPPORT EQUIPMENT		
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
	TOTAL OTHER PROCUREMENT, ARMY	**1,205,596**	**1,205,596**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	FORCE TRAINING		
3	TRAIN THE FORCE	7,850	7,850
	JIEDDO DEVICE DEFEAT		
2	DEFEAT THE DEVICE	77,600	77,600
	NETWORK ATTACK		
1	ATTACK THE NETWORK	219,550	215,086
	Adjustment due to low execution in prior years		[–4,464]
	STAFF AND INFRASTRUCTURE		
4	OPERATIONS	188,271	144,464
	Maintain prior year funding level		[–43,807]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**493,271**	**445,000**
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
26	STUASL0 UAV	55,000	55,000
	MODIFICATION OF AIRCRAFT		
30	AV–8 SERIES	41,365	41,365
32	F–18 SERIES	8,000	8,000
37	EP–3 SERIES	6,300	6,300
47	SPECIAL PROJECT AIRCRAFT	14,198	14,198
51	COMMON ECM EQUIPMENT	72,700	72,700
52	COMMON AVIONICS CHANGES	13,988	13,988
59	V–22 (TILT/ROTOR ACFT) OSPREY	4,900	4,900
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
65	AIRCRAFT INDUSTRIAL FACILITIES	943	943
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**217,394**	**217,394**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
10	LASER MAVERICK	3,344	3,344

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,344**	**3,344**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	9,715	9,715
2	AIRBORNE ROCKETS, ALL TYPES	11,108	11,108
3	MACHINE GUN AMMUNITION	3,603	3,603
6	AIR EXPENDABLE COUNTERMEASURES	11,982	11,982
11	OTHER SHIP GUN AMMUNITION	4,674	4,674
12	SMALL ARMS & LANDING PARTY AMMO	3,456	3,456
13	PYROTECHNIC AND DEMOLITION	1,989	1,989
14	AMMUNITION LESS THAN $5 MILLION	4,674	4,674
	MARINE CORPS AMMUNITION		
20	120MM, ALL TYPES	10,719	10,719
23	ROCKETS, ALL TYPES	3,993	3,993
24	ARTILLERY, ALL TYPES	67,200	67,200
26	FUZE, ALL TYPES	3,299	3,299
25	DEMOLITION MUNITIONS, ALL TYPES	518	518
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**136,930**	**136,930**
	OTHER PROCUREMENT, NAVY		
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	PASSENGER CARRYING VEHICLES	186	186
	CLASSIFIED PROGRAMS		
160A	CLASSIFIED PROGRAMS	12,000	12,000
	TOTAL OTHER PROCUREMENT, NAVY	**12,186**	**12,186**
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
10	JAVELIN	7,679	7,679
	OTHER SUPPORT		
13	MODIFICATION KITS	10,311	10,311
	COMMAND AND CONTROL SYSTEMS		
14	UNIT OPERATIONS CENTER	8,221	8,221
	OTHER SUPPORT (TEL)		
18	MODIFICATION KITS	3,600	3,600
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
19	ITEMS UNDER $5 MILLION (COMM & ELEC)	8,693	8,693
	INTELL/COMM EQUIPMENT (NON-TEL)		
27	RQ–11 UAV	3,430	3,430
	MATERIALS HANDLING EQUIPMENT		
52	PHYSICAL SECURITY EQUIPMENT	7,000	7,000
	TOTAL PROCUREMENT, MARINE CORPS	**48,934**	**48,934**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRCRAFT		
15	MQ–9	13,500	13,500
	OTHER AIRCRAFT		
44	C–130	1,410	1,410
56	H–60	39,300	39,300
58	HC/MC–130 MODIFICATIONS	5,690	5,690
61	MQ–9 MODS	69,000	69,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**128,900**	**128,900**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
6	PREDATOR HELLFIRE MISSILE	280,902	280,902
7	SMALL DIAMETER BOMB	2,520	2,520
	CLASS IV		
10	AGM–65D MAVERICK	5,720	5,720
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**289,142**	**289,142**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
2	CARTRIDGES	8,371	8,371
	BOMBS		
4	GENERAL PURPOSE BOMBS	17,031	17,031
6	JOINT DIRECT ATTACK MUNITION	184,412	184,412
	FLARES		
12	FLARES	11,064	11,064
	FUZES		
13	FUZES	7,996	7,996
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**228,874**	**228,874**
	OTHER PROCUREMENT, AIR FORCE		
	SPCL COMM-ELECTRONICS PROJECTS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
25	GENERAL INFORMATION TECHNOLOGY	3,953	3,953
27	MOBILITY COMMAND AND CONTROL	2,000	2,000
	AIR FORCE COMMUNICATIONS		
42	USCENTCOM	10,000	10,000
	ORGANIZATION AND BASE		
52	TACTICAL C-E EQUIPMENT	4,065	4,065
56	BASE COMM INFRASTRUCTURE	15,400	15,400
	PERSONAL SAFETY & RESCUE EQUIP		
58	NIGHT VISION GOGGLES	3,580	3,580
59	ITEMS LESS THAN $5 MILLION	3,407	3,407
	BASE SUPPORT EQUIPMENT		
62	ENGINEERING AND EOD EQUIPMENT	46,790	46,790
64	MOBILITY EQUIPMENT	400	400
65	ITEMS LESS THAN $5 MILLION	9,800	9,800
	SPECIAL SUPPORT PROJECTS		
71	DEFENSE SPACE RECONNAISSANCE PROG.	28,070	28,070
	CLASSIFIED PROGRAMS		
71A	CLASSIFIED PROGRAMS	3,732,499	3,732,499
	TOTAL OTHER PROCUREMENT, AIR FORCE	**3,859,964**	**3,859,964**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
8	TELEPORT PROGRAM	1,940	1,940
	CLASSIFIED PROGRAMS		
40A	CLASSIFIED PROGRAMS	35,482	35,482
	AVIATION PROGRAMS		
41	MC–12	5,000	5,000
	AMMUNITION PROGRAMS		
56	ORDNANCE ITEMS <$5M	35,299	35,299
	OTHER PROCUREMENT PROGRAMS		
61	SPECIAL PROGRAMS	15,160	15,160
63	WARRIOR SYSTEMS <$5M	15,000	15,000
68	OPERATIONAL ENHANCEMENTS	104,537	104,537
	TOTAL PROCUREMENT, DEFENSE-WIDE	**212,418**	**212,418**
	TOTAL PROCUREMENT	**7,257,270**	**7,208,999**

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 2016 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	13,018	13,018
2	0601102A	DEFENSE RESEARCH SCIENCES	239,118	279,118
		Basic research program increase		[40,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	72,603	72,603
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	100,340	100,340
		SUBTOTAL, BASIC RESEARCH	**425,079**	**465,079**
		APPLIED RESEARCH		
5	0602105A	MATERIALS TECHNOLOGY	28,314	28,314
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	38,374	38,374
7	0602122A	TRACTOR HIP	6,879	6,879
8	0602211A	AVIATION TECHNOLOGY	56,884	56,884
9	0602270A	ELECTRONIC WARFARE TECHNOLOGY	19,243	19,243
10	0602303A	MISSILE TECHNOLOGY	45,053	45,053
11	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,428	29,428
12	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,862	27,862
13	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	68,839	68,839
14	0602618A	BALLISTIAG TECHNOLOGY	92,801	92,801
15	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,866	3,866
16	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,487	5,487
17	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	48,340	48,340
18	0602705A	ELECTRONIAG AND ELECTRONIC DEVICES	55,301	55,301
19	0602709A	NIGHT VISION TECHNOLOGY	33,807	33,807
20	0602712A	COUNTERMINE SYSTEMS	25,068	25,068
21	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,681	23,681
22	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,850	20,850
23	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	36,160	36,160
24	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	12,656	12,656
25	0602784A	MILITARY ENGINEERING TECHNOLOGY	63,409	63,409

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

Line	Program Element	Item	FY 2016 Request	Senate Authorized
26	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	24,735	24,735
27	0602786A	WARFIGHTER TECHNOLOGY	35,795	35,795
28	0602787A	MEDICAL TECHNOLOGY	76,853	76,853
		SUBTOTAL, APPLIED RESEARCH	**879,685**	**879,685**
		ADVANCED TECHNOLOGY DEVELOPMENT		
29	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	46,973	46,973
30	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,584	69,584
31	0603003A	AVIATION ADVANCED TECHNOLOGY	89,736	89,736
32	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	57,663	57,663
33	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	113,071	113,071
34	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,554	5,554
35	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	12,636	12,636
37	0603009A	TRACTOR HIKE	7,502	7,502
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,425	17,425
39	0603020A	TRACTOR ROSE	11,912	11,912
40	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	27,520	27,520
41	0603130A	TRACTOR NAIL	2,381	2,381
42	0603131A	TRACTOR EGGS	2,431	2,431
43	0603270A	ELECTRONIC WARFARE TECHNOLOGY	26,874	26,874
44	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	49,449	49,449
45	0603322A	TRACTOR CAGE	10,999	10,999
46	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,159	167,159
		Encourage use of commercial technology		[–10,000]
47	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	13,993	13,993
48	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,105	5,105
49	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	40,929	40,929
50	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	10,727	10,727
51	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,145	20,145
52	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	38,163	38,163
53	0603794A	C3 ADVANCED TECHNOLOGY	37,816	37,816
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**895,747**	**885,747**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
54	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	10,347	10,347
55	0603308A	ARMY SPACE SYSTEMS INTEGRATION	25,061	25,061
56	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	49,636	49,636
57	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	13,426	13,426
58	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	46,749	46,749
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,258	6,258
61	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	13,472	13,472
62	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,292	7,292
63	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	8,813	8,813
65	0603790A	NATO RESEARCH AND DEVELOPMENT	6,075	6,075
67	0603804A	LOGISTIAG AND ENGINEER EQUIPMENT—ADV DEV	21,233	21,233
68	0603807A	MEDICAL SYSTEMS—ADV DEV	31,962	31,962
69	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,194	22,194
71	0604100A	ANALYSIS OF ALTERNATIVES	9,805	9,805
72	0604115A	TECHNOLOGY MATURATION INITIATIVES	40,917	40,917
73	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	30,058	30,058
74	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2)	155,361	155,361
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**498,659**	**498,659**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
76	0604201A	AIRCRAFT AVIONIAG	12,939	12,939
78	0604270A	ELECTRONIC WARFARE DEVELOPMENT	18,843	18,843
79	0604280A	JOINT TACTICAL RADIO	9,861	9,861
80	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	8,763	8,763
81	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,309	4,309
82	0604328A	TRACTOR CAGE	15,138	15,138
83	0604601A	INFANTRY SUPPORT WEAPONS	74,128	76,628
		Transfer from WTCV		[2,500]
85	0604611A	JAVELIN	3,945	3,945
87	0604633A	AIR TRAFFIC CONTROL	10,076	10,076
88	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	40,374	40,374
89	0604710A	NIGHT VISION SYSTEMS—ENG DEV	67,582	67,582
90	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,763	1,763
91	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	27,155	27,155
92	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	24,569	24,569
93	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	23,364	23,364
94	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,960	8,960
95	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	9,138	9,138
96	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	21,622	21,622
97	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	99,242	99,242
98	0604802A	WEAPONS AND MUNITIONS—ENG DEV	21,379	21,379
99	0604804A	LOGISTIAG AND ENGINEER EQUIPMENT—ENG DEV	48,339	48,339
100	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	2,726	2,726
101	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	45,412	45,412
102	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	55,215	55,215
104	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	163,643	163,643
105	0604820A	RADAR DEVELOPMENT	12,309	12,309
106	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	15,700	15,700

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

Line	Program Element	Item	FY 2016 Request	Senate Authorized
107	0604823A	FIREFINDER	6,243	6,243
108	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	18,776	18,776
109	0604854A	ARTILLERY SYSTEMS—EMD	1,953	1,953
110	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	67,358	67,358
111	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	136,011	86,011
		Restructure program		[–50,000]
112	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	230,210	230,210
113	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	13,357	13,357
114	0605031A	JOINT TACTICAL NETWORK (JTN)	18,055	18,055
115	0605032A	TRACTOR TIRE	5,677	5,677
116	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	77,570	101,570
		Army UPL for AH–64 ASE development		[24,000]
117	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	18,112	78,112
		Army UPL for AH–64 ASE development		[60,000]
118	0605350A	WIN-T INCREMENT 3—FULL NETWORKING	39,700	39,700
119	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	12,987	6,155
		Only for SALT program		[–6,832]
120	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	88,866	88,866
121	0605456A	PAC–3/MSE MISSILE	2,272	2,272
122	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	214,099	214,099
123	0605625A	MANNED GROUND VEHICLE	49,247	49,247
124	0605626A	AERIAL COMMON SENSOR	2	2
125	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	10,599	10,599
126	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	32,486	32,486
127	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	8,880	8,880
128	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	152,288	152,288
129	0303032A	TROJAN—RH12	5,022	5,022
130	0304270A	ELECTRONIC WARFARE DEVELOPMENT	12,686	12,686
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**2,068,950**	**2,098,618**
		RDT&E MANAGEMENT SUPPORT		
131	0604256A	THREAT SIMULATOR DEVELOPMENT	20,035	20,035
132	0604258A	TARGET SYSTEMS DEVELOPMENT	16,684	16,684
133	0604759A	MAJOR T&E INVESTMENT	62,580	62,580
134	0605103A	RAND ARROYO CENTER	20,853	20,853
135	0605301A	ARMY KWAJALEIN ATOLL	205,145	205,145
136	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	19,430	19,430
138	0605601A	ARMY TEST RANGES AND FACILITIES	277,646	277,646
139	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	51,550	51,550
140	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	33,246	33,246
141	0605606A	AIRCRAFT CERTIFICATION	4,760	4,760
142	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,303	8,303
143	0605706A	MATERIEL SYSTEMS ANALYSIS	20,403	20,403
144	0605709A	EXPLOITATION OF FOREIGN ITEMS	10,396	10,396
145	0605712A	SUPPORT OF OPERATIONAL TESTING	49,337	49,337
146	0605716A	ARMY EVALUATION CENTER	52,694	52,694
147	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	938	938
148	0605801A	PROGRAMWIDE ACTIVITIES	60,319	60,319
149	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,478	28,478
150	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	32,604	24,604
		Under execution of prior year funds		[–8,000]
151	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,186	3,186
152	0605898A	MANAGEMENT HQ—R&D	48,955	48,955
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	**1,027,542**	**1,019,542**
		OPERATIONAL SYSTEMS DEVELOPMENT		
154	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,397	18,397
155	0603813A	TRACTOR PULL	9,461	9,461
156	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	4,945	4,945
157	0607133A	TRACTOR SMOKE	7,569	7,569
158	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	69,862	69,862
159	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	66,653	66,653
160	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	37,407	37,407
161	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	1,151	1,151
162	0607139A	IMPROVED TURBINE ENGINE PROGRAM	51,164	51,164
163	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,481	2,481
164	0607141A	LOGISTIAG AUTOMATION	1,673	1,673
166	0607665A	FAMILY OF BIOMETRIAG	13,237	13,237
167	0607865A	PATRIOT PRODUCT IMPROVEMENT	105,816	105,816
169	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	40,565	40,565
171	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOAG)	35,719	35,719
172	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	257,167	297,167
		Stryker modification and improvement		[40,000]
173	0203740A	MANEUVER CONTROL SYSTEM	15,445	15,445
175	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	364	364
176	0203758A	DIGITIZATION	4,361	4,361
177	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	3,154	3,154
178	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	35,951	35,951
179	0203808A	TRACTOR CARD	34,686	34,686
180	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV	10,750	10,750
181	0205410A	MATERIALS HANDLING EQUIPMENT	402	402

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

Line	Program Element	Item	FY 2016 Request	Senate Authorized
183	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	64,159	64,159
184	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	17,527	17,527
185	0208053A	JOINT TACTICAL GROUND SYSTEM	20,515	20,515
187	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,368	12,368
188	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	31,154	31,154
189	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	12,274	12,274
190	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	9,355	9,355
191	0303150A	WWMCAG/GLOBAL COMMAND AND CONTROL SYSTEM	7,053	7,053
193	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	750	750
194	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	13,225	13,225
195	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	22,870	22,870
196	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,592	25,592
199	0305233A	RQ–7 UAV	7,297	7,297
201	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	3,800	3,800
202	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	48,442	48,442
	9999999999	CLASSIFIED PROGRAMS	4,536	4,536
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**1,129,297**	**1,169,297**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**6,924,959**	**7,016,627**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,196	116,196
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,126	19,126
3	0601153N	DEFENSE RESEARCH SCIENCES	451,606	506,606
		Basic research program increase		[55,000]
		SUBTOTAL, BASIC RESEARCH	**586,928**	**641,928**
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	68,723	68,723
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	154,963	154,963
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	49,001	49,001
7	0602235N	COMMON PICTURE APPLIED RESEARCH	42,551	42,551
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,056	45,056
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	115,051	115,051
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,252	42,252
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,119	6,119
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	123,750	142,350
		Accelerate undersea warfare research		[18,600]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	179,686	179,686
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,418	37,418
		SUBTOTAL, APPLIED RESEARCH	**864,570**	**883,170**
		ADVANCED TECHNOLOGY DEVELOPMENT		
15	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	37,093	37,093
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	38,044	38,044
17	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	34,899	34,899
18	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	137,562	137,562
19	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	12,745	12,745
20	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	258,860	248,860
		Capable manpower, enablers, and sea basing		[–10,000]
21	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,074	57,074
22	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,807	4,807
23	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	13,748	13,748
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	66,041	66,041
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,991	1,991
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**662,864**	**652,864**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
26	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	41,832	41,832
27	0603216N	AVIATION SURVIVABILITY	5,404	5,404
28	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,086	3,086
29	0603251N	AIRCRAFT SYSTEMS	11,643	11,643
30	0603254N	ASW SYSTEMS DEVELOPMENT	5,555	5,555
31	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,087	3,087
32	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,636	1,636
33	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	118,588	118,588
34	0603506N	SURFACE SHIP TORPEDO DEFENSE	77,385	77,385
35	0603512N	CARRIER SYSTEMS DEVELOPMENT	8,348	8,348
36	0603525N	PILOT FISH	123,246	123,246
37	0603527N	RETRACT LARCH	28,819	28,819
38	0603536N	RETRACT JUNIPER	112,678	112,678
39	0603542N	RADIOLOGICAL CONTROL	710	710
40	0603553N	SURFACE ASW	1,096	1,096
41	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	87,160	98,160
		Accelerate unmanned underwater vehicle development		[11,000]
42	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,371	10,371
43	0603563N	SHIP CONCEPT ADVANCED DESIGN	11,888	11,888
44	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	4,332	4,332
45	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	482,040	482,040
46	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,904	25,904
47	0603576N	CHALK EAGLE	511,802	511,802

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Line	Program Element	Item	FY 2016 Request	Senate Authorized
48	0603581N	LITTORAL COMBAT SHIP (LAG)	118,416	118,416
49	0603582N	COMBAT SYSTEM INTEGRATION	35,901	35,901
50	0603595N	OHIO REPLACEMENT	971,393	971,393
51	0603596N	LAG MISSION MODULES	206,149	206,149
52	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	8,000	8,000
53	0603609N	CONVENTIONAL MUNITIONS	7,678	7,678
54	0603611M	MARINE CORPS ASSAULT VEHICLES	219,082	219,082
55	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	623	623
56	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	18,260	18,260
57	0603658N	COOPERATIVE ENGAGEMENT	76,247	76,247
58	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,520	4,520
59	0603721N	ENVIRONMENTAL PROTECTION	20,711	20,711
60	0603724N	NAVY ENERGY PROGRAM	47,761	47,761
61	0603725N	FACILITIES IMPROVEMENT	5,226	5,226
62	0603734N	CHALK CORAL	182,771	182,771
63	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,866	3,866
64	0603746N	RETRACT MAPLE	360,065	360,065
65	0603748N	LINK PLUMERIA	237,416	237,416
66	0603751N	RETRACT ELM	37,944	37,944
67	0603764N	LINK EVERGREEN	47,312	47,312
68	0603787N	SPECIAL PROCESSES	17,408	17,408
69	0603790N	NATO RESEARCH AND DEVELOPMENT	9,359	9,359
70	0603795N	LAND ATTACK TECHNOLOGY	887	887
71	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,448	29,448
72	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	91,479	91,479
73	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	67,360	67,360
74	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	48,105	127,205
		Full ship shock trials for CVN–78		[79,100]
75	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	20,089	20,089
76	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	18,969	18,969
77	0604279N	ASE SELF-PROTECTION OPTIMIZATION	7,874	7,874
78	0604292N	MH-XX	5,298	5,298
79	0604454N	LX (R)	46,486	75,486
		Accelerate LX (R)		[29,000]
80	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	3,817	3,817
81	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,595	9,595
82	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	29,581	29,581
83	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	285,849	285,849
84	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	36,656	36,656
85	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,835	9,835
86	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	580	580
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**5,024,626**	**5,143,726**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
87	0603208N	TRAINING SYSTEM AIRCRAFT	21,708	21,708
88	0604212N	OTHER HELO DEVELOPMENT	11,101	11,101
89	0604214N	AV–8B AIRCRAFT—ENG DEV	39,878	39,878
90	0604215N	STANDARDS DEVELOPMENT	53,059	53,059
91	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	21,358	21,358
92	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,515	4,515
93	0604221N	P–3 MODERNIZATION PROGRAM	1,514	1,514
94	0604230N	WARFARE SUPPORT SYSTEM	5,875	5,875
95	0604231N	TACTICAL COMMAND SYSTEM	81,553	81,553
96	0604234N	ADVANCED HAWKEYE	272,149	272,149
97	0604245N	H–1 UPGRADES	27,235	27,235
98	0604261N	ACOUSTIC SEARCH SENSORS	35,763	35,763
99	0604262N	V–22A	87,918	87,918
100	0604264N	AIR CREW SYSTEMS DEVELOPMENT	12,679	12,679
101	0604269N	EA–18	56,921	56,921
102	0604270N	ELECTRONIC WARFARE DEVELOPMENT	23,685	23,685
103	0604273N	EXECUTIVE HELO DEVELOPMENT	507,093	507,093
104	0604274N	NEXT GENERATION JAMMER (NGJ)	411,767	411,767
105	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	25,071	25,071
106	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	443,433	443,433
107	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	747	747
108	0604329N	SMALL DIAMETER BOMB (SDB)	97,002	97,002
109	0604366N	STANDARD MISSILE IMPROVEMENTS	129,649	129,649
110	0604373N	AIRBORNE MCM	11,647	11,647
111	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION	2,778	2,778
112	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	23,695	23,695
113	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM	134,708	0
		Excess FY15 funds buy down FY16 requirements		[–134,708]
114	0604501N	ADVANCED ABOVE WATER SENSORS	43,914	43,914
115	0604503N	SSN–688 AND TRIDENT MODERNIZATION	109,908	109,908
116	0604504N	AIR CONTROL	57,928	57,928
117	0604512N	SHIPBOARD AVIATION SYSTEMS	120,217	120,217
118	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	241,754	241,754
119	0604558N	NEW DESIGN SSN	122,556	122,556
120	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,213	60,213

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Line	Program Element	Item	FY 2016 Request	Senate Authorized
		Accelerate submarine combat and weapon system modernization		[12,000]
121	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	49,712	49,712
122	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,096	4,096
123	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	167,719	167,719
124	0604601N	MINE DEVELOPMENT	15,122	15,122
125	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	33,738	33,738
126	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,123	8,123
127	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,686	7,686
128	0604727N	JOINT STANDOFF WEAPON SYSTEMS	405	405
129	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	153,836	153,836
130	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	99,619	99,619
131	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	116,798	116,798
132	0604761N	INTELLIGENCE ENGINEERING	4,353	4,353
133	0604771N	MEDICAL DEVELOPMENT	9,443	9,443
134	0604777N	NAVIGATION/ID SYSTEM	32,469	32,469
135	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	537,901	525,401
		F–35B Block 4 development early to need		[–12,500]
136	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	504,736	492,236
		F–35C Block 4 development early to need		[–12,500]
137	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS	59,265	59,265
138	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY	47,579	47,579
139	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,914	5,914
140	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	89,711	89,711
141	0605212N	CH–53K RDTE	632,092	632,092
142	0605220N	SHIP TO SHORE CONNECTOR (SSC)	7,778	7,778
143	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	25,898	25,898
144	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	247,929	247,929
145	0204202N	DDG–1000	103,199	103,199
146	0304231N	TACTICAL COMMAND SYSTEM—MIP	998	998
147	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	17,785	17,785
148	0305124N	SPECIAL APPLICATIONS PROGRAM	35,905	35,905
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**6,308,800**	**6,161,092**
		MANAGEMENT SUPPORT		
149	0604256N	THREAT SIMULATOR DEVELOPMENT	30,769	30,769
150	0604258N	TARGET SYSTEMS DEVELOPMENT	112,606	112,606
151	0604759N	MAJOR T&E INVESTMENT	61,234	61,234
152	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	6,995	6,995
153	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	4,011	4,011
154	0605154N	CENTER FOR NAVAL ANALYSES	48,563	48,563
155	0605285N	NEXT GENERATION FIGHTER	5,000	5,000
157	0605804N	TECHNICAL INFORMATION SERVICES	925	925
158	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	78,143	78,143
159	0605856N	STRATEGIC TECHNICAL SUPPORT	3,258	3,258
160	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	76,948	76,948
161	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	132,122	132,122
162	0605864N	TEST AND EVALUATION SUPPORT	351,912	351,912
163	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	17,985	17,985
164	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,316	5,316
165	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	6,519	6,519
166	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	13,649	13,649
		SUBTOTAL, MANAGEMENT SUPPORT	**955,955**	**955,955**
		OPERATIONAL SYSTEMS DEVELOPMENT		
174	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	107,039	107,039
175	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	46,506	46,506
176	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	3,900	4,700
		Accelerate combat rapid attack weapon		[800]
177	0101402N	NAVY STRATEGIC COMMUNICATIONS	16,569	16,569
178	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	18,632	18,632
179	0204136N	F/A–18 SQUADRONS	133,265	133,265
181	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	62,867	62,867
182	0204228N	SURFACE SUPPORT	36,045	36,045
183	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	25,228	25,228
184	0204311N	INTEGRATED SURVEILLANCE SYSTEM	54,218	54,218
185	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	11,335	11,335
186	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	80,129	80,129
187	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	39,087	39,087
188	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,915	1,915
189	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	46,609	46,609
190	0205601N	HARM IMPROVEMENT	52,708	52,708
191	0205604N	TACTICAL DATA LINKS	149,997	149,997
192	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,460	24,460
193	0205632N	MK–48 ADCAP	42,206	47,706
		Accelerate torpedo upgrades		[5,500]
194	0205633N	AVIATION IMPROVEMENTS	117,759	117,759
195	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,323	101,323
196	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	67,763	67,763
197	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	13,431	13,431
198	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	56,769	56,769
199	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	20,729	20,729
200	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	13,152	13,152

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Line	Program Element	Item	FY 2016 Request	Senate Authorized
201	0206629M	AMPHIBIOUS ASSAULT VEHICLE	48,535	48,535
202	0207161N	TACTICAL AIM MISSILES	76,016	76,016
203	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,172	32,172
208	0303109N	SATELLITE COMMUNICATIONS (SPACE)	53,239	53,239
209	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	21,677	21,677
210	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	28,102	28,102
211	0303150M	WWMCAG/GLOBAL COMMAND AND CONTROL SYSTEM	294	294
213	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	599	599
214	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,207	6,207
215	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,550	8,550
216	0305205N	UAS INTEGRATION AND INTEROPERABILITY	41,831	41,831
217	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,105	1,105
218	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	33,149	33,149
219	0305220N	RQ–4 UAV	227,188	227,188
220	0305231N	MQ–8 UAV	52,770	52,770
221	0305232M	RQ–11 UAV	635	635
222	0305233N	RQ–7 UAV	688	688
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	4,647	4,647
224	0305239M	RQ–21A	6,435	6,435
225	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,145	49,145
226	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,246	9,246
227	0305421N	RQ–4 MODERNIZATION	150,854	150,854
228	0308601N	MODELING AND SIMULATION SUPPORT	4,757	4,757
229	0702207N	DEPOT MAINTENANCE (NON-IF)	24,185	24,185
231	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,321	4,321
231A	9999999999	CLASSIFIED PROGRAMS	1,252,185	1,252,185
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**3,482,173**	**3,488,473**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**17,885,916**	**17,927,208**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	329,721	374,721
		Basic research program increase		[45,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,754	141,754
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,778	13,778
		SUBTOTAL, BASIC RESEARCH	**485,253**	**530,253**
		APPLIED RESEARCH		
4	0602102F	MATERIALS	125,234	115,234
		Nanostructured and biological materials		[–10,000]
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	123,438	123,438
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	100,530	100,530
7	0602203F	AEROSPACE PROPULSION	182,326	182,326
8	0602204F	AEROSPACE SENSORS	147,291	147,291
9	0602601F	SPACE TECHNOLOGY	116,122	116,122
10	0602602F	CONVENTIONAL MUNITIONS	99,851	99,851
11	0602605F	DIRECTED ENERGY TECHNOLOGY	115,604	115,604
12	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	164,909	164,909
13	0602890F	HIGH ENERGY LASER RESEARCH	42,037	42,037
		SUBTOTAL, APPLIED RESEARCH	**1,217,342**	**1,207,342**
		ADVANCED TECHNOLOGY DEVELOPMENT		
14	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,665	37,665
15	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	18,378	18,378
16	0603203F	ADVANCED AEROSPACE SENSORS	42,183	42,183
17	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	100,733	100,733
18	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	168,821	168,821
19	0603270F	ELECTRONIC COMBAT TECHNOLOGY	47,032	47,032
20	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,897	54,897
21	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	12,853	12,853
22	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	25,448	25,448
23	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	48,536	48,536
24	0603605F	ADVANCED WEAPONS TECHNOLOGY	30,195	30,195
25	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,630	42,630
26	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	46,414	46,414
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**675,785**	**675,785**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
27	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,032	5,032
29	0603438F	SPACE CONTROL TECHNOLOGY	4,070	4,070
30	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,790	21,790
31	0603790F	NATO RESEARCH AND DEVELOPMENT	4,736	4,736
33	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	30,771	30,771
34	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	39,765	39,765
36	0604015F	LONG RANGE STRIKE	1,246,228	786,228
		Delayed EMD contract award		[–460,000]
37	0604317F	TECHNOLOGY TRANSFER	3,512	3,512
38	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	54,637	54,637
40	0604422F	WEATHER SYSTEM FOLLOW-ON	76,108	76,108
44	0604857F	OPERATIONALLY RESPONSIVE SPACE	6,457	19,957
		Increase to match previous year funding level		[13,500]

