AN ACT

To authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 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 and Other Authorizations.

(4) Division D—Funding Tables.

(b) Table of Contents.—The table of contents for this Act is as follows:

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Sec. 3. Congressional defense committees.

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1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

2 In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.
DIVISION A—DEPARTMENT OF
DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT
Subtitle A—Authorization of
Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for
fiscal year 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—Army Programs

SEC. 111. LIMITATION ON AVAILABILITY OF FUNDS FOR AN/
TPQ–53 RADAR SYSTEMS.

(a) LIMITATION.—Of the funds authorized to be ap-
propriated by this Act or otherwise made available for fis-
cal year 2016 for AN/TPQ–53 radar systems, not more
than 75 percent may be obligated or expended until a pe-
riod of 30 days has elapsed following the date on which
the Assistant Secretary of the Army for Acquisition, Tech-
nology, and Logistics submits to the congressional defense
committees the review under subsection (b).

(b) REVIEW.—The Assistant Secretary of the Army
for Acquisition, Technology, and Logistics shall—

(1) review the appropriateness of the current
dlegation of milestone decision authority for the
AN/TPQ–53 radar program to the Program Executive Officer for Missiles and Space; and

(2) submit to the congressional defense committees such review.

SEC. 112. PRIORITIZATION OF UPGRADED UH–60 BLACKHAWK HELICOPTERS WITHIN ARMY NATIONAL GUARD.

(a) Prioritization of Upgrades.—Not later than 180 days after the date of the enactment of this Act, the Chief of the National Guard Bureau shall issue guidance regarding the fielding of upgraded UH–60 Blackhawk helicopters to units of the Army National Guard. Such guidance shall prioritize for such fielding the units of the Army National Guard with assigned UH–60 helicopters that have the most flight hours and the highest annual usage rates within the UH–60 fleet of the Army National Guard, consistent with the force generation unit readiness requirements of the Army.

(b) Report.—Not later than 30 days after which the Chief of the National Guard Bureau issues the guidance under subsection (a), the Chief shall submit to the congressional defense committees a report that details such guidance.
SEC. 113. REPORT ON OPTIONS TO ACCELERATE REPLACEMENT OF UH–60A BLACKHAWK HELICOPTERS OF ARMY NATIONAL GUARD.

Not later than March 1, 2016, the Secretary of the Army shall submit to the congressional defense committees a report containing detailed options for the potential acceleration of the replacement of all UH–60A helicopters of the Army National Guard by not later than September 30, 2020. The report shall include the following:

(1) The additional funding and quantities required, listed by each of fiscal years 2017 through 2020, for H–60M production, UH–60A-to-L RECAP, and UH–60L-to-V RECAP that is necessary to achieve such replacement of all UH–60A helicopters by September 30, 2020.

(2) Any industrial base limitations that may affect such acceleration, including with respect to the production schedules for the other variants of the UH–60 helicopter.

(3) The potential effects of such acceleration on the planned replacement of all UH–60A helicopters of the regular components of the Armed Forces by September 30, 2025.

(4) Identification of any additional funding or resources required to train members of the National Guard to operate and maintain UH–60M aircraft in
order to achieve such replacement of all UH–60A

(5) Any other matters the Secretary determines
appropriate.

SEC. 114. SENSE OF CONGRESS ON TACTICAL WHEELED VE-
HICLE PROTECTION KITS.

It is the sense of Congress that—

(1) Army personnel face an increasingly com-
plex and evolving threat environment that requires
advanced and effective technology to protect our sol-
diers while allowing them to effectively carry out
their mission;

(2) the heavy tactical vehicle protection kits
program provides the Army with improved and nec-
essary ballistic protection for the heavy tactical vehi-
cle fleet;

(3) a secure heavy tactical vehicle fleet provides
the Army with greater logistical tractability and of-
fers soldiers the necessary flexibility to tailor armor
levels based on threat levels and mission require-
ments; and

(4) as Congress provides for a modern and se-
cure Army, it is necessary to provide the appropriate
funding levels to meet its tactical wheeled vehicle
protection kits acquisition objectives.
Subtitle C—Navy Programs

SEC. 121. MODIFICATION TO MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

Section 123(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1655) is amended by inserting “or Flight III” after “Flight IIA”.

SEC. 122. PROCUREMENT AUTHORITY FOR AIRCRAFT CARRIER PROGRAMS.

(a) Procurement Authority in Support of Construction of Ford Class Aircraft Carriers.—

(1) Authority for economic order quantity.—The Secretary of the Navy may procure material and equipment in support of the construction of the Ford class aircraft carriers designated CVN–80 and CVN–81 in economic order quantities when cost savings are achievable.

(2) Liability.—Any contract entered into under paragraph (1) 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 en-
tered into shall be limited to the total amount of
funding obligated at time of termination.
(b) Refueling and Complex Overhaul of Nimitz Class Aircraft Carriers.—

(1) In General.—The Secretary of the Navy may carry out the nuclear refueling and complex overhaul of each of the following Nimitz class aircraft carriers:

(A) U.S.S. George Washington (CVN–73).
(B) U.S.S. John C. Stennis (CVN–74).
(C) U.S.S. Harry S. Truman (CVN–75).
(D) U.S.S. Ronald Reagan (CVN–76).

(2) Use of Incremental Funding.—With respect to any contract entered into under paragraph (1) for the nuclear refueling and complex overhaul of a Nimitz class aircraft carrier, the Secretary may use incremental funding for a period not to exceed six years after advance procurement funds for such nuclear refueling and complex overhaul effort are first obligated.

(3) Condition for Out-Year Contract Payments.—Any contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a
fiscal year after fiscal year 2016 is subject to the
availability of appropriations for that purpose for
that later fiscal year.

**Subtitle D—Air Force Programs**

**SEC. 131. LIMITATION ON AVAILABILITY OF FUNDS FOR EX-
ECUTIVE COMMUNICATIONS UPGRADES FOR
C–20 AND C–37 AIRCRAFT.**

(a) LIMITATION.—Except as provided by subsection
(b), 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 upgrade
the executive communications of C–20 and C–37 aircraft
until the date on which the Secretary of the Air Force
certifies in writing to the congressional defense commit-
tees that such upgrades do not—

(1) cause such aircraft to exceed any weight
limitation; or

(2) reduce the operational capability of such
aircraft.

(b) WAIVER.—The Secretary may waive the limita-
tion in subsection (a) if the Secretary—

(1) determines that such waiver is necessary for
the national security interests of the United States;
and
(2) notifies the congressional defense committee of such waiver.

SEC. 132. BACKUP INVENTORY STATUS OF A–10 AIRCRAFT.

(a) Maximum Number.—In carrying out section 133(b)(2)(A) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3315), the Secretary of the Air Force may not move more than 18 A–10 aircraft in the active component to backup flying status pursuant to an authorization made by the Secretary of Defense under such section.

(b) Conforming Amendment.—Such section 133(b)(2)(A) is amended by striking “36” and inserting “18”.

SEC. 133. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF A–10 AIRCRAFT.

(a) Prohibition on Availability of Funds for Retirement.—Except as provided by section 132, 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.—Except as provided by section 132, and in addition to the limitation in sub-
section (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.

(e) 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 (e), 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 tar-
get and destroy moving, camouflaged,
or dug-in troops, and artillery.

(III) The ability to engage, tar-
get, and destroy tanks and armored
personnel carriers, including with re-
spect to the carrying capacity of
armor-piercing weaponry, including
mounted cannons and missiles.

(IV) The ability to remain within
visual range of friendly forces and tar-
ggets to facilitate responsiveness to
ground forces and minimize re-attack
times.

(V) 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.

(VI) The ability of the pilot and
aircraft to survive direct hits from
small arms, machine guns,
MANPADs, and lower caliber anti-aircraft artillery organic or attached to enemy ground forces and maneuver units.

(VII) The ability to communicate effectively with ground forces and downed pilots, including in communications jamming or satellite-denied environments.

(VIII) 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.

(IX) The ability to deliver multiple lethal firing passes and sustain long loiter endurance to support friendly forces throughout extended ground engagements.

(X) 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. 134. PROHIBITION ON RETIREMENT OF EC–130H 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 EC–130H aircraft.
(b) Additional Limitation on Retirement.—In addition to the limitation in subsection (a), the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any EC–130H aircraft until a period of 60 days has elapsed following the date on which the Secretary submits the report under subsection (c)(3)(A).

(c) Study on Replacement Capability Requirements or Mission Platform for the EC–130H Aircraft.—

(1) In General.—The Secretary of the Air Force shall commission an assessment of the required capabilities or mission platform to replace the EC–130H aircraft. This assessment would represent preparatory work to inform an analysis of alternatives.

(2) Elements.—The assessment required under paragraph (1) shall include each of the following:

(A) Future needs analysis for the current EC–130H aircraft electronic warfare mission set to include suppression of sophisticated enemy air defense systems, advanced radar jamming, avoiding radar detection, communica-
tions, sensing, satellite navigation, command
and control, and battlefield awareness.

(B) A review of operating concepts for air-
borne electronic attack.

(C) An assessment of upgrades to the elec-
tronic warfare systems of EC–130H aircraft,
the costs of such upgrades, and expected up-
grades through 2025, and the expected service
life of EC–130H aircraft.

(D) A review of the global proliferation of
more sophisticated air defenses and advanced
commercial digital electronic devices which
counter the airborne electronic attack capabili-
ties of the United States by state and non-state
actors.

(E) An assessment of the ability of the
current EC–130H fleet to meet to meet tasking
requirements of the combatant commanders.

(F) Any other matters the Secretary deter-
mines appropriate.

(3) REPORT.—

(A) IN GENERAL.—Not later than Sep-
tember 30, 2016, the Secretary shall submit to
the congressional defense committees a report
that includes the assessments required under subparagraph (1).

(B) FORM.—The report under subparagraph (A) 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 the congressional defense committees 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 (1) instead of including such information in such report.

SEC. 135. LIMITATION ON AVAILABILITY OF FUNDS FOR DIVESTMENT OR TRANSFER OF KC–10 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 during such fiscal year to divest or transfer, or prepare to divest or transfer, KC–10 aircraft.
SEC. 136. SENSE OF CONGRESS REGARDING THE OCONUS BASING OF THE F–35A AIRCRAFT.

(a) FINDINGS.—Congress makes the following findings:

(1) 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”).

(2) The Secretary of the Air Force has, from a list of bases which included two United States candidate bases in Alaska and three foreign OCONUS candidate bases, selected Eielson Air Force Base as the preferred alternative for two of Pacific Air Force’s F–35A Lightning II squadrons in Alaska.

(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 place emphasis on 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;
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.

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

SEC. 141. LIMITATION ON AVAILABILITY OF FUNDS FOR JOINT BATTLE COMMAND–PLATFORM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for joint battle command–platform equipment, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Assistant Secretary of the Army for Acquisition, Technology, and Logistics submits to the congressional defense committees the report under subsection (b).

(b) REPORT.—Not later than March 1, 2016, the Assistant Secretary of the Army for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report that provides a detailed test and evaluation plan to address the effectiveness, suitability, and
survivability shortfalls of the joint battle command–platform identified by the Director of Operational Test and Evaluation in the fiscal year 2014 report of the Director submitted to Congress.

SEC. 142. STRATEGY FOR REPLACEMENT OF A/MH–6 MISSION ENHANCED LITTLE BIRD AIRCRAFT TO MEET SPECIAL OPERATIONS REQUIREMENTS.

(a) STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a strategy for replacing A/MH–6 Mission Enhanced Little Bird aircraft to meet the rotary-wing, light attack, reconnaissance requirements particular to special operations.

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

(1) An updated schedule and display of programmed A/MH–6 Block 3.0 modernization and upgrades, showing usable life of the fleet, and the anticipated service life extensions of all A/MH–6 platforms.

(2) A description of current and future rotary-wing, light attack, reconnaissance requirements and platforms particular to special operations, including key performance parameters of future platforms.
(3) The feasibility of military department-common platforms satisfying future rotary-wing, light attack, reconnaissance requirements particular to special operations.

(4) The feasibility of commercially available platforms satisfying future rotary-wing, light attack, reconnaissance requirements particular to special operations.

(5) The anticipated funding requirements for the special operation forces major force program for the development and procurement of an A/MH–6 replacement platform if military department-common platforms described in paragraph (3) are not available or if commercially available platforms described in paragraph (4) are leveraged.

(6) Any other matters the Secretary considers appropriate.

SEC. 143. INDEPENDENT ASSESSMENT OF UNITED STATES COMBAT LOGISTIC FORCE REQUIREMENTS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center with appropriate expertise and analytical capability to conduct an assessment of the anticipated future de-
mands of the combat logistics force ships of the Navy and the challenges such ships may face when conducting and supporting future naval operations in contested maritime environments.

(2) ELEMENTS.—The assessment under paragraph (1) shall include the following:

(A) An assessment of the programmed ability of the United States Combat Logistic Force to support the Navy and the naval forces of allies of the United States that are operating in a dispersed manner and not concentrated in carrier or expeditionary strike groups, in accordance with the concept of distributed lethality of the Navy.

(B) An assessment of the programmed ability of the United States Combat Logistic Force to support the Navy and the naval forces of allies of the United States that are engaged in major combat operations against an adversary possessing maritime anti-access and area-denial capabilities, including anti-ship ballistic and cruise missiles, land-based maritime strike aircraft, submarines, and sea mines.

(C) An assessment of the programmed ability of the United States Combat Logistic
Force to support distributed and expeditionary air operations from an expanded set of alternative and austere air bases in accordance with concepts under development by the Air Force and the Marine Corps.

(D) An assessment of gaps and deficiencies in the capability and capacity of the United States Combat Logistic Force to conduct and support operations of the United States and allies under the conditions described in subparagraphs (A), (B), and (C).

(E) Recommendations for adjustments to the programmed ability of the United States Combat Logistic Force to address capability and capacity gaps and deficiencies described in subparagraph (D).

(F) Any other matters the federally funded research and development center considers appropriate.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than April 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment under subsection (a) and any other matters the Secretary considers appropriate.
(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

c) SUPPORT.—The Secretary of Defense shall provide the federally funded research and development center that conducts the assessment under subsection (a) with timely access to appropriate information, data, resources, and analyses necessary for the center to conduct such assessment thoroughly and independently.

SEC. 144. REPORT ON USE OF DIFFERENT TYPES OF ENHANCED 5.56 MM AMMUNITION BY THE ARMY AND THE MARINE CORPS.

(a) REPORT.—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the use in combat of two different types of enhanced 5.56 mm ammunition by the Army and the Marine Corps.

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

(1) An explanation of the reasons for the Army and the Marine Corps to use in combat two different types of enhanced 5.56 mm ammunition.

(2) An explanation of the appropriateness, effectiveness, and suitability issues that may arise from the use of such different types of ammunition.
(3) An explanation of any additional costs that
have resulted from the use of such different types of
ammunition.

(4) An explanation of any future plans of the
Army or the Marine Corps to eventually transition
to using in combat one standard type of enhanced
5.56 mm ammunition.

(5) If there are no plans described in paragraph
(4), an analysis of the potential benefits of a transi-
tion described in such paragraph, including the
timeline for such a transition to occur.

(6) Any other matters the Secretary determines
appropriate.

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

**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. EXTENSION OF DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.


SEC. 212. LIMITATION ON AVAILABILITY OF FUNDS FOR MEDICAL COUNTERMEASURES PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, for advanced development and manufacturing activities under the medical countermeasure program, not more than 50 percent may be obligated or expended until 45 days after the date on which the Secretary of Defense submits to the congressional defense committees the report under subsection (b).

(b) REPORT.—The Secretary shall submit to the congressional defense committees a report on the advanced development and manufacturing activities under the medical countermeasure program that includes the following:
(1) An overall description of the program, including validated Department of Defense requirements.

(2) Program goals, proposed metrics of performance, and anticipated procurement and operations and maintenance costs during the period covered by the current future years defense program under section 221 of title 10, United States Code.

(3) The results of any analysis of alternatives and efficiency reviews conducted by the Secretary that justifies the manufacturing and privately financed construction of an advanced manufacturing and development facility rather than using other programs and facilities of the Federal Government or industry facilities for advanced development and manufacturing of medical countermeasures.

(4) An independent cost-benefit analysis that justifies the manufacturing and privately financed construction of an advanced manufacturing and development facility described in paragraph (3).

(5) If no independent cost-benefit analysis makes the justification described in paragraph (4), an explanation for why such manufacturing and privately financed construction cannot be so justified.
(6) Any other matters the Secretary of Defense determines appropriate.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the date on which the Secretary submits the report under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report.

SEC. 213. LIMITATION ON AVAILABILITY OF FUNDS FOR F–15 INFRARED SEARCH AND TRACK CAPABILITY DEVELOPMENT.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for F–15 infrared search and track capability, not more than 50 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees the report under subsection (b).

(b) REPORT.—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the requirements and cost estimates for the development and procurement of infrared search and track capability for F/A–18 and F–15 air-
craft of the Navy and the Air Force. The report shall include the following:

(1) A comparison of the requirements between the F/A–18 and F–15 aircraft infrared search and track development efforts of the Navy and the Air Force.

(2) An explanation of any differences between the F/A–18 and F–15 aircraft infrared search and track capability development efforts of the Navy and the Air Force.

(3) A summary of the schedules and required funding to develop and field such capability.

(4) An explanation of any need for the Navy and the Air Force to field different F/A–18 and F–15 aircraft infrared search and track systems.

(5) Any other matters the Secretary determines appropriate.

SEC. 214. INDEPENDENT ASSESSMENT OF F135 ENGINE PROGRAM.

(a) ASSESSMENT.—The Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct an assessment of the F135 engine program.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:
(1) An assessment of the reliability, growth, and cost reduction efforts with respect to the F135 engine program, including—

(A) a detailed description of the reliability and cost history of the engine;

(B) the identification of key reliability and cost challenges to the program as of the date of the assessment; and

(C) the identification of any potential options for addressing such challenges.

(2) In accordance with subsection (c), a thorough assessment of the incident on June 23, 2014, consisting of an F135 engine failure and subsequent fire, including—

(A) the identification and definition of the root cause of the incident;

(B) the identification of potential actions or design changes needed to address such root cause; and

(C) the associated cost, schedule, and performance implications of such incident to both the F135 engine program and the F–35 Joint Strike Fighter program.

(c) CONDUCT OF ASSESSMENT.—The federally funded research and development center selected to conduct
the assessment under subsection (a) shall carry out subsection (b)(2) by analyzing data collected by the F–35 Joint Program Office, other elements of the Federal Government, or contractors. Nothing in this section may be construed as affecting the plans of the Secretary to dispose of the aircraft involved in the incident described in such subsection (b)(2).

(d) REPORT.—Not later than March 15, 2016, the Secretary shall submit to the congressional defense committees a report containing the assessment conducted under subsection (a).

Subtitle C—Other Matters

SEC. 221. EXPANSION OF EDUCATION PARTNERSHIPS TO SUPPORT TECHNOLOGY TRANSFER AND TRANSITION.

Section 2194(a) of title 10, United States Code, is amended by inserting after “mathematics,” the following: “technology transfer or transition,”.

SEC. 222. STRATEGIES FOR ENGAGEMENT WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS OF HIGHER EDUCATION.

(a) MILITARY DEPARTMENTS.—

(1) STRATEGY.—The Secretaries of the military departments shall each develop a strategy for how to
engage with and support the development of scientific, technical, engineering, and mathematics capabilities of covered educational institutions in carrying out section 2362 of title 10, United States Code.

(2) ELEMENTS.—Each strategy under paragraph (1) shall include the following:

(A) Goals and vision for maintaining a credible and sustainable program relating to the engagement and support under the strategy.

(B) Metrics to enhance scientific, technical, engineering, and mathematics capabilities at covered educational institutions, including with respect to measuring progress towards increasing the success of such institutions to compete for broader research funding sources other than set-aside funds.

(C) Promotion of mentoring opportunities between covered educational institutions and other research institutions.

(D) Regular assessment of activities that are used to develop, maintain, and grow scientific, technical, engineering, and mathematics capabilities.
(E) Inclusion of faculty of covered educational institutions into program reviews, peer reviews, and other similar activities.

(F) Targeting of undergraduate, graduate, and postgraduate students at covered educational institutions for inclusion into research or internship opportunities within the military department.

(b) Office of the Secretary.—The Secretary of Defense shall develop and implement a strategy for how to engage with and support the development of scientific, technical, engineering, and mathematics capabilities of covered educational institutions pursuant to the strategies developed under subsection (a).

(c) In implementing the requirements of this section, the Secretary of Defense may seek information from the directorates of the Louis Stokes Alliances for Minority Participation program (LSAMP) and Historically Black Colleges and Universities Undergraduate Program (HBCU-UP) of the National Science Foundation; the American Association for the Advancement of Science; the Emerging Researchers National Conference in Science, Technology, Engineering and Mathematics; the University of Florida Institute for African-American Mentoring in Computing Sciences (iAAMCS); the Hispanic Association
of Colleges and Universities; the National Indian Education Association; and such other institutions, organizations, or associations as the Secretary deems useful.

(d) Submission.—

(1) Military Departments.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of the military departments shall each submit to the congressional defense committees the strategy developed by the Secretary under subsection (a)(1).

(2) Office of the Secretary.—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 the strategy developed under subsection (b).

(e) Covered Institution Defined.—In this section, the term “covered educational institution” has the meaning given that term in section 2362(e) of title 10, United States Code.

SEC. 223. PLAN FOR ADVANCED WEAPONS TECHNOLOGY WAR GAMES.

(a) Plan Required.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall develop a plan for integrating advanced weapons technologies into exercises carried out individually and
jointly by the military departments to improve the development and experimentation of various concepts for employment by the Armed Forces.

(b) ELEMENTS.—The plan under subsection (a) shall include the following:

(1) Identification of specific exercises to be carried out individually or jointly by the military departments under the plan.

(2) Identification of emerging advanced weapons technologies based on joint and individual recommendations of the military departments, including with respect to directed-energy weapons, hypersonic strike systems, autonomous systems, or other technologies as determined by the Secretary.

(3) A schedule for integrating either prototype capabilities or table-top exercises into relevant exercises.

(4) A method for capturing lessons learned and providing feedback both to the developers of the advanced weapons technology and the military departments.

(c) SUBMISSION.—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 under subsection (a).
SEC. 224. COMPTROLLER GENERAL REVIEW OF AUTONOMIC LOGISTICS INFORMATION SYSTEM FOR F-35 LIGHTENING II AIRCRAFT.

(a) Report.—Not later than April 1, 2016, the Comptroller General of the United States shall submit to the congressional defense committees a report on the autonomic logistics information system for the F-35 Lightning II aircraft program.

(b) Elements.—The report under subsection (a) shall include, at a minimum, the following:

(1) The fielding status, in terms of units equipped with various software and hardware configurations, for the autonomic logistics information system element of the F-35 Lightning II aircraft program, as of the date of the report.

(2) The development schedule for upgrades to the autonomic logistics information system, and an assessment of the ability of the F-35 Lightning II aircraft program to maintain such schedule.

(3) The views of maintenance personnel and other personnel involved in operating and maintaining F-35 Lightning II aircraft in testing and operational units.