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Line	Program Element	Item	FY 2016 Request	Senate Authorized
45	0604858F	TECH TRANSITION PROGRAM	246,514	246,514
46	0605230F	GROUND BASED STRATEGIC DETERRENT	75,166	75,166
49	0207110F	NEXT GENERATION AIR DOMINANCE	8,830	8,830
50	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	14,939	14,939
51	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	142,288	142,288
52	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	81,732	96,732
		Increase USCC Cyber Operations Technology Development		[15,000]
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**2,062,575**	**1,631,075**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
55	0604270F	ELECTRONIC WARFARE DEVELOPMENT	929	929
56	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	60,256	60,256
57	0604287F	PHYSICAL SECURITY EQUIPMENT	5,973	5,973
58	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	32,624	32,624
59	0604421F	COUNTERSPACE SYSTEMS	24,208	24,208
60	0604425F	SPACE SITUATION AWARENESS SYSTEMS	32,374	32,374
61	0604426F	SPACE FENCE	243,909	243,909
62	0604429F	AIRBORNE ELECTRONIC ATTACK	8,358	8,358
63	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	292,235	292,235
64	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	40,154	40,154
65	0604604F	SUBMUNITIONS	2,506	2,506
66	0604617F	AGILE COMBAT SUPPORT	57,678	57,678
67	0604706F	LIFE SUPPORT SYSTEMS	8,187	8,187
68	0604735F	COMBAT TRAINING RANGES	15,795	15,795
69	0604800F	F–35—EMD	589,441	564,441
		F–35A Block 4 development early to need		[–25,000]
71	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	84,438	84,438
72	0604932F	LONG RANGE STANDOFF WEAPON	36,643	36,643
73	0604933F	ICBM FUZE MODERNIZATION	142,551	142,551
74	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	140,640	140,640
75	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	3,598	3,598
76	0605221F	KC–46	602,364	402,364
		Schedule delay and availability of unobligated prior year funds		[–200,000]
77	0605223F	ADVANCED PILOT TRAINING	11,395	11,395
78	0605229F	AGAR HH–60 RECAPITALIZATION	156,085	156,085
80	0605431F	ADVANCED EHF MILSATCOM (SPACE)	228,230	228,230
81	0605432F	POLAR MILSATCOM (SPACE)	72,084	72,084
82	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	56,343	56,343
83	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	47,629	47,629
84	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	271,961	271,961
85	0101125F	NUCLEAR WEAPONS MODERNIZATION	212,121	212,121
86	0207171F	F–15 EPAWSS	186,481	215,981
		NRE for ADCPII upgrade		[28,000]
		Flight test support		[1,500]
87	0207701F	FULL COMBAT MISSION TRAINING	18,082	18,082
88	0305176F	COMBAT SURVIVOR EVADER LOCATOR	993	993
89	0307581F	NEXTGEN JSTARS	44,343	44,343
91	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	102,620	102,620
92	0701212F	AUTOMATED TEST SYSTEMS	14,563	14,563
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**3,847,791**	**3,652,291**
		MANAGEMENT SUPPORT		
93	0604256F	THREAT SIMULATOR DEVELOPMENT	23,844	23,844
94	0604759F	MAJOR T&E INVESTMENT	68,302	68,302
95	0605101F	RAND PROJECT AIR FORCE	34,918	34,918
97	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	10,476	10,476
98	0605807F	TEST AND EVALUATION SUPPORT	673,908	673,908
99	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	21,858	21,858
100	0605864F	SPACE TEST PROGRAM (STP)	28,228	28,228
101	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	40,518	40,518
102	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,895	27,895
103	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	16,507	16,507
104	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,997	18,997
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	185,305	185,305
107	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	4,841	4,841
108	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	15,357	15,357
109	0804731F	GENERAL SKILL TRAINING	1,315	1,315
111	1001004F	INTERNATIONAL ACTIVITIES	2,315	2,315
		SUBTOTAL, MANAGEMENT SUPPORT	**1,174,584**	**1,174,584**
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	350,232	350,232
113	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	10,465	10,465
114	0604445F	WIDE AREA SURVEILLANCE	24,577	24,577
117	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	69,694	24,294
		Restructure program		[–45,400]
118	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	26,718	26,718
119	0605278F	HC/MC–130 RECAP RDT&E	10,807	10,807
121	0101113F	B–52 SQUADRONS	74,520	74,520
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	451	451
123	0101126F	B–1B SQUADRONS	2,245	2,245
124	0101127F	B–2 SQUADRONS	108,183	108,183

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125	0101213F	MINUTEMAN SQUADRONS	178,929	178,929
126	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,481	28,481
127	0101314F	NIGHT FIST—USSTRATCOM	87	87
128	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	5,315	5,315
131	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	8,090	8,090
132	0205219F	MQ–9 UAV	123,439	123,439
134	0207131F	A–10 SQUADRONS	0	16,200
		Sustain avionics software development		[16,200]
135	0207133F	F–16 SQUADRONS	148,297	148,297
136	0207134F	F–15E SQUADRONS	179,283	192,079
		Transfer from procurement		[12,796]
137	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,860	14,860
138	0207138F	F–22A SQUADRONS	262,552	262,552
139	0207142F	F–35 SQUADRONS	115,395	115,395
140	0207161F	TACTICAL AIM MISSILES	43,360	43,360
141	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	46,160	46,160
143	0207224F	COMBAT RESCUE AND RECOVERY	412	412
144	0207227F	COMBAT RESCUE—PARARESCUE	657	657
145	0207247F	AF TENCAP	31,428	31,428
146	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,105	1,105
147	0207253F	COMPASS CALL	14,249	14,249
148	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,942	103,942
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	12,793	12,793
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	21,193	21,193
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	559	559
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWAAG)	161,812	161,812
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	6,001	6,001
155	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	7,793	7,793
156	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,465	12,465
157	0207448F	C2ISR TACTICAL DATA LINK	1,681	1,681
159	0207452F	DCAPES	16,796	16,796
161	0207590F	SEEK EAGLE	21,564	21,564
162	0207601F	USAF MODELING AND SIMULATION	24,994	24,994
163	0207605F	WARGAMING AND SIMULATION CENTERS	6,035	6,035
164	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,358	4,358
165	0208006F	MISSION PLANNING SYSTEMS	55,835	55,835
167	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	12,874	12,874
168	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	7,681	7,681
171	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,974	5,974
177	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,815	13,815
178	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	80,360	80,360
179	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	3,907	3,907
180	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	75,062	75,062
181	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,599	46,599
183	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,470	2,470
186	0304260F	AIRBORNE SIGINT ENTERPRISE	112,775	112,775
189	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,235	4,235
192	0305110F	SATELLITE CONTROL NETWORK (SPACE)	7,879	7,879
193	0305111F	WEATHER SERVICE	29,955	29,955
194	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	21,485	21,485
195	0305116F	AERIAL TARGETS	2,515	2,515
198	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	472	472
199	0305145F	ARMS CONTROL IMPLEMENTATION	12,137	12,137
200	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	361	361
203	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,162	3,162
204	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	1,543	1,543
205	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	7,860	7,860
206	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	6,902	6,902
207	0305202F	DRAGON U–2	34,471	34,471
209	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	50,154	50,154
210	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,245	13,245
211	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	22,784	22,784
212	0305219F	MQ–1 PREDATOR A UAV	716	716
213	0305220F	RQ–4 UAV	208,053	208,053
214	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	21,587	21,587
215	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,986	43,986
216	0305238F	NATO AGS	197,486	138,400
		Transfer from procurement for NATO AWACS		[−59,086]
217	0305240F	SUPPORT TO DCGS ENTERPRISE	28,434	28,434
218	0305265F	GPS III SPACE SEGMENT	180,902	180,902
220	0305614F	JSPOC MISSION SYSTEM	81,911	81,911
221	0305881F	RAPID CYBER ACQUISITION	3,149	3,149
222	0305913F	NUDET DETECTION SYSTEM (SPACE)	14,447	14,447
223	0305940F	SPACE SITUATION AWARENESS OPERATIONS	20,077	20,077
225	0308699F	SHARED EARLY WARNING (SEW)	853	853
226	0401115F	C–130 AIRLIFT SQUADRON	33,962	33,962
227	0401119F	C–5 AIRLIFT SQUADRONS (IF)	42,864	42,864
228	0401130F	C–17 AIRCRAFT (IF)	54,807	54,807
229	0401132F	C–130J PROGRAM	31,010	31,010
230	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	6,802	6,802
231	0401219F	KC–10S	1,799	1,799
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	48,453	48,453

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233	0401318F	CV–22	36,576	36,576
235	0408011F	SPECIAL TACTIAG / COMBAT CONTROL	7,963	7,963
236	0702207F	DEPOT MAINTENANCE (NON-IF)	1,525	1,525
237	0708610F	LOGISTIAG INFORMATION TECHNOLOGY (LOGIT)	112,676	81,676
		Program growth		[–31,000]
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	12,657	12,657
239	0804743F	OTHER FLIGHT TRAINING	1,836	1,836
240	0808716F	OTHER PERSONNEL ACTIVITIES	121	121
241	0901202F	JOINT PERSONNEL RECOVERY AGENCY	5,911	5,911
242	0901218F	CIVILIAN COMPENSATION PROGRAM	3,604	3,604
243	0901220F	PERSONNEL ADMINISTRATION	4,598	4,598
244	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,103	1,103
246	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	101,840	101,840
246A	9999999999	CLASSIFIED PROGRAMS	12,780,142	12,945,142
		Three program increases		[165,000]
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**17,010,339**	**17,068,849**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**26,473,669**	**25,940,179**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH INITIATIVE	38,436	38,436
2	0601101E	DEFENSE RESEARCH SCIENCES	333,119	333,119
3	0601110D8Z	BASIC RESEARCH INITIATIVES	42,022	42,022
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	56,544	56,544
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	49,453	49,453
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	25,834	25,834
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	46,261	46,261
		SUBTOTAL, BASIC RESEARCH	**591,669**	**591,669**
		APPLIED RESEARCH		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,352	19,352
9	0602115E	BIOMEDICAL TECHNOLOGY	114,262	114,262
10	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,026	51,026
11	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	48,226	33,226
		General program decrease		[–15,000]
12	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	356,358	356,358
14	0602383E	BIOLOGICAL WARFARE DEFENSE	29,265	29,265
15	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	208,111	208,111
16	0602668D8Z	CYBER SECURITY RESEARCH	13,727	13,727
18	0602702E	TACTICAL TECHNOLOGY	314,582	309,582
		Multi-azimuth defense fast intercept round engagement system		[–5,000]
19	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	220,115	210,115
		Decrease in program growth		[–10,000]
20	0602716E	ELECTRONIAG TECHNOLOGY	174,798	174,798
21	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	155,415	155,415
22	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	8,824	8,824
23	1160401BB	SOF TECHNOLOGY DEVELOPMENT	37,517	37,517
		SUBTOTAL, APPLIED RESEARCH	**1,751,578**	**1,721,578**
		ADVANCED TECHNOLOGY DEVELOPMENT		
24	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,915	25,915
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	71,171	71,171
27	0603133D8Z	FOREIGN COMPARATIVE TESTING	21,782	21,782
28	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	290,654	290,654
30	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	12,139	12,139
31	0603177C	DISCRIMINATION SENSOR TECHNOLOGY	28,200	28,200
32	0603178C	WEAPONS TECHNOLOGY	45,389	75,389
		Fiber laser prototype development		[20,000]
		Divert attitude control tech to support MOKV		[10,000]
33	0603179C	ADVANCED C4ISR	9,876	9,876
34	0603180C	ADVANCED RESEARCH	17,364	17,364
35	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,802	18,802
36	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	2,679	2,679
37	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	64,708	64,708
38	0603286E	ADVANCED AEROSPACE SYSTEMS	185,043	185,043
39	0603287E	SPACE PROGRAMS AND TECHNOLOGY	126,692	126,692
40	0603288D8Z	ANALYTIC ASSESSMENTS	14,645	9,645
		General program decrease		[–5,000]
41	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	59,830	59,830
42	0603294C	COMMON KILL VEHICLE TECHNOLOGY	46,753	66,753
		Increase for Multiple Object Kill Vehicle		[20,000]
43	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	140,094	140,094
44	0603527D8Z	RETRACT LARCH	118,666	118,666
45	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	43,966	43,966
46	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	141,540	131,540
		General program decrease		[–10,000]
47	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	6,980	6,980
50	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	157,056	157,056
51	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	33,515	33,515
52	0603712S	GENERIC LOGISTIAG R&D TECHNOLOGY DEMONSTRATIONS	16,543	16,543
53	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,888	29,888

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54	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,836	65,836
55	0603720S	MICROELECTRONIAG TECHNOLOGY DEVELOPMENT AND SUPPORT	79,037	79,037
56	0603727D8Z	JOINT WARFIGHTING PROGRAM	9,626	9,626
57	0603739E	ADVANCED ELECTRONIAG TECHNOLOGIES	79,021	79,021
58	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	201,335	201,335
59	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	452,861	432,861
		Decrease to reduce inefficiency		[–20,000]
60	0603767E	SENSOR TECHNOLOGY	257,127	257,127
61	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	10,771	10,771
62	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,202	15,202
63	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	90,500	70,500
		Program decrease		[–20,000]
66	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	18,377	18,377
67	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	82,589	82,589
68	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	37,420	37,420
69	0303310D8Z	CWMD SYSTEMS	42,488	42,488
70	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	57,741	57,741
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**3,229,821**	**3,224,821**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
71	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	31,710	31,710
73	0603600D8Z	WALKOFF	90,567	90,567
74	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	15,900	19,900
		Increase to match previous year funding level		[4,000]
75	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	52,758	52,758
76	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	228,021	228,021
77	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,284,891	1,284,891
78	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	172,754	172,754
79	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	233,588	233,588
80	0603890C	BMD ENABLING PROGRAMS	409,088	409,088
81	0603891C	SPECIAL PROGRAMS—MDA	400,387	400,387
82	0603892C	AEGIS BMD	843,355	843,355
83	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	31,632	31,632
84	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	23,289	23,289
85	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI	450,085	450,085
86	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	49,570	49,570
87	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	49,211	49,211
88	0603906C	REGARDING TRENCH	9,583	9,583
89	0603907C	SEA BASED X-BAND RADAR (SBX)	72,866	72,866
90	0603913C	ISRAELI COOPERATIVE PROGRAMS	102,795	268,795
		Increase for Arrow/David's Sling		[166,000]
91	0603914C	BALLISTIC MISSILE DEFENSE TEST	274,323	274,323
92	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	513,256	513,256
93	0603920D8Z	HUMANITARIAN DEMINING	10,129	10,129
94	0603923D8Z	COALITION WARFARE	10,350	10,350
95	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	1,518	11,518
		Program Increase		[10,000]
96	0604115C	TECHNOLOGY MATURATION INITIATIVES	96,300	96,300
97	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	469,798	469,798
98	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	3,129	3,129
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS	25,200	25,200
105	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,564	137,564
106	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	278,944	298,944
		Redesigned kill vehicle development		[20,000]
107	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	26,225	26,225
108	0604878C	AEGIS BMD TEST	55,148	55,148
109	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	86,764	86,764
110	0604880C	LAND-BASED SM–3 (LBSM3)	34,970	34,970
111	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	172,645	172,645
112	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	64,618	64,618
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,660	2,660
115	0305103C	CYBER SECURITY INITIATIVE	963	963
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,816,554**	**7,016,554**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	8,800	8,800
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	78,817	88,817
		CPGS development and flight test		[10,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	303,647	303,647
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	23,424	23,424
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	14,285	14,285
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	7,156	7,156
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,542	12,542
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	191	191
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,273	3,273
125	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	5,962	5,962
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	13,412	13,412
127	0605075D8Z	DCMO POLICY AND INTEGRATION	2,223	2,223
128	0605080S	DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM	31,660	31,660

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

Line	Program Element	Item	FY 2016 Request	Senate Authorized
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	13,085	13,085
130	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,209	7,209
131	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	15,158	5,158
		Early to need		[–10,000]
132	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	4,414	4,414
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**545,258**	**545,258**
		MANAGEMENT SUPPORT		
133	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,581	5,581
134	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,081	3,081
135	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	229,125	229,125
136	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,674	28,674
138	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	45,235	45,235
139	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,936	24,936
141	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	35,471	35,471
144	0605142D8Z	SYSTEMS ENGINEERING	37,655	32,655
		Reducing reporting and inefficiencies		[–5,000]
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,015	3,015
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,287	5,287
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	5,289	5,289
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	2,120	2,120
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	102,264	102,264
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER	2,169	2,169
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	13,960	13,960
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	51,775	51,775
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	9,533	9,533
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	17,371	17,371
163	0605898E	MANAGEMENT HQ—R&D	71,571	71,571
164	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,123	4,123
165	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	1,946	1,946
166	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,673	7,673
169	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	10,413	10,413
170	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	971	971
171	0305193D8Z	CYBER INTELLIGENCE	6,579	6,579
173	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	43,811	43,811
174	0901598C	MANAGEMENT HQ—MDA	35,871	35,871
176	0903230D8W	WHS—MISSION OPERATIONS SUPPORT - IT	1,072	1,072
176A	9999999999	CLASSIFIED PROGRAMS	49,500	49,500
		SUBTOTAL, MANAGEMENT SUPPORT	**856,071**	**851,071**
		OPERATIONAL SYSTEM DEVELOPMENT		
178	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,929	7,929
179	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA	1,750	1,750
180	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	294	294
181	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	22,576	22,576
182	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	1,901	1,901
183	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	8,474	8,474
184	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	33,561	33,561
186	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061
187	0208045K	C4I INTEROPERABILITY	64,921	64,921
189	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	3,645	3,645
193	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	963	963
194	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	10,186	10,186
195	0303126K	LONG-HAUL COMMUNICATIONS—DAG	36,883	36,883
196	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	13,735	13,735
197	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,101	6,101
198	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	43,867	43,867
199	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,957	8,957
200	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	146,890	146,890
201	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	21,503	21,503
202	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,342	20,342
203	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	444	444
205	0303610K	TELEPORT PROGRAM	1,736	1,736
206	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	65,060	65,060
210	0305103K	CYBER SECURITY INITIATIVE	2,976	2,976
215	0305186D8Z	POLICY R&D PROGRAMS	4,182	4,182
216	0305199D8Z	NET CENTRICITY	18,130	18,130
218	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,302	5,302
221	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,239	3,239
225	0305327V	INSIDER THREAT	11,733	11,733
226	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,119	2,119
234	0708011S	INDUSTRIAL PREPAREDNESS	24,605	24,605
235	0708012S	LOGISTIAG SUPPORT ACTIVITIES	1,770	1,770
236	0902298J	MANAGEMENT HQ—OJAG	2,978	2,978
237	1105219BB	MQ–9 UAV	18,151	23,151
		MQ–9 capability enhancements		[5,000]
238	1105232BB	RQ–11 UAV	758	758
240	1160403BB	AVIATION SYSTEMS	173,934	191,141
		ISR payload technology improvements		[2,000]

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

Line	Program Element	Item	FY 2016 Request	Senate Authorized
		C–130 TF/TA Program Adjustment		[15,207]
241	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	6,866	6,866
242	1160408BB	OPERATIONAL ENHANCEMENTS	63,008	63,008
243	1160431BB	WARRIOR SYSTEMS	25,342	25,342
244	1160432BB	SPECIAL PROGRAMS	3,401	3,401
245	1160480BB	SOF TACTICAL VEHICLES	3,212	3,212
246	1160483BB	MARITIME SYSTEMS	63,597	63,597
247	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,933	3,933
248	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,623	10,623
248A	9999999999	CLASSIFIED PROGRAMS	3,564,272	3,564,272
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**4,538,910**	**4,561,117**
		UNDISTRIBUTED		
xx	xxxxx	DEFENSE WIDE CYBER VULNERABILITY ASSESSMENT	0	200,000
		Assess all major weapon systems for cyber vulnerability		[200,000]
xxx	xxxxxx	UCAS-D DEVELOPMENT AND FOLLOW ON PROTOTYPING	0	725,000
		Supports continued efforts on UCAS-D and follow on prototyping		[725,000]
x	xxxxx	TECHNOLOGY OFFSET INITIATIVE	0	400,000
		Supports innovative technology development		[400,000]
		SUBTOTAL, UNDISTRIBUTED	**0**	**1,325,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**18,329,861**	**19,837,068**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	76,838	76,838
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	46,882	46,882
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	46,838	46,838
		SUBTOTAL, MANAGEMENT SUPPORT	**170,558**	**170,558**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**170,558**	**170,558**
		TOTAL RDT&E	**69,784,963**	**70,891,640**

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 2016 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	1,500	1,500
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,500**	**1,500**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**1,500**	**1,500**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		OPERATIONAL SYSTEMS DEVELOPMENT		
231A	9999999999	CLASSIFIED PROGRAMS	35,747	35,747
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**35,747**	**35,747**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**35,747**	**35,747**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		OPERATIONAL SYSTEMS DEVELOPMENT		
133	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	300	300
246A	9999999999	CLASSIFIED PROGRAMS	16,800	16,800
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**17,100**	**17,100**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**17,100**	**17,100**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		OPERATIONAL SYSTEM DEVELOPMENT		
248A	9999999999	CLASSIFIED PROGRAMS	137,087	137,087
		SUBTOTAL, OPERATIONAL SYSTEM DEVELOPMENT	**137,087**	**137,087**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**137,087**	**137,087**
		TOTAL RDT&E	**191,434**	**191,434**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

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

Line	Item	FY 2016 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,094,429	0
	Transfer base requirement to OCO due to BCA		[–1,094,429]
020	MODULAR SUPPORT BRIGADES	68,873	68,873
030	ECHELONS ABOVE BRIGADE	508,008	508,008
040	THEATER LEVEL ASSETS	763,300	0
	Transfer base requirement to OCO due to BCA		[–763,300]
050	LAND FORCES OPERATIONS SUPPORT	1,054,322	0
	Transfer base requirement to OCO due to BCA		[–1,054,322]
060	AVIATION ASSETS	1,546,129	0
	Transfer base requirement to OCO due to BCA		[–1,546,129]
070	FORCE READINESS OPERATIONS SUPPORT	3,158,606	0
	Transfer base requirement to OCO due to BCA		[–3,158,606]
080	LAND FORCES SYSTEMS READINESS	438,909	438,909
090	LAND FORCES DEPOT MAINTENANCE	1,214,116	1,291,316
	Readiness funding increase		[77,200]
100	BASE OPERATIONS SUPPORT	7,616,008	7,626,508
	Readiness funding increase		[10,500]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,617,169	2,651,169
	Kwajalein facilities restoration		[34,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	421,269	421,269
130	COMBATANT COMMANDERS CORE OPERATIONS	164,743	164,743
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	448,633	436,276
	Streamlining of Army Combatant Commands Direct Mission Support		[–12,357]
	SUBTOTAL, OPERATING FORCES	**21,114,514**	**13,607,071**
	MOBILIZATION		
180	STRATEGIC MOBILITY	401,638	401,638
190	ARMY PREPOSITIONED STOCKS	261,683	261,683
200	INDUSTRIAL PREPAREDNESS	6,532	6,532
	SUBTOTAL, MOBILIZATION	**669,853**	**669,853**
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	131,536	131,536
220	RECRUIT TRAINING	47,843	47,843
230	ONE STATION UNIT TRAINING	42,565	42,565
240	SENIOR RESERVE OFFICERS TRAINING CORPS	490,378	490,378
250	SPECIALIZED SKILL TRAINING	981,000	1,014,200
	Readiness funding increase		[33,200]
260	FLIGHT TRAINING	940,872	940,872
270	PROFESSIONAL DEVELOPMENT EDUCATION	230,324	230,324
280	TRAINING SUPPORT	603,519	603,519
290	RECRUITING AND ADVERTISING	491,922	491,922
300	EXAMINING	194,079	194,079
310	OFF-DUTY AND VOLUNTARY EDUCATION	227,951	227,951
320	CIVILIAN EDUCATION AND TRAINING	161,048	161,048
330	JUNIOR RESERVE OFFICER TRAINING CORPS	170,118	170,118
	SUBTOTAL, TRAINING AND RECRUITING	**4,713,155**	**4,746,355**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	485,778	485,778
360	CENTRAL SUPPLY ACTIVITIES	813,881	813,881
370	LOGISTIC SUPPORT ACTIVITIES	714,781	714,781
380	AMMUNITION MANAGEMENT	322,127	322,127
390	ADMINISTRATION	384,813	384,813
400	SERVICEWIDE COMMUNICATIONS	1,781,350	1,781,350
410	MANPOWER MANAGEMENT	292,532	292,532
420	OTHER PERSONNEL SUPPORT	375,122	375,122
430	OTHER SERVICE SUPPORT	1,119,848	1,115,348
	Army outreach reduction		[–4,500]
440	ARMY CLAIMS ACTIVITIES	225,358	225,358
450	REAL ESTATE MANAGEMENT	239,755	239,755
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	223,319	223,319
470	INTERNATIONAL MILITARY HEADQUARTERS	469,865	469,865
480	MISC. SUPPORT OF OTHER NATIONS	40,521	40,521
480A	CLASSIFIED PROGRAMS	1,120,974	1,146,474
	Additional SOUTHCOM ISR and intel support		[20,000]
	Readiness increase		[5,500]
xx	UNDISTRIBUTED	0	–238,451
	Streamlining of Army Management Headquarters		[–238,451]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**8,610,024**	**8,392,573**
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–281,500
	Foreign currency adjustment		[–281,500]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–260,100
	Bulk fuel savings		[–260,100]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–541,600**
	TOTAL OPERATION & MAINTENANCE, ARMY	**35,107,546**	**26,874,252**

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

Line	Item	FY 2016 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	MODULAR SUPPORT BRIGADES	16,612	16,612
030	ECHELONS ABOVE BRIGADE	486,531	486,531
040	THEATER LEVEL ASSETS	105,446	105,446
050	LAND FORCES OPERATIONS SUPPORT	516,791	516,791
060	AVIATION ASSETS	87,587	87,587
070	FORCE READINESS OPERATIONS SUPPORT	348,601	348,601
080	LAND FORCES SYSTEMS READINESS	81,350	81,350
090	LAND FORCES DEPOT MAINTENANCE	59,574	91,974
	Readiness funding increase		[32,400]
100	BASE OPERATIONS SUPPORT	570,852	570,852
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,686	245,686
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	40,962	40,962
	SUBTOTAL, OPERATING FORCES	**2,559,992**	**2,592,392**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,665	10,665
140	ADMINISTRATION	18,390	18,390
150	SERVICEWIDE COMMUNICATIONS	14,976	14,976
160	MANPOWER MANAGEMENT	8,841	8,841
170	RECRUITING AND ADVERTISING	52,928	52,928
xx	UNDISTRIBUTED	0	–6,011
	Streamlining of Army Reserve Management Headquarters		[–6,011]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**105,800**	**99,790**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–7,600
	Bulk fuel savings		[–7,600]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–7,600**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,665,792**	**2,684,581**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	709,433	709,433
020	MODULAR SUPPORT BRIGADES	167,324	167,324
030	ECHELONS ABOVE BRIGADE	741,327	741,327
040	THEATER LEVEL ASSETS	88,775	96,475
	ARNG border security enhancement		[7,700]
050	LAND FORCES OPERATIONS SUPPORT	32,130	32,130
060	AVIATION ASSETS	943,609	996,209
	Readiness funding increase		[39,600]
	ARNG border security enhancement		[13,000]
070	FORCE READINESS OPERATIONS SUPPORT	703,137	703,137
080	LAND FORCES SYSTEMS READINESS	84,066	84,066
090	LAND FORCES DEPOT MAINTENANCE	166,848	189,348
	Readiness funding increase		[22,500]
100	BASE OPERATIONS SUPPORT	1,022,970	1,022,970
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	673,680	673,680
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	954,574	954,574
	SUBTOTAL, OPERATING FORCES	**6,287,873**	**6,370,673**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	6,570	6,570
140	ADMINISTRATION	59,629	59,379
	Reduction to National Guard Heritage Paintings		[–250]
150	SERVICEWIDE COMMUNICATIONS	68,452	68,452
160	MANPOWER MANAGEMENT	8,841	8,841
170	OTHER PERSONNEL SUPPORT	283,670	272,170
	Reduction to Army Marketing Program		[–11,500]
180	REAL ESTATE MANAGEMENT	2,942	2,942
xx	UNDISTRIBUTED	0	–26,631
	Streamlining of Army National Guard Management Headquarters		[–26,631]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**430,104**	**391,723**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–25,300
	Bulk fuel savings		[–25,300]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–25,300**
	TOTAL OPERATION & MAINTENANCE, ARNG	**6,717,977**	**6,737,096**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,940,365	0
	Transfer base requirement to OCO due to BCA		[–4,940,365]
020	FLEET AIR TRAINING	1,830,611	1,830,611
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	37,225	37,225
040	AIR OPERATIONS AND SAFETY SUPPORT	103,456	103,456
050	AIR SYSTEMS SUPPORT	376,844	390,744
	Readiness funding increase		[13,900]