(4) The effect of the autonomic logistics information system program on the operational availability of the F-35 Lightning II aircraft program.
(5) Improvements, if any, regarding the time required for maintenance personnel to input data and use the autonomic logistics information system.

(6) The ability of the autonomic logistics information system to be deployed on both ships and to forward land-based locations, including any limitations of such a deployable version.

(7) The cost estimates for development and fielding of the autonomic logistics information system program and an assessment of the capability of the program to address performance problems within the planned resources.

(8) Other matters regarding the autonomic logistics information system that the Comptroller General determines of critical importance to the long-term viability of the system.

SEC. 225. BRIEFING ON SHALLOW WATER COMBAT SUBMERSIBLE PROGRAM.

(a) In General.—Not later than the first article delivery date of the shallow water combat submersible program of the United States Special Operations Command, the Secretary of Defense shall provide to the congressional defense committees a briefing on such program.

(b) Elements.—The briefing required under subsection (a) shall include the following elements:
(1) An updated acquisition strategy, schedule, and costs for the shallow water combat submersible program.

(2) Major milestones for the program during the period beginning with the delivery of additional articles and ending on the full operational capability date.

(3) Performance of contractors and subcontractors under the program.

(4) Integration with dry deck shelter and other diving technologies.

(5) Any other element the Secretary or the Commander of the United States Special Operations Command determine appropriate.

SEC. 226. REPORT ON GRADUATE FELLOWSHIPS IN SUPPORT OF SCIENCE, MATHEMATICS, AND ENGINEERING EDUCATION.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the number of individuals from racial or ethnic minority groups, women, and disabled individuals who have participated in the graduate fellowship program under section 2191 of title 10, United
States Code, over the ten-year period preceding the
date of the report;

(2) barriers encountered in recruiting individ-
uals from racial and ethnic minority groups, women,
and disabled individuals to participate in such pro-
grams; and

(3) recommended policy changes to increase
such participation.

SEC. 227. SENSE OF CONGRESS REGARDING FFRDC FACILI-
TATION OF A HIGH QUALITY TECHNICAL
WORKFORCE.

(a) FINDINGS.—Congress makes the following find-
ings:

(1) The quality of the United States’ future sci-
entific and technical workforce is a matter of na-
tional security concern.

(2) Department of Defense support for science,
technology, engineering, and mathematics education
programs facilitates the training of a future sci-
entific and technical workforce that will contribute
significantly to Department of Defense research, de-
velopment, test, and evaluation functions, and the
readiness of the future force.

(3) Federally Funded Research and Develop-
ment Centers sponsored by the Department of De-
fense employ a highly skilled workforce that is qualified to support science, technology, engineering, and mathematics education initiatives, including through meaningful volunteer opportunities in primary and secondary educational settings, and through cooperative relationships and arrangements with private sector organizations and State and local governments, to facilitate the training of a future scientific and technical workforce.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that the Department of Defense should explore using existing authorities for promoting science, technology, engineering, and mathematics programs, such as section 233 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), to allow Federally Funded Research and Development Centers to help facilitate and shape a high quality scientific and technical future workforce that can support Department of Defense needs.

SEC. 228. FUNDING FOR MV-22A DIGITAL INTEROPERABILITY PROGRAM.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 101 for aircraft procurement, Navy, for the
V–22, line 059, as specified in the corresponding funding table in section 4101, for the digital interoperability program is hereby increased by $64,300,000; and

(2) the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Navy, for the V–22A, line 099, as specified in the corresponding funding table in section 4201, for the digital interoperability program is hereby increased by $10,700,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 101 for aircraft procurement, Navy, for spares and repair parts, line 063, as specified in the corresponding funding table in section 4101, is hereby reduced by $75,000,000.

SEC. 229. COMMERCIAL-OFF-THE-SHELF WIDE-AREA SURVEILLANCE SYSTEMS FOR ARMY TACTICAL UNMANNED AERIAL SYSTEMS.

(a) SENSE OF CONGRESS.—Congress finds that—

(1) unmanned aerial systems provide the military services with high-endurance, wide-area surveillance;
(2) wide-area surveillance has proven to be a significant force multiplier for intelligence gathering and dismounted infantry operations;

(3) currently fielded wide-area surveillance sensors are too heavy to be incorporated into tactical unmanned aerial systems; and

(4) the growing commercial market for unmanned aerial systems with full-motion video sensors may offer a commercial-off-the-shelf solution suitable for use on the military services’ tactical unmanned aerial systems.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report that contains the findings of a market survey and flight assessment of commercial-off-the-shelf wide-area surveillance sensors suitable for insertion into Army tactical unmanned aerial systems.

(c) ELEMENTS.—The market survey and flight assessment required by subsection (b) shall include—

(1) specific details regarding the capabilities of current and commercial-off-the-shelf wide-area surveillance sensors utilized on the Army unmanned aerial systems, including—
(A) daytime and nighttime monitoring coverage;

(B) video resolution outputs;

(C) bandwidth requirements;

(D) activity-based intelligence and forensic capabilities;

(E) simultaneous region of interest monitoring capability;

(F) interoperability with other sensors and subsystems currently utilized on Army tactical unmanned aerial systems;

(G) sensor weight;

(H) sensor cost; and

(I) any other factors the Secretary deems relevant;

(2) an assessment of the impact on Army tactical unmanned aerial systems due to the insertion of commercial-off-the-shelf wide-area surveillance sensors; and

(3) recommendations to upgrade or enhance the wide-area surveillance sensors of Army tactical unmanned aerial systems, as deemed appropriate by the Secretary.

(d) FORM.—The report required under subsection (b) may contain a classified annex.
(c) DEFINITION.—In this section, the term “Army tactical unmanned aerial systems” includes, at minimum, the MQ–1C Grey Eagle, the MQ–1 Predator, and the MQ–9 Reaper.

SEC. 230. REPORT ON TACTICAL COMBAT TRAINING SYSTEM INCREMENT II.

(a) REPORT TO CONGRESS.—Not later than January 29, 2016, the Secretary of Navy and the Secretary of the Air Force shall submit to the congressional defense committees a report on the baseline and alternatives to the Navy’s Tactical Air Combat Training System (TCTS) Increment II.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An explanation of the rationale for a new start TCTS II program as compared to an incremental upgrade to the existing TCTS system.

(2) An estimate of total cost to develop, procure, and replace the existing Department of the Navy TCTS architecture with an encrypted TCTS II compared to upgrades to existing TCTS.

(3) A cost estimate and schedule comparison of achieving encryption requirements into the existing TCTS program as compared to TCTS II.
(4) A review of joint Department of the Air Force and the Department of the Navy investment in live-virtual-constructive advanced air combat training and planned timeline for inclusion into TCTS II architecture.

(5) A cost estimate to integrate F-35 aircraft with TCTS II and achieve interoperability between the Department of the Navy and Department of the Air Force.

(6) A cost estimate for coalition partners to achieve TCTS II interoperability within the Department of Defense.

(7) An assessment of risks posed by non-interoperable TCTS systems within the Department of the Navy and the Department of the Air Force.

(8) An explanation of the acquisition strategy for the TCTS program.

(9) An explanation of key performance parameters for the TCTS II program.

(10) Any other information the Secretary of the Navy and Secretary of the Air Force determine is appropriate to include.

(e) LIMITATION.—The Secretary of the Navy shall not proceed with the approval or designation of a contract
award for TCTS II until 15 days after the date of the
submittal of the report required by subsection (a).

SEC. 231. IMPROVEMENT TO COORDINATION AND COMMU-
NICATION OF DEFENSE RESEARCH ACTIVI-
TIES.

(a) IN GENERAL.—Section 2364 of title 10, United
States Code, is amended—

(1) by striking subsection (a) and inserting the
following new subsection:

 ``(a) COORDINATION OF DEPARTMENT OF DEFENSE
RESEARCH, DEVELOPMENT, AND TECHNOLOGICAL
DATA.—The Secretary of Defense shall promote, monitor,
and evaluate programs for the communication and ex-
change of research, development, and technological data—

 ``(1) among the Defense research facilities,
combatant commands, and other organizations that
are involved in developing for the Department of De-
fense the technological requirements for new items
for use by combat forces;

 ``(2) among Defense research facilities and
other offices, agencies, and bureaus in the Depart-
ment that are engaged in related technological mat-
ters;

 ``(3) among other research facilities and other
departments or agencies of the Federal Government
that are engaged in research, development, and technological matters;

“(4) among private commercial, research institution, and university entities engaged in research, development, and technological matters potentially relevant to defense on a voluntary basis; and

“(5) to the extent practicable, to achieve full awareness of scientific and technological advancement and innovation wherever it may occur, whether funded by the Department of Defense, another element of the Federal Government, or other entities.”;

(2) in subsection (b), by striking paragraph (3) and inserting the following new paragraph:

“(3) that the managers of such facilities have broad latitude to choose research and development projects based on awareness of activities throughout the technology domain, including within the Federal Government, the Department of Defense, public and private research institutions and universities, and the global commercial marketplace;”; and

(3) in the section heading, by inserting “and technology domain awareness” after “activities”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended
by striking the item relating to section 2364 and inserting
the following:

“2364. Coordination and communication of defense research activities and tech-
nology domain awareness.”.

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.

SEC. 302. ADDITIONAL AUTHORIZATION OF APPROPRIA-
TIONS FOR THE OFFICE OF ECONOMIC AD-
JUSTMENT.

(a) Authorization of Appropriations.—There is
authorized to be appropriated to the Secretary of Defense
an additional $25,000,000 for the Office of Economic Ad-
justment to be available, until expended and notwith-
standing any other provision of law, for transportation in-
frastucture improvements associated with congestion
mitigation in urban areas related to recommendations of
the 2005 Defense Base Closure and Realignment Commiss-
ion.

(b) FUNDING OFFSET.—Notwithstanding the
amounts set forth in the funding tables in division D, the
amounts specified in the funding table in section 4301 of
division D, relating to Operation and Maintenance, are
each hereby reduced by $5,000,000 (for a total of
$25,000,000), as follows:

(1) Army, Line 540.
(2) Navy, Line 720.

Subtitle B—Energy and
Environment

SEC. 311. LIMITATION ON PROCUREMENT OF DROP-IN
FUELS.

(a) In General.—Subchapter II of chapter 173 of
title 10, United States Code, is amended by adding at the
end the following new section:

“§ 2922h. Limitation on procurement of drop-in fuels

“(a) LIMITATION.—Except as provided in subsection
(b), the Secretary of Defense may not make a bulk pur-
chase of a drop-in fuel for operational purposes unless the
fully burdened cost of that drop-in fuel is cost-competitive
with the fully burdened cost of a traditional fuel available
for the same purpose.

“(b) WAIVER.—(1) Subject to the requirements of
paragraph (2), the Secretary of Defense may waive the
limitation under subsection (a) with respect to a purchase.

“(2) Not later than 30 days after issuing a waiver
under this subsection, the Secretary shall submit to the
congressional defense committees notice of the waiver. Any
such notice shall include each of the following:

“(A) The rationale of the Secretary for issuing
the waiver.

“(B) A certification that the waiver is in the
national security interest of the United States.

“(C) The expected fully burdened cost of the
purchase for which the waiver is issued.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘drop-in fuel’ means a neat or
blended liquid hydrocarbon fuel designed as a direct
replacement for a traditional fuel with comparable
performance characteristics and compatible with ex-
isting infrastructure and equipment.

“(2) The term ‘traditional fuel’ means a liquid
hydrocarbon fuel derived or refined from petroleum.

“(3) The term ‘operational purposes’—
“(A) means for the purposes of conducting military operations, including training, exercises, large scale demonstrations, and moving and sustaining military forces and military platforms; and

“(B) does not include research, development, testing, evaluation, fuel certification, or other demonstrations.

“(4) The term ‘fully burdened cost’ means the commodity price of the fuel plus the total cost of all personnel and assets required to move and, when necessary, protect the fuel from the point at which the fuel is received from the commercial supplier to the point of use.’’.

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2922g the following new item:

‘‘2922h. Limitation on procurement of drop-in fuels.’’.

SEC. 312. 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:

\[33^\circ27.8'/119^\circ34.3'\]
\[33^\circ20.5'/119^\circ15.5'\]
\[33^\circ13.5'/119^\circ11.8'\]
\[33^\circ06.5'/119^\circ15.3'\]
\[33^\circ02.8'/119^\circ26.8'\]
\[33^\circ08.8'/119^\circ46.3'\]
\[33^\circ17.2'/119^\circ56.9'\]
\[33^\circ30.9'/119^\circ54.2'.\]

(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.—

“(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, 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.

“(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.

SEC. 313. REVISION TO SCOPE OF STATUTORILY REQUIRED REVIEW OF PROJECTS RELATING TO POTENTIAL OBSTRUCTIONS TO AVIATION SO AS TO APPLY ONLY TO ENERGY PROJECTS.

(a) Scope of Section.—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)(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”;

(2) in subsection (c)(4), by striking “readiness, and” and all that follows 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.”;

(3) in subsection (d)(2)(B), by striking “as high, medium, or low”;

(4) by redesignating subsection (j) as subsection (k); and

(5) by inserting after subsection (i) the following new subsection (j):

“(j) APPLICABILITY OF SECTION.—This section does not apply to a non-energy project.”.

(b) DEFINITIONS.—Subsection (k) of such section, as redesignated by paragraph (4) of subsection (a), is amended by adding at the end the following new paragraphs:
“(4) The term ‘energy project’ means a project that provides for the generation or transmission of electrical energy.

“(5) The term ‘non-energy project’ means a project that is not an energy project.

“(6) 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. 314. EXCLUSIONS FROM DEFINITION OF “CHEMICAL SUBSTANCE” UNDER TOXIC SUBSTANCES CONTROL ACT.

Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by striking “, and” and inserting “and any component of such an article (including, without limitation, shot, bullets and other projectiles, propellants when manufactured for or used in such an article, and primers), and”.

SEC. 315. EXEMPTION OF DEPARTMENT OF DEFENSE FROM ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: “This section shall not apply to the Department of Defense.”.
SEC. 316. LIMITATION ON PLAN, DESIGN, REFURBISHING, OR CONSTRUCTION OF BIOFUELS REFINERIES.

The Secretary of Defense may not enter into a contract for the planning, design, refurbishing, or construction of a biofuels refinery any other facility or infrastructure used to refine biofuels unless such planning, design, refurbishing, or construction is specifically authorized by law.

SEC. 317. COMPREHENSIVE STUDY ON IMPACT OF PROPOSED OZONE RULE.

Not earlier than 5 years after the date of the enactment of this Act, the Secretary of Defense shall conduct a comprehensive study on the impact of any final rule that succeeds the proposed regulation entitled National Ambient Air Quality Standards for Ozone (published at 79 Fed. Reg. 75234) on military readiness, including the impact of such rule on training exercises, military installations, land owned and operated by the Department of Defense, the infrastructure upon which the national security system relies, and the impact military activities may have on attainment designations.
SEC. 318. REPORT ON MERGER OF OFFICE OF ASSISTANT SECRETARY FOR OPERATIONAL ENERGY PLANS AND DEPUTY UNDER SECRETARY FOR INSTALLATIONS AND ENVIRONMENT.


(1) a description of how the office is implementing its responsibilities under sections 138(b)(9), 138(c), and 2925(b) of title 10, United States Code, and Department of Defense Directives 5134.15 (Assistant Secretary of Defense for Operational Energy Plans and Programs) and 4280.01 (Department of Defense Energy Policy);

(2) a description of any efficiencies achieved as a result of the merger; and

(3) the number of Department of Defense personnel whose responsibilities are focused on energy matters specifically.
Subtitle C—Logistics and Sustainment

SEC. 321. ASSIGNMENT OF CERTAIN NEW REQUIREMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.

(a) AMENDMENT.—Chapter 146 of title 10, United States Code, is amended by inserting after section 2463 the following new section:

“§ 2463a. Assignment of certain new requirements based on determinations of cost-efficiency

“(a) ASSIGNMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.—(1) Except as provided in paragraph (2) and subject to subsection (b), the assignment of performance of a new requirement by the Department of Defense to members of the armed forces, civilian employees, or contractors shall be based on a determination of which sector of the Department’s workforce can perform the new requirement in the most cost-efficient manner, based on an analysis of the costs to the Federal Government in accordance with Department of Defense Instruction 7041.04 (‘Estimating and Comparing the Full Costs of Civilian and Active Duty Military Manpower and Contract Support’) or successor guidance, consistent with the needs of...
the Department with respect to factors other than cost,
including quality, reliability, and timeliness.

“(2) Paragraph (1) shall not apply in the case of a
new requirement that is inherently governmental, closely
associated with inherently governmental functions, crit-
ical, or required by law to be performed by members of
the armed forces or Department of Defense civilian em-
ployees.

“(3) Nothing in this section may be construed as af-
fecting the requirements of the Department of Defense
under policies and procedures established by the Secretary
of Defense under section 129a of this title for determining
the most appropriate and cost-efficient mix of military, ci-
vilian, and contractor personnel to perform the mission of
the Department of Defense.

“(b) WAIVER DURING AN EMERGENCY OR EXIGENT
CIRCUMSTANCES.—The head of an agency may waive sub-
section (a) for a specific new requirement in the event of
an emergency or exigent circumstances, as long as the
head of an agency, within 60 days of exercising the waiver,
submits to the Committees on Armed Services of the Sen-
ate and House of Representatives notice of the specific
new requirement involved, where such new requirement is
being performed, and the date on which it would be prac-
tical to subject such new requirement to the requirements of subsection (a).

“(c) PROVISIONS RELATING TO ASSIGNMENT OF CIVILIAN PERSONNEL.—If a new requirement is assigned to a Department of Defense civilian employee consistent with the requirements of this section—

“(1) the Secretary of Defense may not—

“(A) impose any constraint or limitation on the size of the civilian workforce in terms of man years, end strength, full-time equivalent positions, or maximum number of employees; or

“(B) require offsetting funding for civilian pay or benefits or require a reduction in civilian full-time equivalents or civilian end-strengths; and

“(2) the Secretary may assign performance of such requirement without regard to whether the employee is a temporary, term, or permanent employee.

“(d) NEW REQUIREMENT DESCRIBED.—For purposes of this section, a new requirement is an activity or function that is not being performed, as of the date of consideration for assignment of performance under this section, by military personnel, civilian personnel, or contractor personnel at a Department of Defense component, organization, installation, or other entity. For purposes of
the preceding sentence, an activity or function that is per-
formed at such an entity and that is re-engineered, reorga-
nized, modernized, upgraded, expanded, or changed to be-
come more efficient but is still essentially providing the
same service shall not be considered a new requirement.”.

(b) CLERICAL AMENDMENT.—The table of sections
at the beginning of such chapter is amended by inserting
after the item relating to section 2463 the following new
item:

“2463a. Assignment of certain new requirements based on determinations of
cost-efficiency.”.

SEC. 322. INCLUSION IN ANNUAL TECHNOLOGY AND INDUS-
TRIAL CAPABILITY ASSESSMENTS OF A DE-
TERMINATION ABOUT DEFENSE ACQUISITION
PROGRAM REQUIREMENTS.

Section 2505(b) of title 10, United States Code, is
amended—

(1) by redesignating paragraphs (3) and (4) as
paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the fol-
lowing new paragraph (3):

“(3) determine the extent to which the require-
ments associated with defense acquisition programs
can be satisfied by the present and projected per-
formance capacities of industries supporting the sec-
tors or capabilities in the assessment and evaluate
the reasons for any variance from applicable pre-
ceeding determinations;”.

SEC. 323. AMENDMENT TO LIMITATION ON AUTHORITY TO
ENTER INTO A CONTRACT FOR THE
SUSTAINMENT, MAINTENANCE, REPAIR, OR
OTHER OVERHAUL OF THE F117 ENGINE.

Section 341 of the Carl Levin and Howard P.
Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3345)
is amended—

(1) by striking “Under Secretary of Defense for
Acquisition, Technology, and Logistics” and all that
follows through “is paying” and inserting “Senior
Acquisition Executive of the Air Force has deter-
dined that the Air Force has obtained sufficient
data to establish that the Air Force is paying”; and

(2) by striking the sentence beginning with
“The Secretary may waive”.

SEC. 324. PILOT PROGRAMS FOR AVAILABILITY OF WORK-
ING-CAPITAL FUNDS FOR PRODUCT IM-
PROVEMENTS.

(a) PILOT PROGRAMS REQUIRED.—During fiscal
year 2016, each of the Assistant Secretary of the Army
for Acquisition, Logistics, and Technology, the Assistant
Secretary of the Navy for Research, Development, and Ac-

(b) Limitation on Availability of Funds.—A minimum of $5,000,000 of working-capital funds shall be used for each of the pilot programs initiated under subsection (a) for fiscal year 2016.

SEC. 325. REPORT ON EQUIPMENT PURCHASED FROM FOREIGN ENTITIES THAT COULD BE MANUFACTURED IN UNITED STATES ARSENALS OR DEPOTS.

(a) Report.—Not later than 30 days after the date on which the budget of the President for fiscal year 2017 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the equipment, weapons, weapons systems, components, subcomponents, and end-items purchased from foreign entities that identifies those items which could be manufactured in the military arsenals of the United States or the military depots of the United States to meet the
goals of subsection (a) or section 2464 of title 10, United States Code, as well as a plan for moving that workload into such arsenals or depots.

(b) **Elements of Report.**—The report required by subsection (a) shall include each of the following:

(1) An identification of items purchased by foreign manufacturers—

(A) described in section 8302(a)(1) of title 41, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 8302(a)(2)(A) or section 8302(a)(2)(B) of such title;

(B) described in section 2533b(a)(1) of title 10, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 2533b(b); and

(C) described in section 2534(a) of such title and purchased from a foreign manufacturer by reason of a waiver exercised under paragraph (1), (2), (4), or (5) of section 2534(d) of such title.

(2) An assessment of the skills required to manufacture the items identified in paragraph (1) and a comparison of those skills with skills required to meet the critical capabilities identified by the
Army Report to Congress on Critical Manufacturing Capabilities and Capacities dated August 2013 and the core logistics capabilities identified by each military service pursuant to section 2464 of title 10, United States Code, as of the date of the enactment of this Act.

(3) An identification of the tooling, equipment, and facilities upgrades necessary for a military arsenal or depot to perform the manufacturing workload identified under paragraph (1).

(4) An identification of workload identified in paragraph (1) most appropriate for transfer to military arsenals or depots to meet the goals of subsection (a) or the requirements of section 2464 of title 10, United States Code.

(5) Such other information the Secretary considers necessary for adherence to paragraphs (4) and (5).

(6) An explanation of the rationale for continuing to sole-source manufacturing workload identified in paragraph (1) from a foreign source rather than a military arsenal, depot, or other organic facility.
Subtitle D—Other Matters

SEC. 333. IMPROVEMENTS TO DEPARTMENT OF DEFENSE

EXCESS PROPERTY DISPOSAL.

(a) PLAN REQUIRED.—Not later than June 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a plan for the improved management and oversight of the systems, processes, and controls involved in the disposition of excess non-mission essential equipment and materiel by the Defense Logistics Agency Disposition Services.

(b) CONTENTS OF PLAN.—At a minimum, the plan shall address each of the following:

(1) Backlogs of unprocessed property at disposition sites that do not meet Defense Logistics Agency Disposition Services goals.

(2) Customer wait times.

(3) Procedures governing the disposal of serviceable items in order to prevent the destruction of excess property eligible for utilization, transfer, or donation before potential recipients are able to view and obtain the property.

(4) Validation of materiel release orders.

(5) Assuring adequate physical security for the storage of equipment.
(6) The number of personnel required to effectively manage retrograde sort yards.

(7) Managing any potential increase in the amount of excess property to be processed.

(8) Improving the reliability of Defense Logistics Agency Disposition Services data.

(9) Procedures for ensuring no property is offered for public sale until all requirements for utilization, transfer, and donation are met.

(10) Validation of physical inventory against database entries.

(c) CONGRESSIONAL BRIEFING.—By not later than September 30, 2016, the Secretary shall provide to the congressional defense committees a briefing on the actions taken to implement the plan required under subsection (a).

SEC. 334. ACCESS TO WIRELESS HIGH-SPEED INTERNET AND NETWORK CONNECTIONS FOR CERTAIN MEMBERS OF THE ARMED FORCES DEPLOYED OVERSEAS.

Consistent with section 2492a of title 10, United States Code, the Secretary of Defense is encouraged to enter into contracts with third-party vendors in order to provide members of the Armed Forces who are deployed overseas at any United States military facility, at which
wireless high-speed Internet and network connections are otherwise available, with access to such Internet and network connections without charge.

SEC. 335. TEMPORARY AUTHORITY TO EXTEND CONTRACTS AND LEASES UNDER THE 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.

SEC. 336. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D))) and
small business concerns owned and controlled by socially
and economically disadvantaged individuals (as such term
is defined in section 8(d)(3)(C) of the Small Business Act
(15 U.S.C. 637(d)(3)(C))) that are located in the geo-
graphic area near the military base.

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.
(3) The Marine Corps, 184,000.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END
STRENGTH MINIMUM LEVELS.
Section 691(b) of title 10, United States Code, is
amended by striking paragraphs (1) through (4) and in-
serting the following new paragraphs:
“(1) For the Army, 475,000.
“(2) For the Navy, 329,200.
“(3) For the Marine Corps, 184,000.
“(4) For the Air Force, 317,000.”
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.
(7) The Coast Guard Reserve, 7,000.

(b) End Strength Reductions.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and
(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty
(other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) End Strength Increases.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 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.

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.

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.

SEC. 422. REPORT ON FORCE STRUCTURE OF THE ARMY.

(a) Report Required.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the following:

(2) An evaluation of the adequacy of the Army force structure proposed for the future-years defense program for fiscal years 2017 through 2021 to meet the goals of the national military strategy of the United States.

(3) An independent risk assessment by the Chairman of the Joint Chiefs of Staff of the proposed Army force structure and the ability of such force structure to meet the operational requirements of combatant commanders.

(4) A description of the planning assumptions and scenarios used by the Department of Defense to validate the size and force structure of the Army, including the Army Reserve and the Army National Guard.

(5) A certification by the Secretary of Defense that the Secretary has reviewed the reports by the
Secretary of the Army and the assessments of the Chairman of the Joint Chiefs of Staff and determined that an end strength for active duty personnel of the Army below the end strength level authorized in section 401(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) will be adequate to meet the national military strategy of the United States.

(6) A description of various alternative options for allocating funds to ensure that the end strengths of the Army do not fall below levels of significant risk, as determined pursuant to the risk assessment conducted by the Chairman of the Joint Chief under paragraph (3).

(7) Such other information or updates as the Secretary of Defense considers appropriate.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.
TITLE V—MILITARY PERSONNEL
POLICY
Subtitle A—Officer Personnel
Policy
SEC. 501. EQUITABLE TREATMENT OF JUNIOR OFFICERS
EXCLUDED FROM AN ALL-FULLY-QUALIFIED-OFFICERS LIST BECAUSE OF ADMINISTRATIVE ERROR.

(a) Officers on Active-Duty List.—Section 624(a)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) If the Secretary of the military department concerned determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.”.

(b) Officers on Reserve Active-Status List.—Section 14308(b)(4) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) If the Secretary of the military department concerned determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this
paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.”.

(c) Conforming Amendments to Special Selection Board Authority.—

(1) Regular Components.—Section 628(a)(1) of title 10, United States Code, is amended by striking “or the name of a person that should have been placed on an all-fully-qualified-officers list under section 624(a)(3) of this title was not so placed, ”.

(2) Reserve Components.—Section 14502(a)(1) of title 10, United States Code, is amended by striking “or whose name was not placed on an all-fully-qualified-officers list under section 14308(b)(4) of this title because of administrative error,”.
SEC. 502. AUTHORITY TO DEFER UNTIL AGE 68 MANDATORY RETIREMENT FOR AGE OF A GENERAL OR
FLAG OFFICER SERVING AS CHIEF OR DEP-
UTY CHIEF OF CHAPLAINS OF THE ARMY,
NAVY, OR AIR FORCE.

(a) DEFERRAL AUTHORITY.—Section 1253 of title
10, United States Code, is amended by adding at the end
the following new subsection:

“(c) DEFERRED RETIREMENT OF CHAPLAINS.—(1)
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.

“(2) A deferment of the retirement of an officer re-
ferred to in paragraph (1) may not extend beyond the first
day of the month following the month in which the officer
becomes 68 years of age.

“(3) The authority to defer the retirement of an offi-
cer referred to in paragraph (1) expires December 31,
2020. Subject to paragraph (2), a deferment granted be-
fore that date may continue on and after that date.”.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section
1253 of title 10, United States Code, is amended to
read as follows:
“§ 1253. Age 64: regular commissioned officers in general and flag officer grades; exceptions”.

(2) Table of Sections.—The table of sections at the beginning of chapter 63 of title 10, United States Code, is amended by striking the item relating to section 1253 and inserting the following new item:

“1253. Age 64: regular commissioned officers in general and flag officer grades; exceptions.”.

SEC. 503. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATION ON THE DEFINITION AND AVAILABILITY OF COSTS ASSOCIATED WITH GENERAL AND FLAG OFFICERS AND THEIR AIDES.

(a) Definition of Costs.—The Secretary of Defense shall direct the Director, Cost Assessment and Program Evaluation, in coordination with the Under Secretary of Defense for Personnel and Readiness and the Secretaries of the military departments, to define the costs that could be associated with general and flag officers, such as security details, Government air travel, enlisted and officer aide housing costs, additional support staff, official residences, and any other associated costs incurred due to the nature of their position, for the purpose of providing a consistent approach to estimating and managing the full costs associated with these officers and aides.
(b) Report on Costs Associated With General and Flag Officers and Aides.—Not later than June 30, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the costs associated with general and flag officers and their enlisted and officer aides.

Subtitle B—Reserve Component Management

SEC. 511. 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)—
(A) by striking “Such board” and inserting “The special selection board”; and

(B) by striking “selection board” and inserting “mandatory promotion board”.

SEC. 512. READY RESERVE CONTINUOUS SCREENING REGARDING KEY POSITIONS DISQUALIFYING FEDERAL OFFICIALS FROM CONTINUED SERVICE IN THE READY RESERVE.

Section 10149 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(6) That members who also occupy a Federal key position whose mobilization in an emergency would seriously impair the capability of the parent Federal agency or office to function effectively are not retained in the Ready Reserve.”; and

(2) by adding at the end the following new subsection:

“(c) In this section, the term ‘Federal key position’ means a Federal position that shall not be vacated during a national emergency or mobilization without seriously impairing the capability of the parent Federal agency or office to function effectively. There are four categories of Federal key positions, the first three of which are, by defi-
nition, key positions while the fourth category requires a case-by-case determination and designation, as follows:

“(1) The Vice President of the United States or any official specified in the order of presidential succession in section 19 of title 3.

“(2) The heads of the Federal agencies appointed by the President with the consent of the Senate, except that this paragraph does not include any position on a multi-member board or commission. Such a position may be designated as a Federal key position only in accordance with paragraph (4).

“(3) Article III Judges. However, each Article III Judge, who is a member of the Ready Reserve and desires to remain in the Ready Reserve, must have his or her position reviewed by the Chief Judge of the affected Judge’s Circuit. If the Chief Judge determines that mobilization of the Article III Judge concerned will not seriously impair the capability of the Judge’s court to function effectively, the Chief Judge will provide a certification to that effect to the Secretary concerned. Concurrently, the affected Judge will provide a statement to the Secretary concerned requesting continued service in the Ready Reserve and acknowledging that he or she may be in-
voluntarily called to active duty under the laws of
the United States and the directives and regulations
of the Department of Defense and pledging not to
seek to be excused from such orders based upon his
or her judicial duties.

“(4) Other Federal positions determined by the
head of a Federal Agency.”.

SEC. 513. EXEMPTION OF MILITARY TECHNICIANS (DUAL
STATUS) FROM CIVILIAN EMPLOYEE FURLoughs.

Section 10216(b)(3) of title 10, United States Code,
is amended by inserting after “reductions” the following:
“(including temporary reductions by furlough or other-
wise)”.

SEC. 514. ANNUAL REPORT ON PERSONNEL, TRAINING, AND
EQUIPMENT REQUIREMENTS FOR THE NON-
FEDERALIZED NATIONAL GUARD TO SUP-
PORT CIVILIAN AUTHORITIES IN PREVEN-
TION AND RESPONSE TO NON-CATASTROPHIC
DOMESTIC DISASTERS.

(a) Annual Report Required.—Section 10504 of
title 10, United States Code, is amended—

(1) in subsection (a), by striking “REPORT.—”
and inserting “REPORT ON STATE OF THE NA-
TIONAL GUARD.—(1)”;

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(2) by striking “(b) Submission of Report to Congress.—” and inserting “(2)”;

(3) by striking “annual report of the Chief of the National Guard Bureau” and inserting “annual report required by paragraph (1)”;

(4) by adding at the end the following new subsection (b):

“(b) Annual Report on Non-Federalized Service National Guard Personnel, Training, and Equipment Requirements.—(1) Not later than January 31 of each of calendar years 2016 through 2022, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the officials specified in paragraph (5) a report setting forth the personnel, training, and equipment required by the National Guard during the next fiscal year to carry out its mission, while not Federalized, to provide prevention, protection mitigation, response, and recovery activities in support of civilian authorities in connection with non-catastrophic natural and man-made disasters.

“(2) To determine the annual personnel, training, and equipment requirements of the National Guard referred to in paragraph (1), the Chief of the National Guard Bureau shall take into account, at a minimum, the following:
“(A) Core civilian capabilities gaps for the prevention, protection, mitigation, response, and recovery activities in connection with natural and man-made disasters, as collected by the Department of Homeland Security from the States.

“(B) Threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

“(3) Personnel, training, and equipment requirements shall be collected from the States, validated by the Chief of the National Guard Bureau, and be categorized in the report required by paragraph (1) by each of the following:

“(A) Emergency support functions of the National Response Framework.

“(B) Federal Emergency Management Agency regions.

“(4) The annual report required by paragraph (1) shall be prepared in consultation with the chief executive of each State, other appropriate civilian authorities, and the Council of Governors.

“(5) In addition to the congressional defense committees, the annual report required by paragraph (1) shall be submitted to the following officials:

“(A) The Secretary of Defense.
“(B) The Secretary of Homeland Security.
“(C) The Council of Governors.
“(D) The Secretary of the Army.
“(E) The Secretary of the Air Force.
“(F) The Commander of the United States Northern Command.
“(G) The Commander of the United States Cyber Command.”.

(b) Clerical Amendments.—

(1) Section heading.—The heading of such section is amended to read as follows:

“§ 10504. Chief of the National Guard Bureau: annual reports”.

(2) Table of contents.—The table of sections at the beginning of chapter 1011 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following new section:

“10504. Chief of the National Guard Bureau: annual reports.”.

SEC. 515. NATIONAL GUARD CIVIL AND DEFENSE SUPPORT ACTIVITIES AND RELATED MATTERS.

(a) Operational Use of the National Guard.—

(1) In general.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:
§ 116. Operational use of the National Guard

(a) IN GENERAL.—This section authorizes the operational use of the National Guard and recognizes that the basic premise of both the National Incident Management System and the National Response Framework is that—

“(1) incidents are typically managed at the local level first; and

“(2) local jurisdictions retain command, control, and authority over response activities for their jurisdictional areas.

(b) ASSISTANCE TO CIVILIAN FIREFIGHTING ORGANIZATIONS.—

“(1) ASSISTANCE AUTHORIZED.—Members and units of the National Guard shall be authorized to support firefighting operations, missions, or activities, including aerial firefighting employment of the Modular Airborne Firefighting System (MAFFS), undertaken in support of a civilian authority or a State or Federal agency.

“(2) ROLE OF GOVERNOR AND STATE ADJUTANT GENERAL.—For the purposes of paragraph (1)—

“(A) the Governor of a State shall be the principal civilian authority; and

“(B) the adjutant general of the State shall be the principal military authority, when
acting in his or her State capacity, and has the
primary authority to mobilize members and
units of the National Guard of the State in any
duty status under this title the adjutant general
deems appropriate to employ necessary forces
when funds to perform such operations, mis-

(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of such chapter is amended
by adding at the end the following new item:
“116. Operational use of the National Guard.”.

(b) ACTIVE GUARD AND RESERVE (AGR) SUP-
PORT.—Section 328(b) of title 32, United States Code, is
amended—

(1) by inserting “duty as specified in section
116(b) of this title or may perform” after “sub-
section (a) may perform”; and

(2) by inserting “(A) and (B)” after “specified
in section 502(f)(2)”.

(c) FEDERAL TECHNICIANS SUPPORT.—Section
709(a)(3) of title 32, United States Code, is amended by
inserting “duty as specified in section 116(b) of this title
or” after “(3) the performance of”.

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SEC. 516. ELECTRONIC TRACKING OF OPERATIONAL ACT-DUTY SERVICE PERFORMED BY MEMBERS OF THE READY RESERVE OF THE ARMED FORCES.

The Secretary of Defense shall establish an electronic means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after January 28, 2008, under section 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10, United States Code. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date under section 12731(f) of such title.

Subtitle C—Consolidation of Authorities to Order Members of Reserve Components to Perform Duty

SEC. 521. ADMINISTRATION OF RESERVE DUTY.

Chapter 1209 of title 10, United States Code, is amended—

(1) by inserting before section 12301 the following subchapter heading:
“SUBCHAPTER I—ADMINISTRATION OF
RESERVE DUTY”.
(2) by striking sections 12301, 12302, 12303,
12304, 12310, 12319 and 12322;
(3) in subsections (a) and (b) of section 12305,
by striking “section 12301, 12302, or 12304 of this
title” and inserting “section 12341 of this title for
a purpose specified under subsections (a) through
(e) of section 12351(a) of this title”;
(4) in section 12306—
(A) in subsection (a), by striking “section
12301” and inserting “section 12351”; and
(B) in subsection (b)—
(i) in paragraph (1), by striking “sec-
tion 12301(a) of this title” and inserting
“section 12341 of this title for the purpose
specified in section 12351(a) of this title”;
and
(ii) in paragraph (2), by striking “sec-
tion 12301(a)” and inserting “section
12351(a)”;
(5) in section 12307, by striking “12301(a)” and inserting “12351(a)”;
(6) in section 12318—
(A) in subsection (a), by striking “section 12302 or 12304 of this title” and inserting “section 12341 of this title for a purpose specified under subsection (b) or (c) of section 12351”; and

(B) in subsection (b)—

(i) by striking “section 12310” and inserting “section 12353(c)”; and

(ii) by striking “section 12302 or 12304” and inserting “subsection (b) or (c) of section 12351”; and

(7) by inserting after section 12321 the following new section:

§ 12323. Policies and procedures

“(a) In General.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe such policies and procedures for the armed forces under their respective jurisdictions as the Secretary considers necessary to carry out this chapter.

“(b) Report to Congress.—When members of the Ready Reserve are ordered to active duty pursuant to section 12351(b) of this title, the Secretary of Defense shall submit a report, at least once a year, to the Committees on Armed Services of the Senate and the House of Rep-
resentatives describing the policies and procedures pre-
scribed under subsection (a).”.

SEC. 522. RESERVE DUTY AUTHORITIES.

(a) In General.—Chapter 1209 of title 10, United
States Code, is further amended by inserting after section
12323, as added by section 521(7) of this Act, the fol-
lowing new subchapter:

(b) Redesignation of Inactive Duty to Encom-
pass Operational and Other Duties Performed
While in an Active Duty Status.—

(1) References.—Any reference that is made
in any law, regulation, document, paper, or other
record of the United States to inactive-duty training,
as such term applies to members of the reserve com-
ponents of the uniformed services, shall be deemed
to be a reference to inactive duty.

(2) Definition of Uniformed Services.—In
this subsection the term “uniformed services” has
the meaning given the term in section 101(a)(5) of
title 10, United States Code.

SEC. 523. PURPOSE OF RESERVE DUTY.

Chapter 1209 of title 10, United States Code, is fur-
ther amended by inserting after section 12343, as added
by section 522(a), the following new subchapter:
“SUBCHAPTER III—PURPOSE OF RESERVE DUTY

“§ 12351. Reserve component: required duty

“(a) Mobilization of the Reserve Components.—

“(1) In general.—In time of war or of national emergency declared by Congress, or when otherwise authorized by law, an authority designated by the Secretary concerned may, without the consent of the persons affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of a reserve component under the jurisdiction of that Secretary to active duty under section 12341 of this title for the duration of the war or emergency and for six months thereafter. However a member on an inactive status list or in a retired status may not be ordered to active duty under this subsection unless the Secretary concerned, with the approval of the Secretary of Defense in the case of the Secretary of a military department, determines that there are not enough qualified Reserves in an active status or in the inactive National Guard in the required category who are readily available.

“(2) Expansions.—So far as practicable, during any expansion of the active armed forces that re-
quires that units and members of the reserve components be ordered to active duty as provided in paragraph (1), members of units organized and trained to serve as units who are ordered to that duty without their consent shall be so ordered with their units. However, members of those units may be re-assigned after being so ordered to active duty.

“(3) Period of Time.—The period of time allowed between the date when a Reserve ordered to active duty pursuant to paragraph (1) is alerted for that duty and the date when the Reserve is required to enter upon that duty shall be determined by the Secretary concerned based upon military requirements at that time.

“(b) Ready Reserve Mobilization.—In time of national emergency declared by the President after January 1, 1953, or when otherwise authorized by law, an authority designated by the Secretary concerned may, without the consent of the persons concerned, order any unit, and any member not assigned to a unit organized to serve as a unit, in the Ready Reserve under the jurisdiction of that Secretary to active duty under section 12341 of this title for not more than 24 consecutive months. Not more than 1,000,000 members of the Ready Reserve may be
on active duty, without their consent, under this section at any one time.

“(c) Call-up of the Selected Reserve and Certain Individual Ready Reserve Members; Other Than During War or National Emergency.—

“(1) In general.—Notwithstanding the provisions of subsection (b) or any other provision of law, when the President determines that it is necessary to augment the active forces for any operational mission or that it is necessary to provide assistance referred to in paragraph (2), the President may authorize the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, without the consent of the members concerned, to order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve, or any member in the Individual Ready Reserve mobilization category and designated as essential under regulations prescribed by the Secretary concerned, under their respective jurisdictions, to active duty under section 12341 of this title for not more than 365 days.
“(2) EMERGENCIES.—The augmentation under paragraph (1) includes providing assistance in responding to an emergency involving—

“(A) a use or threatened use of a weapon of mass destruction; or

“(B) a terrorist attack or threatened terrorist attack in the United States that results, or could result, in significant loss of life or property.

“(3) FUNCTION LIMITATION.—No unit or member of a reserve component may be ordered to active duty pursuant to this subsection to perform any of the functions authorized by chapter 15 of this title or section 12406 of this title or, except as provided in paragraph (2), to provide assistance to the Federal Government or a State in time of a serious natural or manmade disaster, accident, or catastrophe.

“(4) NUMERICAL LIMITATION.—Not more than 200,000 members of the Selected Reserve and the Individual Ready Reserve may be on active duty pursuant to this subsection at any one time, of whom not more than 30,000 may be members of the Individual Ready Reserve.

“(5) RESPONSE CAPABILITIES.—No unit or member of a reserve component may be ordered to
active duty pursuant to this subsection to provide
assistance referred to in paragraph (2) unless the
President determines that the requirements for re-
sponding to an emergency referred to in that sub-
section have exceeded, or will exceed, the response
capabilities of local, State, and Federal civilian agen-
cies.

“(6) TERMINATION.—Whenever any unit of the
Selected Reserve or any member of the Selected Re-
serve not assigned to a unit organized to serve as a
unit, or any member of the Individual Ready Re-
serve, is ordered to active duty pursuant to para-
graph (1), the service of all units or members so or-
dered to active duty may be terminated by—

“(A) order of the President; or

“(B) law.

“(7) REPORT.—Whenever the President author-
izes the Secretary of Defense or the Secretary of the
Department in which the Coast Guard is operating
to order any unit or member of the Selected Reserve
or Individual Ready Reserve to active duty, pursuant
to paragraph (1), the President shall, within 24
hours after exercising such authority, submit to Con-
gress a report setting forth the circumstances neces-
sitating the action taken under this section and de-
scribing the anticipated use of these units or members.

“(8) Rule of Construction.—Nothing contained in this subsection shall be construed as amending or limiting the application of the provisions of the War Powers Resolution (50 U.S.C. 1541 et seq.).

“(d) Annual Active Duty.—At any time, an authority designated by the Secretary concerned may, without the consent of the persons affected, order any unit, and any member not assigned to a unit organized to serve as a unit, in an active status in a reserve component under the jurisdiction of that Secretary to active duty under section 12341 of this title for not more than 15 days a year. However, units and members of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to active duty under this subsection without the consent of the governor of the State (or, in the case of the District of Columbia National Guard, the commanding general of the District of Columbia National Guard). The consent of a Governor may not be withheld (in whole or in part) with regard to active duty outside the United States, its territories, and its possessions, because of any objection to the location, purpose, type, or schedule of such active duty.
“(e) Ready Reserve: Unsatisfactory Participation.—

“(1) Authority to order to active duty.—

“(A) In general.—Notwithstanding any other provision of law, the President may order to active duty under section 12341 of this title any member of the Ready Reserve of an armed force who—

“(i) is not assigned to, or participating satisfactorily in, a unit of the Ready Reserve;

“(ii) has not fulfilled the member’s statutory reserve obligation; and

“(iii) has not served on active duty for a total of 24 months.

“(B) Duration and extension.—A member who is ordered to active duty pursuant to paragraph (1) may be required to serve on active duty until the member’s total service on active duty equals 24 months. If the member’s enlistment or other period of military service would expire before the member has served the required period under this paragraph, the enlistment or other period of military service may
be extended until the member has served the re-
quired period.

“(2) Failure to perform satisfactorily.—

“(A) In general.—A member of the
Ready Reserve covered by section 12352 of this
title who fails in any year to perform satisfac-
torily the training duty prescribed in that sec-
tion, as determined by the Secretary concerned
under regulations prescribed by the Secretary of
Defense, may be ordered without the member’s
consent to perform additional active duty for
training under section 12341 of this title for
not more than 45 days. If the failure occurs
during the last year of the member’s required
membership in the Ready Reserve, the mem-
ber’s membership is extended until the member
performs that additional active duty for train-
ing, but not for more than six months.