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

Line	Item	FY 2016 Request	Senate Authorized
060	AIRCRAFT DEPOT MAINTENANCE	897,536	0
	Transfer base requirement to OCO due to BCA		[–897,536]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	33,201	33,201
080	AVIATION LOGISTICS	544,056	549,356
	Readiness funding increase		[5,300]
090	MISSION AND OTHER SHIP OPERATIONS	4,287,658	0
	Transfer base requirement to OCO due to BCA		[–4,287,658]
100	SHIP OPERATIONS SUPPORT & TRAINING	787,446	787,446
110	SHIP DEPOT MAINTENANCE	5,960,951	0
	Transfer base requirement to OCO due to BCA		[–5,960,951]
120	SHIP DEPOT OPERATIONS SUPPORT	1,554,863	1,554,863
130	COMBAT COMMUNICATIONS	704,415	704,415
140	ELECTRONIC WARFARE	96,916	96,916
150	SPACE SYSTEMS AND SURVEILLANCE	192,198	192,198
160	WARFARE TACTICS	453,942	453,942
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	351,871	351,871
180	COMBAT SUPPORT FORCES	1,186,847	1,186,847
190	EQUIPMENT MAINTENANCE	123,948	123,948
200	DEPOT OPERATIONS SUPPORT	2,443	2,443
210	COMBATANT COMMANDERS CORE OPERATIONS	98,914	98,914
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	73,110	67,628
	Streamlining of Navy Combatant Commanders Direct Mission Support		[–5,483]
230	CRUISE MISSILE	110,734	110,734
240	FLEET BALLISTIC MISSILE	1,206,736	1,206,736
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	141,664	141,664
260	WEAPONS MAINTENANCE	523,122	523,122
270	OTHER WEAPON SYSTEMS SUPPORT	371,872	371,872
280	ENTERPRISE INFORMATION	896,061	896,061
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,220,423	2,220,423
300	BASE OPERATING SUPPORT	4,472,468	4,486,468
	Funding increase for Behavioral Counseling		[14,000]
	SUBTOTAL, OPERATING FORCES	**34,581,896**	**18,523,103**
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	422,846	422,846
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,464	6,964
	Readiness funding increase		[500]
330	SHIP ACTIVATIONS/INACTIVATIONS	361,764	361,764
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	69,530	69,530
350	INDUSTRIAL READINESS	2,237	2,237
360	COAST GUARD SUPPORT	21,823	21,823
	SUBTOTAL, MOBILIZATION	**884,664**	**885,164**
	TRAINING AND RECRUITING		
370	OFFICER ACQUISITION	149,375	149,375
380	RECRUIT TRAINING	9,035	9,035
390	RESERVE OFFICERS TRAINING CORPS	156,290	156,290
400	SPECIALIZED SKILL TRAINING	653,728	653,728
410	FLIGHT TRAINING	8,171	8,171
420	PROFESSIONAL DEVELOPMENT EDUCATION	168,471	168,471
430	TRAINING SUPPORT	196,048	196,048
440	RECRUITING AND ADVERTISING	234,233	234,233
450	OFF-DUTY AND VOLUNTARY EDUCATION	137,855	137,855
460	CIVILIAN EDUCATION AND TRAINING	77,257	77,257
470	JUNIOR ROTC	47,653	47,653
	SUBTOTAL, TRAINING AND RECRUITING	**1,838,116**	**1,838,116**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	923,771	923,771
490	EXTERNAL RELATIONS	13,967	13,967
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,812	120,812
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	350,983	350,983
520	OTHER PERSONNEL SUPPORT	265,948	265,948
530	SERVICEWIDE COMMUNICATIONS	335,482	335,482
550	SERVICEWIDE TRANSPORTATION	197,724	197,724
570	PLANNING, ENGINEERING AND DESIGN	274,936	274,936
580	ACQUISITION AND PROGRAM MANAGEMENT	1,122,178	1,122,178
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	48,587	48,587
600	COMBAT/WEAPONS SYSTEMS	25,599	25,599
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	72,768	72,768
620	NAVAL INVESTIGATIVE SERVICE	577,803	577,803
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,768	4,768
680A	CLASSIFIED PROGRAMS	560,754	560,754
xx	UNDISTRIBUTED	0	–209,823
	Streamlining of Navy Management Headquarters		[–209,823]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**4,896,080**	**4,686,257**
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–59,900
	Foreign currency adjustment		[–59,900]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–482,300
	Bulk fuel savings		[–482,300]

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

Line	Item	FY 2016 Request	Senate Authorized
	SUBTOTAL, UNDISTRIBUTED	**0**	**–542,200**
	TOTAL OPERATION & MAINTENANCE, NAVY	**42,200,756**	**25,390,440**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	931,079	0
	Transfer base requirement to OCO due to BCA		[–931,079]
020	FIELD LOGISTICS	931,757	0
	Transfer base requirement to OCO due to BCA		[–931,757]
030	DEPOT MAINTENANCE	227,583	227,583
040	MARITIME PREPOSITIONING	86,259	86,259
050	SUSTAINMENT, RESTORATION & MODERNIZATION	746,237	746,237
060	BASE OPERATING SUPPORT	2,057,362	2,058,562
	Readiness funding increase for Criminal Investigative Equipment		[1,200]
	SUBTOTAL, OPERATING FORCES	**4,980,277**	**3,118,641**
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	16,460	16,460
080	OFFICER ACQUISITION	977	977
090	SPECIALIZED SKILL TRAINING	97,325	97,325
100	PROFESSIONAL DEVELOPMENT EDUCATION	40,786	40,786
110	TRAINING SUPPORT	347,476	347,476
120	RECRUITING AND ADVERTISING	164,806	164,806
130	OFF-DUTY AND VOLUNTARY EDUCATION	39,963	39,963
140	JUNIOR ROTC	23,397	23,397
	SUBTOTAL, TRAINING AND RECRUITING	**731,190**	**731,190**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	37,386	37,386
160	ADMINISTRATION	358,395	358,395
180	ACQUISITION AND PROGRAM MANAGEMENT	76,105	76,105
180A	CLASSIFIED PROGRAMS	45,429	45,429
xx	UNDISTRIBUTED	0	–32,588
	Streamlining of Marine Corps Management Headquarters		[–32,588]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**517,315**	**484,727**
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–19,800
	Foreign currency adjustment		[–19,800]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–17,000
	Bulk fuel savings		[–17,000]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–36,800**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**6,228,782**	**4,297,758**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	563,722	563,722
020	INTERMEDIATE MAINTENANCE	6,218	6,218
030	AIRCRAFT DEPOT MAINTENANCE	82,712	82,712
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	326	326
050	AVIATION LOGISTICS	13,436	13,436
070	SHIP OPERATIONS SUPPORT & TRAINING	557	557
090	COMBAT COMMUNICATIONS	14,499	14,499
100	COMBAT SUPPORT FORCES	117,601	117,601
120	ENTERPRISE INFORMATION	29,382	29,382
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,513	48,513
140	BASE OPERATING SUPPORT	102,858	102,858
	SUBTOTAL, OPERATING FORCES	**979,824**	**979,824**
	ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	1,505	1,505
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,782	13,782
170	SERVICEWIDE COMMUNICATIONS	3,437	3,437
180	ACQUISITION AND PROGRAM MANAGEMENT	3,210	3,210
xx	UNDISTRIBUTED	0	–1,386
	Streamlining of Navy Reserve Management Headquarters		[–1,386]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**21,934**	**20,548**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–39,700
	Bulk fuel savings		[–39,700]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–39,700**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,001,758**	**960,672**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	97,631	97,631
020	DEPOT MAINTENANCE	18,254	18,254
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	28,653	28,653

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

Line	Item	FY 2016 Request	Senate Authorized
040	BASE OPERATING SUPPORT	111,923	111,923
	SUBTOTAL, OPERATING FORCES	**256,461**	**256,461**
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	924	924
060	ADMINISTRATION	10,866	10,866
070	RECRUITING AND ADVERTISING	8,785	8,785
xx	UNDISTRIBUTED	0	–1,473
	Streamlining of Marine Corps Reserve Management Headquarters		[–1,473]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**20,575**	**19,102**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–1,000
	Bulk fuel savings		[–1,000]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–1,000**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**277,036**	**274,563**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	3,336,868	0
	Transfer base requirement to OCO due to BCA		[–3,336,868]
020	COMBAT ENHANCEMENT FORCES	1,897,315	0
	Transfer base requirement to OCO due to BCA		[–1,897,315]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,797,549	1,757,249
	Cancel transition of A–10 to F–15E training		[–78,000]
	Readiness increase		[37,700]
040	DEPOT MAINTENANCE	6,537,127	0
	Transfer base requirement to OCO due to BCA		[–6,537,127]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,997,712	1,997,712
060	BASE SUPPORT	2,841,948	2,841,948
070	GLOBAL C3I AND EARLY WARNING	930,341	930,341
080	OTHER COMBAT OPS SPT PROGRAMS	924,845	924,845
100	LAUNCH FACILITIES	271,177	271,177
110	SPACE CONTROL SYSTEMS	382,824	382,824
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	900,965	885,586
	Streamlining of Air Force Combatant Commanders Direct Mission Support		[–15,380]
130	COMBATANT COMMANDERS CORE OPERATIONS	205,078	164,078
	Cutting Joint Enabling Capabilities Command		[–41,000]
xxx	CLASSIFIED PROGRAMS	907,496	924,296
	Increase One Program		[20,000]
	Unjustified increase		[–3,200]
	SUBTOTAL, OPERATING FORCES	**22,931,245**	**11,080,055**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,229,196	2,229,196
150	MOBILIZATION PREPAREDNESS	148,318	148,318
160	DEPOT MAINTENANCE	1,617,571	0
	Transfer base requirement to OCO due to BCA		[–1,617,571]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	259,956	259,956
180	BASE SUPPORT	708,799	708,799
	SUBTOTAL, MOBILIZATION	**4,963,840**	**3,346,269**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	92,191	92,191
200	RECRUIT TRAINING	21,871	21,871
210	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,527	77,527
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	228,500	228,500
230	BASE SUPPORT	772,870	772,870
240	SPECIALIZED SKILL TRAINING	359,304	402,404
	Readiness increase for RPA training		[43,100]
250	FLIGHT TRAINING	710,553	710,553
260	PROFESSIONAL DEVELOPMENT EDUCATION	228,252	228,252
270	TRAINING SUPPORT	76,464	76,464
280	DEPOT MAINTENANCE	375,513	375,513
290	RECRUITING AND ADVERTISING	79,690	79,690
300	EXAMINING	3,803	3,803
310	OFF-DUTY AND VOLUNTARY EDUCATION	180,807	180,807
320	CIVILIAN EDUCATION AND TRAINING	167,478	167,478
330	JUNIOR ROTC	59,263	59,263
	SUBTOTAL, TRAINING AND RECRUITING	**3,434,086**	**3,477,186**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	1,141,491	1,141,491
350	TECHNICAL SUPPORT ACTIVITIES	862,022	852,022
	Acquisition Management Adjustment		[–10,000]
360	DEPOT MAINTENANCE	61,745	61,745
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	298,759	298,759
380	BASE SUPPORT	1,108,220	1,096,220
	Reduce IT procurement		[–12,000]
390	ADMINISTRATION	689,797	669,097
	DEAMS reduction-Funding ahead of need		[–20,700]

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

Line	Item	FY 2016 Request	Senate Authorized
400	SERVICEWIDE COMMUNICATIONS	498,053	498,053
410	OTHER SERVICEWIDE ACTIVITIES	900,253	900,253
420	CIVIL AIR PATROL	25,411	25,411
450	INTERNATIONAL SUPPORT	89,148	89,148
450A	CLASSIFIED PROGRAMS	1,187,859	1,182,959
	Unjustified increase		[–4,900]
xx	UNDISTRIBUTED	0	–276,203
	Streamlining of Air Force Management Headquarters		[–276,203]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**6,862,758**	**6,538,955**
	UNDISTRIBUTED		
xx	Restore EC–130 Compass Call	0	27,300
	Costs associated with preventing divestiture of EC–130		[27,300]
x	Restore A–10	0	235,300
	Costs associated with preventing divestiture of A–10 fleet		[235,300]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–618,300
	Bulk fuel savings		[–618,300]
	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–137,800
	Foreign currency adjustment		[–137,800]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–493,500**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**38,191,929**	**23,948,965**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,779,378	1,779,378
020	MISSION SUPPORT OPERATIONS	226,243	226,243
030	DEPOT MAINTENANCE	487,036	487,036
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	109,342	109,342
050	BASE SUPPORT	373,707	373,707
	SUBTOTAL, OPERATING FORCES	**2,975,706**	**2,975,706**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	53,921	53,921
070	RECRUITING AND ADVERTISING	14,359	14,359
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,665	13,665
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,606	6,606
xx	UNDISTRIBUTED	0	–2,116
	Costs associated with preventing divestiture of A–10 fleet		[2,500]
	Streamlining of Air Force Reserve Management Headquarters		[–4,616]
	SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**88,551**	**86,435**
	UNDISTRIBUTED		
xxxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–101,100
	Bulk fuel savings		[–101,100]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–101,100**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,064,257**	**2,961,041**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,526,471	3,526,471
020	MISSION SUPPORT OPERATIONS	740,779	743,379
	ARNG border security enhancement		[2,600]
030	DEPOT MAINTENANCE	1,763,859	1,763,859
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	288,786	288,786
050	BASE SUPPORT	582,037	582,037
	SUBTOTAL, OPERATING FORCES	**6,901,932**	**6,904,532**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	23,626	23,626
070	RECRUITING AND ADVERTISING	30,652	30,652
xx	UNDISTRIBUTED	0	–3,015
	Streamlining of Air National Guard Management Headquarters		[–3,015]
xxx	UNDISTRIBUTED	0	42,200
	Costs associated with preventing divestiture of A–10 fleet		[42,200]
	SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**54,278**	**93,463**
	UNDISTRIBUTED		
xxxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–162,600
	Bulk fuel savings		[–162,600]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–162,600**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,956,210**	**6,835,395**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	485,888	505,888
	Middle East Assurance Initiative		[20,000]
020	OFFICE OF THE SECRETARY OF DEFENSE	534,795	530,795
	DOD Rewards reduction-funding ahead of need		[–4,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	4,862,368	4,862,368

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(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	SUBTOTAL, OPERATING FORCES	**5,883,051**	**5,899,051**
	TRAINING AND RECRUITING		
040	DEFENSE ACQUISITION UNIVERSITY	142,659	142,659
050	NATIONAL DEFENSE UNIVERSITY	78,416	78,416
060	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	354,372	354,372
	SUBTOTAL, TRAINING AND RECRUITING	**575,447**	**575,447**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
070	CIVIL MILITARY PROGRAMS	160,320	160,320
090	DEFENSE CONTRACT AUDIT AGENCY	570,177	570,177
100	DEFENSE CONTRACT MANAGEMENT AGENCY	1,374,536	1,374,536
110	DEFENSE HUMAN RESOURCES ACTIVITY	642,551	642,551
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,282,755	1,292,755
	Sharkseer increase		[10,000]
140	DEFENSE LEGAL SERVICES AGENCY	26,073	26,073
150	DEFENSE LOGISTICS AGENCY	366,429	366,429
160	DEFENSE MEDIA ACTIVITY	192,625	192,625
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	115,372	115,372
190	DEFENSE SECURITY COOPERATION AGENCY	524,723	517,723
	Reduction to Combating Terrorism Fellowship		[–7,000]
200	DEFENSE SECURITY SERVICE	508,396	508,396
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	33,577	33,577
240	DEFENSE THREAT REDUCTION AGENCY	415,696	415,696
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,753,771	2,784,021
	Impact Aid		[30,000]
	School lunches for territories		[250]
270	MISSILE DEFENSE AGENCY	432,068	432,068
290	OFFICE OF ECONOMIC ADJUSTMENT	110,612	57,512
	Guam outside the fence infastructure		[–20,000]
	Defense industry adjustment		[–33,100]
300	OFFICE OF THE SECRETARY OF DEFENSE	1,388,285	1,378,785
	BRAC 2017 Planning and Support		[–10,500]
	OSD fleet architecture study		[1,000]
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	83,263	83,263
320	WASHINGTON HEADQUARTERS SERVICES	621,688	621,688
320A	CLASSIFIED PROGRAMS	14,379,428	14,379,428
xx	UNDISTRIBUTED	0	–897,552
	Streamlining of Department of Defense Management Headquarters		[–897,552]
	SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**25,982,345**	**25,055,443**
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–51,900
	Foreign currency adjustment		[–51,900]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–36,000
	Bulk fuel savings		[–36,000]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–87,900**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**32,440,843**	**31,442,041**
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,078	14,078
	SUBTOTAL, US COURT OF APPEALS FOR ARMED FORCES, DEF	**14,078**	**14,078**
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	100,266	100,266
	SUBTOTAL, OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**100,266**	**100,266**
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION	358,496	358,496
	SUBTOTAL, COOPERATIVE THREAT REDUCTION ACCOUNT	**358,496**	**358,496**
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
010	ACQ WORKFORCE DEV FD	84,140	84,140
	SUBTOTAL, DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	**84,140**	**84,140**
	ENVIRONMENTAL RESTORATION, ARMY		
040	ENVIRONMENTAL RESTORATION, ARMY	234,829	234,829
	SUBTOTAL, ENVIRONMENTAL RESTORATION, ARMY	**234,829**	**234,829**
	ENVIRONMENTAL RESTORATION, NAVY		
050	ENVIRONMENTAL RESTORATION, NAVY	292,453	292,453
	SUBTOTAL, ENVIRONMENTAL RESTORATION, NAVY	**292,453**	**292,453**
	ENVIRONMENTAL RESTORATION, AIR FORCE		
060	ENVIRONMENTAL RESTORATION, AIR FORCE	368,131	368,131
	SUBTOTAL, ENVIRONMENTAL RESTORATION, AIR FORCE	**368,131**	**368,131**
	ENVIRONMENTAL RESTORATION, DEFENSE		
070	ENVIRONMENTAL RESTORATION, DEFENSE	8,232	8,232
	SUBTOTAL, ENVIRONMENTAL RESTORATION, DEFENSE	**8,232**	**8,232**

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

Line	Item	FY 2016 Request	Senate Authorized
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
080	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	203,717	203,717
	SUBTOTAL, ENVIRONMENTAL RESTORATION FORMERLY USED SITES	**203,717**	**203,717**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**1,664,342**	**1,664,342**
	TOTAL OPERATION AND MAINTENANCE	**176,517,228**	**134,071,146**

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 2016 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	257,900	1,352,329
	Transfer base requirement to OCO due to BCA		[1,094,429]
040	THEATER LEVEL ASSETS	1,110,836	1,874,136
	Transfer base requirement to OCO due to BCA		[763,300]
050	LAND FORCES OPERATIONS SUPPORT	261,943	1,316,265
	Transfer base requirement to OCO due to BCA		[1,054,322]
060	AVIATION ASSETS	22,160	1,568,289
	Transfer base requirement to OCO due to BCA		[1,546,129]
070	FORCE READINESS OPERATIONS SUPPORT	1,119,201	4,277,807
	Transfer base requirement to OCO due to BCA		[3,158,606]
080	LAND FORCES SYSTEMS READINESS	117,881	117,881
100	BASE OPERATIONS SUPPORT	50,000	50,000
140	ADDITIONAL ACTIVITIES	4,500,666	4,500,666
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	10,000
160	RESET	1,834,777	1,834,777
	SUBTOTAL, OPERATING FORCES	**9,285,364**	**16,902,150**
	MOBILIZATION		
190	ARMY PREPOSITIONED STOCKS	40,000	40,000
	SUBTOTAL, MOBILIZATION	**40,000**	**40,000**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	529,891	529,891
380	AMMUNITION MANAGEMENT	5,033	5,033
420	OTHER PERSONNEL SUPPORT	100,480	100,480
450	REAL ESTATE MANAGEMENT	154,350	154,350
480A	CLASSIFIED PROGRAMS	1,267,632	1,267,632
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**2,057,386**	**2,057,386**
	TOTAL OPERATION & MAINTENANCE, ARMY	**11,382,750**	**18,999,536**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	2,442	2,442
050	LAND FORCES OPERATIONS SUPPORT	813	813
070	FORCE READINESS OPERATIONS SUPPORT	779	779
100	BASE OPERATIONS SUPPORT	20,525	20,525
	SUBTOTAL, OPERATING FORCES	**24,559**	**24,559**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**24,559**	**24,559**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	1,984	1,984
030	ECHELONS ABOVE BRIGADE	4,671	4,671
060	AVIATION ASSETS	15,980	15,980
070	FORCE READINESS OPERATIONS SUPPORT	12,867	12,867
100	BASE OPERATIONS SUPPORT	23,134	23,134
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,426	1,426
	SUBTOTAL, OPERATING FORCES	**60,062**	**60,062**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE COMMUNICATIONS	783	783
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**783**	**783**
	TOTAL OPERATION & MAINTENANCE, ARNG	**60,845**	**60,845**
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,214,899	2,214,899
030	EQUIPMENT AND TRANSPORTATION	182,751	182,751

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

Line	Item	FY 2016 Request	Senate Authorized
040	TRAINING AND OPERATIONS	281,555	281,555
	SUBTOTAL, MINISTRY OF DEFENSE	**2,679,205**	**2,679,205**
	MINISTRY OF INTERIOR		
060	SUSTAINMENT	901,137	901,137
080	EQUIPMENT AND TRANSPORTATION	116,573	116,573
090	TRAINING AND OPERATIONS	65,342	65,342
	SUBTOTAL, MINISTRY OF INTERIOR	**1,083,052**	**1,083,052**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**3,762,257**	**3,762,257**
	IRAQ TRAIN AND EQUIP FUND		
	IRAQ TRAIN AND EQUIP FUND		
010	IRAQ TRAIN AND EQUIP FUND	715,000	715,000
	SUBTOTAL, IRAQ TRAIN AND EQUIP FUND	**715,000**	**715,000**
	TOTAL IRAQ TRAIN AND EQUIP FUND	**715,000**	**715,000**
	SYRIA TRAIN AND EQUIP FUND		
	SYRIA TRAIN AND EQUIP FUND		
010	SYRIA TRAIN AND EQUIP FUND	600,000	600,000
	SUBTOTAL, SYRIA TRAIN AND EQUIP FUND	**600,000**	**600,000**
	TOTAL SYRIA TRAIN AND EQUIP FUND	**600,000**	**600,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	358,417	5,302,082
	Transfer base requirement to OCO due to BCA		[4,940,365]
	Readiness funding increase		[3,300]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	110	110
040	AIR OPERATIONS AND SAFETY SUPPORT	4,513	4,513
050	AIR SYSTEMS SUPPORT	126,501	126,501
060	AIRCRAFT DEPOT MAINTENANCE	75,897	990,433
	Transfer base requirement to OCO due to BCA		[897,536]
	Readiness funding increase		[17,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,770	2,770
080	AVIATION LOGISTICS	34,101	34,101
090	MISSION AND OTHER SHIP OPERATIONS	1,184,878	5,472,536
	Transfer base requirement to OCO due to BCA		[4,287,658]
100	SHIP OPERATIONS SUPPORT & TRAINING	16,663	16,663
110	SHIP DEPOT MAINTENANCE	1,922,829	7,883,780
	Transfer base requirement to OCO due to BCA		[5,960,951]
130	COMBAT COMMUNICATIONS	33,577	33,577
160	WARFARE TACTICS	26,454	26,454
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,305	22,305
180	COMBAT SUPPORT FORCES	513,969	513,969
190	EQUIPMENT MAINTENANCE	10,007	10,007
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	60,865	60,865
260	WEAPONS MAINTENANCE	275,231	275,231
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	7,819	7,819
300	BASE OPERATING SUPPORT	61,422	61,422
	SUBTOTAL, OPERATING FORCES	**4,738,328**	**20,845,138**
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307
360	COAST GUARD SUPPORT	160,002	160,002
	SUBTOTAL, MOBILIZATION	**165,309**	**165,309**
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	44,845	44,845
	SUBTOTAL, TRAINING AND RECRUITING	**44,845**	**44,845**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,513	2,513
490	EXTERNAL RELATIONS	500	500
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,309	5,309
520	OTHER PERSONNEL SUPPORT	1,469	1,469
550	SERVICEWIDE TRANSPORTATION	156,671	156,671
580	ACQUISITION AND PROGRAM MANAGEMENT	8,834	8,834
620	NAVAL INVESTIGATIVE SERVICE	1,490	1,490
680A	CLASSIFIED PROGRAMS	6,320	6,320
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**183,106**	**183,106**
	TOTAL OPERATION & MAINTENANCE, NAVY	**5,131,588**	**21,238,398**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	353,133	1,284,212
	Transfer base requirement to OCO due to BCA		[931,079]
020	FIELD LOGISTICS	259,676	1,191,433
	Transfer base requirement to OCO due to BCA		[931,757]

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

Line	Item	FY 2016 Request	Senate Authorized
030	DEPOT MAINTENANCE	240,000	240,000
060	BASE OPERATING SUPPORT	16,026	16,026
	SUBTOTAL, OPERATING FORCES	**868,835**	**2,731,671**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	37,862	37,862
	SUBTOTAL, TRAINING AND RECRUITING	**37,862**	**37,862**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	43,767	43,767
180A	CLASSIFIED PROGRAMS	2,070	2,070
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**45,837**	**45,837**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**952,534**	**2,815,370**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,033	4,033
020	INTERMEDIATE MAINTENANCE	60	60
030	AIRCRAFT DEPOT MAINTENANCE	20,300	20,300
100	COMBAT SUPPORT FORCES	7,250	7,250
	SUBTOTAL, OPERATING FORCES	**31,643**	**31,643**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**31,643**	**31,643**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,500	2,500
040	BASE OPERATING SUPPORT	955	955
	SUBTOTAL, OPERATING FORCES	**3,455**	**3,455**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**3,455**	**3,455**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,505,738	4,839,106
	Transfer base requirement to OCO due to BCA		[3,336,868]
	Retain Current A–10 Fleet		[–1,400]
	Unjustified Increase		[–2,100]
020	COMBAT ENHANCEMENT FORCES	914,973	2,802,588
	Transfer base requirement to OCO due to BCA		[1,897,315]
	Unjustified Increase		[–14,000]
	Readiness funding increase		[4,300]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	31,978	31,978
040	DEPOT MAINTENANCE	1,192,765	7,729,892
	Transfer base requirement to OCO due to BCA		[6,537,127]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	85,625	85,625
060	BASE SUPPORT	917,269	917,269
070	GLOBAL C3I AND EARLY WARNING	30,219	30,219
080	OTHER COMBAT OPS SPT PROGRAMS	174,734	174,734
100	LAUNCH FACILITIES	869	869
110	SPACE CONTROL SYSTEMS	5,008	5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,190	100,190
xxx	CLASSIFIED PROGRAMS	22,893	22,893
	SUBTOTAL, OPERATING FORCES	**4,982,261**	**16,740,371**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,995,703	2,995,703
150	MOBILIZATION PREPAREDNESS	108,163	108,163
160	DEPOT MAINTENANCE	511,059	2,128,630
	Transfer base requirement to OCO due to BCA		[1,617,571]
180	BASE SUPPORT	4,642	4,642
	SUBTOTAL, MOBILIZATION	**3,619,567**	**5,237,138**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	92	92
240	SPECIALIZED SKILL TRAINING	11,986	11,986
	SUBTOTAL, TRAINING AND RECRUITING	**12,078**	**12,078**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	86,716	86,716
380	BASE SUPPORT	3,836	3,836
400	SERVICEWIDE COMMUNICATIONS	165,348	165,348
410	OTHER SERVICEWIDE ACTIVITIES	204,683	141,683
	Reduction to the Office of Security Cooperation in Iraq		[–63,000]
450	INTERNATIONAL SUPPORT	61	61
450A	CLASSIFIED PROGRAMS	15,463	15,463
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**476,107**	**413,107**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**9,090,013**	**22,402,694**
	OPERATION & MAINTENANCE, AF RESERVE		

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

Line	Item	FY 2016 Request	Senate Authorized
	OPERATING FORCES		
030	DEPOT MAINTENANCE	51,086	51,086
050	BASE SUPPORT	7,020	7,020
	SUBTOTAL, OPERATING FORCES	**58,106**	**58,106**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**58,106**	**58,106**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	19,900	19,900
	SUBTOTAL, OPERATING FORCES	**19,900**	**19,900**
	TOTAL OPERATION & MAINTENANCE, ANG	**19,900**	**19,900**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	9,900	9,900
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,345,835	2,345,835
	SUBTOTAL, OPERATING FORCES	**2,355,735**	**2,355,735**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
090	DEFENSE CONTRACT AUDIT AGENCY	18,474	18,474
120	DEFENSE INFORMATION SYSTEMS AGENCY	29,579	29,579
140	DEFENSE LEGAL SERVICES AGENCY	110,000	110,000
160	DEFENSE MEDIA ACTIVITY	5,960	5,960
190	DEFENSE SECURITY COOPERATION AGENCY	1,677,000	1,577,000
	Reduction from Coalition Support Funds		[–100,000]
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	73,000	73,000
300	OFFICE OF THE SECRETARY OF DEFENSE	106,709	106,709
320	WASHINGTON HEADQUARTERS SERVICES	2,102	2,102
320A	CLASSIFIED PROGRAMS	1,427,074	1,427,074
	SUBTOTAL, ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**3,449,898**	**3,349,898**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**5,805,633**	**5,705,633**
	TOTAL OPERATION AND MAINTENANCE	**37,638,283**	**76,437,396**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

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

Item	FY 2016 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	130,491,227	129,236,727
Military Personnel Underexecution		[–987,200]
Additional support for the National Guard's Operation Phalanx		[21,700]
Reduction for anticipated cost of TRICARE consolidation		[–85,000]
TRICARE program improvement initiatives		[15,000]
Financial literacy improvement		[85,000]
Reduction from Foreign Currency Gains, Army		[–65,200]
Reduction from Foreign Currency Gains, Navy		[–81,400]
Reduction from Foreign Currency Gains, Marine Corps		[–27,000]
Reduction from Foreign Currency Gains, Air Force		[–130,400]
SUBTOTAL, MILITARY PERSONNEL APPROPRIATIONS	**130,491,227**	**129,236,727**
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	6,243,449	6,243,449
SUBTOTAL, MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	**6,243,449**	**6,243,449**
TOTAL, MILITARY PERSONNEL	**136,734,676**	**135,480,176**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

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

Item	FY 2016 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	3,204,758	3,204,758
SUBTOTAL, MILITARY PERSONNEL APPROPRIATIONS	**3,204,758**	**3,204,758**

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

Item	FY 2016 Request	Senate Authorized
TOTAL, MILITARY PERSONNEL	**3,204,758**	**3,204,758**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

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

Line	Item	FY 2016 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
020	SUPPLY MANAGEMENT—ARMY	50,432	50,432
	SUBTOTAL, WORKING CAPITAL FUND, ARMY	**50,432**	**50,432**
	WORKING CAPITAL FUND, AIR FORCE		
010	SUPPLIES AND MATERIALS	62,898	62,898
	SUBTOTAL, WORKING CAPITAL FUND, AIR FORCE	**62,898**	**62,898**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
030	DEFENSE LOGISTICS AGENCY (DLA)	45,084	45,084
	SUBTOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	**45,084**	**45,084**
	WORKING CAPITAL FUND, DECA		
020	WORKING CAPITAL FUND, DECA	1,154,154	1,154,154
	SUBTOTAL, WORKING CAPITAL FUND, DECA	**1,154,154**	**1,154,154**
	TOTAL WORKING CAPITAL FUND	**1,312,568**	**1,312,568**
	NATIONAL DEFENSE SEALIFT FUND		
040	POST DELIVERY AND OUTFITTING	15,456	15,456
060	LG MED SPD RO/RO MAINTENANCE	124,493	124,493
070	DOD MOBILIZATION ALTERATIONS	8,243	8,243
080	TAH MAINTENANCE	27,784	27,784
090	RESEARCH AND DEVELOPMENT	25,197	25,197
100	READY RESERVE FORCE	272,991	272,991
	SUBTOTAL, NATIONAL DEFENSE SEALIFT FUND	**474,164**	**474,164**
	TOTAL NATIONAL DEFENSE SEALIFT FUND	**474,164**	**474,164**
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION & MAINTENANCE		
01	CHEM DEMILITARIZATION—O&M	139,098	139,098
	SUBTOTAL, OPERATION & MAINTENANCE	**139,098**	**139,098**
	RDT&E		
02	CHEM DEMILITARIZATION—RDT&E	579,342	579,342
	SUBTOTAL, RDT&E	**579,342**	**579,342**
	PROCUREMENT		
03	CHEM DEMILITARIZATION—PROC	2,281	2,281
	SUBTOTAL, PROCUREMENT	**2,281**	**2,281**
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**720,721**	**720,721**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	739,009	761,009
	SOUTHCOM Operational support		[30,000]
	Transfer to Demand Reduction Program		[–8,000]
	SUBTOTAL, DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	**739,009**	**761,009**
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	111,589	119,589
	Expanded drug testing		[8,000]
	SUBTOTAL, DRUG DEMAND REDUCTION PROGRAM	**111,589**	**119,589**
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**850,598**	**880,598**
	OFFICE OF THE INSPECTOR GENERAL		
	OPERATION AND MAINTENANCE		
010	OFFICE OF THE INSPECTOR GENERAL	310,459	310,459
	SUBTOTAL, OPERATION AND MAINTENANCE	**310,459**	**310,459**
	RDT&E		
020	OFFICE OF THE INSPECTOR GENERAL	4,700	2,100
	Funding ahead of need		[–2,600]
	SUBTOTAL, RDT&E	**4,700**	**2,100**
	PROCUREMENT		