“(B) Army National Guard or Air Na-
tional Guard.—A member of the Army Na-
tional Guard of the United States or the Air
National Guard of the United States who fails
in any year to perform satisfactorily the train-
ing duty prescribed by or under law for mem-
bers of the Army National Guard or the Air
National Guard, as the case may be, as determined by the Secretary concerned, may, upon the request of the Governor of the State (or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard) be ordered, without the member’s consent, to perform additional active duty for training under section 12341 of this title for not more than 45 days. A member ordered to active duty under this subsection shall be ordered to duty as a Reserve of the Army or as a Reserve of the Air Force, as the case may be. However, the consent of a Governor may not be withheld (in whole or in part) with regard to active duty outside the United States, its territories, and its possessions, because of any objection to the location, purpose, type, or schedule of such active duty.

“(f) Captive Status.—A member of a reserve component may be ordered to active duty under section 12341 of this title without the member’s consent if the Secretary concerned determines that the member is in a captive status. A member ordered to active duty under this section may not be retained on active duty, without the member’s
consent, for more than 30 days after the member’s captive status is terminated.

“(g) MUSTER DUTY.—A member of the Ready Reserve may be ordered without the member’s consent to muster duty under section 12343 of this title one time each year. A member ordered to muster duty under this section shall be required to perform a minimum of two hours of muster duty on the day of muster. The muster duty shall be subject to the following requirements:

“(1) PERIOD OF TIME.—The period which a member may be required to devote to muster duty under this section, including round-trip travel to and from the location of that duty, may not total more than one day each calendar year.

“(2) TREATMENT AS INACTIVE DUTY AND TRAVEL.—Except as specified in paragraph (3), muster duty (and travel directly to and from that duty) under this section shall be treated as inactive duty (and travel directly to and from that duty) for the purposes of this title and the provisions of title 37 (other than section 206(a) of title 37) and title 38, including provisions relating to the determination of eligibility for and the receipt of benefits and entitlements provided under those titles for Reserves.
performing inactive duty and for their dependents
and survivors.

“(3) Not credited for retired pay purposes.—Muster duty under this subsection shall not
be credited in determining entitlement to, or in comput-
ing, retired pay under chapter 1223 of this title.

“(h) Consideration for Mobilization.—To
achieve fair treatment between members in the Ready Re-
serve who are being considered for recall to duty without
their consent pursuant to subsection (b), (c) or (e)(1), con-
sideration shall be given to—

“(1) the length and nature of previous service,
to assure such sharing of exposure to hazards as the
national security and military requirements will rea-
sonably allow;

“(2) the frequency of assignments during serv-
ice career;

“(3) family responsibilities; and

“(4) employment necessary to maintain the na-
tional health, safety, or interest.

“(j) Definitions.—In this section:

“(1) Captive status.—The term ‘captive sta-
tus’ means the status of a member of the armed
forces who is in a missing status (as defined in sec-
tion 551(2) of title 37) which occurs as the result
of a hostile action and is related to the member’s military status.

“(2) **Individual Ready Reserve Mobilization Category.**—The term ‘Individual Ready Reserve mobilization category’ means, in the case of any reserve component, the category of the Individual Ready Reserve described in section 10144(b) of this title.


**§ 12352. Reserve component: required training**

“(a) **Purpose.**—Except as specifically provided in regulations to be prescribed by the Secretary of Defense, or by the Secretary of the Department in which the Coast Guard is operating, each person who is enlisted, inducted, or appointed in an armed force, and who becomes a member of the Ready Reserve under any provision of law except section 513 or 10145(b) of this title, shall be required, while in the Ready Reserve, to maintain readiness as determined by the Secretary concerned by—

“(1) participating in at least 48 scheduled drills or training periods during each year pursuant to
section 12343 of this title and serve on active duty for training under section 12341 of this title for not less than 14 days (exclusive of travel time) during each year; or

“(2) serving on active duty for training under section 12341 of this title for not more than 30 days during each year.

“(b) Exception for Certain Members.—A member who has served on active duty for one year or longer may not be required to perform a period of active duty for training if the first day of that period falls during the last 120 days of the member’s required membership in the Ready Reserve.

“§ 12353. Reserve component: optional duty

“(a) Active Duty.—

“(1) In General.—At any time, an authority designated by the Secretary concerned may order a member of a reserve component under his jurisdiction to active duty under section 12341 of this title, or retain the member on active duty, with the consent of that member for training, to provide operational support or perform other duty as determined by the Secretary concerned.

“(2) Purposes.—Such duty includes service on active duty for the purpose specified in section or
section 802(d), 1491, 3038, 5143, 5144, 8038, 10211, 10301 through 10305, 10502, 10505, 10506, 10507, 12402, or 12405 of this title.

“(3) ARMED NATIONAL GUARD OR AIR NATIONAL GUARD.—However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to active duty under this subsection without the consent of the Governor or other appropriate authority of the State concerned. The consent of a Governor may not be withheld (in whole or in part) with regard to active duty outside the United States, its territories, and its possessions, because of any objection to the location, purpose, type, or schedule of such active duty.

“(b) ACTIVE DUTY FOR HEALTH CARE.—

“(1) IN GENERAL.—When authorized by the Secretary of Defense, the Secretary of a military department may, with the consent of the member, order a member of a reserve component to active duty under section 12341 of this title—

“(A) to receive authorized medical care;

“(B) to be medically evaluated for disability or other purposes; or
“(C) to complete a required Department of Defense health care study, which may include an associated medical evaluation of the member.

“(2) Treatment for or recovery from an injury, illness or disease.—A member of a uniformed service described in paragraph (1)(B) or (2)(B) of section 1074a(a) of this title may be ordered to active duty under section 12341 of this title, and a member of a uniformed service described in paragraph (1)(A) or (2)(A) of section 1074a may be continued on active duty under section 12341 of this title, for a period of more than 30 days while the member is being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty as described in any of such paragraphs.

“(3) Retention on active duty.—A member ordered to active duty under this subsection may, with the member’s consent, be retained on active duty, if the Secretary concerned considers it appropriate, for medical treatment for a condition associated with the study or evaluation, if that treatment of the member is otherwise authorized by law.

“(4) Army National Guard or Air National Guard.—However, a member of the Army National Guard...
Guard of the United States or the Air National
Guard of the United States may not be ordered to
active duty under this subsection without the con-
sent of the Governor or other appropriate authority
of the State concerned.

“(c) ORGANIZING, ADMINISTERING, ETC., RESERVE
COMPONENTS.—

“(1) IN GENERAL.—The Secretary concerned
may order a member of a reserve component under
the Secretary’s jurisdiction to active duty pursuant
to section 12341 of this title to perform Active
Guard and Reserve duty to organize, administer, re-
cruit, instruct, or train the reserve components.

“(2) RESERVE GRADE; ELIGIBILITY FOR PRO-
motion.—A Reserve ordered to active duty under
paragraph (1) shall be ordered in the Reserve’s re-
serve grade. While so serving, the Reserve continues
to be eligible for promotion as a Reserve, if other-
wise qualified.

“(3) ADDITIONAL DUTIES.—A Reserve on ac-
tive duty under this subsection may perform the fol-
lowing additional duties to the extent that the per-
formance of those duties does not interfere with the
performance of the Reserve’s primary Active Guard
and Reserve duties described in paragraph (1):
“(A) Supporting reserve components.—Supporting operations or missions assigned in whole or in part to the reserve components.

“(B) Supporting units.—Supporting operations or missions performed or to be performed by—

“(i) a unit composed of elements from more than one component of the same armed force; or

“(ii) a joint forces unit that includes—

“(I) one or more reserve component units; or

“(II) a member of a reserve component whose reserve component assignment is in a position in an element of the joint forces unit.

“(C) Advising.—Advising the Secretary of Defense, the Secretaries of the military departments, the Joint Chiefs of Staff, and the commanders of the combatant commands regarding reserve component matters.

“(D) Instruction or training.—Instructing or training in the United States, the
Commonwealth of Puerto Rico, or possessions of the United States of—

“(i) active-duty members of the armed forces;

“(ii) members of foreign military forces (under the same authorities and restrictions applicable to active-duty members providing such instruction or training);

“(iii) Department of Defense contractor personnel; or

“(iv) Department of Defense civilian employees.

“(4) Operations relating to defense against weapons of mass destruction and terrorist attacks.—

“(A) In general.—Notwithstanding paragraph (3), a Reserve on active duty as described in paragraph (1), or a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32 in connection with functions referred to in paragraph (1), may, subject to subparagraph (C), perform duties in support of emergency preparedness programs to prepare
for or to respond to any emergency involving any of the following:


“(ii) **Terrorist Attack or Threatened Terrorist Attack.**—A terrorist attack or threatened terrorist attack in the United States that results, or could result, in catastrophic loss of life or property.

“(iii) **Release of Certain Materials.**—The intentional or unintentional release of nuclear, biological, radiological, or toxic or poisonous chemical, materials in the United States that results, or could result, in catastrophic loss of life or property.

“(iv) **Natural or Man-Made Disaster.**—A natural or manmade disaster in the United States that results in, or could result in, catastrophic loss of life or property.
“(B) Costs.—The costs of the pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for a Reserve performing duties under the authority of paragraph (1) shall be paid from the appropriation that is available to pay such costs for other members of the reserve component of that Reserve who are performing duties as described in paragraph (1).

“(C) Civil Support Team.—A Reserve may perform duty described in subparagraph (A) only while assigned to a reserve component weapons of mass destruction civil support team.

“(D) Annual End Strength Authorization and Justification Material.—Reserves on active duty who are performing duties described in subparagraph (A) shall be counted against the annual end strength authorizations required by sections 115(a)(1)(B) and 115(a)(2) of this title. The justification material for the defense budget request for a fiscal year shall identify the number and component of the Reserves programmed to be performing duties described in subparagraph (A) during that fiscal year.

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“(E) Certification required.—A reserve component weapons of mass destruction civil support team, and any Reserve assigned to such a team, may not be used to respond to an emergency described in subparagraph (A) unless the Secretary of Defense has certified to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of that team, or that Reserve, possesses the requisite skills, training, and equipment to be proficient in all mission requirements.

“(F) Request for legislation.—If the Secretary of Defense submits to Congress any request for the enactment of legislation to modify the requirements of subparagraphs (A) and (C), the Secretary shall provide with the request—

“(i) justification for each such requested modification; and

“(ii) the Secretary’s plan for sustaining the qualifications of the personnel and teams described in subparagraph (C).

“(G) Definition of United States.—In this subsection, the term ‘United States’ in-
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cludes the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

“(5) TRAINING.—A Reserve on active duty as described in this subsection may be provided train-
ing consistent with training provided to other mem-
ers on active duty, as the Secretary concerned sees fit.

“(d) INACTIVE DUTY.—

“(1) IN GENERAL.—At any time, an authority designated by the Secretary concerned may require a member of a reserve component under the Sec-
retary's jurisdiction, with the consent of the mem-
ber, to perform inactive duty under section 12343 of this title to provide readiness training, perform ad-
ministrative function to prepare for unit training,
perform funeral honors functions at the funeral of a veteran as defined in section 1491 of this title (other than for members of the Army National Guard of the United States or the Air National Guard of the United States who perform funeral honors duty under section 502(g) of title 32), or perform other inactive duty as determined by the Secretary con-
cerned.
“(2) Pay.—As directed by the Secretary concerned, a member performing funeral honors functions may be paid—

“(A) the allowance under section 495 of title 37; or

“(B) compensation under section 206 of title 37.

“(3) Travel and transportation expenses.—A member who performs funeral honors functions may be reimbursed for travel and transportation expenses incurred in conjunction with such duty as authorized under section 495 of title 37 if such duty is performed at a location 50 miles or more from the member’s residence.”.

SEC. 524. TRAINING AND OTHER DUTY PERFORMED BY MEMBERS OF THE NATIONAL GUARD.

(a) Chapter Heading.—The chapter heading for chapter 5 of title 32, United States Code, is amended by inserting “AND OTHER DUTY” after “TRAINING”;

(b) Other Amendments.—Section 502 of title 32, United States Code, is amended—

(1) by striking the section heading and inserting the following:
“§ 502. Required training, field exercises, and other duty”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “drill” and inserting “training”; and

(ii) by inserting “under subsection (g)” before “at least”;

(B) in paragraph (2), by inserting “under subsection (f)(1)” before “at least”;

(3) in subsection (b), by striking “drill” each place the term appears and inserting “training”;

(4) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “drill” and inserting “training”; and

(B) in paragraph (2), by striking “one and one-half hours” and inserting “two hours”;

(5) in subsection (e), by striking “drill” each place the term appears and inserting “training”;

(6) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subpara-

graph (A), by inserting “, which regula-

tions shall conform to regulations pre-

scribed by the Secretary of Defense for Re-
serve component members,” after “as the
case may be,”; and

(ii) in the matter following subpara-
graph (B), by inserting “to full-time Na-
tional Guard duty” after “be ordered”;

and

(B) in paragraph (2), by adding at the end
the following new subparagraph:

“(C) Support for funerals of veterans of
the armed forces pursuant to section 1491 of
title 10.”;

(C) by redesignating paragraph (3) as
paragraph (8); and

(D) by inserting after paragraph (2), as
amended by subparagraph (B), the following
new paragraphs:

“(3) FULL-TIME NATIONAL GUARD DUTY.—
Full-time National Guard duty shall not be per-
formed on land outside the United States, its terri-
tories or possessions.

“(4) PURPOSE OF CALL ORDER.—To account
for manpower utilization and expenditure of appro-
priations, each order to full-time National Guard
duty shall cite the purpose of the call or order as
provided in this section or section 112, 114, 316, 503, 504, 505, 509, or 904 of this title.

“(5) LIMITATIONS AND RESTRICTIONS.—A member of the National Guard shall not be ordered to full-time National Guard duty or retained on full-time National Guard duty beyond the limitations and restrictions specified in the purpose of the order to full-time National Guard duty.

“(6) AMENDED ORDERS.—When the purpose for the member to serve on full-time National Guard duty changes, the order to full-time National Guard duty shall be amended to cite the new purpose and applicable funding code, but the member shall remain on the same order to full-time National Guard duty.

“(7) CONTINUOUS FEDERAL SERVICE.—If a member is released from full-time National Guard duty and subsequently ordered to active duty with a break in service of 24 hours or fewer, the period of service shall be treated as continuous Federal service for the purposes of pay and benefits unless otherwise specified in law.”; and

(7) by adding at the end the following new subsection:

“(g) INACTIVE DUTY.—
“(1) IN GENERAL.—Under regulations to be prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, which shall conform to regulations prescribed by the Secretary of Defense for reserve component members, a member of the National Guard may be required to perform inactive duty, in addition to that prescribed under subsection (a), to provide additional readiness training, perform administrative function to prepare for unit training, perform funeral honors functions for veterans of the armed forces pursuant to section 1491 of title 10, or perform other inactive duty as authorized by the Secretary concerned.

“(2) DOCUMENTATION.—To account for manpower utilization and expenditure of appropriations, the purpose for inactive duty and the associated funding code shall be documented.

“(3) DESIGNATED HOSTILE FIRE OR IMMINENT DANGER AREA.—Inactive duty shall not be performed in designated hostile fire or imminent danger area.

“(4) LAND OUTSIDE THE UNITED STATES, ITS TERRITORIES OR POSSESSIONS.—Inactive duty shall not be performed on land outside the United States, its territories or possessions.
“(5) **Duration of Inactive Duty.**—Each period of inactive duty shall be for duration of at least two hours.

“(6) **Duration of Compensation and Service Credit.**—Compensation under section 206 of title 37 and service credit under section 12732(a)(2)(E) of title 10 shall not exceed two periods of inactive duty in a calendar day.

“(7) **Pay for Performing Funeral Honors.**—As directed by the Secretary concerned, a member performing funeral honors functions may be paid—

“(A) the allowance under section 495 of title 37; or

“(B) compensation under section 206 of title 37.”.

**SEC. 525. CONFORMING AND CLERICAL AMENDMENTS.**

(a) **Conforming Amendments to Title 5, United States Code.**—(1) Paragraph (2) of section 5517(d) of title 5, United States Code, is amended by striking “under section 10147” and inserting “as provided under section 12352”.

(2) Section 6323 of title 5, United States Code, is amended—

(A) in paragraph (1) of subsection (a)—
(i) by striking “inactive-duty training” and inserting “inactive duty”; and

(ii) by striking “funeral honors duty (as described in section 12503 of title 10 and section 115 of title 32)” and inserting “funeral honors functions (as described in section 12353 of title 10 and section 114 of title 32)”;

(B) in paragraph (1) subsection (d), by striking “section 12301(b) or 12301(d)” and inserting “section 12341 of title 10 for the purposes specified in section 12351(d) or 12353(a)”.

(b) Conforming Amendments to Title 7, United States Code.—Paragraph (1) of section 332(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982(a)) is amended by striking “12301(a), 12301(g), 12302, 12304, 12306, or 12406,” and inserting “12341 for the purpose specified in section 12306, 12342, 12351(a)(1), 12351(b), 12351(e), or 12351(f), 12342 for the purpose specified in section 12406,.”.

(c) Conforming Amendments to Title 10, United States Code.—(1) Section 101 of title 10, United States Code, is amended—

(A) in subparagraph (B) of subsection (a)(13), by striking “section 688, 12301(a), 12302, 12304, 12304a, 12305, or 12406 of this title, chapter 15 of
this title” and inserting “section 688 or 12341 of
this title for the purpose specified in section 12304a,
12305, 12351(a)(1), 12351(b), 12351(c) of this
title, section 12342 of this title for the purpose spec-
ified in section 12406, chapter 15 of this title”;

(B) in paragraph (16) of subsection (b), by
striking “section 12301(d) of this title” and insert-
ing “section 12341 of this title for the purpose spec-
ified in section 12353(c) of this title”;

(C) in paragraph (5) of subsection (d)—

(i) by inserting “502(f) of title 32 for the
purpose specified in section” after “under sec-
tion”; and

(ii) by striking “505 of title 32” and in-
serting “505 of such title”;

(D) in paragraph (7) of subsection (d)—

(i) in the matter preceding subparagraph
(A), by striking “inactive-duty training” and in-
serting “inactive duty”;

(ii) in subparagraph (A), by striking “sec-
tion 206 of title 37” and inserting “section
12352(a)(1) of this title, section 502(a)(1) of
title 32,”; and

(iii) in subparagraph (B)—
(I) by inserting “under section 12353(d) of this title or section 502(g) of title 32” after “special additional duties authorized”; and

(II) by inserting “, or other activities that a member may perform when authorized by the designated authority” before the period.

(2) Section 115 of title 10, United States Code, is amended—

(A) in subsection (b)(1)—

(i) in subparagraph (A), by striking “section 12301(d)” and inserting “section 12341”;

(ii) in subparagraph (C), by striking “section 12301(d)” and inserting “section 12341”;

(iii) in subparagraph (D)—

(I) by striking “section 12301(g)” and inserting “section 12341”; and

(II) by inserting “as provided under section 12351(f) of such title” before the semicolon; and

(iv) in subparagraph (E)—

(I) by striking “12301(h) or 12322” and inserting “section 12341”; and
(II) by inserting “as provided under section 12353(b) of this title” before the period;

(B) in subsection (i)—

(i) in paragraph (1), by striking “section 12301(a) of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(a) of this title’’;

(ii) in paragraph (2), by striking “section 12301(b) of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(d) of this title’’;

(iii) in paragraph (3), by striking “section 12302 of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(b) of this title’’;

(iv) in paragraph (4), by striking “section 12304 of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(c) of this title’’;

(v) in paragraph (5), by inserting “section 12342 of this title for the purpose specified in” after “Federal service under’’;
(vi) in paragraph (6), by inserting “section 12342 of this title for the purpose specified in” after “Federal service under”; and

(vii) in paragraph (11), by inserting “12341 for the purpose specified in section” after “active duty under section”.

(3) Section 331 of title 10, United States Code, is amended by inserting “under section 12342 of this title” after “call into Federal service”.

(4) Section 332 of title 10, United States Code, is amended by inserting “under section 12342 of this title” after “call into Federal service”.

(5) Paragraph (3) of section 511(d) of title 10, United States Code, is amended by striking “section 10147(a)(1)” and inserting “section 12352(a)(1)”.

(6) Subparagraph (B) of section 523(b)(1) of title 10, United States Code, is amended by inserting “12341 of this title for the purpose specified in section” after “on active duty under section”.

(7) Subparagraph (B) of section 641(1) of title 10, United States Code, is amended by inserting “section 12341 for the purpose described in” after “on active duty under”.

(8) Section 802 of title 10, United States Code, is amended in each of subsections (a)(3), (d)(2)(B), and
(d)(5)(B), by striking “inactive-duty training” and inserting “inactive duty”.

(9) Subsection (d) of section 803 of title 10, United States Code, is amended by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(10) The matter preceding paragraph (1) of subsection (a) and the matter preceding paragraph (1) of subsection (b) of section 936 of title 10, United States Code, are each amended by striking “inactive-duty training” and inserting “inactive duty”.

(11) Paragraph (1) of section 976(a) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(12) Paragraphs (1) and (2) of section 1061(b) of title 10, United States Code, are each amended by striking “inactive-duty training” and inserting “inactive duty”.

(13) Subsection (a) of section 1074a of title 10, United States Code, is amended in each of paragraphs (1)(B), (2)(B), and (3) by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(14) Subsection (a) of section 1074a of title 10, United States Code, is amended further—

(A) in paragraph (1)—
(i) in subparagraph (A), by inserting “or” after the semicolon;

(ii) in subparagraph (B), by striking “; or” and inserting a period; and

(iii) by striking subparagraph (C);

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting “or” after the semicolon;

(ii) in subparagraph (B), by striking “; or” and inserting a period; and

(iii) by striking subparagraph (C); and

(C) by striking paragraph (4).

(15) Subsection (a) of section 1076 of title 10, United States Code, is amended—

(A) in each paragraphs (2)(B)(i), (2)(B)(ii), and (2)(C), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”; and

(B) in paragraph (2), by striking subparagraph (E).

(16) Clauses (i) and (ii) of section 1086(c)(2)(B) of title 10, United States Code, are each amended by striking “inactive duty training” and inserting “inactive duty”.
(17) Paragraph (2) of section 1175(e) of title 10, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(18) Section 1175a(j) of title 10, United States Code, is amended—

(A) in paragraph (2)—

(i) by inserting “under section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(d), 12351(e)(1), or 12351(f) of this title” after “involuntarily recalled to active duty”; and

(ii) by striking “in accordance with section 12301(a), 12301(b), 12301(g), 12302, 12303, or 12304 of this title or” and inserting “under”; and

(B) in paragraph (3)—

(i) by striking “12301(d)” and inserting “12353(a)”;

(ii) by striking “12319, or 12503” and inserting “12351(g)”; and

(iii) by striking “, 115,”.

(19) Paragraph (2) of section 1201(c) of title 10, United States Code, is amended by striking “under section 10148(a)” and inserting “pursuant to section 12351(e)(2)”. 
(20) Section 1204 of title 10, United States Code, is amended—

    (A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

    (B) in paragraph (2)—

      (i) in each of subparagraphs (A)(i), (A)(iii), (B)(i), and (B)(iii), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”;

      (ii) in clause (iii) of subparagraph (A), by inserting “or” after the semicolon;

      (iii) in clause (iii) of subparagraph (B), by striking “; or” and inserting a period; and

      (iv) by striking subparagraph (C).

(21) Section 1206 of title 10, United States Code, is amended—

    (A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”;

    (B) by amending paragraph (2) to read as follows:

      “(2) the disability is a result of an injury, illness, or disease incurred or aggravated in line of duty while—
“(A) performing active duty or inactive duty;

“(B) traveling directly to or from the place at which such duty is performed; or

“(C) remaining overnight immediately before the commencement of inactive duty, or while remaining overnight between successive periods of inactive duty, at or in the vicinity of the site of the inactive duty, if the site is outside reasonable commuting distance of the member’s residence;”; and

(C) in paragraph (5), by striking “inactive-duty training” and inserting “inactive duty”;

(22) Subparagraph (B) of section 1448(f)(1) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(23) Clauses (ii) and (iii) of section 1471(b)(3)(A) of title 10, United States Code, are each amended by striking “inactive duty for training” and inserting “inactive duty”.

(24) Section 1475 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and
(B) in each of paragraphs (2) and (3) of subsection (a), by striking “inactive duty training” each place the term appears and inserting “inactive duty”.

(25) Paragraphs (1)(B) and (2)(A) of section 1476(a) of title 10, United States Code, are each amended by striking “inactive-duty training” and inserting “inactive duty”.

(26) Paragraphs (3), (4), (8), and (9) of section 1478(a) of title 10, United States Code, are each amended by striking “inactive duty training” each place the term appears and inserting “inactive duty”.

(27) Section 1481(a)(2) of title 10, United States Code, is amended—

(A) in each of subparagraphs (B), (C), (D), and (F), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”; and

(B) in subparagraph (E), by striking “inactive duty training” and inserting “inactive duty”.

(28) Paragraph (2) of section 1481(a) of title 10, United States Code, is amended further—

(A) in subparagraph (E) (as amended by paragraph (27)(B)), by inserting “or” after the semi-colon;
(B) in subparagraph (F) (as amended by paragraph (27)(A)), by striking “; or” and inserting a period; and

(C) by striking subparagraph (G).

(29) Subsections (d)(2) and (e)(5) of section 2031 of title 10, United States Code, are each amended by striking “inactive duty training” and inserting “inactive duty”.

(30) Subparagraph (D) of section 2107(e)(5) of title 10, United States Code, is amended by striking “inactive duty for training” and inserting “inactive duty”.

(31) Subparagraph (D) of section 2107a(e)(4) of title 10, United States Code, is amended by striking “inactive duty for training” and inserting “inactive duty”.

(32) The matter preceding paragraph (1) of section 2601a(b) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(33) Paragraph (3) of section 9446(a) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(34) Subsection (a) of section 10142 of title 10, United States Code, is amended by striking “as provided in sections 12301 and 12302 of this title” and inserting “under section 12341 of this title for the purposes specified in sections 12351(a) and 12351(b) of this title”.
(35) Subsection (a) of section 10143 of title 10, United States Code, is amended by striking “10147(a)(1)” and inserting “12352”.

(36) The matter preceding subparagraph (A) of section 10144(b)(1) of title 10, United States Code, is amended by striking “in accordance with section 12304” and inserting “under section 12341 of this title for the purpose specified in section 12351(c)”.

(37) Chapter 1005 of title 10, United States Code, is amended—

(A) by repealing section 10147; and

(B) by repealing section 10148.

(38) Section 10151 of title 10, United States Code, is amended by striking “sections 12301 and 12306” and inserting “section 12351(a)”.

(39) Subsection (b) of section 10204 of title 10, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(40) Subsection (a) of section 10215 of title 10, United States Code, is amended—

(A) in subparagraph (A) of paragraph (1), by striking “section 12301(d)” and inserting “section 12341 of this title as provided in section 12353(a)”;

and
(B) in subparagraph (A) of paragraph (2), by
striking “section 12301(d)” and inserting “section
12341 of this title as provided in section 12353(a)”.

(41) Paragraph (9) of section 10541(b) of title 10,
United States Code, is amended by striking “12304(b)”
and inserting “12351(c)(2)”.

(42) Paragraph (1) of section 12011(e) of title 10,
United States Code, is amended by striking “12310” and
inserting “12353(c)”.

(43) Subsection (a) of section 12012 of title 10,
United States Code, is amended by striking “section
10211 or 12310” and inserting “section 12341 of this title
for the purpose specified in section 10211 or 12353(c) of
this title”.

(44) Section 12317 of title 10, United States Code,
is amended by striking “inactive duty training” and in-
serting “inactive duty”.

(45) Section 12321 of title 10, United States Code,
is amended by striking “of organizing, administering, re-
cruiting, instructing, or training the reserve components”
and inserting “specified in section 12353(c) of this title”.

(46) Section 12408 of title 10, United States Code,
is amended by striking “section 12301(a), 12302, or
12304 of this title” and inserting “12341 of this title for
the purpose specified in section 12351(a)(1), 12351(b) or 12351(c) of this title”.

(47) Section 12503 of title 10, United States Code, is repealed.

(48) Section 12552 of title 10, United States Code, is repealed.

(49) Subsections (a)(3) and (b)(3) of section 12602 of title 10, United States Code, are each amended by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(50) Section 12603 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in subsection (a), by striking “inactive-duty training” and inserting “inactive duty”.

(51) Section 12604 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in subsection (a), by striking “inactive-duty training” and inserting “inactive duty”.

(52) Subsection (b) of section 12686 of title 10, United States Code, is amended by striking “section 12301” and inserting “section 12341 of this title for the purpose specified in section 12351(a), 12351(d), 12351(f), 12353(a) or 12353(b)”.

(53) Subparagraph (B) of section 12731(f)(2) of title 10, United States Code, is amended—

(A) in clause (i)—

(i) by striking “under section 12301(d)” and inserting “for the purpose specified in section 12353(a)”;

(ii) by striking “under section 12310” and inserting “for the purpose specified in 12353(e)”;

(B) in clause (iii), by striking “section 12301(h)(1)” and inserting “section 12341 of this title for the purpose specified in section 12353(b)(1)”.

(54) Section 12732(a)(2) of title 10, United States Code, is amended—

(A) in the matter following subparagraph (E), by striking “clauses (A), (B), (C), (D), and (E)” and inserting “subparagraphs (A), (B), (C), and (D)”;

(B) by striking subparagraph (E).
(55) Clause (i) of section 16131(c)(3)(B) of title 10, United States Code, is amended by striking “section 12301(a), 12301(d), 12301(g), 12302, or 12304” and inserting “section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(f), or 12353(a)”.

(56) The matter preceding subparagraph (A) of section 16133(b)(4) of title 10, United States Code, is amended by striking “section 12301(a), 12301(d), 12301(g), 12302, or 12304” and inserting “section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(f), or 12353(a)”.

(57) Clause (i) of section 16162(d)(2)(B) of title 10, United States Code, is amended by striking “section 12301(a), 12301(d), 12301(g), 12302, or 12304 of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(f), or 12353(a) of this title”.

(58) Section 18505 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and
(B) in subsection (a), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(d) CONFORMING AMENDMENTS TO TITLE 14, UNITED STATES CODE.— (1) Section 704 of title 14, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(2) Subsection (a) of section 705 of title 14, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(3) Paragraph (1) of section 712(c) of title 14, United States Code, is amended by striking “10147” and inserting “12352”.

(e) CONFORMING AMENDMENTS TO TITLE 20, UNITED STATES CODE.— (1) Subsection (c) of section 1404 of the Defense Dependents’ Education Act of 1978 (20 U.S.C. 923) is amended—

(A) in clause (i) of paragraph (2)(B), by striking “section 12301 or 12302” and inserting “section 12341 of title 10, United States Code, for a purpose specified in section 12351(a), 12351(b), 12351(d), 12351(f), 12353(a) or 12353(b)”; and

(B) in clause (i) of paragraph (2)(C), by striking “section 12301 or 12302” and inserting “section 12341 of title 10, United States Code, for a purpose
specified in section 12351(a), 12351(b), 12351(d),
12351(f), 12353(a) or 12353(b)’’.

(2) Subparagraph (A) of section 481(d)(4) of the
Higher Education Act of 1965 (20 U.S.C. 1088(d)(4)) is
amended by striking “section 12301(a), 12301(g), 12302,
12304, or 12306” and inserting “section 12341 of title
10, United States Code, for a purpose specified in section
12306, 12351(a), 12351(b), 12351(c), or 12351(f)”.

(3) Subparagraph (C) of section 484C(c)(3) of the
Higher Education Act of 1965 (20 U.S.C. 1091c(c)) is
amended—

(A) in clause (i), by striking “, 12301(a),
12301(g), 12302, 12304, or 12305 of title 10,
United States Code,” and inserting “of title 10,
United States Code, under section 12341 of such
title for the purpose specified in section 12305,
12351(a), 12351(b), 12351(c), or 12351(f) of such
title,”; and

(B) in clause (iii), by striking “section 12304 of
title 10, United States Code” and inserting “section
12341 of title 10, United States Code, for the pur-
pose specified in section 12351(c) of such title”.

(4) Subparagraph (A) of section 5 of Higher Edu-
cation Relief Opportunities for Students Act of 2003 (20
U.S.C. 1098ee(5)) is amended by striking “section
12301(a), 12301(g), 12302, 12304, or 12306 of title 10, United States Code,” and inserting “section 12341 of title 10, United States Code, for the purpose specified in section 12306, 12351(a), 12351(b), 12351(c), or 12351(f) of such title.”.

(f) CONFORMING AMENDMENTS TO INTERNAL REVENUE CODE.—Subsection (m) of section 3121 of the Internal Revenue Code of 1986 (26 U.S.C. 3121) is amended—

(1) in each of paragraphs (1)(B) and (3), by striking “inactive duty training” each place the term appears and inserting “inactive duty”; and

(2) in the heading for paragraph (3), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”.

(g) CONFORMING AMENDMENTS TO TITLE 32, UNITED STATES CODE.—(1) Paragraph (19) of section 101 of title 32, United States Code, is amended by striking “section 316, 502, 503, 504, or 505” and inserting “section 502(f) of this title for the purpose specified under section in section 112, 114, 316, 502, 503, 504, 505, 509, or 904”.

(2) Section 114 of title 32, United States Code, is amended by striking “may not be considered to be a period of drill or training, but may be performed as funeral hon-
ors duty under section 115 of this title.” and inserting
“may be performed under section 502 of this title.”.

(3) Section 115 of title 32, United States Code, is
repealed.

(h) **CONFORMING AMENDMENTS TO TITLE 37, UNITED STATES CODE.**— (1) The matter preceding sub-
paragraph (A) of section 101(22) of title 37, United States Code, is amended by striking “inactive-duty train-
ing” and inserting “inactive duty”.

(2) Section 204 of title 37, United States Code, is
amended—

(A) in paragraph (1) of subsections (g)—

(i) in each of subparagraphs (B) and (D),
by striking “inactive-duty training” each place
the term appears and inserting “inactive duty”;

(ii) by striking subparagraph (E);

(iii) in subparagraph (C), by inserting “or”
after the semicolon; and

(iv) in subparagraph (D), by striking “; or” and inserting a period; and

(B) in paragraph (1) of subsections (h)—

(i) in each of subparagraphs (B) and (D),
by striking “inactive-duty training” each place
the term appears and inserting “inactive duty”;

(ii) by striking subparagraph (E);
(iii) in subparagraph (C), by inserting “or” after the semicolon; and
(iv) in subparagraph (D), by striking “; or” and inserting a period.

(3) Subparagraph (A) of section 205(e)(2) of title 37, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(4) Section 206 of title 37, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in each of paragraphs (3)(A)(ii) and (3)(C) of subsection (a), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(5) Section 305b of title 37, United States Code, is amended—

(A) in the heading for subsection (c), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”; and

(B) in subsection (c), by striking “12310(c)” and inserting “12353(c)(4)”. 
(6) Subsection (a) of section 308d of title 37, United States Code, is amended by striking “inactive duty for training” and inserting “inactive duty”.

(7) The heading for subsection (e) of section 320 of title 37, United States Code, is amended by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”.

(8) Section 334 of title 37, United States Code, is amended—

(A) in the heading for subsection (e), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”; and

(B) in subsection (e), by striking “for inactive-duty training” and inserting “for inactive duty”.

(9) Section 352 of title 37, United States Code, is amended—

(A) in the heading for subsection (d), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”; and

(B) in subsection (d), by striking “for inactive-duty training” and inserting “for inactive duty”.

(10) Subparagraph (B) of section 353(c)(1) of title 37, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.
(11) Section 415 of title 37, United States Code, is amended—

(A) in paragraph (3) of subsection (a), by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in paragraph (1) of subsection (c), by striking “inactive duty training” and inserting “inactive duty”.

(12) Section 433 of title 37, United States Code, is amended—

(A) in subsection (a), by striking “12319” and inserting “12351(g)”; and

(B) in subsection (d), by striking “inactive-duty training” and inserting “inactive duty”.

(13) Subsection (a) of section 433a of title 37, United States Code, is amended by striking “12319” and inserting “12351(g)”.

(14) Paragraph (1) of section 474(i) of title 37, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(15) Section 478a of title 37, United States Code, is amended—

(A) in the section heading, by striking “inactive duty training” and inserting “inactive duty”; and
(B) in subsection (a), by striking “inactive duty training” each place the term appears and inserting “inactive duty”.

(16) Paragraph (1) of section 495(a) of title 37, United States Code, is amended by striking “funeral honors duty pursuant to section 12503 of title 10 or section 115 of title 32” and inserting “funeral honors functions pursuant to section 12353(d)(2) of title 10 or section 502(g)(7) of title 32”.

(17) The matter preceding paragraph (1) of subsection (a), the matter following paragraph (2) of subsection (a), and subsection (d), of section 552 of title 37, United States Code, are each amended by striking “inactive-duty training” and inserting “inactive duty”.

(18) Subparagraph (B) of section 910(b)(2) of title 37, United States Code, is amended by striking “subparagraph (A) or (B) of section 12301(h)(1) of title 10” and inserting “section 12341 of title 10 pursuant to subparagraph (A) or (B) of section 12353(b)(1) of such title”.

(i) Conforming Amendments to Title 38, United States Code.— (1) Section 101 of title 38, United States Code, is amended—

(A) in subparagraph (C) of paragraph (22), by striking “section 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(f) of title 32”;
(B) in paragraph (23)—

(i) by striking “inactive duty training” and inserting “inactive duty”; and

(ii) in the matter following paragraph (C), by striking “sections 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(g) of title 32”; and

(C) in the matter preceding clause (i) of paragraph (24)(C), by striking “inactive duty training” and inserting “inactive duty”.

(2) Subparagraph (B) and the matter following subparagraph (B) of section 106(d)(1) of title 38, United States Code, are each amended by striking “inactive duty training” and inserting “inactive duty”.

(3) Clause (ii) of section 1112(c)(3)(A) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(4) Paragraph (2) of section 1302(b) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(5) Subparagraph (A) of section 1312(a)(2) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(6) Section 1965 of title 38, United States Code, is amended—
(A) in subparagraph (D) of paragraph (2), by striking “sections 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(f) of title 32”;

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking “inactive duty training” and inserting “inactive duty”; and

(ii) in subparagraph (B), by striking “sections 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(g) of title 32”;

(C) in paragraph (4), by striking “inactive duty training” each place the term appears and inserting “inactive duty”;

(D) in each of subparagraphs (A) and (B) of paragraph (5), by striking “inactive duty training” and inserting “inactive duty”; and

(E) in subparagraph (C) of paragraph (5), by striking “a mobilization category in the Individual Ready Reserve, as defined in section 12304(i)(1)” and inserting “a mobilization category in the Individual Ready Reserve, as defined in section 12351(i)(2)”.

(7) Section 1967 of title 38, United States Code, is amended—

(A) in subsection (a)—
(i) in subparagraph (B) of paragraph (1),
by striking “inactive duty training” and inser-
ing “inactive duty”; and

(ii) in subparagraph (B) of paragraph (5),
by striking “inactive duty training” and inser-
ing “inactive duty”; and

(B) in subsection (b)—

(i) in each of paragraphs (1) and (2), by
striking “inactive duty training” and inserting
“inactive duty”; and

(ii) in the matter following paragraph (2),
by striking “inactive duty training” and inser-
ing “inactive duty”.

(8) Section 1968 of title 38, United States Code, is
amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1),
by striking “inactive duty training” and inser-
ing “inactive duty”; and

(ii) in paragraph (3)—

(I) by striking “inactive duty train-
ing” and inserting “inactive duty”;

(II) by striking “scheduled training
period” and inserting “scheduled period of
duty”; and
(III) by striking “such training” each place the term appears and inserting “such duty”; and

(B) in paragraph (2) of subsection (b), by striking “inactive duty training” and inserting “inactive duty”.

(9) Paragraph (3) of section 1969(a) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(10) Subsection (e) of section 1977 of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(11) Paragraph (2) of section 2402(a) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(12) Paragraph (3) of section 3011(d) of title 38, United States Code, is amended by striking “which an individual in the Selected Reserve was ordered to perform under section 12301, 12302, 12304, 12306, or 12307 of title 10” and inserting “under section 12341 of title 10, which an individual in the Selected Reserve was ordered to perform duty for a purpose specified in section 12351(a), 12351(b), 12351(e), 12351(f), 12353(a), or 12353(b) of title 10”.

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(13) Subparagraph (A) of section 3013(f)(2) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(14) Subsection (f) of section 3103 of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(15) Paragraph (2) of section 3105(e) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(16) Clause (i) of section 3231(a)(5)(B) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.
(17) Subparagraph (B) of section 3301(1) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10 or” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title, or under”.

(18) Clause (i) of section 3312(c)(2)(A) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(19) Clause (i) of section 3511(a)(2)(B) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(20) Subsection (h) of section 3512 of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

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(21) Subparagraph (C) of section 4211(4) of title 38, United States Code, is amended by striking “section 12301(a), (d), or (g), 12302, or 12304 of title 10” and inserting “section 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(22) Section 4303 of title 38, United States Code, is amended—

(A) in paragraph (13)—

(i) by striking “inactive duty training” and inserting “inactive duty”; and

(ii) by striking “funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32” and inserting “funeral honors functions as provided under section 12353 of title 10 or section 114 of title 32”; and

(B) in paragraphs (16), by striking “inactive duty training” and inserting “inactive duty”.

(23) Subsection (c) of section 4312 of title 38, United States Code, is amended—

(A) in paragraph (3), by striking “10147”; and inserting “12352”;

(B) in subparagraph (A) of paragraph (4), by striking “, 12301(a), 12301(g), 12302, 12304, or 12305 of title 10” and inserting “or 12341 of title
10 for a purpose specified in section 12351(a),
12351(b), 12351(c), 12351(f) or 12353(a) of such
title’’;

(C) in paragraph (4)—

(i) in subparagraph (C), by striking
“12304 of title 10” and inserting “12341 of
title 10 for the purpose specified in section
12351(c) of such title”;

(ii) in subparagraph (E)—

(I) by inserting “under section 12342
of title 10” after “Federal service”; and

(II) by inserting “for a purpose speci-
fied” following “National Guard”; and

(iii) by striking “under” each place the
term appears and inserting “in”.

(24) Paragraph (1) of section 4316(e) of title 38,
United States Code, is amended by striking “funeral hon-
ors duty as authorized by section 12503 of title 10 or sec-
tion 115 of title 32” and inserting “funeral honors func-
tions as provided under section 12353 of title 10 or section
114 of title 32”.

(j) CONFORMING AMENDMENTS TO TITLE 42,
UNITED STATES CODE.— (1) Subparagraph (D) of sec-
tion 202(t)(4) of the Social Security Act (42 U.S.C.
402(t)(4)) is amended—
(A) by striking “or inactive duty training” each place the term appears and inserting “or inactive duty”; and

(B) by striking “on inactive duty training” and inserting “performing inactive duty”.

(2) Subsection (l) of section 210 of the Social Security Act (42 U.S.C. 410) is amended—

(A) in subparagraph (B) of paragraph (1), by striking “on inactive duty training” and inserting “performing inactive duty”; and

(B) in paragraph (3), by striking “inactive duty training” each place the term appears and inserting “inactive duty”.

(k) CONFORMING AMENDMENTS TO TITLE 50, APPENDIX, UNITED STATES CODE.— (1) Section 6 of the Military Selective Service Act (50 U.S.C. App. 456) is amended—

(A) in the matter following subsection (c)(2)(A)(iii), by striking “10147” and inserting “12352”; and

(B) in paragraph (1) of subsection (d), by striking “under section 10147” and inserting “pursuant to section 12352”.

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(2) Paragraph (1) of section 703(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 593(a)) is amended—

(A) by striking “sections 688, 12301(a), 12301(g), 12302, 12304, 12306, or 12307 of title 10, United States Code,” and inserting “section 688 or 12341 of title 10, United States Code, for a purpose specified in section 12306, 12307, 12351(a), 12351(b), 12351(e), or 12351(f) of such title,”; and

(B) by striking “12301(d)” and inserting “12341 for the purpose specified in section 12353(a)”.

(l) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 61 of title 10, United States Code, is amended—

(A) by striking the item related to section 1204 and inserting the following:

“1204. Members on active duty for 30 days or less or on inactive duty: retirement.”; and

(B) by striking the item relating to section 1206 and inserting the following:

“1206. Members on active duty for 30 days or less or on inactive duty: separation.”.

(2) The table of sections at the beginning of subchapter II of chapter 75 of title 10, United States Code, is amended by striking the item related to section 1475 and inserting the following:
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“1475. Death gratuity: death of members on active duty or inactive duty and of certain other persons.”.

(3) The table of sections at the beginning of chapter 1005 of title 10, United States Code, is amended by striking the items relating to sections 10147 and 10148.

(4) The table of sections at the beginning of chapter 1209 of title 10, United States Code, is amended to read as follows:

“SUBCHAPTER I—ADMINISTRATION OF RESERVE DUTY

Sec.
12304a. Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve: order to active duty to provide assistance in response to a major disaster or emergency.
12304b. Selected Reserve: order to active duty for preplanned missions in support of the combatant commands.
12305. Authority of President to suspend certain laws relating to promotion, retirement, and separation.
12306. Standby Reserve.
12307. Retired Reserve.
12308. Retention after becoming qualified for retired pay.
12309. Reserve officers: use of in expansion of armed forces.
12311. Active duty agreements.
12312. Active duty agreements: release from duty.
12313. Reserves: release from active duty.
12314. Reserves: kinds of duty.
12315. Reserves: duty with or without pay.
12316. Payment of certain Reserves while on duty.
12317. Reserves: theological students; limitations.
12318. Reserves on active duty: duties; funding.
12320. Reserve officers: grade in which ordered to active duty.
12321. Reserve Officer Training Corps units: limitation on number of Reserves assigned.
12323. Policies and procedures.

“SUBCHAPTER II—RESERVE DUTY AUTHORITIES

Sec.
12341. Active duty.
12342. Call to Federal service.
12343. Inactive duty.