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

Line	Item	FY 2016 Request	Senate Authorized
030	OFFICE OF THE INSPECTOR GENERAL	1,000	0
	Funding ahead of need		[–1,000]
	SUBTOTAL, PROCUREMENT	**1,000**	**0**
	TOTAL OFFICE OF THE INSPECTOR GENERAL	**316,159**	**312,559**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	9,082,298	9,082,298
020	PRIVATE SECTOR CARE	14,892,683	14,892,683
030	CONSOLIDATED HEALTH SUPPORT	2,415,658	2,405,368
	Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[–10,290]
040	INFORMATION MANAGEMENT	1,677,827	1,677,827
050	MANAGEMENT ACTIVITIES	327,967	327,967
060	EDUCATION AND TRAINING	750,614	750,614
070	BASE OPERATIONS/COMMUNICATIONS	1,742,893	1,742,893
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–36,400
	Foreign currency adjustment		[–36,400]
	SUBTOTAL, OPERATION & MAINTENANCE	**30,889,940**	**30,843,250**
	RDT&E		
090	R&D RESEARCH	10,996	10,996
100	R&D EXPLORATRY DEVELOPMENT	59,473	56,323
	Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[–3,150]
110	R&D ADVANCED DEVELOPMENT	231,356	228,256
	Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[–3,100]
120	R&D DEMONSTRATION/VALIDATION	103,443	103,443
130	R&D ENGINEERING DEVELOPMENT	515,910	515,910
140	R&D MANAGEMENT AND SUPPORT	41,567	41,567
150	R&D CAPABILITIES ENHANCEMENT	17,356	17,356
	SUBTOTAL, RDT&E	**980,101**	**973,851**
	PROCUREMENT		
160	PROC INITIAL OUTFITTING	33,392	33,392
170	PROC REPLACEMENT & MODERNIZATION	330,504	330,504
180	PROC THEATER MEDICAL INFORMATION PROGRAM	1,494	1,494
190	PROC IEHR	7,897	7,897
	SUBTOTAL, PROCUREMENT	**373,287**	**373,287**
	TOTAL DEFENSE HEALTH PROGRAM	**32,243,328**	**32,190,388**
	TOTAL OTHER AUTHORIZATIONS	**35,917,538**	**35,890,998**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

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

Line	Item	FY 2016 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, AIR FORCE		
020	TRANSPORTATION OF FALLEN HEROES	2,500	2,500
	SUBTOTAL, WORKING CAPITAL FUND, AIR FORCE	**2,500**	**2,500**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
030	DEFENSE LOGISTICS AGENCY (DLA)	86,350	86,350
	SUBTOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	**86,350**	**86,350**
	TOTAL WORKING CAPITAL FUND	**88,850**	**88,850**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	186,000	186,000
	SUBTOTAL, DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	**186,000**	**186,000**
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**186,000**	**186,000**
	OFFICE OF THE INSPECTOR GENERAL		
	OPERATION AND MAINTENANCE		
010	OFFICE OF THE INSPECTOR GENERAL	10,262	10,262
	SUBTOTAL, OPERATION AND MAINTENANCE	**10,262**	**10,262**
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	**10,262**	**10,262**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	65,149	65,149
020	PRIVATE SECTOR CARE	192,210	192,210

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

Line	Item	FY 2016 Request	Senate Authorized
030	CONSOLIDATED HEALTH SUPPORT	9,460	9,460
060	EDUCATION AND TRAINING	5,885	5,885
	SUBTOTAL, OPERATION & MAINTENANCE	**272,704**	**272,704**
	TOTAL, DEFENSE HEALTH PROGRAM	**272,704**	**272,704**
	COUNTERTERRORISM PARTNERSHIPS FUND		
	COUNTERTERRORISM PARTNERSHIPS FUND		
090	COUNTERTERRORISM PARTNERSHIPS FUND	2,100,000	1,000,000
	Request excess to need		[–1,100,000]
	SUBTOTAL, COUNTERTERRORISM PARTNERSHIPS FUND	**2,100,000**	**1,000,000**
	TOTAL, COUNTERTERRORISM PARTNERSHIPS FUND	**2,100,000**	**1,000,000**
	UKRAINE SECURITY ASSISTANCE INITIATIVE		
	UKRAINE SECURITY ASSISTANCE INITIATIVE		
xxx	UKRAINE SECURITY ASSISTANCE INITIATIVE	0	300,000
	Provides assistance to Ukraine		[300,000]
	SUBTOTAL, UKRAINE SECURITY ASSISTANCE INITIATIVE	**0**	**300,000**
	TOTAL, UKRAINE SECURITY ASSISTANCE INITIATIVE	**0**	**300,000**
	TOTAL OTHER AUTHORIZATION	**2,657,816**	**1,857,816**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILITARY CONSTRUCTION				
MILCON, ARMY				
	Alaska			
MILCON, ARMY	Fort Greely	Physical Readiness Training Facility	7,800	7,800
	California			
MILCON, ARMY	Concord	Pier	98,000	98,000
	Colorado			
MILCON, ARMY	Fort Carson, Colorado	Rotary Wing Taxiway	5,800	5,800
	Georgia			
MILCON, ARMY	Fort Gordon	Command and Control Facility	90,000	90,000
	Germany			
MILCON, ARMY	Grafenwoehr	Vehicle Maintenance Shop	51,000	51,000
	Guantanamo Bay, Cuba			
MILCON, ARMY	Guantanamo Bay	Unaccompanied Personnel Housing	0	76,000
	Maryland			
MILCON, ARMY	Fort Meade	Access Control Point-Reece Road	0	19,500
MILCON, ARMY	Fort Meade	Access Control Point-Mapes Road	0	15,000
	New York			
MILCON, ARMY	Fort Drum, New York	NCO Academy Complex	19,000	19,000
MILCON, ARMY	U.S. Military Academy	Waste Water Treatment Plant	70,000	70,000
	Oklahoma			
MILCON, ARMY	Fort Sill	Reception Barracks Complex Ph2	56,000	56,000
MILCON, ARMY	Fort Sill	Training Support Facility	13,400	13,400
	Texas			
MILCON, ARMY	Corpus Christi	Powertrain Facility (Infrastructure/Metal)	85,000	85,000
MILCON, ARMY	Joint Base San Antonio	Homeland Defense Operations Center	43,000	0
	Virginia			
MILCON, ARMY	Fort Lee	Training Support Facility	33,000	33,000
MILCON, ARMY	Joint Base Myer-Henderson	Instruction Building	37,000	0
	Worldwide Unspecified			
MILCON, ARMY	Unspecified Worldwide Locations	Host Nation Support	36,000	36,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, ARMY	Unspecified Worldwide Locations	Minor Construction	25,000	25,000
MILCON, ARMY	Unspecified Worldwide Locations	Planning and Design	73,245	73,245
MILCON, ARMY	Unspecified Worldwide Locations	Prior Year Unobligated Amounts	0	–52,000
SUBTOTAL, MILCON, ARMY			**743,245**	**721,745**
MIL CON, NAVY				
	Arizona			
MIL CON, NAVY	Yuma	Aircraft Maint. Facilities & Apron (So. CALA)	50,635	50,635
	Bahrain Island			
MIL CON, NAVY	SW Asia	Mina Salman Pier Replacement	37,700	37,700
MIL CON, NAVY	SW Asia	Ship Maintenance Support Facility	52,091	52,091
	California			
MIL CON, NAVY	Camp Pendleton, California	Raw Water Pipeline Pendleton to Fallbrook	44,540	0
MIL CON, NAVY	Camp Pendleton, California	Pendleton Ops Center	0	25,000
MIL CON, NAVY	Coronado	Coastal Campus Utilities	4,856	4,856
MIL CON, NAVY	Lemoore	F–35C Hangar Modernization and Addition	56,497	56,497
MIL CON, NAVY	Lemoore	F–35C Training Facilities	8,187	8,187
MIL CON, NAVY	Lemoore	RTO and Mission Debrief Facility	7,146	7,146
MIL CON, NAVY	Miramar	KC–130J Enlisted Air Crew Trainer	0	11,200
MIL CON, NAVY	Point Mugu	E–2C/D Hangar Additions and Renovations	19,453	19,453
MIL CON, NAVY	Point Mugu	Triton Avionics and Fuel Systems Trainer	2,974	2,974
MIL CON, NAVY	San Diego	LCS Support Facility	37,366	37,366
MIL CON, NAVY	Twentynine Palms, California	Microgrid Expansion	9,160	9,160
	Florida			
MIL CON, NAVY	Jacksonville	Fleet Support Facility Addition	8,455	8,455
MIL CON, NAVY	Jacksonville	Triton Mission Control Facility	8,296	8,296
MIL CON, NAVY	Mayport	LCS Mission Module Readiness Center	16,159	16,159
MIL CON, NAVY	Pensacola	A-School Unaccopanied Housing (Corry Station)	18,347	18,347
MIL CON, NAVY	Whiting Field	T–6B JPATS Training Operations Facility	10,421	10,421
	Georgia			
MIL CON, NAVY	Albany	Ground Source Heat Pumps	7,851	7,851
MIL CON, NAVY	Kings Bay	Industrial Control System Infrastructure	8,099	8,099
MIL CON, NAVY	Townsend	Townsend Bombing Range Expansion Phase 2	48,279	43,279
	Guam			
MIL CON, NAVY	Joint Region Marianas	Live-Fire Training Range Complex (NW Field)	125,677	125,677
MIL CON, NAVY	Joint Region Marianas	Municipal Solid Waste Landfill Closure	10,777	10,777
MIL CON, NAVY	Joint Region Marianas	Sanitary Sewer System Recapitalization	45,314	45,314
	Hawaii			
MIL CON, NAVY	Barking Sands	PMRF Power Grid Consolidation	30,623	30,623
MIL CON, NAVY	Joint Base Pearl Harbor-Hickam	UEM Interconnect Sta C to Hickam	6,335	6,335
MIL CON, NAVY	Joint Base Pearl Harbor-Hickam	Welding School Shop Consolidation	8,546	8,546
MIL CON, NAVY	Kaneohe Bay	Airfield Lighting Modernization	26,097	26,097
MIL CON, NAVY	Kaneohe Bay	Bachelor Enlisted Quarters	68,092	68,092
MIL CON, NAVY	Kaneohe Bay	P–8A Detachment Support Facilities	12,429	12,429
MIL CON, NAVY	Mcb Hawaii	LHD Pad Conversions MV22 Landing Pads	0	12,800
	Italy			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, NAVY	Sigonella	P–8A Hangar and Fleet Support Facility	62,302	62,302
MIL CON, NAVY	Sigonella	Triton Hangar and Operation Facility	40,641	40,641
	Japan			
MIL CON, NAVY	Camp Butler	Military Working Dog Facilities (Camp Hansen)	11,697	11,697
MIL CON, NAVY	Iwakuni	E–2D Operational Trainer Complex	8,716	8,716
MIL CON, NAVY	Iwakuni	Security Modifications—CVW5/MAG12 HQ	9,207	9,207
MIL CON, NAVY	Kadena AB	Aircraft Maint. Shelters & Apron	23,310	23,310
MIL CON, NAVY	Yokosuka	Child Development Center	13,846	13,846
	Maryland			
MIL CON, NAVY	Patuxent River	Unaccompanied Housing	40,935	40,935
	North Carolina			
MIL CON, NAVY	Camp Lejeune	Range Safety Improvements	0	19,400
MIL CON, NAVY	Camp Lejeune, North Carolina	Simulator Integration/Range Control Facility	54,849	54,849
MIL CON, NAVY	Cherry Point Marine Corps Air Station	Air Field Security Improvements	0	23,300
MIL CON, NAVY	Cherry Point Marine Corps Air Station	KC130J Enlsited Air Crew Trainer Facility	4,769	4,769
MIL CON, NAVY	Cherry Point Marine Corps Air Station	Unmanned Aircraft System Facilities	29,657	29,657
MIL CON, NAVY	New River	Operational Trainer Facility	3,312	3,312
MIL CON, NAVY	New River	Radar Air Traffic Control Facility Addition	4,918	4,918
	Poland			
MIL CON, NAVY	RedziKowo Base	AEGIS Ashore Missile Defense Complex	51,270	51,270
	South Carolina			
MIL CON, NAVY	Parris Island	Range Safety Improvements & Modernization	27,075	27,075
	Virginia			
MIL CON, NAVY	Dam Neck	Maritime Surveillance System Facility	23,066	23,066
MIL CON, NAVY	Norfolk	Communications Center	75,289	75,289
MIL CON, NAVY	Norfolk	Electrical Repairs to Piers 2,6,7, and 11	44,254	44,254
MIL CON, NAVY	Norfolk	MH60 Helicopter Training Facility	7,134	7,134
MIL CON, NAVY	Portsmouth	Waterfront Utilities	45,513	45,513
MIL CON, NAVY	Quantico	ATFP Gate	5,840	5,840
MIL CON, NAVY	Quantico	Electrical Distribution Upgrade	8,418	8,418
MIL CON, NAVY	Quantico	Embassy Security Guard BEQ & Ops Facility	43,941	43,941
MIL CON, NAVY	Quantico	TBS Fire Station Replacement	0	17,200
	Washington			
MIL CON, NAVY	Bangor	WRA Land/Water Interface	34,177	34,177
MIL CON, NAVY	Bremerton	Dry Dock 6 Modernization & Utility Improve.	22,680	22,680
MIL CON, NAVY	Indian Island	Shore Power to Ammunition Pier	4,472	4,472
	Worldwide Unspecified			
MIL CON, NAVY	Unspecified Worldwide Locations	MCON Design Funds	91,649	91,649
MIL CON, NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction	22,590	22,590
	SUBTOTAL, MIL CON, NAVY		**1,605,929**	**1,665,289**
MILCON, AIR FORCE				
	Alaska			
MILCON, AIR FORCE	Eielson AFB	F–35A Flight Sim/Alter Squad Ops/AMU Facility	37,000	37,000
MILCON, AIR FORCE	Eielson AFB	Rpr Central Heat & Power Plant Boiler Ph3	34,400	34,400
	Arizona			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, AIR FORCE	Davis-Monthan AFB	HC–130J Age Covered Storage	4,700	4,700
MILCON, AIR FORCE	Davis-Monthan AFB	HC–130J Wash Rack	12,200	12,200
MILCON, AIR FORCE	Luke AFB	Communications Facility	0	21,000
MILCON, AIR FORCE	Luke AFB	F–35A ADAL Fuel Offload Facility	5,000	5,000
MILCON, AIR FORCE	Luke AFB	F–35A Aircraft Maintenance Hangar/Sq 3	13,200	13,200
MILCON, AIR FORCE	Luke AFB	F–35A Bomb Build-Up Facility	5,500	5,500
MILCON, AIR FORCE	Luke AFB	F–35A Sq Ops/AMU/Hangar/Sq 4	33,000	33,000
	Colorado			
MILCON, AIR FORCE	U.S. Air Force Academy	Front Gates Force Protection Enhancements	10,000	10,000
	Florida			
MILCON, AIR FORCE	Cape Canaveral AFS	Range Communications Facility	21,000	21,000
MILCON, AIR FORCE	Eglin AFB	F–35A Consolidated HQ Facility	8,700	8,700
MILCON, AIR FORCE	Hurlburt Field	ADAL 39 Information Operations Squad Facility	14,200	14,200
	Greenland			
MILCON, AIR FORCE	Thule AB	Thule Consolidation Ph 1	41,965	41,965
	Guam			
MILCON, AIR FORCE	Joint Region Marianas	APR—Dispersed Maint Spares & SE Storage Fac	19,000	19,000
MILCON, AIR FORCE	Joint Region Marianas	APR—Installation Control Center	22,200	22,200
MILCON, AIR FORCE	Joint Region Marianas	APR—South Ramp Utilities Phase 2	7,100	7,100
MILCON, AIR FORCE	Joint Region Marianas	PRTC Roads	2,500	2,500
	Hawaii			
MILCON, AIR FORCE	Joint Base Pearl Harbor-Hickam	F–22 Fighter Alert Facility	46,000	46,000
	Japan			
MILCON, AIR FORCE	Yokota AB	C–130J Flight Simulator Facility	8,461	8,461
	Kansas			
MILCON, AIR FORCE	McConnell AFB	Air Traffic Control Tower	0	11,200
MILCON, AIR FORCE	McConnell AFB	KC–46A ADAL Deicing Pads	4,300	4,300
	Louisiana			
MILCON, AIR FORCE	Barksdale AFB	Consolidated Communications Facility	0	20,000
	Maryland			
MILCON, AIR FORCE	Fort Meade	CYBERCOM Joint Operations Center, Increment 3	86,000	86,000
	Missouri			
MILCON, AIR FORCE	Whiteman AFB	Consolidated Stealth Ops & Nuclear Alert Fac	29,500	29,500
	Montana			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, AIR FORCE	Malmstrom AFB	Tactical Response Force Alert Facility	19,700	19,700
	Nebraska			
MILCON, AIR FORCE	Offutt AFB	Dormitory (144 RM)	21,000	21,000
	Nevada			
MILCON, AIR FORCE	Nellis AFB	F–35A Airfield Pavements	31,000	31,000
MILCON, AIR FORCE	Nellis AFB	F–35A Live Ordnance Loading Area	34,500	34,500
MILCON, AIR FORCE	Nellis AFB	F–35A Munitions Maintenance Facilities	3,450	3,450
	New Mexico			
MILCON, AIR FORCE	Cannon AFB	Construct AT/FP Gate—Portales	7,800	7,800
MILCON, AIR FORCE	Holloman AFB	Marshalling Area ARM/DE-ARM Pad D	3,000	3,000
MILCON, AIR FORCE	Holloman AFB	Fixed Ground Control	0	3,200
MILCON, AIR FORCE	Kirtland AFB	Space Vehicles Component Development Lab	12,800	12,800
	New York			
MILCON, AIR FORCE	Fort Drum, New York	ASOS Expansion	0	6,000
	Niger			
MILCON, AIR FORCE	Agadez	Construct Airfield and Base Camp	50,000	50,000
	North Carolina			
MILCON, AIR FORCE	Seymour Johnson AFB	Air Traffic Control Tower/Base Ops Facility	17,100	17,100
	Oklahoma			
MILCON, AIR FORCE	Altus AFB	Dormitory (120 RM)	18,000	18,000
MILCON, AIR FORCE	Altus AFB	KC–46A FTU ADAL Fuel Cell Maint Hangar	10,400	10,400
MILCON, AIR FORCE	Tinker AFB	Air Traffic Control Tower	12,900	12,900
MILCON, AIR FORCE	Tinker AFB	KC–46A Depot Maintenance Dock	37,000	37,000
	Oman			
MILCON, AIR FORCE	AL Musannah AB	Airlift Apron	25,000	25,000
	South Dakota			
MILCON, AIR FORCE	Ellsworth AFB	Dormitory (168 RM)	23,000	23,000
	Texas			
MILCON, AIR FORCE	Joint Base San Antonio	BMT Classrooms/Dining Facility 3	35,000	35,000
MILCON, AIR FORCE	Joint Base San Antonio	BMT Recruit Dormitory 5	71,000	71,000
	United Kingdom			
MILCON, AIR FORCE	Croughton Raf	Consolidated SATCOM/Tech Control Facility	36,424	36,424
MILCON, AIR FORCE	Croughton Raf	JIAC Consolidation—Ph 2	94,191	94,191
	Utah			
MILCON, AIR FORCE	Hill AFB	F–35A Flight Simulator Addition Phase 2	5,900	5,900

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, AIR FORCE	Hill AFB	F–35A Hangar 40/42 Additions and AMU	21,000	21,000
MILCON, AIR FORCE	Hill AFB	Hayman Igloos	11,500	11,500
	Worldwide Classified			
MILCON, AIR FORCE	Classified Location	Long Range Strike Bomber	77,130	77,130
MILCON, AIR FORCE	Classified Location	Munitions Storage	3,000	3,000
	Worldwide Unspecified			
MILCON, AIR FORCE	Unspecified Worldwide Locations	Prior Year Unobligated Amounts	0	–50,000
MILCON, AIR FORCE	Various Worldwide Locations	Planning and Design	89,164	89,164
MILCON, AIR FORCE	Various Worldwide Locations	Unspecified Minor Military Construction	22,900	22,900
	Wyoming			
MILCON, AIR FORCE	F. E. Warren AFB	Weapon Storage Facility	95,000	95,000
SUBTOTAL, MILCON, AIR FORCE			**1,354,785**	**1,366,185**
MIL CON, DEF-WIDE				
	Alabama			
MIL CON, DEF-WIDE	Fort Rucker	Fort Rucker ES/PS Consolidation/Replacement	46,787	46,787
MIL CON, DEF-WIDE	Maxwell AFB	Maxwell ES/MS Replacement/Renovation	32,968	32,968
	Arizona			
MIL CON, DEF-WIDE	Fort Huachuca	JITC Buildings 52101/52111 Renovations	3,884	3,884
	California			
MIL CON, DEF-WIDE	Camp Pendleton, California	SOF Combat Service Support Facility	10,181	10,181
MIL CON, DEF-WIDE	Camp Pendleton, California	SOF Performance Resiliency Center-West	10,371	10,371
MIL CON, DEF-WIDE	Coronado	SOF Logistics Support Unit One Ops Fac. #2	47,218	47,218
MIL CON, DEF-WIDE	Fresno Yosemite IAP ANG	Replace Fuel Storage and Distrib. Facilities	10,700	10,700
	Colorado			
MIL CON, DEF-WIDE	Fort Carson, Colorado	SOF Language Training Facility	8,243	8,243
	Conus Classified			
MIL CON, DEF-WIDE	Classified Location	Operations Support Facility	20,065	20,065
	Delaware			
MIL CON, DEF-WIDE	Dover AFB	Construct Hydrant Fuel System	21,600	21,600
	Djibouti			
MIL CON, DEF-WIDE	Camp Lemonier, Djibouti	Construct Fuel Storage & Distrib. Facilities	43,700	43,700
	Florida			
MIL CON, DEF-WIDE	Hurlburt Field	SOF Fuel Cell Maintenance Hangar	17,989	17,989
MIL CON, DEF-WIDE	MacDill AFB	SOF Operational Support Facility	39,142	39,142
	Georgia			
MIL CON, DEF-WIDE	Moody AFB	Replace Pumphouse and Truck Fillstands	10,900	10,900

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
	Germany			
MIL CON, DEF-WIDE	Garmisch	Garmisch E/MS-Addition/Modernization	14,676	14,676
MIL CON, DEF-WIDE	Grafenwoehr	Grafenwoehr Elementary School Replacement	38,138	38,138
MIL CON, DEF-WIDE	Rhine Ordnance Barracks	Medical Center Replacement Incr 5	85,034	85,034
MIL CON, DEF-WIDE	Spangdahlem AB	Construct Fuel Pipeline	5,500	5,500
MIL CON, DEF-WIDE	Spangdahlem AB	Medical/Dental Clinic Addition	34,071	34,071
MIL CON, DEF-WIDE	Stuttgart-Patch Barracks	Patch Elementary School Replacement	49,413	49,413
	Hawaii			
MIL CON, DEF-WIDE	Kaneohe Bay	Medical/Dental Clinic Replacement	122,071	122,071
MIL CON, DEF-WIDE	Schofield Barracks	Behavioral Health/Dental Clinic Addition	123,838	123,838
	Japan			
MIL CON, DEF-WIDE	Kadena AB	Airfield Pavements	37,485	37,485
	Kentucky			
MIL CON, DEF-WIDE	Fort Campbell, Kentucky	SOF Company HQ/Classrooms	12,553	12,553
MIL CON, DEF-WIDE	Fort Knox	Fort Knox HS Renovation/MS Addition	23,279	23,279
	Maryland			
MIL CON, DEF-WIDE	Fort Meade	NSAW Campus Feeders Phase 2	33,745	33,745
MIL CON, DEF-WIDE	Fort Meade	NSAW Recapitalize Building #2 Incr 1	34,897	34,897
	Nevada			
MIL CON, DEF-WIDE	Nellis AFB	Replace Hydrant Fuel System	39,900	39,900
	New Mexico			
MIL CON, DEF-WIDE	Cannon AFB	Construct Pumphouse and Fuel Storage	20,400	20,400
MIL CON, DEF-WIDE	Cannon AFB	SOF Squadron Operations Facility	11,565	11,565
MIL CON, DEF-WIDE	Cannon AFB	SOF ST Operational Training Facilities	13,146	13,146
	New York			
MIL CON, DEF-WIDE	West Point	West Point Elementary School Replacement	55,778	55,778
	North Carolina			
MIL CON, DEF-WIDE	Camp Lejeune, North Carolina	SOF Combat Service Support Facility	14,036	14,036
MIL CON, DEF-WIDE	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	54,970	54,970
MIL CON, DEF-WIDE	Fort Bragg	Butner Elementary School Replacement	32,944	32,944
MIL CON, DEF-WIDE	Fort Bragg	SOF 21 STS Operations Facility	16,863	16,863
MIL CON, DEF-WIDE	Fort Bragg	SOF Battalion Operations Facility	38,549	38,549
MIL CON, DEF-WIDE	Fort Bragg	SOF Indoor Range	8,303	8,303

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, DEF-WIDE	Fort Bragg	SOF Intelligence Training Center	28,265	28,265
MIL CON, DEF-WIDE	Fort Bragg	SOF Special Tactics Facility (PH 2)	43,887	43,887
	Ohio			
MIL CON, DEF-WIDE	Wright-Patterson AFB	Satellite Pharmacy Replacement	6,623	6,623
	Oregon			
MIL CON, DEF-WIDE	Klamath Falls IAP	Replace Fuel Facilities	2,500	2,500
	Pennsylvania			
MIL CON, DEF-WIDE	Philadelphia	Replace Headquarters	49,700	0
	Poland			
MIL CON, DEF-WIDE	RedziKowo Base	Aegis Ashore Missile Defense System Complex	169,153	169,153
	South Carolina			
MIL CON, DEF-WIDE	Fort Jackson	Pierce Terrace Elementary School Replacement	26,157	26,157
	Spain			
MIL CON, DEF-WIDE	Rota	Rota ES and HS Additions	13,737	13,737
	Texas			
MIL CON, DEF-WIDE	Fort Bliss	Hospital Replacement Incr 7	239,884	239,884
MIL CON, DEF-WIDE	Joint Base San Antonio	Ambulatory Care Center Phase 4	61,776	61,776
	Virginia			
MIL CON, DEF-WIDE	Fort Belvoir	Construct Visitor Control Center	5,000	5,000
MIL CON, DEF-WIDE	Fort Belvoir	Replace Ground Vehicle Fueling Facility	4,500	4,500
MIL CON, DEF-WIDE	Joint Base Langley-Eustis	Replace Fuel Pier and Distribution Facility	28,000	28,000
MIL CON, DEF-WIDE	Joint Expeditionary Base Little Creek—Story	SOF Applied Instruction Facility	23,916	23,916
	Worldwide Unspecified			
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	ECIP Design	10,000	10,000
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Exercise Related Minor Construction	8,687	8,687
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Planning and Design	118,632	118,632
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction	23,676	23,676
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Prior year savings, including rescoped medical facility at Fort Knox.	0	–120,000
MIL CON, DEF-WIDE	Various Worldwide Locations	Planning & Design	31,772	31,772
	SUBTOTAL, MIL CON, DEF-WIDE		**2,300,767**	**2,131,067**
MILCON, ARNG				
	Alabama			
MILCON, ARNG	Camp Foley	Vehicle Maintenance Shop	0	4,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
	Connecticut			
MILCON, ARNG	Camp Hartell	Ready Building (CST-WMD)	11,000	11,000
	Delaware			
MILCON, ARNG	Dagsboro	National Guard Vehicle Maintenance Shop	10,800	10,800
	Florida			
MILCON, ARNG	Palm Coast	National Guard Readiness Center	18,000	18,000
	Georgia			
MILCON, ARNG	Fort Stewart	Tactical Aerial Unmanned Systems	0	6,800
	Illinois			
MILCON, ARNG	Sparta	Basic 10M–25M Firing Range (Zero)	1,900	1,900
	Kansas			
MILCON, ARNG	Salina	Automated Combat Pistol/MP Firearms Qual Cour	2,400	2,400
MILCON, ARNG	Salina	Modified Record Fire Range	4,300	4,300
	Maryland			
MILCON, ARNG	Easton	National Guard Readiness Center	13,800	13,800
	Mississippi			
MILCON, ARNG	Gulfport	Aviation Classification and Repair	0	40,000
	Nevada			
MILCON, ARNG	Reno	National Guard Vehicle Maintenance Shop Add/A	8,000	8,000
	Ohio			
MILCON, ARNG	Camp Ravenna	Modified Record Fire Range	3,300	3,300
	Oregon			
MILCON, ARNG	Salem	National Guard/Reserve Center Bldg Add/Alt (J	16,500	16,500
	Pennsylvania			
MILCON, ARNG	Fort Indiantown Gap	Training Aids Center	16,000	16,000
	Vermont			
MILCON, ARNG	North Hyde Park	National Guard Vehicle Maintenance Shop Addit	7,900	7,900
	Virginia			
MILCON, ARNG	Richmond	National Guard/Reserve Center Building (JFHQ)	29,000	29,000
	Washington			
MILCON, ARNG	Yakima	Enlisted Barracks, Transient Training	19,000	19,000
	Worldwide Unspecified			
MILCON, ARNG	Unspecified Worldwide Locations	Planning and Design	20,337	20,337
MILCON, ARNG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,000	15,000
	SUBTOTAL, MILCON, ARNG		**197,237**	**248,537**
MILCON, ANG				
	Alabama			
MILCON, ANG	Dannelly Field	TFI—Replace Squadron Operations Facility	7,600	7,600
	California			
MILCON, ANG	Moffett Field	Replace Vehicle Maintenance Facility	6,500	6,500
	Colorado			
MILCON, ANG	Buckley Air Force Base	ASE Maintenance and Storage Facility	5,100	5,100
	Connecticut			
MILCON, ANG	Bradley	Ops and Deployment Facility	0	6,300
	Florida			
MILCON, ANG	Cape Canaveral AFS	Space Control Facility	0	6,100
	Georgia			
MILCON, ANG	Savannah/Hilton Head IAP	C–130 Squadron Operations Facility	9,000	9,000
	Hawaii			
MILCON, ANG	Joint Base Pearl Harbor-Hickam	F–22 Composite Repair Facility	0	9,700
	Iowa			
MILCON, ANG	Des Moines Map	Air Operations Grp/CYBER Beddown-Reno Blg 430	6,700	6,700
	Kansas			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, ANG	Smokey Hill ANG Range	Range Training Support Facilities	2,900	2,900
	Louisiana			
MILCON, ANG	New Orleans	Replace Squadron Operations Facility	10,000	10,000
	Maine			
MILCON, ANG	Bangor IAP	Add to and Alter Fire Crash/Rescue Station	7,200	7,200
	New Hampshire			
MILCON, ANG	Pease International Trade Port	Bldg Mo KC–46 Fuselage Trainer	0	1,500
MILCON, ANG	Pease International Trade Port	KC–46A ADAL Flight Simulator Bldg 156	2,800	2,800
	New Jersey			
MILCON, ANG	Atlantic City IAP	Fuel Cell and Corrosion Control Hangar	10,200	10,200
	New York			
MILCON, ANG	Niagara Falls IAP	Remotely Piloted Aircraft Beddown Bldg 912	7,700	7,700
	North Carolina			
MILCON, ANG	Charlotte/Douglas IAP	Replace C–130 Squadron Operations Facility	9,000	9,000
	North Dakota			
MILCON, ANG	Hector IAP	Intel Targeting Facilities	7,300	7,300
	Oklahoma			
MILCON, ANG	Will Rogers World Airport	Medium Altitude Manned ISR Beddown	7,600	7,600
	Oregon			
MILCON, ANG	Klamath Falls IAP	Replace Fire Crash/Rescue Station	7,200	7,200
	West Virginia			
MILCON, ANG	Yeager Airport	Force Protection—Relocate Coonskin Road	3,900	3,900
	Worldwide Unspecified			
MILCON, ANG	Various Worldwide Locations	Planning and Design	5,104	5,104
MILCON, ANG	Various Worldwide Locations	Unspecified Minor Construction	7,734	7,734
SUBTOTAL, MILCON, ANG			**123,538**	**147,138**
MILCON, ARMY R				
	California			
MILCON, ARMY R	Miramar	Army Reserve Center	24,000	24,000
	Florida			
MILCON, ARMY R	MacDill AFB	AR Center/AS Facility	55,000	55,000
	Mississippi			
MILCON, ARMY R	Starkville	Army Reserve Center	9,300	9,300
	New York			
MILCON, ARMY R	Orangeburg	Organizational Maintenance Shop	4,200	4,200
	Pennsylvania			
MILCON, ARMY R	Conneaut Lake	DAR Highway Improvement	5,000	5,000
	Puerto Rico			
MILCON, ARMY R	Fort Buchanan	Access Control Point	0	10,200
	Virginia			
MILCON, ARMY R	Fort AP Hill	Equipment Concentration	0	24,000
	Worldwide Unspecified			
MILCON, ARMY R	Unspecified Worldwide Locations	Planning and Design	9,318	9,318
MILCON, ARMY R	Unspecified Worldwide Locations	Unspecified Minor Construction	6,777	6,777
SUBTOTAL, MILCON, ARMY R			**113,595**	**147,795**
MIL CON, NAVY RES				
	Nevada			
MIL CON, NAVY RES	Fallon	NAVOPSPTCEN Fallon	11,480	11,480
	New York			
MIL CON, NAVY RES	Brooklyn	Reserve Center Storage Facility	2,479	2,479
	Virginia			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, NAVY RES	Dam Neck	Reserve Training Center Complex	18,443	18,443
	Worldwide Unspecified			
MIL CON, NAVY RES	Unspecified Worldwide Locations	MCNR Planning & Design	2,208	2,208
MIL CON, NAVY RES	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	1,468	1,468
SUBTOTAL, MIL CON, NAVY RES			**36,078**	**36,078**
MILCON, AF RES				
	California			
MILCON, AF RES	March AFB	Satellite Fire Station	4,600	4,600
	Florida			
MILCON, AF RES	Patrick AFB	Aircrew Life Support Facility	3,400	3,400
	Georgia			
MILCON, AF RES	Dobbins	Fire Station/Security Complex	0	10,400
	Ohio			
MILCON, AF RES	Youngstown	Indoor Firing Range	9,400	9,400
	Texas			
MILCON, AF RES	Joint Base San Antonio	Consolidate 433 Medical Facility	9,900	9,900
	Worldwide Unspecified			
MILCON, AF RES	Various Worldwide Locations	Planning and Design	13,400	13,400
MILCON, AF RES	Various Worldwide Locations	Unspecified Minor Military Construction	6,121	6,121
SUBTOTAL, MILCON, AF RES			**46,821**	**57,221**
NATO SEC INV PRGM				
	Worldwide Unspecified			
NATO SEC INV PRGM	NATO Security Investment Program	NATO Security Investment Program	120,000	120,000
SUBTOTAL, NATO SEC INV PRGM			**120,000**	**120,000**
TOTAL MILITARY CONSTRUCTION			**6,641,995**	**6,641,055**
FAMILY HOUSING				
FAM HSG CON, ARMY				
	Florida			
FAM HSG CON, ARMY	Camp Rudder	Family Housing Replacement Construction	8,000	8,000
	Germany			
FAM HSG CON, ARMY	Wiesbaden Army Airfield	Family Housing Improvements	3,500	3,500
	Illinois			
FAM HSG CON, ARMY	Rock Island	Family Housing Replacement Construction	20,000	20,000
	Korea			
FAM HSG CON, ARMY	Camp Walker	Family Housing New Construction	61,000	61,000
	Worldwide Unspecified			
FAM HSG CON, ARMY	Unspecified Worldwide Locations	Family Housing P & D	7,195	7,195
SUBTOTAL, FAM HSG CON, ARMY			**99,695**	**99,695**
FAM HSG O&M, ARMY				
	Worldwide Unspecified			
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Furnishings	25,552	25,552
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Leased Housing	144,879	144,879

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Maintenance of Real Property Facilities	75,197	75,197
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Management Account	48,515	48,515
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Military Housing Privitization Initiative	22,000	22,000
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Miscellaneous	840	840
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Services	10,928	10,928
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Utilities	65,600	65,600
SUBTOTAL, FAM HSG O&M, ARMY			**393,511**	**393,511**
FAM HSG CON, N/MC				
	Virginia			
FAM HSG CON, N/MC	Wallops Island	Construct Housing Welcome Center	438	438
	Worldwide Unspecified			
FAM HSG CON, N/MC	Unspecified Worldwide Locations	Design	4,588	4,588
FAM HSG CON, N/MC	Unspecified Worldwide Locations	Improvements	11,515	11,515
SUBTOTAL, FAM HSG CON, N/MC			**16,541**	**16,541**
FAM HSG O&M, N/MC				
	Worldwide Unspecified			
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Furnishings Account	17,534	17,534
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Leasing	64,108	64,108
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Maintenance of Real Property	99,323	99,323
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Management Account	56,189	56,189
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Miscellaneous Account	373	373
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Privatization Support Costs	28,668	28,668
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Services Account	19,149	19,149
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Utilities Account	67,692	67,692
SUBTOTAL, FAM HSG O&M, N/MC			**353,036**	**353,036**
FAM HSG CON, AF				
	Worldwide Unspecified			
FAM HSG CON, AF	Unspecified Worldwide Locations	Improvements	150,649	150,649
FAM HSG CON, AF	Unspecified Worldwide Locations	Planning and Design	9,849	9,849
SUBTOTAL, FAM HSG CON, AF			**160,498**	**160,498**
FAM HSG O&M, AF				
	Worldwide Unspecified			
FAM HSG O&M, AF	Unspecified Worldwide Locations	Furnishings Account	38,746	38,746
FAM HSG O&M, AF	Unspecified Worldwide Locations	Housing Privatization	41,554	41,554
FAM HSG O&M, AF	Unspecified Worldwide Locations	Leasing	28,867	28,867

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Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
FAM HSG O&M, AF	Unspecified Worldwide Locations	Maintenance	114,129	114,129
FAM HSG O&M, AF	Unspecified Worldwide Locations	Management Account	52,153	52,153
FAM HSG O&M, AF	Unspecified Worldwide Locations	Miscellaneous Account	2,032	2,032
FAM HSG O&M, AF	Unspecified Worldwide Locations	Services Account	12,940	12,940
FAM HSG O&M, AF	Unspecified Worldwide Locations	Utilities Account	40,811	40,811
SUBTOTAL, FAM HSG O&M, AF			**331,232**	**331,232**
FAM HSG O&M, DW				
	Worldwide Unspecified			
FAM HSG O&M, DW	Unspecified Worldwide Locations	Furnishings Account	4,203	4,203
FAM HSG O&M, DW	Unspecified Worldwide Locations	Leasing	51,952	51,952
FAM HSG O&M, DW	Unspecified Worldwide Locations	Maintenance of Real Property	1,448	1,448
FAM HSG O&M, DW	Unspecified Worldwide Locations	Management Account	388	388
FAM HSG O&M, DW	Unspecified Worldwide Locations	Services Account	31	31
FAM HSG O&M, DW	Unspecified Worldwide Locations	Utilities Account	646	646
SUBTOTAL, FAM HSG O&M, DW			**58,668**	**58,668**
TOTAL FAMILY HOUSING			**1,413,181**	**1,413,181**
DEFENSE BASE REALIGNMENT AND CLOSURE				
DOD BRAC—ARMY				
	Worldwide Unspecified			
DOD BRAC—ARMY	Base Realignment & Closure, Army	Base Realignment and Closure	29,691	29,691
SUBTOTAL, DOD BRAC—ARMY			**29,691**	**29,691**
DOD BRAC—NAVY				
	Worldwide Unspecified			
DOD BRAC—NAVY	Base Realignment & Closure, Navy	Base Realignment & Closure	118,906	118,906
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–100: Planing, Design and Management	7,787	7,787
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–101: Various Locations	20,871	20,871
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–138: NAS Brunswick, ME	803	803
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–157: MCSA Kansas City, MO	41	41
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–172: NWS Seal Beach, Concord, CA	4,872	4,872
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–84: JRB Willow Grove & Cambria Reg AP	3,808	3,808
SUBTOTAL, DOD BRAC—NAVY			**157,088**	**157,088**
DOD BRAC—AIR FORCE				
	Worldwide Unspecified			
DOD BRAC—AIR FORCE	Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	64,555	64,555
SUBTOTAL, DOD BRAC—AIR FORCE			**64,555**	**64,555**
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			**251,334**	**251,334**
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			**8,306,510**	**8,305,570**

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

Program	FY 2016 Request	Senate Authorized
Discretionary Summary By Appropriation		
Energy and Water Development, and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	135,161	135,161
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	8,846,948	9,026,948
Defense nuclear nonproliferation	1,940,302	1,945,302
Naval reactors	1,375,496	1,375,496
Federal salaries and expenses	402,654	402,654
Total, National nuclear security administration	**12,565,400**	**12,750,400**
Environmental and other defense activities:		
Defense environmental cleanup	5,527,347	5,075,550
Other defense activities	774,425	774,425
Total, Environmental & other defense activities	**6,301,772**	**5,849,975**
Total, Atomic Energy Defense Activities	**18,867,172**	**18,600,375**
Total, Discretionary Funding	**19,002,333**	**18,735,536**
Nuclear Energy		
Idaho sitewide safeguards and security	126,161	126,161
Used nuclear fuel disposition	9,000	9,000
Total, Nuclear Energy	**135,161**	**135,161**
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	643,300	643,300
W76 Life extension program	244,019	244,019
W88 Alt 370	220,176	220,176
W80–4 Life extension program	195,037	195,037
Total, Life extension programs	**1,302,532**	**1,302,532**
Stockpile systems		
B61 Stockpile systems	52,247	52,247
W76 Stockpile systems	50,921	50,921
W78 Stockpile systems	64,092	64,092
W80 Stockpile systems	68,005	68,005
B83 Stockpile systems	42,177	42,177
W87 Stockpile systems	89,299	89,299
W88 Stockpile systems	115,685	115,685
Total, Stockpile systems	**482,426**	**482,426**
Weapons dismantlement and disposition		
Operations and maintenance	48,049	48,049
Stockpile services		
Production support	447,527	447,527
Research and development support	34,159	34,159
R&D certification and safety	192,613	192,613
Management, technology, and production	264,994	264,994
Total, Stockpile services	**939,293**	**939,293**
Nuclear material commodities		
Uranium sustainment	32,916	32,916
Plutonium sustainment	174,698	174,698
Tritium sustainment	107,345	107,345
Domestic uranium enrichment	100,000	100,000
Total, Nuclear material commodities	**414,959**	**414,959**
Total, Directed stockpile work	**3,187,259**	**3,187,259**
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	50,714	50,714
Primary assessment technologies	98,500	98,500
Dynamic materials properties	109,000	109,000
Advanced radiography	47,000	47,000
Secondary assessment technologies	84,400	84,400
Total, Science	**389,614**	**389,614**
Engineering		
Enhanced surety	50,821	50,821
Weapon systems engineering assessment technology	17,371	17,371
Nuclear survivability	24,461	24,461
Enhanced surveillance	38,724	48,724

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

Program	FY 2016 Request	Senate Authorized
Program increase		[10,000]
Total, Engineering	**131,377**	**141,377**
Inertial confinement fusion ignition and high yield		
Ignition	73,334	73,334
Support of other stockpile programs	22,843	22,843
Diagnostics, cryogenics and experimental support	58,587	58,587
Pulsed power inertial confinement fusion	4,963	4,963
Joint program in high energy density laboratory plasmas	8,900	8,900
Facility operations and target production	333,823	333,823
Total, Inertial confinement fusion and high yield	**502,450**	**502,450**
Advanced simulation and computing	623,006	623,006
Response Capabilities Program	0	20,000
Supports flexible design capability for national labs		[20,000]
Advanced manufacturing		
Component manufacturing development	112,256	112,256
Processing technology development	17,800	17,800
Total, Advanced manufacturing	**130,056**	**130,056**
Total, RDT&E	**1,776,503**	**1,806,503**
Readiness in technical base and facilities (RTBF)		
Operating		
Program readiness	75,185	75,185
Material recycle and recovery	173,859	173,859
Storage	40,920	40,920
Recapitalization	104,327	104,327
Total, Operating	**394,291**	**394,291**
Construction:		
15–D–302, TA–55 Reinvestment project, Phase 3, LANL	18,195	18,195
11–D–801 TA–55 Reinvestment project Phase 2, LANL	3,903	3,903
07–D–220 Radioactive liquid waste treatment facility upgrade project, LANL	11,533	11,533
07–D–220-04 Transuranic liquid waste facility, LANL	40,949	40,949
06–D–141 PED/Construction, Uranium Capabilities Replacement Project Y–12	430,000	430,000
04–D–125 Chemistry and metallurgy replacement project, LANL	155,610	155,610
Total, Construction	**660,190**	**660,190**
Total, Readiness in technical base and facilities	**1,054,481**	**1,054,481**
Secure transportation asset		
Operations and equipment	146,272	146,272
Program direction	105,338	105,338
Total, Secure transportation asset	**251,610**	**251,610**
Infrastructure and safety		
Operations of facilities		
Kansas City Plant	100,250	100,250
Lawrence Livermore National Laboratory	70,671	70,671
Los Alamos National Laboratory	196,460	196,460
Nevada National Security Site	89,000	89,000
Pantex	58,021	58,021
Sandia National Laboratory	115,300	115,300
Savannah River Site	80,463	80,463
Y–12 National security complex	120,625	120,625
Total, Operations of facilities	**830,790**	**830,790**
Safety operations	107,701	107,701
Maintenance	227,000	227,000
Recapitalization	257,724	407,724
Increase to support deferred maintenance		[150,000]
Construction:		
16–D–621 Substation replacement at TA–3, LANL	25,000	25,000
15–D–613 Emergency Operations Center, Y–12	17,919	17,919
Total, Construction	**42,919**	**42,919**
Total, Infrastructure and safety	**1,466,134**	**1,616,134**
Site stewardship		
Nuclear materials integration	17,510	17,510
Minority serving institution partnerships program	19,085	19,085
Total, Site stewardship	**36,595**	**36,595**
Defense nuclear security		
Operations and maintenance	619,891	619,891
Construction:		
14–D–710 Device assembly facility argus installation project, NV	13,000	13,000
Total, Defense nuclear security	**632,891**	**632,891**
Information technology and cybersecurity	157,588	157,588
Legacy contractor pensions	283,887	283,887

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

Program	FY 2016 Request	Senate Authorized
Total, Weapons Activities	**8,846,948**	**9,026,948**
Defense Nuclear Nonproliferation R&D		
Global material security	426,751	426,751
Material management and minimization	311,584	311,584
Nonproliferation and arms control	126,703	126,703
Defense Nuclear Nonproliferation R&D	419,333	419,333
Nonproliferation Construction:		
99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	345,000	345,000
Analysis of Alternatives	0	5,000
Assess alternatives to MOX		[5,000]
Total, Nonproliferation construction	**345,000**	**350,000**
Total, Defense Nuclear Nonproliferation Programs	**1,629,371**	**1,634,371**
Legacy contractor pensions	94,617	94,617
Nuclear counterterrorism and incident response program	234,390	234,390
Use of prior-year balances	–18,076	–18,076
Subtotal, Defense Nuclear Nonproliferation	**1,940,302**	**1,945,302**
Total, Defense Nuclear Nonproliferation	**1,940,302**	**1,945,302**
Naval Reactors		
Naval reactors operations and infrastructure	445,196	445,196
Naval reactors development	444,400	444,400
Ohio replacement reactor systems development	186,800	186,800
S8G Prototype refueling	133,000	133,000
Program direction	45,000	45,000
Construction:		
15–D–904 NRF Overpack Storage Expansion 3	900	900
15–D–903 KL Fire System Upgrade	600	600
15–D–902 KS Engineroom team trainer facility	3,100	3,100
14–D–902 KL Materials characterization laboratory expansion, KAPL	30,000	30,000
14–D–901 Spent fuel handling recapitalization project, NRF	86,000	86,000
10-D–903, Security upgrades, KAPL	500	500
Total, Construction	**121,100**	**121,100**
Total, Naval Reactors	**1,375,496**	**1,375,496**
Federal Salaries And Expenses		
Program direction	402,654	402,654
Total, Office Of The Administrator	**402,654**	**402,654**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Hanford site:		
River corridor and other cleanup operations:		
River corridor and other cleanup operations	196,957	196,957
Central plateau remediation:		
Central plateau remediation	555,163	555,163
Richland community and regulatory support	14,701	14,701
Construction:		
15–D–401 Containerized sludge removal annex, RL	77,016	77,016
Total, Hanford site	**843,837**	**843,837**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	357,783	357,783
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	**360,783**	**360,783**
NNSA sites		
Lawrence Livermore National Laboratory	1,366	1,366
Nevada	62,385	62,385
Sandia National Laboratories	2,500	2,500
Los Alamos National Laboratory	188,625	208,625
Accelerate cleanup of transuranic waste		[20,000]
Total, NNSA sites and Nevada off-sites	**254,876**	**274,876**
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR Nuclear facility D & D	75,958	75,958
Construction:		
14–D–403 Outfall 200 Mercury Treatment Facility	6,800	6,800
Total, OR Nuclear facility D & D	**82,758**	**82,758**
U233 Disposition Program	26,895	26,895
OR cleanup and disposition:		

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Program	FY 2016 Request	Senate Authorized
OR cleanup and disposition	60,500	60,500
Total, OR cleanup and disposition	**60,500**	**60,500**
OR reservation community and regulatory support	4,400	4,400
Solid waste stabilization and disposition		
Oak Ridge technology development	2,800	2,800
Total, Oak Ridge Reservation	**177,353**	**177,353**
Office of River Protection:		
Waste treatment and immobilization plant		
01–D–416 A-D/ORP-0060 / Major construction	595,000	595,000
01–D–16E Pretreatment facility	95,000	95,000
Total, Waste treatment and immobilization plant	**690,000**	**690,000**
Tank farm activities		
Rad liquid tank waste stabilization and disposition	649,000	649,000
Construction:		
15–D–409 Low Activity Waste Pretreatment System, Hanford	75,000	75,000
Total, Tank farm activities	**724,000**	**724,000**
Total, Office of River protection	**1,414,000**	**1,414,000**
Savannah River sites:		
Savannah River risk management operations	386,652	386,652
SR community and regulatory support	11,249	11,249
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	581,878	581,878
Construction:		
15–D–402—Saltstone Disposal Unit #6	34,642	34,642
05–D–405 Salt waste processing facility, Savannah River	194,000	194,000
Total, Construction	**228,642**	**228,642**
Total, Radioactive liquid tank waste	**810,520**	**810,520**
Total, Savannah River site	**1,208,421**	**1,208,421**
Waste Isolation Pilot Plant		
Waste isolation pilot plant	212,600	212,600
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	23,218	23,218
15–D–412 Exhaust shaft, WIPP	7,500	7,500
Total, Construction	**30,718**	**30,718**
Total, Waste Isolation Pilot Plant	**243,318**	**243,318**
Program direction	281,951	281,951
Program support	14,979	14,979
Safeguards and Security:		
Oak Ridge Reservation	17,228	17,228
Paducah	8,216	8,216
Portsmouth	8,492	8,492
Richland/Hanford Site	67,601	67,601
Savannah River Site	128,345	128,345
Waste Isolation Pilot Project	4,860	4,860
West Valley	1,891	1,891
Technology development	14,510	14,510
Subtotal, Defense environmental cleanup	**5,055,550**	**5,075,550**
Uranium enrichment D&D fund contribution	471,797	0
Requires industry match authorization that will not be forthcoming		[–471,797]
Total, Defense Environmental Cleanup	**5,527,347**	**5,075,550**
Other Defense Activities		
Specialized security activities	221,855	221,855
Environment, health, safety and security		
Environment, health, safety and security	120,693	120,693
Program direction	63,105	63,105
Total, Environment, Health, safety and security	**183,798**	**183,798**
Enterprise assessments		
Enterprise assessments	24,068	24,068
Program direction	49,466	49,466
Total, Enterprise assessments	**73,534**	**73,534**
Office of Legacy Management		
Legacy management	154,080	154,080
Program direction	13,100	13,100
Total, Office of Legacy Management	**167,180**	**167,180**
Defense-related activities		
Defense related administrative support		
Chief financial officer	35,758	35,758

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

Program	FY 2016 Request	Senate Authorized
Chief information officer	83,800	83,800
Management	3,000	3,000
Total, Defense related administrative support	**122,558**	**122,558**
Office of hearings and appeals	5,500	5,500
Subtotal, Other defense activities	**774,425**	**774,425**
Total, Other Defense Activities	**774,425**	**774,425**

SA 1464. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

''(A) Auxiliary equipment, including pumps, for all shipboard services.

''(B) Propulsion system components, including engines, reduction gears, and propellers.

''(C) Shipboard cranes.

''(D) Spreaders for shipboard cranes.''.

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

''(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.''.

SA 1465. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 718, strike ''has emerged'' on line 15 and all that follows through ''such competition'' on line 17.

SA 1466. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. ESTABLISHMENT OF STRATEGIC UNIFORM DRUG FORMULARY FOR THE PROVISION OF HEALTH CARE SERVICES TO MEMBERS OF THE ARMED FORCES UNDERGOING SEPARATION FROM THE ARMED FORCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly make available to individuals undergoing the transition from the receipt of health care services through the Department of Defense to the receipt of such services through the Department of Veterans Affairs certain drugs, particularly pain and psychiatric drugs, that are critical to the Department of Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to such individuals.

(b) STRATEGIC UNIFORM FORMULARY.—In carrying out subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish, and periodically update, a strategic uniform formulary for the Department of Defense and the Department of Veterans Affairs that includes certain drugs, particularly pain and psychiatric drugs, that the Secretary of Defense and the Secretary of Veterans Affairs jointly determine are critical to the Department of Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to individuals described in such subsection.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the establishment of the strategic uniform formulary under subsection (b).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SA 1467. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. MAKING PERMANENT SPECIAL EFFECTIVE DATE FOR AWARDS OF DISABILITY COMPENSATION BY SECRETARY OF VETERANS AFFAIRS FOR VETERANS WHO SUBMIT APPLICATIONS FOR ORIGINAL CLAIMS THAT ARE FULLY-DEVELOPED.

Section 5110(b)(2)(C) of title 38, United States Code, is amended by striking ''and shall not apply with respect to claims filed after the date that is three years after the date of the enactment of such Act''.

SEC. 1086. PROVISIONAL BENEFITS AWARDED BY SECRETARY OF VETERANS AFFAIRS FOR FULLY DEVELOPED CLAIMS PENDING FOR MORE THAN 180 DAYS.

(a) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by adding at the end the following:

''§ 5319A. Provisional benefits awarded for fully developed claims pending for extended period

''(a) PROVISIONAL AWARDS REQUIRED.—For each application for disability compensation that is filed for an individual with the Secretary, that sets forth an original claim that is fully-developed (as determined by the Secretary) as of the date of submittal, and for which the Secretary has not made a decision, beginning on the date that is 180 days after the date on which such application is filed with the Secretary, the Secretary shall award the individual a provisional benefit under this section.

''(b) PROVISIONAL AWARDS ESTABLISHED.—A provisional benefit awarded pursuant to subsection (a) for a claim for disability compensation shall be for such monthly amount as the Secretary shall establish for each classification of disability claimed as the Secretary shall establish.

''(c) RECOVERY.—Notwithstanding any other provision of law, the Secretary may recover a payment of a provisional benefit awarded under this section for an application for disability compensation only—

''(1) in a case in which the Secretary awards the disability compensation for which the individual filed the application and the Secretary may only recover such provisional benefit by subtracting it from payments made for the disability compensation awarded; or

''(2) in a case in which the Secretary determines not to award the disability compensation for which the individual filed the application and the Secretary determines that the application was the subject of intentional fraud, misrepresentation, or bad faith on behalf of the individual.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 5319 the following new item:

''5319A. Provisional benefits awarded for fully developed claims pending for extended period.''.

SA 1468. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to

the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 355. PILOT PROGRAM FOR IMPROVING ACCESS TO HEALTHY FOODS AT MILITARY INSTALLATIONS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may develop and carry out a pilot program to provide and test the efficacy of fruit and vegetable incentive programs in improving health outcomes, producing positive behavior change, and reducing diet-related diseases among members of the Armed Forces and their families.

(b) LOCATIONS.—The pilot program shall be established on not fewer than three military installations in fiscal year 2016, determined in conjunction with the Secretary of Defense and the Healthy Bases Initiative office.

(c) ACTIVITIES.—The pilot program shall include the following elements:

(1) Provision of incentives for preferable fresh fruits and vegetables at farmers markets, if established, and other food retail outlets on each military installation for enrolled patients and their family members.

(2) Provision of nutrition counseling for enrolled patients.

(3) Provision of appropriate medical care and testing for enrolled patients.

(d) COORDINATION.—In establishing and carrying out these pilot programs, the Secretary of Defense shall contract with an appropriate non-profit service provider for technical assistance, data monitoring, and evaluation.

(e) REPORT.—Not later than two years 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 activities carried out under the pilot program.

SA 1469. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 515. EDUCATIONAL ASSISTANCE TO ENCOURAGE MEMBERSHIP IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PROGRAMS OF ASSISTANCE AUTHORIZED.—Chapter 1611 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 16402. National Guard and Reserves: educational assistance to encourage membership

''(a) AUTHORITY.—Each Secretary of a military department may carry out a program to encourage membership in the reserve components of the armed forces under the jurisdiction of such Secretary through the provision of educational assistance to individuals who participate in such program in order to develop skills that are critical to such reserve components as determined by such Secretary.

''(b) PARTICIPATION BY INDIVIDUALS BEFORE COMMENCEMENT OF GRADE 12.—(1) An individual who is more than sixteen years of age may participate in a program under this section before commencing grade 12 in a secondary school with the written consent of the individual's parent or guardian (if the individual has a parent or guardian entitled to the custody and control of the individual).

''(2) An individual who participates in a program under this section pursuant to paragraph (1) may complete entry level and skill training before commencing grade 12 in a secondary school.

''(c) ADMINISTRATION REQUIREMENTS.—In carrying out a program under this section, the Secretary of a military department shall—

''(1) establish and maintain a current list of the skills that are, or are anticipated to become, critical to one or more reserve components under the jurisdiction of such Secretary; and

''(2) prescribe academic and other performance standards to be met by individuals participating in the program.

''(d) PARTICIPATION AGREEMENT.—An individual who participates in a program under this section shall enter into a written agreement with the Secretary of the military department concerned—

''(1) to enlist in or accept an appointment as an officer in a reserve component of the armed forces;

''(2) to complete entry level and skill training (if enlisting) or entry level training and officer candidate school (if accepting appointment as an officer);

''(3) to pursue on a full-time basis a course of education—

''(A) leading to a bachelor's or associate's degree at an institution of higher education; or

''(B) that—

''(i) is offered by an institution of higher education; and

''(ii) upon completion, will provide the individual with a level of education that is similar to a course of education described in subparagraph (A), as determined pursuant to subsection (c)(2);

''(4) while pursuing a course of education under paragraph (3), to perform such active duty for training during periods between academic terms of the institution of higher education involved as such Secretary shall specify in the agreement; and

''(5) as provided in subsection (i), to serve in the reserve component of the armed forces specified in such agreement for two years for each academic year for which the individual receives educational assistance under this section.

''(e) AMOUNT OF EDUCATIONAL ASSISTANCE.—The amount of educational assistance provided under a program under this section to an individual pursuing a course of education described in subsection (d)(3) during an academic year shall be the lesser of—

''(1) the maximum amount of in-State tuition and fees assessed during such academic year for programs of education leading to a bachelor's degree by public institutions of higher education in the State whose National Guard the individual is a member of or where the individual resides, as applicable; or

''(2) the amount of tuition and fees assessed during such academic year for such course of education by the institution of higher education providing such course of education.

''(f) PAYMENT OF EDUCATIONAL ASSISTANCE.—(1) The Secretary of the military department concerned shall pay educational assistance to individuals participating in programs under this section on a monthly basis.

''(2) The maximum number of months of educational assistance payable to an individual participating in a program under this section may not exceed the aggregate number of months comprising four academic years at the institution or institutions attended by the individual pursuant to the program.

''(g) RESERVE STATUS.—(1) Each individual participating in a program under this section shall, while pursuing a course of education under such program, be the following:

''(A) A member of the inactive National Guard or the Individual Ready Reserve, as applicable, during academic terms of pursuit of such course of education pursuant to subsection (d)(3).

''(B) A member of the National Guard or the Ready Reserve, as applicable, in active status while performing training during periods between such academic terms pursuant to subsection (d)(4)

''(2) Notwithstanding status under paragraph (1), an individual may not be called or ordered to active duty (other than active duty for training in accordance with subsection (d)(4)) while pursuing a course of education under a program under this section.