“SUBCHAPTER III—PURPOSE OF RESERVE DUTY

Sec.
12351. Reserve component: required duty.
12352. Reserve component: required training.
12353. Reserve component: optional duty.”.
(5) The table of sections at the beginning of chapter 1213 of title 10, United States Code, is amended by striking the item relating to section 12503.

(6) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by striking the item relating to section 12552.

(7) The table of sections at the beginning of chapter 1217 of title 10, United States Code, is amended by striking the items related to sections 12603 and 12604 and inserting the following:

"12603. Attendance at inactive duty assemblies: commercial travel at Federal supply schedule rates.
12604. Billeting in Department of Defense facilities: Reserves attending inactive duty."

(8) The table of sections at the beginning of chapter 1805 of title 10, United States Code, is amended by striking the item related to section 18505 and inserting the following:

"18505. Reserves traveling for inactive duty: space-required travel on military aircraft."

(9) The table of chapters at the beginning of title 32, United States Code, is amended by striking the item relating to chapter 5 and inserting the following new item:

"5. Training and Other Duty .............................................. 501".

(10) The table of sections at the beginning of chapter 1 of title 32, United States Code, is amended by striking the item relating to section 115.
(11) The table of sections at the beginning of chapter 5 of title 32, United States Code, is amended by striking the item relating to section 502 and inserting the following:

"502. Required training, field exercises, and other duty."

SEC. 526. EFFECTIVE DATE AND IMPLEMENTATION.

(a) Effective Date.—The amendments made by this subtitle shall take effect on October 1, 2017.

(b) Implementation Plan.—Not later than March 1, 2016, the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a plan to implement the amendments made by this subtitle when they take effect on the date specified in subsection (a).

(c) Additional Technical and Conforming Amendments.—The report required by subsection (b) shall contain a draft of such legislation as may be necessary to make any additional technical and conforming changes to titles 10, 14, 32, and 37, United States Code, and other provisions of law that are required or should be made by reason of the amendments made by this subtitle.
Subtitle D—General Service
Authorities

SEC. 531. TEMPORARY AUTHORITY TO DEVELOP AND PROVIDE ADDITIONAL RECRUITMENT INCENTIVES.

(a) ADDITIONAL RECRUITMENT INCENTIVES AUTHORIZED.—The Secretary of a military department may develop and provide incentives, not otherwise authorized by law, to encourage individuals to accept an appointment as a commissioned officer, to accept an appointment as a warrant officer, or to enlist in an Armed Force under the jurisdiction of the Secretary.

(b) RELATION TO OTHER PERSONNEL AUTHORITIES.—A recruitment incentive developed under subsection (a) may be provided—

(1) without regard to the lack of specific authority for the recruitment incentive under title 10 or 37, United States Code; and

(2) notwithstanding any provision of such titles, or any rule or regulation prescribed under such provision, relating to methods of providing incentives to individuals to accept appointments or enlistments in the Armed Forces, including the provision of group or individual bonuses, pay, or other incentives.
(c) **Notice and Wait Requirement.**—The Secretary of a military department may not provide a recruitment incentive developed under subsection (a) until—

(1) the Secretary submits to the congressional defense committees a plan regarding provision of the recruitment incentive, which includes—

(A) a description of the incentive, including the purpose of the incentive and the potential recruits to be addressed by the incentive;

(B) a description of the provisions of titles 10 and 37, United States Code, from which the incentive would require a waiver and the rationale to support the waiver;

(C) a statement of the anticipated outcomes as a result of providing the incentive; and

(D) a description of the method to be used to evaluate the effectiveness of the incentive; and

(2) the expiration of the 30-day period beginning on the date on which the plan was received by Congress.

(d) **Limitation on Number of Incentives.**—The Secretary of a military department may not provide more
than three recruitment incentives under the authority of this section.

(e) Limitation on Number of Individuals Receiving Incentives.—The number of individuals who receive one or more of the recruitment incentives provided under subsection (a) by the Secretary of a military department during a fiscal year for an Armed Force under the jurisdiction of the Secretary may not exceed 20 percent of the accession objective of that Armed Force for that fiscal year.

(f) Duration of Developed Incentive.—A recruitment incentive developed under subsection (a) may be provided for not longer than a three-year period beginning on the date on which the incentive is first provided, except that the Secretary of the military department concerned may extend the period if the Secretary determines that additional time is needed to fully evaluate the effectiveness of the incentive.

(g) Reporting Requirements.—If the Secretary of a military department provides an recruitment incentive under subsection (a) for a fiscal year, the Secretary shall submit to the congressional defense committees a report, not later than 60 days after the end of the fiscal year, containing—
(1) a description of each incentive provided under subsection (a) during that fiscal year; and

(2) an assessment of the impact of the incentives on the recruitment of individuals for an Armed Force under the jurisdiction of the Secretary.

(h) TERMINATION OF AUTHORITY TO PROVIDE INCENTIVES.—Notwithstanding subsection (f); the authority to provide recruitment incentives under this section expires on December 31, 2020.

SEC. 532. EXPANSION OF AUTHORITY TO CONDUCT PILOT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) REPEAL OF LIMITATION ON ELIGIBLE PARTICIPANTS.—Subsection (b) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. prec. 701 note) is repealed.

(b) REPEAL OF LIMITATION ON NUMBER OF PARTICIPANTS.—Subsection (c) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. prec. 701 note) is repealed.

(c) CONFORMING AMENDMENTS.—Section 533 of the Duncan Hunter National Defense Authorization Act for
Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. prec. 701 note) is further amended—

1. by redesignating subsections (d) through (m) as subsections (b) through (k), respectively; and

2. in subsections (b)(1), (d), and (f)(3)(D) (as so redesignated), by striking “subsection (e)” each place it appears and inserting “subsection (c)”.

SEC. 533. MODIFICATION OF NOTICE AND WAIT REQUIREMENTS FOR CHANGE IN GROUND COMBAT EXCLUSION POLICY FOR FEMALE MEMBERS OF THE ARMED FORCES.

(a) Rule for Ground Combat Personnel Policy.—Section 652(a) of title 10, United States Code, is amended—

1. in paragraph (1)—

   (A) in the first sentence, by striking “before any such change is implemented” and inserting “not less than 30 calendar days before such change is implemented”; and

   (B) by striking the second sentence; and

2. by striking paragraph (5).

(b) Conforming Amendment.—Section 652(b)(1) of title 10, United States Code, is amended by inserting “calendar” before “days”.

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SEC. 534. ROLE OF SECRETARY OF DEFENSE IN DEVELOPMENT OF GENDER-NEUTRAL OCCUPATIONAL STANDARDS.

Section 524(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3361; 10 U.S.C. 113 note) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) measure the combat readiness of combat units, including special operations forces.”.

SEC. 535. BURDENS OF PROOF APPLICABLE TO INVESTIGATIONS AND REVIEWS RELATED TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) BURDENS OF PROOF.—Section 1034 of title 10, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):
“(i) BURDENS OF PROOF.—The burdens of proof specified in section 1221(e) of title 5 shall apply in any investigation conducted by an Inspector General under subsection (c) or (d), any review performed by a board for the correction of military records under subsection (g), and any review conducted by the Secretary of Defense under subsection (h).”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act, and shall apply with respect to allegations pending or submitted under section 1034 of title 10, United States Code, on or after that date.

SEC. 536. REVISION OF NAME ON MILITARY SERVICE RECORD TO REFLECT CHANGE IN GENDER IDENTIT Y AFTER SEPARATION FROM THE ARMED FORCES.

(a) Revision Required.—Section 1551 of title 10, United States Code, is amended—

(1) by inserting “(a) SERVICE UNDER ASSUMED NAME.—” before “The Secretary”; and

(2) by adding at the end the following new subsection:

“(b) CHANGE IN GENDER IDENTITY.—The Secretary concerned shall reissue a certificate of discharge or an
order of acceptance of resignation in the new name of any
person who, after separation from the armed forces, un-
dergoes a change in gender identity and assumes a dif-
ferent name.”.

(b) Clerical Amendments.—

(1) Section heading.—The heading of section
1551 of title 10, United States Code, is amended to
read as follows:

“§1551. Correction of name after separation from
service”.

(2) Table of sections.—The table of sections
at the beginning of chapter 79 of title 10, United
States Code, is amended by striking the item relat-
ing to section 1551 and inserting the following new
item:

“1551. Correction of name after separation from service.”.

SEC. 537. ESTABLISHMENT OF BREASTFEEDING POLICY
FOR THE DEPARTMENT OF THE ARMY.

The Secretary of the Army shall develop a com-
prehensive policy regarding breastfeeding by female mem-
bers of the Army who are breastfeeding. At a minimum,
the policy shall address the following:

(1) The provision of a designated room or area
that will provide the member with adequate privacy
and cleanliness and that includes an electrical outlet
to facilitate the use of a breast pump. Restrooms should not be considered an appropriate location.

(2) An allowance for appropriate breaks, when practicable, to permit the member to breastfeed or utilize a breast pump.

SEC. 538. SENSE OF CONGRESS RECOGNIZING THE DIVERSITY OF THE MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds the following:

(1) The United States military includes individuals with a variety of national, ethnic, and cultural backgrounds that have roots all over the world.

(2) In addition to diverse backgrounds, members of the Armed Forces come from numerous religious traditions, including Christian, Hindu, Jewish, Muslim, Sikh, non-denominational, non-practicing, and many more.

(3) Members of the Armed Forces from diverse backgrounds and religious traditions have lost their lives or been injured defending the national security of the United States.

(4) Diversity contributes to the strength of the Armed Forces, and service members from different backgrounds and religious traditions share the same goal of defending the United States.
(5) The unity of the Armed Forces reflects the strength in diversity that makes the United States a great nation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to recognize and promote diversity in the Armed Forces; and

(2) honor those from all diverse backgrounds and religious traditions who have made sacrifices in serving the United States through the Armed Services.

SEC. 539. ESTABLISHMENT OF PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY A CONCEALED PERSONAL FIREARM ON A MILITARY INSTALLATION.

(a) Process Required.—The Secretary of Defense, taking into consideration the views of senior leadership of military installations in the United States, shall establish a process by which the commander of a military installation in the United States may authorize a member of the Armed Forces who is assigned to duty at the installation to carry a concealed personal firearm on the installation if the commander determines it to be necessary as a personal- or force-protection measure.
(b) Relation to State and Local Law.—In establishing the process under subsection (a) for a military installation, the commander of the installation shall consult with elected officials of the State and local jurisdictions in which the installation is located and take into consideration the law of the State and such jurisdictions regarding carrying a concealed personal firearm.

(c) Member Qualifications.—To be eligible to be authorized to carry a concealed personal firearm on a military installation pursuant to the process established under subsection (a), a member of the Armed Forces—

(1) must complete any training and certification required by any State in which the installation is located that would permit the member to carry concealed in that State;

(2) must not be subject to disciplinary action under the Uniform Code of Military Justice for any offense that could result in incarceration or separation from the Armed Forces;

(3) must not be prohibited from possessing a firearm because of conviction of a crime of domestic violence; and

(4) must meet such service-related qualification requirements for the use of firearms, as established
by the Secretary of the military department concerned.

(d) **State Defined.**—In this section, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

**Subtitle E—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response**

**SEC. 541. IMPROVEMENTS TO SPECIAL VICTIMS’ COUNSEL PROGRAM.**

(a) **Qualifications and Designation.**—Section 1044e(d) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “An individual”;

(2) by designating existing paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following new paragraphs:

“(2) The Secretary of Defense shall direct the Secretary of each military department to implement additional selection criteria requiring that judge advocates have adequate criminal justice experience before they are assigned as Special Victims’ Counsel.
“(3) The Secretary of Defense shall develop a policy to standardize both the time frame within which Special Victims’ Counsel receive training and the training that each Special Victims’ Counsel receives.”.

(b) **Administrative Responsibility.—**Section 1044e(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs

“(3) The Secretary of Defense shall establish appropriate program performance measures and standards, including evaluating, monitoring, and reporting on the Special Victims’ Counsel programs, establishing guiding principles for the military departments, and ensuring centralized, standardized assessment of program effectiveness and client satisfaction.

“(4) The Secretary of Defense shall direct the Secretary of each military department to perform regular evaluations to ensure that Special Victims’ Counsel are assigned to locations that maximize the opportunity for face-to-face interactions between counsel and clients and to develop effective means by which a Special Victims’ Counsel may communicate with a client when face-to-face communication is not feasible.”.
SEC. 542. DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEE ACCESS TO SPECIAL VICTIMS’ COUNSEL.

Section 1044e(a)(2) of title 10, United States Code, is amended by adding the following new subparagraph:

“(C) A civilian employee of the Department of Defense who is not eligible for military legal assistance under section 1044(a)(7) of this title, but who is the victim of an alleged sex-related offense, and the Secretary of Defense or the Secretary of the military department concerned waives the condition in such section for the purposes of offering Special Victims’ Counsel services to the employee.”.

SEC. 543. ACCESS TO SPECIAL VICTIMS’ COUNSEL FOR FORMER DEPENDENTS OF MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES.

Section 1044e(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (C), as added by section 542, the following new subparagraph:

“(D) An individual who is a former dependent of a member or former member of the armed forces described in subparagraph (A) or (B), if the alleged sex-related offense—

“(i) was perpetrated by a person who is, or is reasonably believed to be, a person subject to chapter 47 of this title (the Uniform Code of Military Justice) pursuant to section 802 of

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this title (article 2(a) of the Uniform Code of
Military Justice); and
“(ii) occurred while the individual was a
dependent of the member or former member.”.

SEC. 544. REPRESENTATION AND ASSISTANCE FROM SPE-
CIAL VICTIMS’ COUNSEL IN RETALIATORY
PROCEEDINGS.

Section 1044e(b) of title 10, United States Code is
amended—

(1) by redesignating paragraph (9) as para-
graph (10); and

(2) by inserting after paragraph (8) the fol-
lowing new paragraph:
“(9) Legal representation and assistance in any
action or proceeding that, in the judgment of the
Special Victims’ Counsel, may have been undertaken
in retaliation for the victim’s report of an alleged
sex-related offense or for the victim’s involvement in
related military justice proceedings.”.

SEC. 545. TIMELY NOTIFICATION TO VICTIMS OF SEX-RE-
LATED OFFENSES OF THE AVAILABILITY OF
ASSISTANCE FROM SPECIAL VICTIMS’ COUN-
SEL.

Section 1044e(f)(1) of title 10, United States Code,
is amended by adding at the end the following new sen-
tence: “Notice of the availability of a Special Victims’
Counsel shall be provided to the victim before any of the
personnel identified or designated by the Secretary con-
cerned under this paragraph interviews, or requests any
statement from, the victim regarding the alleged sex-re-
lated offense.”.

SEC. 546. PARTICIPATION BY VICTIM IN PUNITIVE PRO-
CEEDINGS AND ACCESS TO RECORDS.

(a) Victim Submission of Matters for Consider-
eration by Commanding Officer in Nonjudicial
Punishment Proceedings.—Section 815 of title 10,
United States Code (article 15 of the Uniform Code of
Military Justice) is amended by adding at the end the fol-
lowing new subsection:

“(h) Victim Participation in Nonjudicial Pun-
ishment Proceedings.—(1) For any offense that in-
volves a victim, in any case in which a commanding officer
or other person authorized to act under this section (arti-
cle) is considering imposing a punishment authorized in
subsection (b) on a member of the command, mitigation
of a punishment under subsection (d), or an appeal of a
punishment under subsection (e), the victim shall be pro-
vided an opportunity to submit written matters for consid-
eration by the person authorized to act under this section
(article).
“(2) The victim shall be notified of a commander’s decision to consider a punishment, consider mitigating a punishment, or consider an appeal under this section (article). The victim shall also be notified of the opportunity to submit matters for consideration under this subsection.

“(3) The submission of matters under paragraph (1) shall be made within the three-day period the accused is given to seek legal counsel.

“(4) A victim may waive the right under this subsection to make a submission to the commanding officer or other person taking action under this section (article). Such a waiver shall be made in writing and may not be revoked.

“(5) In the case of proceedings under this section (article) for an offense that involved a victim, a copy of all prepared records of the proceedings, including a written copy of any admonition or reprimand, shall be given to the victim without charge and as soon as a decision is finalized. The victim shall be notified of the opportunity to receive the records of the proceedings under this subsection.

“(6) In this section, the term ‘victim’ means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under this chapter (the Uniform Code of Military Justice) and on
which a commanding officer or other person authorized
to take action under this section (article) is taking action
under this section (article).

“(7) This subsection applies only with respect to the
Department of Defense.”.

(b) **Victim Submission of Matters for Consideration in Administrative Separation Proceedings.**—Chapter 59 of title 10, United States Code is amended by adding at the end the following new section:

“§ 1159. Victim participation in administrative separation proceedings

“(a)(1) Under regulations prescribed by the Secretary of Defense, the Secretary of the military department concerned shall ensure that, when administrative separation is considered for a member of the Army, Navy, Air Force, or Marine Corps in connection to an offense that involved a victim, the person or board authorized to provide recommendations and act on recommendations for retention or separation under this chapter must consider the impact of the offense on the victim and the views of the victim on retention.

“(2) Such regulations shall ensure that victims are provided an opportunity to submit written matters for consideration, including, but not limited to, written testimony, to the person or board authorized to provide recommenda-
tions and act on recommendations for administrative separation proceedings under this chapter. A victim may waive the right under this section to make a submission.

“(b) Under regulations prescribed by the Secretary of Defense, the Secretary of the military department concerned shall ensure that a copy of all prepared records of the proceedings, including, but not limited to, the decision on retention or separation and any written explanation thereof, shall be given to the victim without charge and as soon as a decision is finalized. The victim shall be notified of the opportunity to receive the records of the proceedings under this subsection.

“(c) In this section, the term ‘victim’ means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under chapter 47 of this title (the Uniform Code of Military Justice) and on which the armed forces are considering administrative separation or retention.”.

(c) VICTIM SUBMISSION OF MATTERS FOR CONSIDERATION IN ADMINISTRATIVE SEPARATION PROCEEDINGS OF OFFICERS.—Section 1185 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(c) Under regulations prescribed by the Secretary of Defense, when a board of inquiry is held under this
section for an officer of the Army, Navy, Air Force, or Marine Corps in connection with an offense that involved a victim, the board of inquiry—

“(1) shall consider the impact of the offense on the victim and the views of the victim on retention;

“(2) shall provide victims an opportunity to submit matters for consideration, including in-person testimony, although a victim may waive the right under this subsection to make a submission; and

“(3) shall provide victims with all prepared records of the proceedings, including the decision on retention or separation and any written explanation thereof.

“(d) When a record is withheld under subsection (a)(4), the victim shall, to the extent that the interest of national security permits, be furnished a summary of the record so withheld.

“(e) In this section, the term ‘victim’ means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under chapter 47 of this title (the Uniform Code of Military Justice) and on which an officer is required to show cause for retention on active duty under section 1181 of this title.”.
SEC. 547. VICTIM ACCESS TO REPORT OF RESULTS OF PRELIMINARY HEARING UNDER ARTICLE 32 OF THE UNIFORM CODE OF MILITARY JUSTICE.

Section 832(c) of title 10, United States Code (article 32(c) of the Uniform Code of Military Justice), is amended—

(1) by inserting “(1)” after “REPORT OF RESULTS.—”; and

(2) by adding at the end the following new paragraph:

“(2) The report prepared under paragraph (1) shall be provided to the victim, without charge, at the same time as the report is delivered to the accused.”.

SEC. 548. MINIMUM CONFINEMENT PERIOD REQUIRED FOR CONVICTION OF CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.

(a) MANDATORY PUNISHMENTS.—Section 856(b)(1) of title 10, United States Code (article 56(b)(1) of the Uniform Code of Military Justice) is amended by striking “at a minimum” and all that follows through the period at the end of the paragraph and inserting the following: “at a minimum except as provided for in section 860 of this title (article 60)—

“(A) dismissal or dishonorable discharge; and

“(B) confinement for two years.”.
(b) **Effective Date.**—Subparagraph (B) of paragraph (1) of section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice), as added by subsection (a), shall apply to offenses specified in paragraph (2) of such section committed on or after the date that is 180 days after the date of the enactment of this Act.

**SEC. 549. STRATEGY TO PREVENT RETALIATION AGAINST MEMBERS OF THE ARMED FORCES WHO REPORT OR INTERVENE ON BEHALF OF THE VICTIM IN INSTANCES OF SEXUAL ASSAULT.**

(a) **Strategy Required.**—The Secretary of Defense shall establish a comprehensive strategy to prevent retaliation carried out by members of the Armed Forces against other members who report or otherwise intervene on behalf of the victim in instances of sexual assault.

(b) **Elements.**—The comprehensive strategy required by subsection (a) shall include, at a minimum, the following:

1. Bystander intervention programs emphasizing the importance of guarding against such retaliation.
2. Department of Defense and military department policies and requirements to ensure protection
from retaliation against victims of sexual assault and members who intervene on behalf of a victim.

(3) Additional training for commanders on methods and procedures to combat attitudes and beliefs that lead to retaliation acts by members.

(c) Retaliation Described.—For purposes of this section, the term “retaliation” has the meaning given that term in the regulations issued by the Secretary of Defense pursuant to section 1709(b)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 113 note) and shall include ostracism and other acts of maltreatment designated by the Secretary pursuant to subparagraph (B) of such section.

(d) Briefing.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on the comprehensive strategy required by subsection (a).

SEC. 550. IMPROVED DEPARTMENT OF DEFENSE PREVENTION AND RESPONSE TO SEXUAL ASSAULTS IN WHICH THE VICTIM IS A MALE MEMBER OF THE ARMED FORCES.

(a) Plan to Improve Prevention and Response.—The Secretary of Defense, in collaboration with the Secretaries of the military departments, shall develop
a plan to improve Department of Defense prevention and
response to sexual assaults in which the victim is a male
member of the Armed Forces.

(b) ELEMENTS.—The plan required by subsection (a)
shall include the following:

(1) Sexual assault prevention and response
training to more comprehensively and directly ad-
dress the incidence of male members of the Armed
Forces who are sexually assaulted and how certain
behavior and activities, such as hazing, can con-
stitute a sexual assault.

(2) Methods to evaluate the extent to which dif-
ferences exist in the medical and mental health-care
needs of male and female sexual assault victims, and
the care regimen, if any, that will best meet those
needs.

(3) Data-driven decision making to improve
male-victim sexual assault prevention and response
program efforts.

(4) Goals with associated metrics to drive the
changes needed to address sexual assaults of male
members of the Armed Forces.

(5) Information about the sexual victimization
of males in communications to members that are
used to raise awareness of sexual assault and efforts
to prevent and respond to it.

(6) Guidance for the department’s medical and
mental health providers, and other personnel as ap-
propriate, based on the results of the evaluation de-
scribed in paragraph (2), that delineates these gen-
der-specific distinctions and the care regimen that is
recommended to most effectively meet those needs.

SEC. 551. SEXUAL ASSAULT PREVENTION AND RESPONSE
TRAINING FOR ADMINISTRATORS AND IN-
STRUCTORS OF THE JUNIOR AND SENIOR RE-
SERVE OFFICERS’ TRAINING CORPS.