''(h) INELIGIBILITY FOR OTHER EDUCATIONAL ASSISTANCE DURING PARTICIPATION IN PROGRAM.—(1) An individual who participates in a program under this section is not, while so participating, eligible for educational assistance under any other provision of this title, any other law administered by the Secretary of Defense or the Secretaries of the military departments, any law administered by the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy), or any law administered by the Secretary of Veterans Affairs.

''(2) Any service in the armed forces by an individual described in paragraph (1) while participating in a program under this section shall be treated as qualifying the individual for education assistance under provisions of law referred to in that paragraph to the extent provided in such provisions of law.

''(i) COMMENCEMENT OF SERVICE REQUIREMENT.—The service requirement of an individual pursuant to subsection (d)(5) shall commence as follows:

''(1) When the individual obtains the bachelor's or associate's degree, or completes the course of education described in subsection (d)(3)(B), for which the individual was paid educational assistance under this section.

''(2) If the individual ceases pursuit on a full-time basis of a course of education at an institution of higher education as agreed to pursuant to subsection (d)(3).

''(3) If the individual otherwise fails the obtain a bachelor's or associate's degree, or course of education described in subsection (d)(3)(B), as so agreed to.

''(j) REPAYMENT.—An individual who participates in a program under this section and who fails to complete the equivalent of a single academic year of education pursuant to subsection (d)(3) or complete the period of service or meet the types or conditions of serve for which educational assistance was provided the individual under the program, as specified in the written agreement of the individual under subsection (d), shall be subject to the repayment provisions of section 373 of title 37.

''(k) FUNDING.—Amounts available to the Secretary of the military department concerned for the payment of recruitment and retention bonuses and special pays shall be available to such Secretary to carry out a program under this section.

''(l) DEFINITIONS.—In this section:

''(1) The term 'entry level and skill training' means the following:

''(A) In the case of members of the Army National Guard of the United States or the

Army Reserve, Basic Combat Training and Advanced Individual Training or One Station Unit Training.

''(B) In the case of members of the Navy Reserve, Recruit Training (or Boot Camp) and Skill Training (or so-called 'A School').

''(C) In the case of members of the Air National Guard of the United States of the Air Force Reserve, Basic Military Training and Technical Training.

''(D) In the case of members of the Marine Corps Reserve, Recruit Training and Marine Corps Training (or School of Infantry Training).

''(2) The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1611 of such title is amended by adding at the end the following new item:

''16402. National Guard and Reserves: educational assistance to encourage membership.''.

SA 1470. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1005. ECONOMICAL 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)''; and

(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 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) Delegating the approval process for the acceptance of work from other entities to the lowest level for efficient management and oversight.''.

SA 1471. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, 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; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of the Interior Tribal Self-Governance Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—INDIAN SELF-DETERMINATION

SEC. 101. DEFINITIONS; REPORTING AND AUDIT REQUIREMENTS; APPLICATION OF PROVISIONS.

(a) DEFINITIONS.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) is amended by striking subsection (j) and inserting the following:

''(j) 'self-determination contract' means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a tribal organization and the appropriate Secretary for the planning, conduct, and administration of programs or services that are otherwise provided to Indian tribes and members of Indian tribes pursuant to Federal law, subject to the condition that, except as provided in section 105(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall be—

''(1) considered to be a procurement contract; or

''(2) except as provided in section 107(a)(1), subject to any Federal procurement law (including regulations);''.

(b) REPORTING AND AUDIT REQUIREMENTS.—Section 5 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c) is amended—

(1) in subsection (b)—

(A) by striking ''after completion of the project or undertaking referred to in the preceding subsection of this section'' and inserting ''after the retention period for the report that is submitted to the Secretary under subsection (a)''; and

(B) by adding at the end the following: ''The retention period shall be defined in regulations promulgated by the Secretary pursuant to section 414.''; and

(2) in subsection (f)(1), by inserting ''if the tribal organization expends $500,000 or more in Federal awards during that fiscal year'' after ''under this Act,''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b)(2) shall not take effect until 14 months after the date of enactment of this Act.

(d) APPLICATION OF OTHER PROVISIONS.—Sections 4, 5, 6, 7, 102(c), 104, 105(a)(1), 105(f), 110, and 111 of the Indian Self-Determination and Education Assistance Act, as amended (25 U.S.C. 450 et seq.) (Public Law 93–638; 88 Stat. 2203) and section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101–512; 104 Stat. 1959), apply to compacts and funding agreements entered into under title IV.

SEC. 102. CONTRACTS BY SECRETARY OF THE INTERIOR.

Section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f) is amended—

(1) in subsection (c)(2), by striking ''economic enterprises'' and all that follows through ''except that'' and inserting ''economic enterprises (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452)), except that''; and

(2) by adding at the end the following:

''(f) GOOD FAITH REQUIREMENT.—In the negotiation of contracts and funding agreements, the Secretary shall—

''(1) at all times negotiate in good faith to maximize implementation of the self-determination policy; and

''(2) carry out this Act in a manner that maximizes the policy of tribal self-determination, in a manner consistent with—

''(A) the purposes specified in section 3; and

''(B) the Department of the Interior Tribal Self-Governance Act of 2015.

''(g) RULE OF CONSTRUCTION.—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, each provision of this Act and each provision of a contract or funding agreement shall be liberally construed for the benefit of the Indian tribe participating in self-determination, and any ambiguity shall be resolved in favor of the Indian tribe.''.

SEC. 103. ADMINISTRATIVE PROVISIONS.

Section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j) is amended—

(1) in subsection (b), in the first sentence, by striking ''pursuant to'' and all that follows through ''of this Act'' and inserting ''pursuant to sections 102 and 103''; and

(2) by adding at the end the following:

''(p) INTERPRETATION BY SECRETARY.—Except as otherwise provided by law (including section 202 of the Department of the Interior Tribal Self-Governance Act of 2015), the Secretary shall interpret all Federal laws (including regulations) and Executive orders in a manner that facilitates, to the maximum extent practicable—

''(1) the inclusion in self-determination contracts and funding agreements of—

''(A) applicable programs, services, functions, and activities (or portions thereof); and

''(B) funds associated with those programs, services, functions, and activities;

''(2) the implementation of self-determination contracts and funding agreements; and

''(3) the achievement of tribal health objectives.

''(q)(1) TECHNICAL ASSISTANCE FOR INTERNAL CONTROLS.—In considering proposals for, amendments to, or in the course of, a contract under this title and compacts under titles IV and V of this Act, if the Secretary determines that the Indian tribe lacks adequate internal controls necessary to manage the contracted program or programs, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Indian tribe in developing adequate internal controls. As part of that technical assistance, the Secretary and the tribe shall develop a plan for assessing the subsequent effectiveness of such technical assistance. The inability of the Secretary to provide technical assistance or lack of a plan under this subsection shall not result in the reassumption of an existing agreement, contract, or compact or declination or rejection of a new agreement, contract, or compact.

''(2) The Secretary shall prepare a report to be included in the information required for the reports under sections 405(b)(1) and 514(b)(2)(A). The Secretary shall include in this report, in the aggregate, a description of the internal controls that were inadequate, the technical assistance provided, and a description of Secretarial actions taken to address any remaining inadequate internal controls after the provision of technical assistance and implementation of the plan required by paragraph (1).''.

SEC. 104. CONTRACT FUNDING AND INDIRECT COSTS.

Section 106(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j–1(a)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking '', and'' and inserting ''; and''; and

(B) in clause (ii), by striking ''expense related to the overhead incurred'' and inserting ''expense incurred by the governing body of the Indian tribe or tribal organization and any overhead expense incurred'';

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) In calculating the reimbursement rate for expenses described in subparagraph (A)(ii), not less than 50 percent of the expenses described in subparagraph (A)(ii) that are incurred by the governing body of an Indian tribe or tribal organization relating to a Federal program, function, service, or activity carried out pursuant to the contract shall be considered to be reasonable and allowable.''.

SEC. 105. CONTRACT OR GRANT SPECIFICATIONS.

Section 108 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450l) is amended—

(1) in subsection (a)(2), by inserting ''subject to subsections (a) and (b) of section 102,'' before ''contain'';

(2) in subsection (f)(2)(A)(ii) of the model agreement contained in subsection (c), by inserting ''subject to subsections (a) and (b) of section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f),'' before ''such other provisions''; and

(3) in section 1(b)(7)(C) of the model agreement contained in subsection (c), in the second sentence of the matter preceding clause (i), by striking ''one performance monitoring visit'' and inserting ''two performance monitoring visits''.

TITLE II—TRIBAL SELF-GOVERNANCE

SEC. 201. TRIBAL SELF-GOVERNANCE.

(a) DEFINITIONS.—Section 401 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa) is amended to read as follows:

''SEC. 401. DEFINITIONS.

''In this title:

''(1) COMPACT.—The term 'compact' means a self-governance compact entered into under section 404.

''(2) CONSTRUCTION PROGRAM; CONSTRUCTION PROJECT.—The term 'construction program' or 'construction project' means a tribal undertaking relating to the administration, planning, environmental determination, design, construction, repair, improvement, or expansion of roads, bridges, buildings, structures, systems, or other facilities for purposes of housing, law enforcement, detention, sanitation, water supply, education, administration, community, health, irrigation, agriculture, conservation, flood control, transportation, or port facilities, or for other tribal purposes.

''(3) DEPARTMENT.—The term 'Department' means the Department of the Interior.

''(4) FUNDING AGREEMENT.—The term 'funding agreement' means a funding agreement entered into under section 403.

''(5) GROSS MISMANAGEMENT.—The term 'gross mismanagement' means a significant violation, shown by a preponderance of the evidence, of a compact, funding agreement, or statutory or regulatory requirement applicable to Federal funds—

''(A) for a program administered by an Indian tribe; or

''(B) under a compact or funding agreement that results in a significant reduction of funds available for the programs assumed by an Indian tribe.

''(6) INHERENT FEDERAL FUNCTION.—The term 'inherent Federal function' means a Federal function that may not legally be delegated to an Indian tribe.

''(7) PROGRAM.—The term 'program' means any program, function, service, or activity (or portion thereof) within the Department that is included in a funding agreement.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(9) SELF-GOVERNANCE.—The term 'self-governance' means the Tribal Self-Governance Program established under section 402.

''(10) TRIBAL SHARE.—The term 'tribal share' means the portion of all funds and resources of an Indian tribe that—

''(A) support any program within the Bureau of Indian Affairs, the Office of the Special Trustee, or the Office of the Assistant Secretary for Indian Affairs; and

''(B) are not required by the Secretary for the performance of an inherent Federal function.''.

(b) ESTABLISHMENT.—Section 402 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bb) is amended to read as follows:

''SEC. 402. TRIBAL SELF-GOVERNANCE PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall establish and carry out a program within the Department to be known as the 'Tribal Self-Governance Program'.

''(b) SELECTION OF PARTICIPATING INDIAN TRIBES.—

''(1) IN GENERAL.—

''(A) ELIGIBILITY.—The Secretary, acting through the Director of the Office of Self-Governance, may select up to 50 new Indian tribes per year from those eligible under subsection (c) to participate in self-governance.

''(B) JOINT PARTICIPATION.—On the request of each participating Indian tribe, two or more otherwise eligible Indian tribes may be treated as a single Indian tribe for the purpose of participating in self-governance.

''(2) OTHER AUTHORIZED INDIAN TRIBE OR TRIBAL ORGANIZATION.—If an Indian tribe authorizes another Indian tribe or a tribal organization to plan for or carry out a program on its behalf under this title, the authorized Indian tribe or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution).

''(3) JOINT PARTICIPATION.—Two or more Indian tribes that are not otherwise eligible under subsection (c) may be treated as a single Indian tribe for the purpose of participating in self-governance as a tribal organization if—

''(A) each Indian tribe so requests; and

''(B) the tribal organization itself, or at least one of the Indian tribes participating in the tribal organization, is eligible under subsection (c).

''(4) TRIBAL WITHDRAWAL FROM A TRIBAL ORGANIZATION.—

''(A) IN GENERAL.—An Indian tribe that withdraws from participation in a tribal organization, in whole or in part, shall be entitled to participate in self-governance if the Indian tribe is eligible under subsection (c).

''(B) EFFECT OF WITHDRAWAL.—If an Indian tribe withdraws from participation in a tribal organization, the Indian tribe shall be entitled to its tribal share of funds and resources supporting the programs that the Indian tribe is entitled to carry out under the compact and funding agreement of the Indian tribe.

''(C) PARTICIPATION IN SELF-GOVERNANCE.—The withdrawal of an Indian tribe from a tribal organization shall not affect the eligibility of the tribal organization to participate in self-governance on behalf of one or more other Indian tribes, if the tribal organization still qualifies under subsection (c).

''(D) WITHDRAWAL PROCESS.—

''(i) IN GENERAL.—An Indian tribe may, by tribal resolution, fully or partially withdraw its tribal share of any program in a funding agreement from a participating tribal organization.

''(ii) NOTIFICATION.—The Indian tribe shall provide a copy of the tribal resolution described in clause (i) to the Secretary.

''(iii) EFFECTIVE DATE.—

''(I) IN GENERAL.—A withdrawal under clause (i) shall become effective on the date that is specified in the tribal resolution and mutually agreed upon by the Secretary, the withdrawing Indian tribe, and the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

''(II) NO SPECIFIED DATE.—In the absence of a date specified in the resolution, the withdrawal shall become effective on—

''(aa) the earlier of—

''(AA) 1 year after the date of submission of the request; and

''(BB) the date on which the funding agreement expires; or

''(bb) such date as may be mutually agreed upon by the Secretary, the withdrawing Indian tribe, and the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

''(E) DISTRIBUTION OF FUNDS.—If an Indian tribe or tribal organization eligible to enter into a self-determination contract under title I or a compact or funding agreement under this title fully or partially withdraws from a participating tribal organization, the withdrawing Indian tribe—

''(i) may elect to enter into a self-determination contract or compact, in which case—

''(I) the withdrawing Indian tribe or tribal organization shall be entitled to its tribal share of unexpended funds and resources supporting the programs that the Indian tribe will be carrying out under its own self-determination contract or compact and funding agreement (calculated on the same basis as the funds were initially allocated to the funding agreement of the tribal organization); and

''(II) the funds referred to in subclause (I) shall be withdrawn by the Secretary from the funding agreement of the tribal organization and transferred to the withdrawing Indian tribe, on the condition that sections 102 and 105(i), as appropriate, shall apply to the withdrawing Indian tribe; or

''(ii) may elect not to enter into a self-determination contract or compact, in which case all unexpended funds and resources associated with the withdrawing Indian tribe's returned programs (calculated on the same basis as the funds were initially allocated to the funding agreement of the tribal organization) shall be returned by the tribal organization to the Secretary for operation of the programs included in the withdrawal.

''(F) RETURN TO MATURE CONTRACT STATUS.—If an Indian tribe elects to operate all or some programs carried out under a compact or funding agreement under this title through a self-determination contract under title I, at the option of the Indian tribe, the resulting self-determination contract shall be a mature self-determination contract as long as the Indian tribe meets the requirements set forth in section 4(h).

''(c) ELIGIBILITY.—To be eligible to participate in self-governance, an Indian tribe shall—

''(1) successfully complete the planning phase described in subsection (d);

''(2) request participation in self-governance by resolution or other official action by the tribal governing body; and

''(3) demonstrate, for the 3 fiscal years preceding the date on which the Indian tribe requests participation, financial stability and financial management capability as evidenced by the Indian tribe having no uncorrected significant and material audit exceptions in the required annual audit of its self-

determination or self-governance agreements with any Federal agency.

''(d) PLANNING PHASE.—

''(1) IN GENERAL.—An Indian tribe seeking to begin participation in self-governance shall complete a planning phase as provided in this subsection.

''(2) ACTIVITIES.—The planning phase shall—

''(A) be conducted to the satisfaction of the Indian tribe; and

''(B) include—

''(i) legal and budgetary research; and

''(ii) internal tribal government planning, training, and organizational preparation.

''(e) GRANTS.—

''(1) IN GENERAL.—Subject to the availability of appropriations, an Indian tribe or tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants—

''(A) to plan for participation in self-governance; and

''(B) to negotiate the terms of participation by the Indian tribe or tribal organization in self-governance, as set forth in a compact and a funding agreement.

''(2) RECEIPT OF GRANT NOT REQUIRED.—Receipt of a grant under paragraph (1) shall not be a requirement of participation in self-governance.''.

(c) FUNDING AGREEMENTS.—Section 403 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458cc) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—The Secretary shall, on the request of any Indian tribe or tribal organization, enter into a written funding agreement with the governing body of the Indian tribe or the tribal organization in a manner consistent with—

''(1) the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States; and

''(2) subsection (b).'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''without regard to the agency or office of the Bureau of Indian Affairs'' and inserting ''the Office of the Assistant Secretary for Indian Affairs, and the Office of the Special Trustee, without regard to the agency or office of that Bureau or those Offices'';

(ii) in subparagraph (B), by striking ''and'';

(iii) in subparagraph (C), by inserting ''and'' after the semicolon at the end; and

(iv) by adding at the end the following:

''(D) any other programs, services, functions, or activities (or portions thereof) that are provided through the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, or the Office of the Special Trustee with respect to which Indian tribes or Indians are primary or significant beneficiaries;'';

(B) in paragraph (2)—

(i) by striking ''section 405(c)'' and inserting ''section 413(c)''; and

(ii) by inserting ''and'' after the semicolon at the end;

(C) in paragraph (3), by striking the semicolon at the end and inserting a period; and

(D) by striking paragraphs (4) through (9); and

(3) by adding at the end the following:

''(m) OTHER PROVISIONS.—

''(1) EXCLUDED FUNDING.—A funding agreement shall not authorize an Indian tribe to plan, conduct, administer, or receive tribal share funding under any program that—

''(A) is provided under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.); or

''(B) is provided for elementary and secondary schools under the formula developed under section 1127 of the Education Amendments of 1978 (25 U.S.C. 2007).

''(2) SERVICES, FUNCTIONS, AND RESPONSIBILITIES.—A funding agreement shall specify—

''(A) the services to be provided under the funding agreement;

''(B) the functions to be performed under the funding agreement; and

''(C) the responsibilities of the Indian tribe and the Secretary under the funding agreement.

''(3) BASE BUDGET.—A funding agreement shall, at the option of the Indian tribe, provide for a stable base budget specifying the recurring funds (which may include funds available under section 106(a)) to be transferred to the Indian tribe, for such period as the Indian tribe specifies in the funding agreement, subject to annual adjustment only to reflect changes in congressional appropriations.

''(4) NO WAIVER OF TRUST RESPONSIBILITY.—A funding agreement shall prohibit the Secretary from waiving, modifying, or diminishing in any way the trust responsibility of the United States with respect to Indian tribes and individual Indians that exists under treaties, Executive orders, court decisions, and other laws.

''(n) AMENDMENT.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian tribe, unless such terms are required by Federal law.

''(o) EFFECTIVE DATE.—A funding agreement shall become effective on the date specified in the funding agreement.

''(p) EXISTING AND SUBSEQUENT FUNDING AGREEMENTS.—

''(1) SUBSEQUENT FUNDING AGREEMENTS.—Absent notification from an Indian tribe that the Indian tribe is withdrawing or retroceding the operation of one or more programs identified in a funding agreement, or unless otherwise agreed to by the parties to the funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement—

''(A) a funding agreement shall remain in full force and effect until a subsequent funding agreement is executed, with funding paid annually for each fiscal year the agreement is in effect; and

''(B) the term of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement for the purposes of calculating the amount of funding to which the Indian tribe is entitled.

''(2) DISPUTES.—Disputes over the implementation of paragraph (1)(A) shall be subject to section 406(c).

''(3) EXISTING FUNDING AGREEMENTS.—An Indian tribe that was participating in self-governance under this title on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015 shall have the option at any time after that date—

''(A) to retain its existing funding agreement (in whole or in part) to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; or

''(B) to negotiate a new funding agreement in a manner consistent with this title.

''(4) MULTIYEAR FUNDING AGREEMENTS.—An Indian tribe may, at the discretion of the Indian tribe, negotiate with the Secretary for a funding agreement with a term that exceeds 1 year.''.

(d) GENERAL REVISIONS.—Title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa et seq.) is amended by striking sections 404 through 408 and inserting the following:

''SEC. 404. COMPACTS.

''(a) IN GENERAL.—The Secretary shall negotiate and enter into a written compact with each Indian tribe participating in self-governance in a manner consistent with the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States.

''(b) CONTENTS.—A compact under subsection (a) shall—

''(1) specify and affirm the general terms of the government-to-government relationship between the Indian tribe and the Secretary; and

''(2) include such terms as the parties intend shall control during the term of the compact.

''(c) AMENDMENT.—A compact under subsection (a) may be amended only by agreement of the parties.

''(d) EFFECTIVE DATE.—The effective date of a compact under subsection (a) shall be—

''(1) the date of the execution of the compact by the parties; or

''(2) such date as is mutually agreed upon by the parties.

''(e) DURATION.—A compact under subsection (a) shall remain in effect—

''(1) for so long as permitted by Federal law; or

''(2) until termination by written agreement, retrocession, or reassumption.

''(f) EXISTING COMPACTS.—An Indian tribe participating in self-governance under this title, as in effect on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, shall have the option at any time after that date—

''(1) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

''(2) to negotiate a new compact in a manner consistent with this title.

''SEC. 405. GENERAL PROVISIONS.

''(a) APPLICABILITY.—An Indian tribe and the Secretary shall include in any compact or funding agreement provisions that reflect the requirements of this title.

''(b) CONFLICTS OF INTEREST.—An Indian tribe participating in self-governance shall ensure that internal measures are in place to address, pursuant to tribal law and procedures, conflicts of interest in the administration of programs.

''(c) AUDITS.—

''(1) SINGLE AGENCY AUDIT ACT.—Chapter 75 of title 31, United States Code, shall apply to a funding agreement under this title.

''(2) COST PRINCIPLES.—An Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by—

''(A) any provision of law, including section 106; or

''(B) any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget.

''(3) FEDERAL CLAIMS.—Any claim by the Federal Government against an Indian tribe relating to funds received under a funding agreement based on any audit under this subsection shall be subject to section 106(f).

''(d) REDESIGN AND CONSOLIDATION.—Except as provided in section 407, an Indian tribe may redesign or consolidate programs or reallocate funds for programs in any manner that the Indian tribe determines to be in the best interest of the Indian community being served, so long as that the redesign or consolidation does not have the effect of denying eligibility for services to population

groups otherwise eligible to be served under applicable Federal law, except that, with respect to the reallocation, consolidation, and redesign of programs described in subsection (b)(2) or (c) of section 403, a joint agreement between the Secretary and the Indian tribe shall be required.

''(e) RETROCESSION.—

''(1) IN GENERAL.—An Indian tribe may fully or partially retrocede to the Secretary any program under a compact or funding agreement.

''(2) EFFECTIVE DATE.—

''(A) AGREEMENT.—Unless an Indian tribe rescinds a request for retrocession under paragraph (1), the retrocession shall become effective on the date specified by the parties in the compact or funding agreement.

''(B) NO AGREEMENT.—In the absence of a specification of an effective date in the compact or funding agreement, the retrocession shall become effective on—

''(i) the earlier of—

''(I) 1 year after the date on which the request is submitted; and

''(II) the date on which the funding agreement expires; or

''(ii) such date as may be mutually agreed upon by the Secretary and the Indian tribe.

''(f) NONDUPLICATION.—A funding agreement shall provide that, for the period for which, and to the extent to which, funding is provided to an Indian tribe under this title, the Indian tribe—

''(1) shall not be entitled to contract with the Secretary for funds under section 102, except that the Indian tribe shall be eligible for new programs on the same basis as other Indian tribes; and

''(2) shall be responsible for the administration of programs in accordance with the compact or funding agreement.

''(g) RECORDS.—

''(1) IN GENERAL.—Unless an Indian tribe specifies otherwise in the compact or funding agreement, records of an Indian tribe shall not be considered to be Federal records for purposes of chapter 5 of title 5, United States Code.

''(2) RECORDKEEPING SYSTEM.—An Indian tribe shall—

''(A) maintain a recordkeeping system; and

''(B) on a notice period of not less than 30 days, provide the Secretary with reasonable access to the records to enable the Department to meet the requirements of sections 3101 through 3106 of title 44, United States Code.

''SEC. 406. PROVISIONS RELATING TO THE SECRETARY.

''(a) TRUST EVALUATIONS.—A funding agreement shall include a provision to monitor the performance of trust functions by the Indian tribe through the annual trust evaluation.

''(b) REASSUMPTION.—

''(1) IN GENERAL.—A compact or funding agreement shall include provisions for the Secretary to reassume a program and associated funding if there is a specific finding relating to that program of—

''(A) imminent jeopardy to a trust asset, a natural resource, or public health and safety that—

''(i) is caused by an act or omission of the Indian tribe; and

''(ii) arises out of a failure to carry out the compact or funding agreement; or

''(B) gross mismanagement with respect to funds transferred to an Indian tribe under a compact or funding agreement, as determined by the Secretary in consultation with the Inspector General, as appropriate.

''(2) PROHIBITION.—The Secretary shall not reassume operation of a program, in whole or part, unless—

''(A) the Secretary first provides written notice and a hearing on the record to the Indian tribe; and

''(B) the Indian tribe does not take corrective action to remedy the mismanagement of the funds or programs, or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

''(3) EXCEPTION.—

''(A) IN GENERAL.—Notwithstanding paragraph (2), the Secretary may, on written notice to the Indian tribe, immediately reassume operation of a program if—

''(i) the Secretary makes a finding of imminent and substantial jeopardy and irreparable harm to a trust asset, a natural resource, or the public health and safety caused by an act or omission of the Indian tribe; and

''(ii) the imminent and substantial jeopardy, and irreparable harm to the trust asset, natural resource, or public health and safety arises out of a failure by the Indian tribe to carry out the terms of an applicable compact or funding agreement.

''(B) REASSUMPTION.—If the Secretary reassumes operation of a program under subparagraph (A), the Secretary shall provide the Indian tribe with a hearing on the record not later than 10 days after the date of reassumption.

''(c) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—

''(1) FINAL OFFER.—If the Secretary and a participating Indian tribe are unable to agree, in whole or in part, on the terms of a compact or funding agreement (including funding levels), the Indian tribe may submit a final offer to the Secretary.

''(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by the one or more officials designated pursuant to paragraph (4), the Secretary shall review and make a determination with respect to the final offer.

''(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

''(4) DESIGNATED OFFICIALS.—

''(A) IN GENERAL.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).

''(B) NO DESIGNATION.—If no official is designated, the Executive Secretariat of the Secretary shall be the designated official.

''(5) NO TIMELY DETERMINATION.—Except as otherwise provided in section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, if the Secretary fails to make a determination with respect to a final offer within the period specified in paragraph (2), the Secretary shall be deemed to have agreed to the offer.

''(6) REJECTION OF FINAL OFFER.—

''(A) IN GENERAL.—If the Secretary rejects a final offer (or one or more provisions or funding levels in a final offer), the Secretary shall—

''(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—

''(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a)(1);

''(II) the program that is the subject of the final offer is an inherent Federal function or is subject to the discretion of the Secretary under section 403(c);

''(III) the Indian tribe cannot carry out the program in a manner that would not result in significant danger or risk to the public health or safety, to natural resources, or to trust resources;

''(IV) the Indian tribe is not eligible to participate in self-governance under section 402(c);

''(V) the funding agreement would violate a Federal statute or regulation; or

''(VI) with respect to a program or portion of a program included in a final offer pursuant to section 403(b)(2), the program or the portion of the program is not otherwise available to Indian tribes or Indians under section 102(a)(1)(E);

''(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i);

''(iii) provide the Indian tribe with—

''(I) a hearing on the record with the right to engage in full discovery relevant to any issue raised in the matter; and

''(II) the opportunity for appeal on the objections raised (except that the Indian tribe may, in lieu of filing such appeal, directly proceed to initiate an action in a United States district court under section 110(a)); and

''(iv) provide the Indian tribe the option of entering into the severable portions of a final proposed compact or funding agreement (including a lesser funding amount, if any), that the Secretary did not reject, subject to any additional alterations necessary to conform the compact or funding agreement to the severed provisions.

''(B) EFFECT OF EXERCISING CERTAIN OPTION.—If an Indian tribe exercises the option specified in subparagraph (A)(iv)—

''(i) the Indian tribe shall retain the right to appeal the rejection by the Secretary under this section; and

''(ii) clauses (i), (ii), and (iii) of subparagraph (A) shall apply only to the portion of the proposed final compact or funding agreement that was rejected by the Secretary.

''(d) BURDEN OF PROOF.—In any administrative action, hearing, or appeal or civil action brought under this section, the Secretary shall have the burden of proof—

''(1) of demonstrating, by a preponderance of the evidence, the validity of the grounds for a reassumption under subsection (b); and

''(2) of clearly demonstrating the validity of the grounds for rejecting a final offer made under subsection (c).

''(e) GOOD FAITH.—

''(1) IN GENERAL.—In the negotiation of compacts and funding agreements, the Secretary shall at all times negotiate in good faith to maximize implementation of the self-governance policy.

''(2) POLICY.—The Secretary shall carry out this title in a manner that maximizes the policy of tribal self-governance.

''(f) SAVINGS.—

''(1) IN GENERAL.—To the extent that programs carried out for the benefit of Indian tribes and tribal organizations under this title reduce the administrative or other responsibilities of the Secretary with respect to the operation of Indian programs and result in savings that have not otherwise been included in the amount of tribal shares and other funds determined under section 408(c), except for funding agreements entered into for programs under section 403(c), the Secretary shall make such savings available to the Indian tribes or tribal organizations for the provision of additional services to program beneficiaries in a manner equitable to directly served, contracted, and compacted programs.

''(2) DISCRETIONARY PROGRAMS OF SPECIAL SIGNIFICANCE.—For any savings generated as a result of the assumption of a program by an Indian tribe under section 403(c), such savings shall be made available to that Indian tribe.

''(g) TRUST RESPONSIBILITY.—The Secretary may not waive, modify, or diminish in any way the trust responsibility of the

United States with respect to Indian tribes and individual Indians that exists under treaties, Executive orders, other laws, or court decisions.

''(h) DECISIONMAKER.—A decision that constitutes final agency action and relates to an appeal within the Department conducted under subsection (c)(4) may be made by—

''(1) an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

''(2) an administrative law judge.

''(i) RULES OF CONSTRUCTION.—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, each provision of this title and each provision of a compact or funding agreement shall be liberally construed for the benefit of the Indian tribe participating in self-governance, and any ambiguity shall be resolved in favor of the Indian tribe.

''SEC. 407. CONSTRUCTION PROGRAMS AND PROJECTS.

''(a) IN GENERAL.—Indian tribes participating in tribal self-governance may carry out construction projects under this title.

''(b) TRIBAL OPTION TO CARRY OUT CERTAIN FEDERAL ENVIRONMENTAL ACTIVITIES.—In carrying out a construction project under this title, an Indian tribe may, subject to the agreement of the Secretary, elect to assume some Federal responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and related provisions of law and regulations that would apply if the Secretary were to undertake a construction project, by adopting a resolution—

''(1) designating a certifying tribal officer to represent the Indian tribe and to assume the status of a responsible Federal official under those Acts or regulations; and

''(2) accepting the jurisdiction of the United States courts for the purpose of enforcing the responsibilities of the certifying tribal officer assuming the status of a responsible Federal official under those Acts or regulations.

''(c) SAVINGS CLAUSE.—Notwithstanding subsection (b), nothing in this section authorizes the Secretary to include in any compact or funding agreement duties of the Secretary under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and other related provisions of law that are inherent Federal functions.

''(d) CODES AND STANDARDS.—In carrying out a construction project under this title, an Indian tribe shall—

''(1) adhere to applicable Federal, State, local, and tribal building codes, architectural and engineering standards, and applicable Federal guidelines regarding design, space, and operational standards, appropriate for the particular project; and

''(2) use only architects and engineers who—

''(A) are licensed to practice in the State in which the facility will be built; and

''(B) certify that—

''(i) they are qualified to perform the work required by the specific construction involved; and

''(ii) upon completion of design, the plans and specifications meet or exceed the applicable construction and safety codes.

''(e) TRIBAL ACCOUNTABILITY.—

''(1) IN GENERAL.—In carrying out a construction project under this title, an Indian tribe shall assume responsibility for the successful completion of the construction project and of a facility that is usable for the purpose for which the Indian tribe received funding.

''(2) REQUIREMENTS.—For each construction project carried out by an Indian tribe under this title, the Indian tribe and the Secretary shall negotiate a provision to be included in the funding agreement that identifies—

''(A) the approximate start and completion dates for the project, which may extend over a period of one or more years;

''(B) a general description of the project, including the scope of work, references to design criteria, and other terms and conditions;

''(C) the responsibilities of the Indian tribe and the Secretary for the project;

''(D) how project-related environmental considerations will be addressed;

''(E) the amount of funds provided for the project;

''(F) the obligations of the Indian tribe to comply with the codes referenced in subsection (d)(1) and applicable Federal laws and regulations;

''(G) the agreement of the parties over who will bear any additional costs necessary to meet changes in scope, or errors or omissions in design and construction; and

''(H) the agreement of the Secretary to issue a certificate of occupancy, if requested by the Indian tribe, based upon the review and verification by the Secretary, to the satisfaction of the Secretary, that the Indian tribe has secured upon completion the review and approval of the plans and specifications, sufficiency of design, life safety, and code compliance by qualified, licensed, and independent architects and engineers.

''(f) FUNDING.—

''(1) IN GENERAL.—Funding appropriated for construction projects carried out under this title shall be included in funding agreements as annual or semiannual advance payments at the option of the Indian tribe.

''(2) ADVANCE PAYMENTS.—The Secretary shall include all associated project contingency funds with each advance payment, and the Indian tribe shall be responsible for the management of such contingency funds.

''(g) NEGOTIATIONS.—At the option of the Indian tribe, construction project funding proposals shall be negotiated pursuant to the statutory process in section 105, and any resulting construction project agreement shall be incorporated into the funding agreement as addenda.

''(h) FEDERAL REVIEW AND VERIFICATION.—

''(1) IN GENERAL.—On a schedule negotiated by the Secretary and the Indian tribe—

''(A) the Secretary shall review and verify, to the satisfaction of the Secretary, that project planning and design documents prepared by the Indian tribe in advance of initial construction are in conformity with the obligations of the Indian tribe under subsection (d); and

''(B) before the project planning and design documents are implemented, the Secretary shall review and verify to the satisfaction of the Secretary that subsequent document amendments which result in a significant change in construction are in conformity with the obligations of the Indian tribe under subsection (d).

''(2) REPORTS.—The Indian tribe shall provide the Secretary with project progress and financial reports not less than semiannually.

''(3) OVERSIGHT VISITS.—The Secretary may conduct onsite project oversight visits semiannually or on an alternate schedule agreed to by the Secretary and the Indian tribe.

''(i) APPLICATION OF OTHER LAWS.—Unless otherwise agreed to by the Indian tribe and except as otherwise provided in this Act, no provision of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), the Federal Acquisition Regulations issued pursuant to that Act, or any other law or regulation pertaining to Federal procurement (including Executive orders) shall apply to any construction program or project carried out under this title.

''(j) FUTURE FUNDING.—Upon completion of a facility constructed under this title, the Secretary shall include the facility among those eligible for annual operation and maintenance funding support comparable to that provided for similar facilities funded by the Department as annual appropriations are available and to the extent that the facility size and complexity and other factors do not exceed the funding formula criteria for comparable buildings.

''(k) APPLICABILITY.—Notwithstanding any other provision of this section, section 202 of the Department of the Interior Tribal Self-Governance Act of 2015 applies to subsections (a) through (j).

''SEC. 408. PAYMENT.

''(a) IN GENERAL.—At the request of the governing body of an Indian tribe and under the terms of an applicable funding agreement, the Secretary shall provide funding to the Indian tribe to carry out the funding agreement.

''(b) ADVANCE ANNUAL PAYMENT.—At the option of the Indian tribe, a funding agreement shall provide for an advance annual payment to an Indian tribe.

''(c) AMOUNT.—

''(1) IN GENERAL.—Subject to subsection (e) and sections 403 and 405, the Secretary shall provide funds to the Indian tribe under a funding agreement for programs in an amount that is equal to the amount that the Indian tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs and, in addition, any funds that are specifically or functionally related to the provision by the Secretary of services and benefits to the Indian tribe or its members) without regard to the organization level within the Department at which the programs are carried out.

''(2) SAVINGS CLAUSE.—Nothing in this section reduces programs, services, or funds of, or provided to, another Indian tribe.

''(d) TIMING.—

''(1) IN GENERAL.—Pursuant to the terms of any compact or funding agreement entered into under this title, the Secretary shall transfer to the Indian tribe all funds provided for in the funding agreement, pursuant to subsection (c), and provide funding for periods covered by joint resolution adopted by Congress making continuing appropriations, to the extent permitted by such resolution.

''(2) TRANSFERS.—Not later than 1 year after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, in any instance in which a funding agreement requires an annual transfer of funding to be made at the beginning of a fiscal year or requires semiannual or other periodic transfers of funding to be made commencing at the beginning of a fiscal year, the first such transfer shall be made not later than 10 days after the apportionment of such funds by the Office of Management and Budget to the Department, unless the funding agreement provides otherwise.

''(e) AVAILABILITY.—Funds for trust services to individual Indians shall be available under a funding agreement only to the extent that the same services that would have been provided by the Secretary are provided to individual Indians by the Indian tribe.

''(f) MULTIYEAR FUNDING.—A funding agreement may provide for multiyear funding.

''(g) LIMITATIONS ON AUTHORITY OF THE SECRETARY.—The Secretary shall not—

''(1) fail to transfer to an Indian tribe its full share of any central, headquarters, regional, area, or service unit office or other funds due under this title for programs eligible under paragraph (1) or (2) of section 403(b), except as required by Federal law;

''(2) withhold any portion of such funds for transfer over a period of years; or

''(3) reduce the amount of funds required under this title—

''(A) to make funding available for self-governance monitoring or administration by the Secretary;

''(B) in subsequent years, except as necessary as a result of—

''(i) a reduction in appropriations from the previous fiscal year for the program to be included in a compact or funding agreement;

''(ii) a congressional directive in legislation or an accompanying report;

''(iii) a tribal authorization;

''(iv) a change in the amount of pass-through funds subject to the terms of the funding agreement; or

''(v) completion of an activity under a program for which the funds were provided;

''(C) to pay for Federal functions, including—

''(i) Federal pay costs;

''(ii) Federal employee retirement benefits;

''(iii) automated data processing;

''(iv) technical assistance; and

''(v) monitoring of activities under this title; or

''(D) to pay for costs of Federal personnel displaced by self-determination contracts under this Act or self-governance under this title.

''(h) FEDERAL RESOURCES.—If an Indian tribe elects to carry out a compact or funding agreement with the use of Federal personnel, Federal supplies (including supplies available from Federal warehouse facilities), Federal supply sources (including lodging, airline transportation, and other means of transportation, including the use of interagency motor pool vehicles), or other Federal resources (including supplies, services, and resources available to the Secretary under any procurement contracts in which the Department is eligible to participate), the Secretary shall, as soon as practicable, acquire and transfer such personnel, supplies, or resources to the Indian tribe under this title.

''(i) PROMPT PAYMENT ACT.—Chapter 39 of title 31, United States Code, shall apply to the transfer of funds due under a compact or funding agreement authorized under this title.

''(j) INTEREST OR OTHER INCOME.—

''(1) IN GENERAL.—An Indian tribe may retain interest or income earned on any funds paid under a compact or funding agreement to carry out governmental purposes.

''(2) NO EFFECT ON OTHER AMOUNTS.—The retention of interest or income under paragraph (1) shall not diminish the amount of funds an Indian tribe is entitled to receive under a funding agreement in the year the interest or income is earned or in any subsequent fiscal year.

''(3) INVESTMENT STANDARD.—Funds transferred under this title shall be managed by the Indian tribe using the prudent investment standard, provided that the Secretary shall not be liable for any investment losses of funds managed by the Indian tribe that are not otherwise guaranteed or insured by the Federal Government.

''(k) CARRYOVER OF FUNDS.—

''(1) IN GENERAL.—Notwithstanding any provision of an appropriations Act, all funds paid to an Indian tribe in accordance with a compact or funding agreement shall remain available until expended.

''(2) EFFECT OF CARRYOVER.—If an Indian tribe elects to carry over funding from 1 year to the next, the carryover shall not diminish the amount of funds the Indian tribe is entitled to receive under a funding agreement in that fiscal year or any subsequent fiscal year.

''(l) LIMITATION OF COSTS.—

''(1) IN GENERAL.—An Indian tribe shall not be obligated to continue performance that requires an expenditure of funds in excess of the amount of funds transferred under a compact or funding agreement.

''(2) NOTICE OF INSUFFICIENCY.—If at any time the Indian tribe has reason to believe that the total amount provided for a specific activity under a compact or funding agreement is insufficient, the Indian tribe shall provide reasonable notice of such insufficiency to the Secretary.

''(3) SUSPENSION OF PERFORMANCE.—If, after notice under paragraph (2), the Secretary does not increase the amount of funds transferred under the funding agreement, the Indian tribe may suspend performance of the activity until such time as additional funds are transferred.

''(4) SAVINGS CLAUSE.—Nothing in this section reduces any programs, services, or funds of, or provided to, another Indian tribe.

''(m) DISTRIBUTION OF FUNDS.—The Office of Self-Governance shall be responsible for distribution of all Bureau of Indian Affairs funds provided under this title unless otherwise agreed by the parties to an applicable funding agreement.

''(n) APPLICABILITY.—Notwithstanding any other provision of this section, section 202 of the Department of the Interior Tribal Self-Governance Act of 2015 applies to subsections (a) through (m).

''SEC. 409. FACILITATION.

''(a) IN GENERAL.—Except as otherwise provided by law (including section 202 of the Department of the Interior Tribal Self-Governance Act of 2015), the Secretary shall interpret each Federal law and regulation in a manner that facilitates—

''(1) the inclusion of programs in funding agreements; and

''(2) the implementation of funding agreements.

''(b) REGULATION WAIVER.—

''(1) REQUEST.—An Indian tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

''(A) an identification of the specific text in the regulation sought to be waived; and

''(B) the basis for the request.

''(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary and the designated officials under paragraph (4) of a request under paragraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian tribe.

''(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

''(4) DESIGNATED OFFICIALS.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the waiver request described in paragraph (1).

''(5) GROUNDS FOR DENIAL.—The Secretary may deny a request under paragraph (1)—

''(A) for a program eligible under paragraph (1) or (2) of section 403(b), only upon a specific finding by the Secretary that the identified text in the regulation may not be waived because such a waiver is prohibited by Federal law; and

''(B) for a program eligible under section 403(c), upon a specific finding by the Secretary that the waiver is prohibited by Federal law or is inconsistent with the express provisions of the funding agreement.

''(6) FAILURE TO MAKE DETERMINATION.—If the Secretary fails to approve or deny a waiver request within the period required under paragraph (2), the Secretary shall be deemed to have approved the request.

''(7) FINALITY.—A decision of the Secretary under this section shall be final for the Department.

''SEC. 410. DISCLAIMERS.

''Nothing in this title expands or alters any statutory authority of the Secretary in a manner that authorizes the Secretary to enter into any agreement under section 403—

''(1) with respect to an inherent Federal function;

''(2) in a case in which the law establishing a program explicitly prohibits the type of participation sought by the Indian tribe (without regard to whether one or more Indian tribes are identified in the authorizing law); or

''(3) that limits or reduces in any way the services, contracts, or funds that any other Indian tribe or tribal organization is eligible to receive under section 102 or any other applicable Federal law.

''SEC. 411. DISCRETIONARY APPLICATION OF OTHER SECTIONS.

''(a) IN GENERAL.—Except as otherwise provided in section 101(c), at the option of a participating Indian tribe or Indian tribes, any of the provisions of title I may be incorporated in any compact or funding agreement under this title.

''(b) EFFECT.—Each incorporated provision under subsection (a) shall—

''(1) have the same force and effect as if set out in full in this title;

''(2) supplement or replace any related provision in this title; and

''(3) apply to any agency otherwise governed by this title.

''(c) EFFECTIVE DATE.—If an Indian tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation shall—

''(1) be effective immediately; and

''(2) control the negotiation and resulting compact and funding agreement.

''SEC. 412. ANNUAL BUDGET LIST.

''The Secretary shall list, in the annual budget request submitted to Congress under section 1105 of title 31, United States Code, any funds proposed to be included in funding agreements authorized under this Act.

''SEC. 413. REPORTS.

''(a) IN GENERAL.—

''(1) REQUIREMENT.—On January 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

''(2) ANALYSIS.—Any Indian tribe may submit to the Office of Self-Governance and to the appropriate Committees of Congress a detailed annual analysis of unmet tribal needs for funding agreements under this title.

''(b) CONTENTS.—The report under subsection (a)(1) shall—

''(1) be compiled from information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

''(2) identify—

''(A) the relative costs and benefits of self-governance;

''(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian tribes and members of Indian tribes;

''(C) the funds transferred to each Indian tribe and the corresponding reduction in the Federal employees and workload; and

''(D) the funding formula for individual tribal shares of all Central Office funds, together with the comments of affected Indian tribes, developed under subsection (d);

''(3) before being submitted to Congress, be distributed to the Indian tribes for comment (with a comment period of no less than 30 days);

''(4) include the separate views and comments of each Indian tribe or tribal organization; and

''(5) include a list of—

''(A) all such programs that the Secretary determines, in consultation with Indian tribes participating in self-governance, are eligible for negotiation to be included in a funding agreement at the request of a participating Indian tribe; and

''(B) all such programs which Indian tribes have formally requested to include in a funding agreement under section 403(c) due to the special geographic, historical, or cultural significance of the program to the Indian tribe, indicating whether each request was granted or denied, and stating the grounds for any denial.

''(c) REPORT ON NON-BIA, NON-OST PROGRAMS.—

''(1) IN GENERAL.—In order to optimize opportunities for including non-Bureau of Indian Affairs and non-Office of Special Trustee programs in agreements with Indian tribes participating in self-governance under this title, the Secretary shall review all programs administered by the Department, other than through the Bureau of Indian Affairs or Office of the Special Trustee, without regard to the agency or office concerned.

''(2) PROGRAMMATIC TARGETS.—The Secretary shall establish programmatic targets, after consultation with Indian tribes participating in self-governance, to encourage bureaus of the Department to ensure that an appropriate portion of those programs are available to be included in funding agreements.

''(3) PUBLICATION.—The lists under subsection (b)(5) and targets under paragraph (2) shall be published in the Federal Register and made available to any Indian tribe participating in self-governance.

''(4) ANNUAL REVIEW.—

''(A) IN GENERAL.—The Secretary shall annually review and publish in the Federal Register, after consultation with Indian tribes participating in self-governance, revised lists and programmatic targets.

''(B) CONTENTS.—In preparing the revised lists and programmatic targets, the Secretary shall consider all programs that were eligible for contracting in the original list published in the Federal Register in 1995, except for programs specifically determined not to be contractible as a matter of law.

''(d) REPORT ON CENTRAL OFFICE FUNDS.—Not later than January 1, 2016, the Secretary shall, in consultation with Indian tribes, develop a funding formula to determine the individual tribal share of funds controlled by the Central Office of the Bureau of Indian Affairs and the Office of the Special Trustee for inclusion in the compacts.

''SEC. 414. REGULATIONS.

''(a) IN GENERAL.—

''(1) PROMULGATION.—Not later than 90 days after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5, United States Code, to negotiate and promulgate such regulations as are necessary to carry out this title.

''(2) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this title shall be published in the Federal Register not later than 21 months after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015.

''(3) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire on the date that is 30 months after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015.

''(b) COMMITTEE.—

''(1) MEMBERSHIP.—A negotiated rulemaking committee established pursuant to section 565 of title 5, United States Code, to carry out this section shall have as its members only representatives of the Federal Government and tribal government.

''(2) LEAD AGENCY.—Among the Federal representatives described in paragraph (1), the Office of Self-Governance shall be the lead agency for the Department.

''(c) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.

''(d) EFFECT.—

''(1) REPEAL.—The Secretary may repeal any regulation that is inconsistent with this Act.

''(2) CONFLICTING PROVISIONS.—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, this title shall supersede any conflicting provision of law (including any conflicting regulations).

''(3) EFFECTIVENESS WITHOUT REGARD TO REGULATIONS.—The lack of promulgated regulations on an issue shall not limit the effect or implementation of this title.

''SEC. 415. EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.

''Unless expressly agreed to by a participating Indian tribe in a compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except for—

''(1) the eligibility provisions of section 105(g); and

''(2) regulations promulgated pursuant to section 414.

''SEC. 416. APPEALS.

''Except as provided in section 406(d), in any administrative action, appeal, or civil action for judicial review of any decision made by the Secretary under this title, the Secretary shall have the burden of proof of demonstrating by a preponderance of the evidence—

''(1) the validity of the grounds for the decision; and

''(2) the consistency of the decision with the requirements and policies of this title.

''SEC. 417. APPLICATION OF OTHER PROVISIONS.

''Section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101–512; 104 Stat. 1959), shall apply to compacts and funding agreements entered into under this title.

''SEC. 418. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as are necessary to carry out this title.''.

SEC. 202. EFFECT OF CERTAIN PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) FUNDING AGREEMENT.—The term ''funding agreement'' means a funding agreement entered into under section 403 of the ISDEAA (25 U.S.C. 458cc).

(2) ISDEAA.—The term ''ISDEAA'' means the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(3) NON-BIA PROGRAM.—The term ''non-BIA program'' means all or a portion of a program, function, service, or activity that is administered by any bureau, service, office, or agency of the Department of the Interior other than through—

(A) the Bureau of Indian Affairs;

(B) the Office of the Assistant Secretary for Indian Affairs; or

(C) the Office of the Special Trustee for American Indians.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) SELF-DETERMINATION CONTRACT.—The term ''self-determination contract'' means a self-determination contract entered into under section 102 of the ISDEAA (25 U.S.C. 450f).

(6) TRIBAL WATER RIGHTS SETTLEMENT.—The term ''tribal water rights settlement'' means any settlement, compact, or other agreement expressly ratified or approved by an Act of Congress that—

(A) includes an Indian tribe and the United States as parties; and

(B) quantifies or otherwise defines any water right of the Indian tribe.

(b) EFFECT OF PROVISIONS.—Nothing in this Act—

(1) modifies, limits, expands, or otherwise affects—

(A) the authority of the Secretary, as provided for under the ISDEAA on the day before the date of enactment of this Act, to include any non-BIA program in a self-determination contract under section 102(a)(1)(E) of the ISDEAA (25 U.S.C. 450f(a)(1)(E)) or a funding agreement under section 403(b)(2) or 403(c) of the ISDEAA (25 U.S.C. 458cc(b)(2), 458cc(c)); or

(B) the implementation of any contract or agreement described in subparagraph (A) that is in effect on the day before the date of enactment of this Act;

(2) modifies or otherwise affects the meaning, application, or effect of any provision of law that—

(A) is not contained in the ISDEAA; and

(B) expressly authorizes or prohibits contracting or compacting under title I or title IV of the ISDEAA with respect to a specific program or project that is identified or otherwise referred to in that provision of law;

(3) modifies or otherwise affects the meaning, application, or effect of, or the performance required of a party to, or any payment or funding under a tribal water rights settlement; or

(4) authorizes any self-determination contract or funding agreement that contains one or more provisions that are inconsistent with the terms of a tribal water rights settlement.

SA 1472. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. EXCEPTION FOR ABILITYONE GOODS FROM AUTHORITY TO ACQUIRE GOODS AND SERVICES MANUFACTURED IN AFGHANISTAN, CENTRAL ASIAN STATES, AND DJIBOUTI.

(a) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN AFGHANISTAN.—Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended—

(1) in subsection (a), by inserting ''and except as provided in subsection (d),'' after ''subsection (b),''; and

(2) by adding at the end the following new subsection:

''(d) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.''.

(b) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN CENTRAL ASIAN STATES.—Section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is amended—

(1) in subsection (a), by inserting ''and except as provided in subsection (h),'' after ''subsection (b),''; and

(2) by adding at the end the following new subsection:

''(h) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.''.

(c) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN DJIBOUTI.—Section 1263 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3581) is amended—

(1) in subsection (b), by inserting ''and except as provided in subsection (g),'' after ''subsection (c),''; and

(2) by adding at the end the following new subsection:

''(g) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.''.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, line 12, insert after ''**FIGHTER AIRCRAFT**'' the following: ''**AND ARMY COMBAT UNITS**''.

On page 43, between lines 3 and 4, insert the following:

(e) MINIMUM NUMBER OF ARMY BRIGADE COMBAT TEAMS.—Section 3062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Effective October 1, 2015, the Secretary of the Army shall maintain a total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams.

''(2) In this subsection, the term ' brigade combat team' means any unit that consists of—

''(A) an arms branch maneuver brigade;

''(B) its assigned support units; and

''(C) its assigned fire teams''.

(f) LIMITATION ON ELIMINATION OF ARMY BRIGADE COMBAT TEAMS.—

(1) LIMITATION.—The Secretary of the Army may not proceed with any decision to reduce the number of brigade combat teams for the regular Army to fewer than 32 brigade combat teams.

(2) ADDITIONAL LIMITATION ON RETIREMENT.—The Secretary may not eliminate any brigade combat team from the brigade combat teams of the regular Army as of the date of the enactment of this Act until the later of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required under paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) the elimination of Army brigade combat teams will not increase the operational risk of meeting the National Defense Strategy; and

(ii) the reduction of such combat teams does not reduce the total number of brigade combat teams of the Army to fewer than 32 brigade combat teams.

(3) REPORT ON ELIMINATION OF BRIGADE COMBAT TEAMS.—The Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for any proposed reduction of the total strength of the Army, including the National Guard and Reserves, below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), and an operational analysis of the total strength of the Army that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the personnel of the Army so reduced.

(B) An assessment of the implications for the Army, the Army National Guard of the United States, and the Army Reserve of the force mix ratio of Army troop strengths and combat units after such reduction.

(C) Such other matters relating to the reduction of the total strength of the Army as the Secretary considers appropriate.

(g) ADDITIONAL REPORTS.—

(1) IN GENERAL.—At least 90 days before the date on which the total strength of the Army, including the National Guard and Reserves, is reduced below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), the Secretary of the Army, in consultation with (where applicable) the Director of the Army National Guard or Chief of the Army Reserve, shall submit to the congressional defense committees a report on the reduction.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A list of each major combat unit of the Army that will remain after the reduction, organized by division and enumerated down to the brigade combat team-level or its equivalent, including for each such brigade combat team—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(B) A list of each brigade combat team proposed for disestablishment, including for each such unit—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(C) A list of each unit affected by a proposed disestablishment listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(ii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed disestablishment.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed disestablishment listed under subparagraph (B).

SA 1474. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1204 and insert the following:

SEC. 1204. PERMANENCE AND MODIFICATION OF AUTHORITIES RELATING TO NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) AUTHORITY.—Subsection (a)(1) of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107 note) is amended by adding at the end before the period the following: ''to support the national interests and security cooperation goals and objectives of the United States, including applicable policy and guidelines for United States security sector assistance''.

(b) LIMITATION.—Subsection (b) of such section is amended by inserting ''that is not'' after ''an activity that the Secretary of Defense determines is a matter''.

(c) PROCEDURES.—Such section, as so amended, is further amended—

(1) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

(2) by inserting after subsection (b) the following:

''(c) PROCEDURES.—

''(1) IN GENERAL.—The Chief of the National Guard Bureau shall—

''(A) establish, maintain, and update as appropriate a list of core competencies to support each program established under subsection (a), collectively and for each State and territory, and shall submit for approval to the Secretary of Defense the list of core competencies and additional information needed to make use of such core competencies; and

''(B) designate a director for each State and territory who shall be responsible for the coordination of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program.

''(2) MILITARY-TO-CIVILIAN CORE COMPETENCIES.—The Secretary of Defense, with the concurrence of the Secretary of State, may conduct an activity under a program established under subsection (a) relating to military-to-civilian core competencies.''.

(d) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—Subsection (e) of such section (as redesignated) is amended by adding at the end the following:

''(3) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—

''(A) ESTABLISHMENT.—

''(i) BOOKS OF DOD.—Except as provided in clause (ii), the Secretary of Defense shall establish on the books of the Department of Defense a National Guard State Partnership Program Fund.

''(ii) BOOKS OF TREASURY.—If not later than February 1, 2016, the Secretary determines and reports to the appropriate congressional committees that in the opinion of the Secretary a fund such as the Fund described in clause (i) should be established on the books of the Department of the Treasury, the Secretary of the Treasury shall establish on the books of the Treasury on that date a Fund to be known as the National Guard State Partnership Program Fund.

''(B) CREDITS.—In administering the Fund established under subparagraph (A), the Secretary shall, to the extent the Secretary determines it to be appropriate, provide for the following amounts to be credited to the Fund:

''(i) Amounts authorized and appropriated to carry out operations under this section.

''(ii) Amounts that the Secretary of Defense transfers, in such amounts as provided in appropriations Acts, to the Fund from

amounts authorized and appropriated to the Department of Defense, including amounts authorized to be appropriated for the Army National Guard and the Air National Guard.

''(C) INCLUSION IN ANNUAL BUDGET.—The President shall include the Fund established under subparagraph (A) in the budget that the President submits to Congress under section 1105(a) of title 31, United States Code, for each fiscal year in which the authority under subsection (a) is in effect.''.

(e) ANNUAL REPORT.—Paragraph (2)(B) of subsection (f) of such section (as redesignated) is amended—

(1) in clause (iii), by inserting ''or other government organizations'' after ''and security forces'';

(2) in clause (iv), by adding at the end before the period the following: ''and country'';

(3) in clause (v), by striking ''training'' and inserting ''activities''; and

(4) by adding at the end the following:

''(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).

''(vii) The list of core competencies required by subsection (c)(1) and any update to any changes to the list of core competencies required by subsection (c)(1).''.

(f) DEFINITIONS.—Subsection (h) of such section (as redesignated) is amended—

(1) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

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

(3) by inserting after paragraph (1) (as amended) the following:

''(2) CORE COMPETENCIES.—The term 'core competencies' means military-to-military and military-to-civilian skills and capabilities of the National Guard, consistent with the roles and missions of the Armed Forces as established by the Secretary of Defense.''; and

(4) by adding at the end the following:

''(4) STATE.—The term 'State' means each of the several States and the District of Columbia.

''(5) TERRITORY.—The term 'territory' means the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.''.

(g) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (i).

SA 1475. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. BLUNT, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1116. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(iii), by striking ''and'' at the end;

(B) in subparagraph (H), by adding ''and'' at the end; and

(C) by inserting after subparagraph (H) the following:

''(I) a qualified reservist;'';

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'qualified reservist' means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

''(A) who—

''(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

''(B) who—

''(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

''(7) 'reserve component of the Armed Forces' means a reserve component specified in section 101(27) of title 38.''.

(b) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) a preference eligible described in section 2108(6)(B) — 3 points; and

''(4) a preference eligible described in section 2108(6)(A) — 2 points.''.

(c) GAO REVIEW.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m., to conduct a hearing entitled ''Perspectives on the Export-Import Bank of the United States.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 2, 2015, at 9:30 a.m., in room SR–253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled ''Lifeline: Improving Accountability and Effectiveness.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m. in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled '' Internal Revenue Service Data Theft Affecting Taxpayer Information.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 2, 2015, at 5 p.m., to conduct a hearing entitled ''Understanding Iran's Nuclear Program.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 2, 2015, at 2 p.m., to conduct a hearing entitled ''The IRS Data Breach: Steps to protect Americans' Personal Information.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 2, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that during today's session of the Senate, the junior Senator from Montana be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF MICHAEL KEITH YUDIN TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 79; that the Senate proceed to vote without intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR WEDNESDAY, JUNE 3, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time of the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein, and the time be equally divided, with the majority controlling the first half and the minority controlling the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. 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 Senator MENENDEZ and Senator MERKLEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:35 p.m., adjourned until Wednesday, June 3, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

MARIE THERESE DOMINGUEZ, OF VIRGINIA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE CYNTHIA L. QUARTERMAN, RESIGNED.

SARAH ELIZABETH FEINBERG, OF WEST VIRGINIA, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION, VICE JOSEPH C. SZABO, RESIGNED.