(a) Training and Education Required.—The
Secretary of a military department shall ensure that the
commander of each unit of the Junior Reserve Officers’
Training Corps or Senior Reserve Officers’ Training
Corps and all Professors of Military Science, senior mili-
tary instructors, and civilian employees detailed, assigned,
or employed as administrators and instructors of the Re-
serve Officers’ Training Corps receive regular sexual as-
sault prevention and response training and education.

(b) Additional Information.—The Secretary of a
military department shall ensure that information regard-
ing the availability of legal assistance and the sexual as-
sault prevention and response program is made available
to the Reserve Officers’ Training Corps personnel referred to in subsection (a).

SEC. 552. MODIFICATION OF MANUAL FOR COURTS-MARTIAL TO REQUIRE CONSISTENT PREPARATION OF THE FULL RECORD OF TRIAL.

Not later than 180 days after the date of the enactment of this Act, Rule 1103 of the Manual for Courts-Martial (relating to preparation of the record of trial) shall be amended to ensure that, for any general or special court-martial proceeding under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), trial counsel shall prepare a complete record of trial, consisting of each available content item, matter, or attachment specified in the Rule. No content item, matter, or attachment may be exempted based on the outcome of the court-martial proceeding.

SEC. 553. INCLUSION OF ADDITIONAL INFORMATION IN ANNUAL REPORTS REGARDING DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE.

(a) ROLE OF DEPARTMENT OF DEFENSE FAMILY ADVOCACY PROGRAM.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended—
(1) in paragraph (1), by inserting after “by the report,” the following: “including all cases under the purview of the Department of Defense Family Advocacy Program pursuant to section 1058 of title 10, United States Code,”;

(2) in paragraph (2), by inserting after “by the report,” the following: “including all cases under the purview of the Department of Defense Family Advocacy Program pursuant to such section 1058,”; and

(3) in paragraph (3), by inserting after “substantiated case,” the following: “including each case under the purview of the Department of Defense Family Advocacy Program pursuant to such section 1058,”.

(b) INCLUSION OF INFORMATION REGARDING SEXUAL HARASSMENT INVOLVING MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by adding at the end the following new paragraph:

“(12) Information and data collected on sexual harassment involving members of the Armed Forces during the year covered by the report. The informa-
tion shall include the number of substantiated and unsubstantiated cases, a synopsis of each such substantiated case, and the action taken in each substantiated case, including the type of disciplinary or administrative sanction imposed, if any, such as conviction and sentence by court-martial, imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), or administrative separation or other type administrative action imposed.”.

(2) Secretary of Defense assessment of information in reports to Congress.—Section 1631(d)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by striking “subsection (b)(11)” and inserting “paragraphs (11) and (12) of subsection (b)”.

(c) Retaliation against alleged victims of sexual assault.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by inserting after paragraph (12), as added by subsection (b), the following new paragraph:

“(13)(A) Information and data collected on reports of retaliation against alleged victims of sexual
assault, including the number of substantiated and
unsubstantiated cases.

“(B) In this paragraph, the term ‘retaliation’
has the meaning given such term by the Secretary
of Defense as required by section 1709(b) of the Na-
tional Defense Authorization Act for Fiscal Year
2014 (Public Law 113–66; 127 Stat. 962; 10 U.S.C.
113 note).”.

(d) Application of Amendments.—The amend-
ments made by this section shall take effect on the date
of the enactment of this Act and apply beginning with the
reports required to be submitted by March 1, 2016, under
section 1631 of the Ike Skelton National Defense Author-
ization Act for Fiscal Year 2011 (Public Law 111–383;

SEC. 554. RETENTION OF CASE NOTES IN INVESTIGATIONS
OF SEX-RELATED OFFENSES INVOLVING
MEMBERS OF THE ARMY, NAVY, AIR FORCE,
OR MARINE CORPS.

(a) Retention of All Investigative Records
Required.—Not later than 180 days after the date of
the enactment of this Act, the Secretary of Defense shall
update Department of Defense records retention policies
to ensure that, for all investigations relating to an alleged
sex-related offense (as defined in section 1044e(g) of title
10, United States Code) involving a member of the Army, Navy, Air Force, or Marine Corps, all elements of the case file shall be retained as part of the investigative records retained in accordance with section 3500 of title 18, United States Code, and section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note).

(b) ELEMENTS.—In updating records retention policies as required by subsection (a), the Secretary of Defense shall address, at a minimum, the following matters:

(1) The elements of the case file to be retained must include, at a minimum, the case activity record, case review record, investigative plans, and all case notes made by an investigating agent or agents.

(2) All investigative records must be retained for no less than 50 years.

(3) No element of the case file may be destroyed until the expiration of the time that investigative records must be kept.

(4) Records may be stored digitally or in hard copy, in accordance with existing law or regulations or additionally prescribed policy considered necessary by the Secretary of the military department concerned.
(c) **CONSISTENT EDUCATION AND POLICY.**—The Secretary of Defense shall ensure that existing policy, education, and training are updated to reflect policy changes in accordance with subsection (a).

(d) **UNIFORM APPLICATION TO MILITARY DEPARTMENTS.**—The Secretary of Defense shall ensure that, to the maximum extent practicable, the policy developed under subsections (a) is implemented uniformly by the military departments.

SEC. 555. **ADDITIONAL GUIDANCE REGARDING RELEASE OF MENTAL HEALTH RECORDS OF DEPARTMENT OF DEFENSE MEDICAL TREATMENT FACILITIES IN CASES INVOLVING ANY SEX-RELATED OFFENSE.**

The Secretary of Defense shall establish and issue uniform guidance to ensure that, with respect to any case involving any sex-related offense, mental health records of the alleged victim of the sex-related offense and communications related to such mental health records that are maintained by a Department of Defense medical treatment facility are neither sought by investigators or military justice practitioners nor acknowledged or released by the medical treatment facility unless and until the production of such mental health records or communications has been ordered by a military judge or a hearing officer de-
scribed in section 832(b) of title 10, United States Code (article 32 of the Uniform Code of Military Justice).

SEC. 556. PUBLIC AVAILABILITY OF RECORDS OF CERTAIN PROCEEDINGS UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) Public Availability Required.—The Secretary of Defense shall make available, electronically through a website of the Department of Defense, to the public all information specified in subsection (c) (subject to such exceptions as may apply under subsection (d)) for all of the proceedings under the Uniform Code of Military Justice specified in subsection (b).

(b) Covered Proceedings.—The system established under subsection (a) shall contain information for the following proceedings under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):

(1) Special and general courts-martial under subchapter IV of such chapter.

(2) Actions by the convening authority under section 860 of such title (article 60).

(3) Reviews conducted by the Courts of Criminal Appeals under section 866 of such title (article 66).
(4) Reviews conducted by the Court of Appeals for the Armed Forces under section 867 of such title (article 67).

(c) **Covered Information.**—Except as provided in subsection (d), the following information, either directly or through links to another website, shall be made available through the system established under subsection (a) as soon as the information is reasonably available:

(1) The location of the proceeding and contact information for each base and court jurisdiction, including, when applicable, the name and telephone number of the legal office with jurisdiction over the proceeding.

(2) The calendar of proceedings.

(3) The docket information for the proceeding.

(4) Any motions and documents filed in connection with the proceeding.

(5) The substance of all written rulings and opinions issued in the proceeding, in a text-searchable format.

(6) The authenticated record of the proceeding.

(7) Any other information related to the proceeding that the Secretary of Defense determines to be useful to the public.

(d) **Protection of Privacy and Security.**—
(1) Revision of Manual for Courts-Martial.—The Manual for Courts-Martial shall be updated to address privacy and security concerns related to the electronic filing of documents and the public availability of documents made available through the system established under subsection (a). Such guidance must consider, at minimum, the protection of privacy of individuals named in records and status of records under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), section 552a of such title (commonly referred to as the Privacy Act), restricted reporting cases, and laws and guidance related to privilege. Such guidance shall provide to the extent practicable for uniform treatment of privacy and security issues throughout each proceeding specified in subsection (b) and across all branches of the Armed Forces. To the extent that such guidance provide for the redaction of certain categories of information to address privacy and security concerns, such guidance shall provide that a party that wishes to file an otherwise proper document containing such information may file an unredacted document under seal, which shall be retained as part of the proceeding as part of the record, and which, at the dis-
creation of the court and subject to any applicable
guidance issued in the Manual for Courts Martial,
shall be either in lieu of, or in addition, to, a re-
dacted copy in the public file.

(2) INTERIM GUIDANCE.—The Secretary of De-
fense may issue interim guidance, and interpretive
statements relating to the application of such guid-
ance, which conform to the requirements of para-
graph (1) and which shall cease to have effect upon
the effective date of the guidance required under
paragraph (1). Pending issuance of the guidance re-
quired under paragraph (1), any guidance or order
of any court, or of the Secretary of Defense, pro-
viding for the redaction of certain categories of in-
formation in order to address privacy and security
concerns arising from electronic filing shall comply
with, and be construed in conformity with, the last
sentence of paragraph (1).

(e) ELECTRONIC FILINGS.—

(1) IN GENERAL.—Except as provided in sub-
section (d) or under paragraph (2), each court-mar-
tial and the courts specified in paragraphs (4) and
(5) of subsection (b) shall make each document that
is filed electronically with the court available to the
public through a website of the Department of De-
fense. To the extent practicable, the court shall con-
vert any document that is filed in paper form to
electronic form. To the extent such conversions are
made, all such electronic versions of the document
shall be made available to the public.

(2) EXCEPTION.—Paragraph (1) does not apply
to any filed document that is not otherwise available
to the public, such as a document filed under seal.

(f) MAINTENANCE OF DATA.—The Secretary of De-
defense shall ensure that the information in the system es-
tablished under subsection (a) is updated regularly and
kept reasonably current. Electronic files and docket infor-
mation for a proceeding closed for more than five years
are not required to be made available through the system,
except all written opinions with a date of issuance after
the date specified in subsection (h) shall remain available
to the public through the system.

(g) AUTHORIZATION TO CHARGE FEES.—The Sec-
retary of Defense may prescribe reasonable fees for access
to information made available through the system estab-
lished under subsection (a). These fees may distinguish
between classes of persons, and shall provide for exempt-
ing persons or classes of persons from the fees, in order
to avoid unreasonable burdens and to promote public ac-
cess to such information. The Secretary of Defense shall
prescribe a schedule of reasonable fees for electronic access to information which the Secretary is required to maintain and make available to the public. The Secretary of Defense shall transmit each schedule of fees prescribed under this subsection to the Congress at least 30 days before the schedule of fees becomes effective.

(h) **Effective Date and Applicability.**—The information system required by this section shall be available to the public no later than one year after the date of the enactment of this Act and apply to all proceedings under the Uniform Code of Military Justice specified in subsection (b) that have begun or been completed since the date of enactment of this Act.

**SEC. 557. Revision of Department of Defense Directive-type Memorandum 15–003, Relating to Registered Sex Offender Identification, Notification, and Monitoring in the Department of Defense.**

(a) **Revision Required; Database.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense Directive-type Memorandum 15–003, relating to Registered Sex Offender Identification, Notification, and Monitoring in the Department of Defense, and all subsequent directive and guidance to ensure the following:
(1) All provisions of the Department of Defense Directive-type Memorandum 15–003 shall go into effect not later than 180 days after its revision under this section.

(2) The Department of Defense shall create a database (in this section referred to as the “database”) to track the following sex offenders:

(A) Sex offenders who are active-duty or reserve component members of the Army, Navy, Air Force, or Marine Corps or civilian employees of the Department of Defense.

(B) Former active-duty or reserve component members of the Army, Navy, Air Force, or Marine Corps who have been convicted of a sex offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), if not already covered by subparagraph (A).

(3) For each individual identified in the database pursuant to paragraph (2)(A), the database shall contain the following information:

(A) The name of the sex offender (including any alias used by the individual).

(B) The Social Security number of the sex offender.
(C) A physical description of the sex offender.

(D) A current photograph of the sex offender.

(E) The address of each residence at which the sex offender resides.

(F) The name and address of any place where the sex offender is an employee, including the sex offender’s current assignment, duty station, physical place of work, and deployment status, if applicable.

(G) The name and address of any place where the sex offender is a student.

(H) The text of the provision of law defining the criminal offense for which the sex offender is registered in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other Federal, State, or local laws.

(I) The criminal history of the sex offender, including the date of all arrests and convictions; the status of parole, probation, or supervised release; registration status in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248;
120 Stat. 587) or other applicable Federal, State, or local laws; and the existence of any outstanding arrest warrants for the sex offender.

(J) Any other information required by Secretary of Defense.

(4) For each individual identified in the database pursuant to paragraph (2)(B), the database shall contain the following information:

(A) The name of the sex offender (including any alias used by the individual).

(B) The Social Security number of the sex offender.

(C) A physical description of the sex offender.

(D) A current photograph of the sex offender.

(E) The last known address of each residence of the sex offender and, if released or about to be released from a military correctional facility, the intended address of residence of the sex offender.

(F) The text of the provision of law defining the criminal offense for which the sex offender is registered in accordance with the
Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other Federal, State, or local laws.

(G) The criminal history of the sex offender, including the date of all arrests and convictions; the status of parole, probation, or supervised release; registration status in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other Federal, State, or local laws; and the existence of any outstanding arrest warrants for the sex offender.

(H) Any other information required by Secretary of Defense.

(5) The database shall be available to local, State, and Federal law enforcement agencies. In the case of each individual identified in the database pursuant to paragraph (2)(B) who fails to register with a sex offender registry in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other applicable Federal, State, or local laws, the Secretary of Defense shall make available on the Internet, in a manner that is readily accessible to the public, the following information:
(A) The name of the sex offender (including any alias used by the individual).

(B) A physical description of the sex offender.

(C) A most recent photograph of the sex offender.

(D) The last known address of each residence of the sex offender and, if applicable, the intended address of residence of the sex offender.

(E) The criminal offense for which the sex offender is registered in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other applicable Federal, State, or local laws.

(F) Notification that the sex offender has failed to register on a sex offender registry in accordance with Federal, State, or local laws.

(G) Any other information required by Secretary of Defense, in accordance with existing laws and regulations.

(b) REPORTING REQUIREMENTS.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561
note) is amended by adding at the end the following new paragraph:

“(12) The number of individuals released from active-duty as a members of the Army, Navy, Air Force, or Marine Corps as a result of a conviction of a sex-related offense, including the number who have registered with a local sex offender registry in accordance with local, State, and Federal law and the number who have failed to register with a local sex offender registry in accordance with local, State, and Federal law.”.

(c) DEFINITIONS.—In this section:

(1) In this section, the term “sex offender” means an individual who is required to be placed on a sexual offender registry by Federal, State, or local laws, including the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587).

(2) In this section, the term “sex offense” means an offense in a category of conduct punishable under the Uniform Code of Military Justice specified by the Secretary of Defense pursuant to section 115(a)(8)(C)(i) of Public Law 105–119 (10 U.S.C. 951 note).
SEC. 558. IMPROVED IMPLEMENTATION OF CHANGES TO UNIFORM CODE OF MILITARY JUSTICE.

The Secretary of Defense shall examine the Department of Defense and interagency review process for implementing statutory changes to the Uniform Code of Military Justice for the purpose of developing options for streamlining such process. The Secretary shall adopt procedures to ensure that legal guidance is published at the same time as statutory changes to the Uniform Code of Military Justice are implemented.

Subtitle F—Member Education, Training, and Transition

SEC. 561. AVAILABILITY OF PRESEPARATION COUNSELING FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR RELEASED AFTER LIMITED ACTIVE DUTY.

Section 1142(a)(4) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “that member’s first 180 days of active duty” and inserting “the first 180 continuous days of active duty of the member”; and

(2) by adding at the end the following new sub-paragraph:
“(C) For purposes of calculating the days of active
duty of a member under subparagraph (A), the Secretary
concerned shall exclude any day on which—

“(i) the member performed full-time training
duty or annual training duty; and

“(ii) the member attended, while in the active
military service, a school designated as a service
school by law or by the Secretary concerned.”.

SEC. 562. AVAILABILITY OF ADDITIONAL TRAINING OPPOR-
TUNITIES UNDER TRANSITION ASSISTANCE
PROGRAM.

Section 1144 of title 10, United States Code, is
amended by adding at the end the following new sub-
section:

“(f) ADDITIONAL TRAINING OPPORTUNITIES.—(1)
As part of the program carried out under this section, the
Secretary of Defense and the Secretary of the Department
in which the Coast Guard is operating, when the Coast
Guard is not operating within the Department of the
Navy, shall permit a member of the armed forces eligible
for assistance under the program to elect to receive addi-
tional training in any of the following subjects:

“(A) Preparation for higher education or train-
ing.
“(B) Preparation for career or technical training.

“(C) Preparation for entrepreneurship.

“(D) Other training options determined by the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy.

“(2) The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy, shall ensure that a member of the armed forces who elects to receive additional training in subjects available under paragraph (1) is able to receive the training.”.

SEC. 563. ENHANCEMENTS TO YELLOW RIBBON RE-INTEGRATION PROGRAM.

(a) Scope and Purpose.—Section 582(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended by striking “combat veteran”.

(b) Eligibility.—

(1) Definition.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is
amended by adding at the end the following new subsection:

“(l) **Eligible Individuals Defined.**—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.”.

(2) **Conforming Amendments.**—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended—

(A) in subsection (a), by striking “National Guard and Reserve members and their families” and inserting “eligible individuals”;  

(B) in subsection (b), by striking “members of the reserve components of the Armed Forces, their families,” and inserting “eligible individuals”;  

(C) in subsection (d)(2)(C), by striking “members of the Armed Forces and their families” and inserting “eligible individuals”;  

(D) in subsection (h), in the matter preceding paragraph (1)—
(i) by striking “members of the Armed Forces and their family members” and inserting “eligible individuals”; and

(ii) by striking “such members and their family members” and inserting “such eligible individuals”;

(E) in subsection (j), by striking “members of the Armed Forces and their families” and inserting “eligible individuals”; and

(F) in subsection (k), by striking “individual members of the Armed Forces and their families” and inserting “eligible individuals”.

(c) Office for Reintegration Programs.—Section 582(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended—

(1) in subparagraph (1)(B), by striking “substance abuse and mental health treatment services” and inserting “substance abuse, mental health treatment, and other quality of life services”; and

(2) 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) **Operation of Program.**—

(1) **Enhanced Flexibility.**—Subsection (g) of section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) 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 a period of activation, mobilization, or deployment, 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, but no earlier than 30 days after demobilization, 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.—The 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.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended—

(A) in subsection (a), by striking “throughout the entire deployment cycle”;

(B) in subsection (b)—
(i) by striking “well-being through the 4 phases” through the end of the subsection and inserting “well-being.”;

(ii) in the heading, by striking “; DEPLOYMENT CYCLE”;

(C) in subsection (d)(2)(C), by striking “throughout the deployment cycle described in subsection (g)”; and

(D) in the heading of subsection (f), by striking “STATE DEPLOYMENT CYCLE”.

(e) Additional Permitted Outreach Service.—Section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended by adding at the end the following new paragraph:

“(16) Stress management and positive coping skills.”.

(f) Support of Department-wide Suicide Prevention Efforts.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is 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, sugges-
tions, and best practices from State National Guard and
Reserve organizations with suicide prevention and commu-
nity response programs.”
(g) NAME CHANGE.—Section 582(d)(1)(B) of the
(Public Law 110–181; 10 U.S.C. 10101 note) is amended
by striking “Substance Abuse and the Mental Health
Services Administration” and inserting “Substance Abuse
and Mental Health Services Administration”.
SEC. 564. APPOINTMENTS TO MILITARY SERVICE ACAD-
EMIES FROM NOMINATIONS MADE BY DELE-
GATES IN CONGRESS FROM THE VIRGIN IS-
LANDS, GUAM, AMERICAN SAMOA, AND THE
COMMONWEALTH OF THE NORTHERN MAR-
IANA ISLANDS.
(a) UNITED STATES MILITARY ACADEMY.—Section
4342(a) of title 10, United States Code, is amended—
(1) in paragraph (6), by striking “Three” and
inserting “Four”; and
(2) in paragraph (8), by striking “Three” and
inserting “Four”;
(3) in paragraph (9), by striking “Two” and in-
serting “Three”; and
(b) United States Naval Academy.—Section 6954(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”;

(2) in paragraph (8), by striking “Three” and inserting “Four”;

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

(c) United States Air Force Academy.—Section 9342(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”;

(2) in paragraph (8), by striking “Three” and inserting “Four”;

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

(d) Effective Date.—The amendments made by this section shall apply with respect to the nomination of candidates for appointment to the United States Military
Academy, the United States Naval Academy, and the United States Air Force Academy for classes entering these military service academies after the date of the enactment of this Act.

SEC. 565. RECOGNITION OF ADDITIONAL INVOLUNTARY MOBILIZATION DUTY AUTHORITIES EXEMPT FROM FIVE-YEAR LIMIT ON REEMPLOYMENT RIGHTS OF PERSONS WHO SERVE IN THE UNIFORMED SERVICES.

Section 4312(c)(4)(A) of title 38, United States Code, is amended by inserting after “12304,” the following: “12304a, 12304b,”.

SEC. 566. JOB TRAINING AND POST-SERVICE PLACEMENT EXECUTIVE COMMITTEE.

Section 320 of title 38, United States Code, is amended—

(1) in subsection (b)(2), by inserting “a subordinate Job Training and Post-Service Placement Executive Committee,” before “and such other committees”;

(2) by adding at the end the following new subsection:

“(e) JOB TRAINING AND POST-SERVICE PLACEMENT EXECUTIVE COMMITTEE.—The Job Training and Post-
Service Placement Executive Committee described in subsection (b)(2) shall—

“(1) review existing policies, procedures, and practices of the Departments (including the military departments) with respect to job training and post-service placement programs; and

“(2) identify changes to such policies, procedures, and practices to improve job training and post-service placement.”; and

(3) in subsection (d)(2), by inserting “, including with respect to job training and post-service placement” before the period at the end.

SEC. 567. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

(a) Program Authority.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves.

(b) Administration.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code.

(c) Cost-sharing Requirement.—As a condition on the provision of funds under this section to a State
to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary of Defense under this section.

(d) **Direct Employment Program Model.**—The pilot program should follow a job placement program model that focuses on working one-on-one with a member of a reserve component to cost-effectively provide job placement services, including services such as identifying unemployed and underemployed members, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by State direct employment programs for members of the reserve components, such as the programs conducted in California and South Carolina.

(e) **Evaluation.**—The Secretary of Defense shall develop outcome measurements to evaluate the success of the pilot program.

(f) **Reporting Requirements.**—

(1) **Report required.**—Not later than March 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report describing the results of the pilot program. The Sec-
Secretary shall prepare the report in coordination with
the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—A report under
paragraph (1) shall include the following:

(A) A description and assessment of the ef-
fectiveness and achievements of the pilot pro-
gram, including the number of members of the
reserve components hired and the cost-per-
placement of participating members.

(B) An assessment of the impact of the
pilot program and increased reserve component
employment levels on the readiness of members
of the reserve components.

(C) A comparison of the pilot program to
other programs conducted by the Department
of Defense and Department of Veterans Affairs
to provide unemployment and underemployment
support to members of the reserve components
and veterans.