DEPARTMENT OF STATE

ROBERTA S. JACOBSON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED MEXICAN STATES.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN W. HESTERMAN III

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. LEELA J. GRAY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. DONALD B. TATUM

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY E. GOWEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. WILLIAM A. BROWN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

KAREN M. WRANCHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

SUSAN R. CLOFT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JACKY P. CHENG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHARLES S. ABBOT
RAFAEL A. ACEVEDO
SEAN R. ANDERSON
BRADLEY J. ANDROS
BRAD L. ARTHUR
SCOTT M. ASACK
KUMAR ATARTHI
ADAM M. AYCOCK
VINCE W. BAKER
JAMES S. BATES II
STEWART L. BATESHANSKY
DAVID E. BAUER
AMY N. BAUERNSCHMIDT
WILLIAM H. BAXTER
BRIAN C. BECKER
ANDREE E. BERGMANN
ANDREW M. BIEHN
BRENT M. BLACKMER
PAUL D. BOWDICH
ERIC J. BOWER
FRANK E. BRANDON
ERIC D. BRAY
PHILIP M. BROCK
TIMOTHY M. BROSNAN
CHRISTOPHER D. BROWN
BRANDON S. BRYAN
ARON F. BUCKLES
DAVID E. BURKE
MATTHEW S. BURTON
BRADLEY W. BUSCH
DANIEL B. CALDWELL
JOHN R. CALLAWAY
GARRETT I. CAMPBELL
DARRELL S. CANADY
MARVIN W. CARLIN II
ANDREW F. CARLSON
JAMES D. CHRISTIE
CHRISTOPHER F. CIGNA
BENEDICT D. CLARK
KYLE J. COLTON
JOHN C. COMPTON
MICHAEL R. CONNER
MARK E. COOPER
JENNIFER S. COUTURE
JOHN C. COWAN
CHRISTOPHER A. COX
RYAN P. CROLEY
WARREN E. CUPPS
MICHAEL B. DAVIES
TRES D. DEHAY
KEVIN H. DELANO
PAUL C. DEMARCELLUS
JERROD E. DEVINE
THOMAS J. DICKINSON
MICHAEL J. DILLENDER
THOMAS J. DIXON
JAKE B. DOUGLAS
RONALD A. DOWDELL
DAVID G. DUFF
JONATHAN C. DUFFY
DAVID S. DULL
JAMES P. DUNN III
MICHAEL L. EGAN
BRIAN P. ELKOWITZ
BRIAN C. ERICKSON
FERMIN ESPINOZA
TODD M. EVANS
DARIN A. EVENSON
DENNIS L. FARRELL
JOSEPH D. FEMINO
TODD A. FIGANBAUM
JOHN A. FISCHER
CHRISTOPHER F. FLAHERTY
STEPHEN A. FLAHERTY
DEREK A. FLECK
DAVID E. FOWLER
BRODY L. FRAILEY
FRANCIS G. FRANKY
JOEY L. FRANTZEN
TODD C. FREISCHLAG
NICKOLAS G. GARCIA
BRENT C. GAUT
JOSEPH L. GEARY
ROBERT E. F. GENTRY
JOSEPH C. GIRARD
TODD S. GLASSER
NOEL D. GONZALEZ
JOHN P. GREENE
JAMES F. HARTMAN
STEPHEN C. HAYES
ROGER D. HEINKEN, JR.
CHAD F. HENNINGS
WILLIAM C. HERRMANN
ANDREW C. HERTEL
TRENTON D. HESSLINK
JOHN W. HEWITT
DANIEL P. HOPKINS
BRIAN S. HORSTMAN
JOHN L. HOWREY
TODD C. HUBER
JAMES E. JACOBS
STEVEN M. JAUREGUIZAR
ROBERT B. JOHNS
DAVID E. KAUFMAN
MATTHEW J. KAWAS
KEVIN M. KENNEDY
CHRISTOPHER A. KIJEK
JONATHAN P. KLINE

BRIAN S. KNOWLES
JOHN N. KOCHENDORFER
JUSTIN A. KUBU
PAUL J. LANZILOTTA
JOSHUA LASKY
ERIC C. LINDFORS
MARCUS LOPEZ
SCOTT C. LUERS
HANS E. LYNCH
DANIEL P. MALATESTA
DONALD W. MARKS
RAYMOND B. MARSH II
MICHAEL A. MARSTON
CRAIG T. MATTINGLY
EARL L. MCDOWELL
LAWRENCE E. MEEHAN
MICHAEL W. MEREDITH
RICHARD M. MEYER
ANDREW S. MILLER
ANDREW T. MILLER
MICHAEL J. MILLER
PHILIP S. MILLER
JON H. MORETTY
MURZBAN F. MORRIS
MARTIN J. MUCKIAN
NICHOLAS A. MUNGAS
WILLIAM J. P. MURPHY
SEAN M. MUTH
DAVID D. NEAL
CHRISTOPHER M. NELSON
MARK A. NICHOLSON
MATTHEW R. NIEDZWIECKI
PETER K. NILSEN
DANIEL A. NOWICKI
MICHAEL B. ODRISCOLL
GERALD R. OLIN II
CHESTER T. PARKS
CHASE D. PATRICK
CHRISTOPHER L. PESILE
ROBERT E. PETERS
ANDREW G. PETERSON III
TRAVIS M. PETZOLDT
PAUL E. PEVERLY
MATTHEW A. PHILLIPS
GELL T. L. PITTMAN III
TIMOTHY J. POE
BARTLEY A. RANDALL
WILLIAM R. REED
LINCOLN M. REIFSTECK
RICHARD G. J. RHINEHART
FRANK A. RHODES IV
MATTHEW S. RICK
JASON E. RIMMER
JOSEPH J. RING
RICHARD A. RIVERA
TRISTAN G. RIZZI
JESUS A. RODRIGUEZ
BRADLEY N. ROSEN
JOSHUA A. SAGER
LUIS E. SANCHEZ, JR.
ANTHONY M. SAUNDERS
MARK A. SCHAFER
JASON J. SCHNEIDER
KEVIN P. SCHULTZ
JOHN M. SEIP
CHRISTOPHER M. SENENKO
ERIC L. SEVERSEIKE
WILLIAM K. SHAFLEY III
BLANE T. SHEARON
THOMAS A. SHEPPARD
WILLIAM R. SHERROD
THOMAS E. SHULTZ
BENJAMIN A. SHUPP
CRAIG C. SICOLA
CLINTON T. SMITH
EDWARD S. SMITH
GABRIEL E. SOLTERO
ERNEST L. SPENCE
LOUIS J. SPRINGER
BRAD L. STALLINGS
CHRISTOPHER D. STONE
BRENT M. STRONG
LANCE E. THOMPSON
JASON P. VELIVLIS
MICHAEL R. VITALI
ALEXIS T. WALKER
WAYNE C. WALL
CHARLOS D. WASHINGTON
MICHAEL J. WEAVER
BRIAN D. WEISS
CHRISTOPHER C. WESTPHAL
TODD E. WHALEN
JENNIFER L. WHEREATT
JENNIFER K. WILDERMAN
CHRISTIAN B. WILLIAMS
CHAD A. WORTHLEY
STACEY W. YOPP
FORREST O. YOUNG
TIMOTHY H. YOUNG
GREGORY M. ZETTLER
DAVID G. ZOOK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JOHN J. ANDREW
ANTHONY H. BEASTER
DANIELE BRAHAM
FRANCIS P. BROWN
JAMES M. CARROLL
DANA J. CHAPIN
PATRICK M. COPELAND
JAMES C. DARKENWALD
ADAM J. DIAZ
BRIAN D. DOHERTY
GARTH H. GIMMESTAD
LESTER ISAAC
JASON M. JUERGENS
DEMETRIUS D. MACK
KATHLEEN L. MAHONEY
THOMAS J. MCKEON II
MARK G. MORAN
ROBERT L. MORAN
JAMES D. PAFFENROTH
RICHARD E. SCHMITT
MARCO D. SPIVEY
GENEVIEVE G. UBINA
MARK C. WADSWORTH, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DAVID A. BACKER
CARL T. BIGGS
LAWRENCE BRANDON, JR.
JAMES M. CENA
WILLIAM B. CLEVELAND, JR.
CHRISTOPHER T. CLOTFELTER
JOSEPH DARCY
ETHAN R. FIEDEL
FRANKLIN J. GASPERETTI
JONATHAN S. GIBBS
CHRISTOPHER J. HALL
SAMUEL H. HALLOCK
DAVID G. HANTHORN
ROSEMARY M. HARDESTY
WILLIAM E. HARLEY
SHAUN P. HAYES
BRIAN D. HEBERLEY
RICHARD L. HILL
JOSEPH E. KLOPFER
ANDREW M. LAVALLEY
CLINTON T. LAWLER
JOHN A. LUKACS IV
ANDREW F. MAURICE
MARK A. MINTON
JESSE H. NICE
DEREK T. PETERSON
BRIAN E. PHILLIPS
KIAH B. RAHMING
MARK A. SCHUCHMANN
LUIS F. SOCIAS
PAUL L. STENCE, JR.
JASON D. TUTHILL
SCOTT E. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ANTONIO ALEMAR
KYLE N. BOCKEY
JOSHUA E. CALLOWAY
JOSH A. CASSADA
GREGORY M. HARKINS
ELIZABETH A. HERNANDEZ
JERIN T. JAMES
SHAUN P. LYNCH
DANIEL P. MARTIN
BISHER F. MUFTI, JR.
DAVID S. PAXTON
DANIEL C. SHORT
ROGER F. STANTON
JAMES G. THURSTON II
JOHN A. WALSH
JOHN L. YOUNG III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LYLE P. AINSWORTH
KEVIN D. BITTLE
ERIC W. EDGE
VICTOR M. FEAL, JR.
CLAYTON B. MASSEY
MARIA C. REYMAN
CLAUDE E. TAYLOR III
JUAN C. VARELA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KARIN R. BURZYNSKI
PATRICK L. EVANS
SARAH C. HIGGINS
FRANCISCO E. MAGALLON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PAOLO CARCAVALLO, JR.
VINCENT P. CHEN
ROBERT E. EILERS, JR.
JUSTIN D. GOSS
RAJA G. HUSSAIN
JESSICA Y. LIN
DAVID J. MCELYEA, JR.
RAMON L. MEDINA
CONSTANTINE N. PANAYIOTOU
TYLER R. ROSS
HENRY T. SAITO
MATTHEW G. ZUBLIC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SHELLEY D. CAPLAN
JACQUELYN C. CROOK
KATHRYN M. HERMSDORFER
BRANDON K. MCWILLIAMS
MARK MURNANE
JEFFREY M. PALMER
SCOTT W. PARKER
FRANK D. PRICE, JR.
MIKE E. SVATEK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

AUDREY G. ADAMS
DAVID S. BARNES
RICHARD G. BENSING
MARK L. BOGGIS
SCOTT L. CONE
BRIAN CONNETT
ROBERT R. ELLISON III
DOROTHY A. FENTON
ANDREW P. GRABUS
MICHAEL J. HERLANDS
CLAY C. HERRING
LUCAS J. HODGKINS
MISTY D. HODGKINS
JASON B. HOMER
KENNETH W. KEMMERLY, JR.
LEMUEL S. LAWRENCE
MICHAEL J. MCCAFFREY
ZACHARY D. MCKEEHAN
PAUL N. MCKELVEY
DAVID M. MICHALAK
SHELLEE A. MORRIS
MATTHEW S. MORTON
TORIANO A. MURPHY
JOHN J. NELSON
STEVE J. SOLLON
WILLIAM K. TIRRELL
CRAIG A. WIGHTMAN
JOEL A. YATES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

EUGENE A. ALBIN
EDWIN J. BERRIOSORTIZ
IAN A. BROWN
BOBBY T. CARMICKLE
MATTHEW J. CEGELSKE
MELISSA M. CLARADY
WILFREDO CRUZBAEZ
ERICA DOBBS
CHRISTOPHER J. GOODSON
CHRISTINA M. HICKS
JAIME L. HILL
CHRISTINA HINES
MICAH R. KELLEY
AARON M. LITTLEJOHN
KENNETH J. MAROON
SEAN F. OLONE
OSCAR W. SIMMONS IV
DAVID C. WEST
MICHAEL R. WIDMANN
DANIELLE S. WILLIAMS
KENYA D. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ALLAN M. BAKER
KARL L. BENDER
JONATHAN V. BERIS
AMANDA M. BORNGEN
ANDREW W. BOYDEN
LISA M. BRENNEN
ERIC T. CASTILLO
TIMOTHY P. CHESSER
ALFRED J. CORKRAN III
MITCHELL H. FINKE
CATALINA L. GASPER
DANIEL C. GRAY
STUART A. GREEN
MEGAN M. HALLINAN
ROBERT J. HAMILTON
MICHAEL A. HUBBARD
ROBERT W. JOHNSTON
JAMES H. KING
DAVID C. LUNDQUIST
YERODIN J. MACK
PETER N. MADSON
WILLIAM H. NESBITT
ANDREW G. PLUMER
JOSIE J. ROSLANSKY
NOEL A. SAWATZKY
REGINA SLAVIN
RYAN C. SMITH
LANCE A. TAYLOR
WILLIAM R. WALSH
BRADLEY J. WALTERMIRE
NICK G. WICKER, JR.
RICHARD M. YEATMAN
DENNIS M. ZOGG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ROBERT E. BEATON

ALAN D. BEATY
JOHN F. CLARK
JOSE A. COLON
TRAVIS E. DAVIS
STEVEN J. DWYER
DAVID F. ETHERIDGE
CASSIUS A. FARRELL
JAMES F. FLINT
STEPHEN A. FOLSOM
DEAN A. GAYLE
ALEJANDRO W. GRIFFEN
RONNIE C. HARPER, JR.
MARVIN D. HARRIS
ANTHONY W. HUGHES
COREY D. HURD
MARK J. KAUL
TIMOTHY J. KELLY
MARK A. KENNEDY
JOHN C. LEITNER
RODERICK V. LITTLE
OMAR G. MARTINEZ
CHARLES G. MCDERMOTT
MICHAEL L. MCDONOUGH
JOSEPH T. MORRISON
ROSALIND D. MORRISON
ENRIQUE ORTIGUERRA
MARK A. PABON
ALBIN T. PEARSON
DARRIN P. PITRE
STEPHAN H. POMEROY
DONALD B. PORTER
ROCKY B. PULLEY
MARSHALL G. RIGGALL
ANDREW R. RINCHETTI
ERIC T. RUIZ
RAUL SANTOSPIEVE
ANTHONY D. SCHERMERHORN
GARY M. SHELLEY
JOSEPH L. THOMPSON
RICHARD A. THOUSAND
JAMES T. UNCAPHER
RONALD VIGGIANI, JR.
STEPHEN M. VOSSLER
CLINT J. WAGGONER
JAMES L. WILLETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PAUL T. ANTONY
ROBERT W. BJORAKER
CHARLES G. BRISENO, JR.
STEPHEN W. BURGHER
DANIEL J. COMBS
THOMAS A. DAMATO
WILLIAM G. FERNANDEZ
PATRICK B. GREGORY
BENJAMIN T. GRIFFETH
CHRISTOPHER M. HULTS
JEFFREY JONES
LAURENCE M. LEVETT
DAVID G. MALONE
MARGUERITE MCGUIGANSHUSTER
ROBERT N. MCLAY
DOUGLAS E. PETERSON
MATTHEW T. PROVENCHER
JONATHAN A. PRYOR
JON H. RISLEY
MARK A. SCHMIDHEISER
JOSEPH E. STRAUSS
KARA C. TAGGART
GREGORY M. TAYLOR
PETER C. WAGNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JEFFREY M. CLARK
ALBERT H. FU
DENNIS HOPKINS, JR.
RODDY E. MILLER
TRONG D. NGUYEN
SHERMA R. SAIF
SHARON S. VETTER
CAROL W. WATT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

LAURA M. MUSSULMAN
JENNIFER S. REED
KENNETH W. WAGNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KERRY L. ABRAMSON
JEFFREY P. AMES
ROBERT ATTANASIO
JAMES C. BAILEY
JAMES W. CALEY
KEVIN M. COMSTOCK
MICHAEL E. EVERSOLE
PHILIP N. FLUHR
SCOTT F. HALLAUER
TIMOTHY F. KEETON
DONALD J. KENNEY
LUIS P. LEME
MARTIN T. LUNDQUIST
MICHELLE M. PETTIT
CHRISTOPHER L. PHILLIPS
IAN K. THORNHILL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TAMBERLYNN W. BAKER
DENISE R. ELLIOTT
ROBIN D. GIBBS
LISA M. GITTLEMAN
DENISE Y. HARRINGTON
CHARLENE T. HOGAN
ALAN K. MINTZ
ROLF MULDBAKKEN
MELISSA L. ROSINE
ANGELIA W. THOMPSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

SARAVOOT P. BAGWELL
MICHAEL R. BERRY, JR.
ROBERT G. BOH
DAVID A. BUEHLER
ROBERT S. CARROLL
STEWART D. CLARKE
RONALD R. COLEMAN
PHILIP L. COYLE
ANTHONY G. ERICKSON
STEPHANY L. HARTSTIRN
DAVID E. LUDWA
DANIELLE L. PELCZARSKI
JOSE M. RODRIGUEZ
ALAN J. SCHMITT
KATHY M. WARREN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GREGORY T. STEHMAN
RODNEY E. TUGADE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TERRY W. EDDINGER
DAVID R. GLASSMIRE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DARYLL D. LONG
WILLIAM R. MOCK, JR.
JAMES A. ROBBINS
MILTON W. WASHINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

HOLMAN R. AGARD
CHAD D. ALBOLD
MICHAEL E. ALBRECHT
WILLIAM J. ALLEN
JASON D. ANDERSON
JOHN K. ANDERSON
NATHANIEL S. ANDERSON
AUNTOWHAN M. ANDREWS
STEPHEN ANSUINI
JOSHUA A. APPEZZATO
TIMOTHY D. ARBULU
TIMOTHY P. ATHERTON
ALEXANDER T. BAERG
JOSHUA T. BAILEY
MATTHEW P. BAKER
PATRICK T. BAKER
ADRIAN C. BAREFIELD
JEREMY M. BAUER
MICHAEL A. BAXTER
CHRISTIAN M. BEARD
MICHAEL S. BEATY
RYAN T. BEATY
ROBERT B. BEEMAN
SHAUN M. BELLEMARE
MICHAEL A. BEMIS
JOHN B. BENFIELD
ALBERT L. BENOIT III
PETER M. BERNARD
JEREMIAH J. BINKLEY
MICHAEL D. BISHOP
JON G. BOGER
DREW A. BOROVIES
DESOBRY E. BOWENS
JAMES P. BRASSFIELD
JACOB F. BRAUN
WILBERT B. BREEDEN
CHRISTOPHER R. BRENNER
MICHAEL J. BRITT
WILLIAM F. BRODY
JOSEPH D. BROGREN
CHRISTOPHER M. BROWN
CHRISTOPHER V. BROWN
DANIEL W. BROWN
GREGORY S. BROWN
JOSEPH C. BROWN III
WESLEY A. BROWN
JAMES M. BRUNSON
CHRISTOPHER K. BRUSCA
ANDREW D. BUCHER
JASON C. BUDDE
THOMAS H. BUNKER
ELISHA J. BURLESON
MATTHEW V. BURNS
KEVIN B. CAHILL
DANIEL L. CAIN
JUSTIN M. CANFIELD
JOSEPH J. CAPALBO
RONALD D. J. CAPPELLINI
HECTOR M. CARDENAS
WILLIAM D. CARMACK
KEVIN R. CASAGRANDE
JASON C. CASSISI
ANDREW M. CENISEROZ
MATTHEW A. CHESTER
SHAUN A. CHITTICK
PETER P. CHRAPKIEWICZ
ALLISON N. CHRISTY
JOHN H. CIGANOVICH
CLIFFORD D. CLOSE II
MATTHEW A. COLE
DAVID S. COLES
KENNETH R. COLMAN
SHAWN E. CONNIFF
ANDREW N. COOK
DAMON J. COOK
SHANNON A. COREY
CHARLES T. COURSEY
JOHN R. COURTRIGHT
JANUARY J. CRIVELLO
KEVIN D. CULVER
PETER J. CURRAN
JACK E. CURTIS
JASON A. DALBY
JAMES A. DAVENPORT
FRANK W. DAVIS, JR.
LUKE H. DAVIS
KEVIN T. DEAN
JASON W. DEBLOCK
CHRISTOPHER P. DELEON
JEFFREY M. DEMARCO
AARON P. DEMEYER
PATRICK S. DENNIS
JOSEPH C. DENTON
CHRISTOPHER S. DENTZER
MARCUS A. DEVINE
MARY K. DEVINE
MICHAEL R. DOLBEC
JAMES A. DOMACHOWSKI
MARK D. DOMENICO
SEAN P. DONAGHAY
CHAD R. DONNELLY
MICHAEL P. DONNELLY
JONAS I. DOWNING
CHRISTOPHER M. DUDLEY
TODD A. DUEZ
JAMES A. DUNDON
MICHAEL S. DWAN
WILLIAM G. EASTHAM
ARIC H. EDMONDSON
THOMAS J. EHRING
OLUKEMI O. ELEBUTE
DAVID V. ELIAS
PATRICK R. ELIASON
THEODORE J. ELKINS
ANDREW J. ELLIS
PETER H. EUDY, JR.
RUSSELL H. EVERITT
CHARLES D. FAIRBANK
JONATHAN M. FAY
MARTIN N. FENTRESS, JR.
ROGER C. FERGUSON
MICHAEL A. FERRARA
DAROL D. FIALA
JUSTIN D. FISHER
MICHAEL D. FISHER
THOMAS P. FLAHERTY III
DOYLE P. FLANNERY
KELLY C. FLYNN
CHRISTOPHER J. FORCH
MATTHEW W. FOSTER
JOSHUA P. FULLER
EDWARD R. FULTZ
RYAN T. FULWIDER
JOHN L. GAINES III
GABRIEL J. GAMMACHE
NATHAN J. GAMMACHE
JACK A. GARCIA
RICHARD H. GARCIA
ANDREW C. GASTRELL
RYAN J. GAUL
BRADLEY D. GEARY
MARK E. GILLASPIE
LEONARDO GIOVANNELLI
BRIAN J. GLASER
JOHN A. GOFFRIER
BRUCE W. GOLDEN
MICAELA K. GOLDING
NATHANIEL D. GORDON
JONATHAN D. GRAY
MARTIN J. GRIGGS
MICHAEL S. GRUELL
EARL P. HADLER
JOHN M. HAESLER
DUSTIN R. HAGY
CHRISTOPHER S. HAHN
WARREN A. HAKES
ANDREW B. HALL
DAVID M. HALPERN
JOHN M. HALTTUNEN
JOHN W. HAMILTON
JOSHUA S. HANES
BARNET L. HARRIS II
SCOTT E. HARRIS
WILLIAM P. HARRIS
KELLY K. HARRISON

PAT W. HART
WILLIAM J. HARTING
PETER J. HATCHER
CAMERON J. HAVLIK
MICHAEL J. HAYMON, JR.
LEONARD E. HAYNES
ALBERT B. HEAD III
CHRISTOPHER A. HEDRICK
CHAD J. HEIRIGS
STEPHEN J. HENZ
SHAD H. HERRENKOHL
CORY F. HESS
STEPHEN C. HINES
MATTHEW D. HOEKSTRA
JEFFREY T. HOLDSWORTH
SHANNON L. HOOVER
NATHAN HORNBACK
GEORGE A. HOWELL
DAVID A. HULJACK
ERIC A. HUNTER
KEVIN INABNIT
TRAVIS T. INOUYE
JUSTIN T. ISSLER
JEREMIAH D. JACKSON
RODOLFO JACOBO
ANTHONY C. JAMES
DENNIS W. JENSEN
JIMMIE J. JENSEN III
HEATH E. JOHNMEYER
COREY A. JOHNSON
MICHAEL A. JOHNSON
MICHAEL J. JOHNSON
KELLEY T. JONES
MICHAEL G. KAMAS
MICHAEL P. KEAVENY
GREGORY C. KEENEY
JOSHUA G. KELLEY
CHRISTOPHER J. KENDRICK
JOHN H. KERR
KENNETH M. KERR
BRIAN C. KESSELRING
ZACHARY S. KING
ZACHARY T. KIRBY
MATTHEW J. KISER
ADAM M. KLEIN
ANDREW J. KLUG
ARAS KNASAS
SCOTT C. KOCH
GREGORY R. KOEPP II
JOHN A. KOLLAR IV
JEROD M. KONOWAL
JOSEPH E. KRIEWALDT
JUSTON R. KUCH
JOHN E. KUTA
ROBERT M. LAIRD, JR.
JOHN W. LAMBERT
JOHN C. LANEY III
BRANDON L. LANTIS
BRIAN M. LAUBER
MARK W. LAWRENCE
RYAN B. LEARY
JULIO A. LEDESMA
MATTHEW P. LEHMANN
RICHARD T. LESIW
KYLE P. LESLIE
JASON N. LESTER
CHAVIUS G. LEWIS
MATTHEW H. LEWIS
SEAN P. LEWIS
SHAUN T. LIEB
STUART G. LINDLEY
ERIC A. LITTLE
FRANK M. LOFORTI
JENNIFER L. LORIO
DEREK W. LOTHRINGER
BRETT M. LUKASIK
ERIK T. LUNDBERG
KEVIN P. LYONS
MARCUS M. MACCARIO
GREGORY A. MACHI
JIWAN A. MACK
ROBERT F. MACYNSKI
KELLY J. MAHAFFEY
SEAN M. MAHONEY
JUDSON D. MALLORY
ALEXANDER S. MAMIKONIAN
WALTER F. MANUEL
MICHAEL S. MARGOLIUS
KEITH E. MARINICS
ROBERT J. MARSH
MATTHEW V. MARTIN
MATTHEW G. MAXWELL
JUSTIN T. MCCAFFREE
STEVEN J. MCCAULEY
COREY S. MCCOLLUM
BRETT M. MCDANIEL
ROBERT W. MCFARLIN IV
JOSEPH A. MCGRAW II
PATRICK M. MCKENNA
ERIC W. MCQUEEN
KEVIN M. MEINERT
TERRY E. MENTEER, JR.
BRIAN D. MERRIMAN
BRETT M. MESKIMEN
KRISTOPHER K. MEYER
MATTHEW C. MEYERS
JEREMY A. MILLER
MARK J. MILLER
LESLIE A. MINTZ
CHRISTOPHER M. MIRANDA
LENARD C. MITCHELL
MICHAEL S. MITCHELL
PATRICK L. MITCHELL
NICHOLAS L. MOLLENHAUER
MICHAEL K. MORELAND
MATTHEW J. MORGAN
PETER A. MORGAN
JAMES B. MORRISON
THOMAS K. MORROW II
MICHAEL G. MORTENSEN
JASON E. MUCH
MATTHEW L. MUEHLBAUER
KURT J. MUHLER
SEAN P. MULROONEY
MICAH D. MURPHY
EDWARD H. MURRAY IV
MICHAEL J. NANOFF
DAVID F. NASH
JOHN M. NEUHART II
MATTHEW L. NICHOLAS
SCOTT C. NIETZEL
NOEL M. NORTON
ROBERT L. NOWLIN
KEVIN B. OBRIEN
SHAWN P. OCONNOR
MICHAEL J. ODONNELL
JAMES B. ODONOVAN
PATRICK R. OLOUGHLIN
MATTHEW C. OLSON
TIMOTHY L. OSBORNE
EDWIN E. OSTROOT II
MANUEL J. PARDO
EDDIE J. PARK
WILLIAM G. PARKHURST
WAYNE A. PATRAS
DAVID L. PAYNE, JR.
KYLE PEITZMEIER
ROBERT J. PEREZ
AARON C. PETERSON
KEITH A. PETERSON
JOHN T. PIANETTA
THOMAS P. PICKERING
EDWARD J. PLEDGER
CORY D. POPE
JONATHAN M. POWERS
TIMOTHY J. POWERS
JAMES R. PROUTY, JR.
JESSE C. PRUETT
CHRISTOPHER M. PURCELL
THEODORE M. O. QUIDEM
EDWARD M. RAISNER
JOHN L. RANDAZZO
JAMES D. RAYMOND
TARA A. REFO
DAVID L. REYES
RONEL C. REYES
TIMOTHY L. RHATIGAN
JOHN P. RILEY
GLENN P. RIOUX
DENNIS B. RIPPY II
NATHANIEL J. ROBBINS
MORGAN D. ROBERTS
MARK T. ROBINSON
ANTHONY A. ROJAS
PRESTON J. ROLAND
ROBERT W. ROSE
ADAM C. ROSENSWEET
GIANCARLO ROSSI
CHAD J. ROUM
NATHAN L. ROWAN
FRANK J. RYAN III
CHRISTOPHER R. RYDER
DOUGLAS R. SATTLER, JR.
JON P. SCHAFFNER
MATTHEW T. SCHLARMANN
NATHAN K. SCHNEIDER
KEITH SCHROEDER
ERICH C. SCHWARZ
ANTHONY A. SCIGLIANO
CLAYTON G. SHANE
ZOE B. SHERMAN
NATHANIEL R. SHICK
AARON D. SHIFFER
JOSEPH B. SHIPP
LEROY M. SHOESMITH, JR.
NICHOLAS C. SMETANA
MATTHEW A. SMIDT
LAWRENCE P. SMITH
NATHANIEL C. SPURR
ZACHARY S. STANG
JOHN B. STANTON
SHANNON M. STANTON
JUSTIN E. STEENSON
AXEL L. STEINER
ERIK S. STINSON
MICHAEL A. STOKER
MICHAEL J. STRAUSS
JAMES A. STRICKLAND
ABRAM M. STROOT
CHARLES M. SUBBIONDO
PATRICK J. SULLIVAN
CHRISTOPHER R. SWANSON
MARK A. SWINGER
DAVID N. TAFT
MATTHEW W. TALLYN
STEVEN TARR III
TROY T. TARTAGLIA
CHERIE TAYLOR
THOMAS G. TAYLOR
CHRISTOPHER J. TEJEDA
RUSSELL P. THIEM
JOHN E. THOE
ERIK M. THOMAS
JENNIFER L. THOMAS
ERIC C. THOMPSON
JASON D. THOMPSON
MATTHEW F. THOMPSON
GLENN R. TODD
JAMES J. TOMASZESKI
ROBBY D. TROTTER
SHIPOR TSUI
JASON L. TUMLINSON
CLIFF J. UDDENBERG
ANTHONY R. UNIEWSKI, JR.
STACY L. UTTECHT
JOEL S. UZARSKI
WARREN VANALLEN
HENRY S. VASQUEZ III
ANNA E. VILLALPANDO
JOHN C. VINSON, JR.
MATHIAS J. VORACHEK
JASON D. WALKER
EMILY M. WALL
EDWARD F. WARD III
JASON J. WARD
ROBERT WEBSTER
DAVID J. WEGMUELLER
THOMAS G. WEILER
MATTHEW S. WELLMAN
MARK A. WEYMOUTH
DAVID W. WHETSTONE
DOUGLAS M. WHITE
LYNDEN D. WHITMER, JR.
SHANNON L. WIENS
TY C. WIESE
ROBIN V. WILHELM
JASON A. WILKERSON
ROBERT A. WILKERSON
ROBERT A. WILLIAMS
RUSTY J. WILLIAMSON
JASON K. WILSON
BRITTON D. WINDELER
LEONARD A. WISE III
CHADRICK O. WITHROW
RICHARD J. WITT
NICHOLAS F. WOODWORTH
MATTHEW W. WRIGHT
STACY M. WUTHIER
JOSHUA D. WYNN
JARED W. WYRICK
NICHOLAS T. WYZEWSKI
ROBERT D. YOUNG
TYSON M. YOUNG
MARK E. ZEMATIS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

ROBERT A. PETERSEN

To be major

SEAN P. COX
JONATHAN M. GEORGE
BRANDON P. LOKEY
GENE C. WYNNE

CONFIRMATION

Executive nomination confirmed by the Senate June 2, 2015:

DEPARTMENT OF EDUCATION

MICHAEL KEITH YUDIN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 2, 2015 withdrawing from further Senate consideration the following nomination:

FOREIGN SERVICE NOMINATION OF STUART MACKENZIE HATCHER, WHICH WAS SENT TO THE SENATE ON MAY 7, 2015.