(D) Any other matters considered appro-
priate by the Secretary.

(g) LIMITATION ON TOTAL FISCAL-YEAR OBLIGA-
TIONS.—The total amount obligated by the Secretary of
Defense to carry out the pilot program for any fiscal year
may not exceed $20,000,000.
(h) Duration of Authority.—

(1) In General.—The authority to carry out the pilot program expires September 30, 2018.

(2) Extension.—Upon the expiration of the authority under paragraph (1), the Secretary of Defense may extend the pilot program for not more than two additional fiscal years.

SEC. 568. PROGRAM REGARDING CIVILIAN CREDENTIALING FOR SKILLS REQUIRED FOR CERTAIN MILITARY OCCUPATIONAL SPECIALTIES.

Section 558 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2015 note) is amended by adding at the end the following new subsection:

“(e) Inclusion of Specified Military Occupational Specialties.—The pilot program required by this section shall include at a minimum the following military occupational specialties:

“(1) Army 31B Military Police.

“(2) Navy MA Master-At-Arms.

“(3) Air Force 3P0X1 Security Forces.

“(4) Marine Corps 5811 Military Police.

“(5) Army 11B Infantryman.

“(6) Marine Corps 0311 Rifleman.”.
SEC. 569. MARINER TRAINING.

Section 2015 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):

“(d) SPECIAL RULES FOR MARINER DUTIES.—(1) The program required by subsection (a) shall ensure to the greatest extent practicable that—

“(A) members of the armed forces whose duties are primarily as a mariner receive training opportunities necessary to meet the requirements for licenses, certificates of registry, and merchant mariners’ documents issued under part E of subtitle II of title 46, and to acquire a Convention on Standards of Training, Certification, and Watchkeeping for Seafarers endorsement to such licenses and documents;

“(B) such members assigned to a vessel’s deck and engineering departments have a designated path to meet the requirements for such licenses, documents, and endorsement commensurate with their positional responsibilities;

“(C) courses in marine navigation, leadership, operation, and maintenance taken while such a
member is in the armed forces are submitted to the National Maritime Center for use in assessments of the fulfillment by the member of the requirements for receiving such licenses, documents, and endorsement; and

“(D) such members in the deck and engineering departments have the opportunity to attend merchant mariner credentialing programs that meet training requirements not offered by the armed forces.

“(2) The Secretary of the department in which the Coast Guard is operating shall ensure that any assessment of the training and experience of an applicant who is or has been a member of the armed forces is conducted without any limitation related to the member’s military pay grade.”.

SEC. 570. REPORT ON CIVILIAN AND MILITARY EDUCATION TO RESPOND TO FUTURE THREATS.

(a) In General.—Not later than June 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report describing both civilian and military education requirements necessary to meet any threats anticipated in the future security environment as described in the quadrennial defense review. Such report shall include—
(1) an assessment of the learning outcomes required of future members of the Armed Forces and senior military leaders to meet such threats;

(2) an assessment of the shortfalls in current professional military education requirements in meeting such threats;

(3) an assessment of successful professional military education programs that further the ability of the Department of Defense to meet such threats;

(4) recommendations of subjects to be covered by civilian elementary and secondary schools in order to better prepare students for potential military service;

(5) recommendations of subjects to be included in professional military education programs;

(6) recommendations on whether partnerships between the Department of Defense and private institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) would help meet such threats; and

(7) an identification of opportunities for the United States to strengthen its leadership role in the future security environment and a description of how the recommendations made in this report contribute to capitalizing on such opportunities.
(b) Updated Reports.—Not later than 10 months after date of the publication of each subsequent quadrennial defense review, the Secretary of Defense shall update the report described under subsection (a) and shall submit such report to the congressional defense committees.

SEC. 570a. AVAILABILITY OF CYBER SECURITY AND IT CERTIFICATIONS FOR DEPARTMENT OF DEFENSE PERSONNEL CRITICAL TO NETWORK DEFENSE.

(a) In General.—Section 2015 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “to obtain” and inserting “and when appropriate, other Department of Defense personnel, to obtain”; and

(B) by adding “or industry recognized” between “professional” and “credentials”; and

(2) in subsection (b), by adding at the end the following:

“(3) The authority under paragraph (1) may be used to pay the expenses of a member of the active Air Force, Army, Navy, Coast Guard, the reserve components, defense contractors, or civilians with access to information systems and identified as critical to network defense to obtain professional and industry recognized credentials re-
lated to information technology and cyber security func-
tions.”.

(b) CONSTRUCTION.—No additional funds are au-
thorized to be appropriated to carry out the amendments
made by this section, and such amendments shall be car-
rried out using amounts otherwise made available for such
purposes.

Subtitle G—Defense Dependents’
Education and Military Family
Readiness Matters

SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL
EDUCATIONAL AGENCIES THAT BENEFIT DE-
PENDENTS OF MEMBERS OF THE ARMED
FORCES AND DEPARTMENT OF DEFENSE CI-
VILIAN 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 mainte-
nance for Defense-wide activities as specified in the fund-
ing table in section 4301, $30,000,000 shall be available
only for the purpose of providing assistance to local edu-
cational agencies under subsection (a) of section 572 of
the National Defense Authorization Act for Fiscal Year
(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. 572. EXTENSION OF AUTHORITY TO CONDUCT FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.


SEC. 573. SUPPORT FOR EFFORTS TO IMPROVE ACADEMIC ACHIEVEMENT AND TRANSITION OF MILITARY DEPENDENT STUDENTS.

The Secretary of Defense may make grants to nonprofit organizations that provide services to improve the academic achievement of military dependent students, including those nonprofit organizations whose programs focus on improving the civic responsibility of military dependent students and their understanding of the Federal Government through direct exposure to the operations of the Federal Government.
SEC. 574. STUDY REGARDING FEASIBILITY OF USING DEERS TO TRACK DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES WHO ARE ELEMENTARY OR SECONDARY EDUCATION STUDENTS.

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 containing the results of a study regarding the feasibility of using the Defense Enrollment Eligibility Reporting System (DEERS) to maintain records of where students who are dependents of members of the Armed Forces or Department of Defense civilian employees are enrolled in elementary or secondary education, be it private, public, or home-schooled.

SEC. 575. SENSE OF CONGRESS REGARDING SUPPORT FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES ATTENDING SPECIALIZED CAMPS.

(a) FINDINGS.—Congress makes the following findings:

(1) It has been shown that some members of the Armed Forces have a difficult time transitioning back into civilian life due to post-traumatic stress and other behavioral health disorders from traumatic events they experienced during combat.
(2) The children of returning members of the Armed Forces who suffer from post-traumatic stress and other behavioral health disorders often also suffer from severe distress due to the lack of a stable home environment and loss of a strong parental figure for guidance.

(3) The children of members of the Armed Forces who are in severe distress can be helped by being given the opportunity to participate in intensive specialized programs outside of their regular environment with other children who are going through similar situations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should continue to support dependents of members of the Armed Forces in attending camps offered by nonprofit organizations that are using evidence-based practices to provide support to children grieving the loss of a parent, guardian, or sibling, or who have a parent, guardian, or sibling who suffers from post-traumatic stress or a behavioral health disorder.
Subtitle H—Decorations and Awards

SEC. 581. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR ACTS OF EXTRAORDINARY HEROISM DURING THE KOREAN WAR.

Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to Edward Halcomb who, while serving in Korea as a member of the United States Army in the grade of Private First Class in Company B, 1st Battalion, 29th Infantry Regiment, 24th Infantry Division, distinguished himself by acts of extraordinary heroism from August 20, 1950, to October 19, 1950, during the Korean War.

SEC. 582. LIMITATION ON AUTHORITY OF SECRETARIES OF THE MILITARY DEPARTMENTS REGARDING REVOCATION OF COMBAT VALOR AWARDS.

(a) Prohibition.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1133 the following new section:
§ 1133a. Limitation on revocation of combat valor awards

“The Secretary of a military department may not revoke a combat valor award awarded to a member of the armed forces under the jurisdiction of that Secretary unless the conduct of the member during the period of service during which the distinguished act occurred was not honorable. The Secretary may not consider the characterization of the member’s service outside of the actual time period covered by the award.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1133 the following new item:

“1133a. Limitation on revocation of combat valor awards.”.

SEC. 583. AWARD OF PURPLE HEART TO MEMBERS OF THE ARMED FORCES WHO WERE VICTIMS OF THE OKLAHOMA CITY, OKLAHOMA, BOMBING.

Notwithstanding section 571(a)(2) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3387), the Secretary of the military department concerned shall award the Purple Heart pursuant to section 1129a of title 10, United States Code, to the following members of the Armed Forces who were killed in the bombing that occurred at the Murrah Federal Building in Oklahoma City, Oklahoma, on April 19, 1995:
(1) Sergeant First Class Lola Renee Bolden, United States Army.

(2) Sergeant Benjamin Laranzo Davis, United States Marine Corps.

(3) Captain Randolph Albert Guzman, United States Marine Corps.

(4) Airman First Class Lakesha Racquel Levy, United States Air Force.

(5) Airman First Class Cartney Jean Mcraven, United States Air Force.

(6) Master Sergeant Victoria Lee Sohn, United States Army.

SEC. 584. ATOMIC VETERANS SERVICE MEDAL.

(a) Service Medal Required.—The Secretary of Defense shall design and produce a military service medal, to be known as the “Atomic Veterans Service Medal”, to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) Distribution of Medal.—

(1) Issuance to Retired and Former Members.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.
(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

SEC. 585. POSTHUMOUS COMMISSION AS CAPTAIN IN THE REGULAR ARMY FOR MILTON HOLLAND.

(a) POSTHUMOUS COMMISSION.—Milton Holland, who, while sergeant major of the 5th Regiment, United States Colored Infantry, was awarded the Medal of Honor in recognition of his action on September 29, 1864, during the Battle of Chapin’s Farm, Virginia, when, as the citation for the medal states, he “took command of Company C, after all the officers had been killed or wounded, and gallantly led it”, shall be deemed for all purposes to have held the grade of captain in the regular Army, effective as of that date and continuing until his separation from the Army.
(b) Prohibition of Benefits.—Section 1523 of title 10, United States Code, applies in the case of the posthumous commission described in subsection (a).

SEC. 586. SENSE OF CONGRESS SUPPORTING THE DECISION OF THE ARMY TO POSTHUMOUSLY PROMOTE MASTER SERGEANT (RETIRED) NAOMI HORWITZ TO SERGEANT MAJOR.

(a) Findings.—Congress finds the following:

(1) Naomi Horwitz was born in Milwaukee, Wisconsin in 1916.

(2) In 1942, Ms. Horwitz marched into the Army recruiters office and asked to join.

(3) Ms. Horwitz served with the Women’s Army Auxiliary Corps, the Women’s Army Corps, and the Reserves.

(4) Ms. Horwitz served from 1942 until 1946 and reenlisted a few years later.

(5) On October 24, 1965, one of the proudest moments of her military career, Ms. Horwitz’s was promoted to the rank of Sergeant Major in the U.S. Army Reserve.

(6) As women were only eligible to hold the rank of Sergeant Major since 1960, Ms. Horwitz was one of only a handful of women to hold such rank during that time period.
(7) Despite her promotion, Ms. Horwitz was not allowed to hold the rank of Sergeant Major.

(8) Ms. Horwitz retired from the military in 1976 at a lower rank.

(9) After her retirement from the military, Ms. Horwitz was a tireless veteran’s advocate serving for decades with AMVETS Post 60, Jewish War Veterans, the American Legion Milwaukee Women’s Post 448, the Allied Veterans Council of Milwaukee and the Veterans Day Parade Committee.

(10) Ms. Horwitz was named Veteran of the Year in Milwaukee County in 2004.

(11) In October 2014, Ms. Horwitz died at the age of 98.

(12) One of Ms. Horwitz’s final wishes was that one of the proudest moment of her Army career be reflected on her gravestone.

(13) In March 2015, the Secretary of the Army corrected this injustice and approved a request to posthumously promote Sergeant Major Horwitz.

(b) SENSE OF CONGRESS.—Congress—

(1) joins the Army and our Nation in expressing our gratitude to Sergeant Major Naomi Horwitz for her 26 years of honorable military service and continued civilian service; and
(2) supports the decision of the Army to post-
humously promote Master Sergeant (retired) Naomi
Horwitz to Sergeant Major.

Subtitle I—Reports and Other
Matters

SEC. 591. AUTHORITY FOR UNITED STATES AIR FORCE IN-
STITUTE OF TECHNOLOGY TO CHARGE AND
RETAIN TUITION FOR INSTRUCTION OF PER-
SONS OTHER THAN AIR FORCE PERSONNEL
DETAILED FOR INSTRUCTION AT THE INSTI-
TUTE.

(a) INSTITUTE INSTRUCTION OF PERSONS OTHER
THAN AIR FORCE PERSONNEL.—Section 9314a of title
10, United States Code, is amended—

(1) by redesignating subsections (a), (c), (d),
(e), and (f) as subsections (d), (e), (f), (g), and (h),
respectively;

(2) by redesignating subsection (b) as para-
graph (4) of subsection (d), as so redesignated; and

(3) by inserting before subsection (d), as so re-
designated, the following new subsections:

“(a) MEMBERS OF THE ARMED FORCES OTHER
THAN THE AIR FORCE WHO ARE DETAILED TO THE IN-
STITUTE.—(1) The Department of the Army, the Depart-
ment of the Navy, and the Department of Homeland Secu-
rity shall bear the cost of the instruction at the Air Force
Institute of Technology that is received by members of the
armed forces detailed for that instruction by the Secretaries of the Army, Navy, and Homeland Security, respectively.

“(2) Members of the Army, Navy, Marine Corps, and
Coast Guard may only be detailed for instruction at the
Institute on a space-available basis.

“(3) In the case of an enlisted member of the Army,
Navy, Marine Corps, or Coast Guard detailed to receive
instruction at the Institute, the Secretary of the Air Force
shall charge the Secretary concerned only for such costs
and fees as the Secretary considers appropriate (taking
into consideration the admission of enlisted members on
a space-available basis).

“(b) Federal Civilian Employees Other Than
Air Force Employees Who Are Detailed to the In-
stitute.—(1) The Institute shall charge tuition for the
cost of providing instruction at the Institute for any civil-
ian employee of a military department (other than a civil-
ian employee of the Department of the Air Force), of an-
other component of the Department of Defense, or of an-
other Federal agency who is detailed to receive instruction
at the Institute.
“(2) The cost of any tuition charged an individual under this subsection shall be borne by the department, agency, or component that details the individual for instruction at the Institute.

“(c) NON-DETAILED PERSONS.—(1) The Secretary of the Air Force may permit persons described in paragraph (2) to receive instruction at the United States Air Force Institute of Technology on a space-available basis.

“(2) Paragraph (1) applies to any of the following persons:

“(A) A member of the armed forces not detailed for that instruction by the Secretary concerned.

“(B) A civilian employee of a military department, of another component of the Department of Defense, of another Federal agency, or of a State’s National Guard not detailed for that instruction by the Secretary concerned or head of the other Department of Defense component, other Federal agency, or the National Guard.

“(C) A United States citizen who is the recipient of a competitively selected Federal or Department of Defense sponsored scholarship or fellowship with a defense focus in areas of study related to the academic disciplines offered by the Air Force Institute of Technology and which requires a service
commitment to the Federal government in exchange
for educational financial assistance.

“(3) If a scholarship or fellowship described in para-
graph (2)(C) includes a stipend, the Institute may accept
the stipend payment from the scholarship or fellowship
sponsor and make a direct payment to the individual.”.

(b) CONFORMING AMENDMENTS RELATED TO RE-
DESIGNATION AND OTHER CONFORMING AMEND-
MENTS.—Section 9314a of title 10, United States Code,
is amended—

(1) in subsection (d), as redesignated by sub-
section (a)(1)—

   (A) by striking “ADMISSION AUTHORIZED”
   and inserting “DEFENSE INDUSTRY EMPLOY-
   EES”;

   (B) in paragraph (1), by striking “sub-
   section (b)” and inserting “paragraph (4)”;
   and

   (C) in paragraph (4), as redesignated by
   subsection (a)(2), by striking “ELIGIBLE DE-
   FENSE INDUSTRY EMPLOYEES.—”;

(2) in subsection (f)(1), as redesignated by sub-
section (a)(1), by striking “subsection (a)(1)” and
inserting “subsection (d)(1)”;

(3) in subsection (g)(1), as redesignated by sub-
section (a)(1)—
(A) by striking “under this section” and inserting “under subsections (c) and (d)”; and

(B) by inserting before the period at the end the following: “who are detailed to receive instruction at the Institute under subsection (b)”;

(4) in subsection (h), as redesignated by subsection (a)(1), by striking “defense industry employees enrolled under this section” and inserting “persons enrolled under this section who are not members of the armed forces or Government civilian employees”.

(e) Conditions on Admission of Defense Industry Civilians.—Subsection (e)(2) of section 9314a of title 10, United States Code, as redesignated by subsection (a)(1), is amended by striking “will be done on a space-available basis and not require an increase in the size of the faculty” and inserting “will not require an increase in the permanently authorized size of the faculty”.

(d) Statutory Reorganization.—Chapter 901 of title 10, United States Code, is amended—

(1) by transferring subsections (d) and (f) of section 9314 to the end of section 9314b and redesignating those subsections as subsections (c) and (d), respectively; and
(2) by striking subsection (e) of section 9314.

(e) Clerical Amendments.—

(1) Section headings.—(A) The heading of section 9314 of title 10, United States Code, is amended to read as follows:

“§ 9314. United States Air Force Institute of Technology: degree granting authority”.

(B) The heading of section 9314a of such title is amended to read as follows:

“§ 9314a. United States Air Force Institute of Technology: reimbursement and tuition; instruction of persons other than Air Force personnel”.

(2) Table of sections.—The table of sections at the beginning of chapter 901 of such title is amended by striking the items relating to sections 9314 and 9314a and inserting the following new items:


“9314a. United States Air Force Institute of Technology: reimbursement and tuition; instruction of persons other than Air Force personnel.”.

SEC. 592. HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.

(a) Veteran Status.—
(1) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

§ 107A. Honoring as veterans certain persons who performed service in the reserve components

“Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

“107A. Honoring as veterans certain persons who performed service in the reserve components”.

(b) CLARIFICATION REGARDING BENEFITS.—No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of section 107A of title 38, United States Code, as added by subsection (a).

SEC. 593. SENSE OF CONGRESS REGARDING SUPPORT FOR MILITARY DIVERS.

(a) FINDINGS.—Congress finds the following:
(1) Military divers are serving and have served in the noble and self-sacrificing profession of military diving in the Armed Forces.

(2) Military divers were created at the turn of the twentieth century, the trademark of diving is the Mark Five Dive Helmet created in 1915.

(3) Military divers perform a dangerous and selfless task often without recognition, risking their lives on behalf of the United States.

(4) The United States will forever be in debt to personnel in the profession of military diving for their bravery and sacrifice in times of peace and war.

(4) People in the United States should express their recognition and gratitude for military divers and the diving profession.

(5) In 1939, when the submarine U.S.S. Squalus sank, Navy divers used an experimental rig to rescue all 33 sailors aboard the vessel who survived the initial sinking, and the divers were awarded the Medal of Honor for their role in the rescue.

(6) In 1941, after the attack on Pearl Harbor, Navy divers raised every battleship that was sunk at Pearl Harbor, to the surface (with the exception of
the U.S.S. Arizona, U.S.S. Utah, and the U.S.S. Oklahoma).

(7) The raised ships were repaired and sent back out to fight the Imperial Japanese Navy.

(8) In 1986, when Space Shuttle Challenger exploded, Navy divers recovered the remains and debris.

(9) When TWA Flight 800, Swissair Flight 111, and EgyptAir Flight 990 crashed, among others, Navy divers recovered the remains and debris.

(10) In 1999, when John F. Kennedy Jr., Carolyn Bessette, and Lauren Bessette died in a plane crash, Navy divers recovered their remains and debris.

(11) In 2003, during the Quecreek Mine Rescue in Somerset County, Pennsylvania, Navy divers treated the recovered miners in Fly Away Decompression Chambers.

(b) SENSE OF CONGRESS.—In light of the findings under subsection (a), Congress—

(1) reaffirms its support for the sacrifices made by military divers during the past 100 years;

(2) recognizes the sacrifices of those who have volunteered as military divers for their bravery; and
(3) encourages the Department of Defense to honor those who are serving and have served in the noble and self-sacrificing profession of military diving in the Armed Forces.

SEC. 594. TRANSFER AND ADOPTION OF MILITARY ANIMALS.

(a) AVAILABILITY FOR ADOPTION.—Section 2583(a) of title 10, United States Code, is amended by striking “may” in the matter preceding paragraph (1) and inserting “shall”.

(b) AUTHORIZED RECIPIENTS.—Subsection (c) of section 2583 of title 10, United States Code, is amended to read as follows:

“(c) AUTHORIZED RECIPIENTS.—(1) A military animal shall be made available for adoption under this section, in order of recommended priority—

“(A) by former handlers of the animal;

“(B) by law enforcement agencies; and

“(C) by other persons capable of humanely caring for the animal.

“(2) If the Secretary of the military department concerned determines that an adoption is justified under subsection (a)(2) under circumstances under which the handler of a military working dog is wounded in action, the dog shall be made available for adoption only by the han-
If the Secretary of the military department concerned determines that such an adoption is justified under circumstances under which the handler of a military working dog is killed in action or dies of wounds received in action, the military working dog shall be made available for adoption only by a parent, child, spouse, or sibling of the deceased handler.”.

SEC. 595. COORDINATION WITH NON-GOVERNMENT SUICIDE PREVENTION ORGANIZATIONS AND AGENCIES TO ASSIST IN REDUCING SUICIDES.

(a) Policy Required.—

(1) In general.—The Secretary of Defense shall develop a policy to coordinate the efforts of the Department of Defense and non-government suicide prevention organizations regarding—

(A) the use of such non-government organizations to reduce the number of suicides among members of the Armed Forces by comprehensively addressing the needs of members of the Armed Forces who have been identified as being at risk of suicide;

(B) the delineation of the responsibilities within the Department of Defense regarding interaction with such organizations; and
(C) the collection of data regarding the ef-
ficacy and cost of coordinating with such orga-
nizations; and

(D) the preparation and preservation of
any reporting material the Secretary determines
necessary to carry out this section.

(2) SELECTION OF ORGANIZATIONS.—The pol-
icy required by paragraph (1) shall include a policy
on the identification of appropriate non-government
organizations by the Secretary of Defense using fac-
tors developed by the Secretary. Such factors shall
include—

(A) the record of an organization in reduc-
ing suicide rates among participants in the pro-
grams carried out by the organization;

(B) the familiarity of an organization with
the structure, ethos, and environment of the
Armed Forces;

(C) the demonstrated experience of an or-
ganization in understanding and working with
injured and disabled members of the Armed
Forces, including those who were injured in
combat;

(D) the expertise of an organization in im-
proving the emotional well being, mental clarity,
and ability to perform missions of program participants; and

(E) the expertise of an organization in improving the health and fitness of program participants.

(3) Authority of Secretary of Defense.—The Secretary of Defense shall be authorized to take any necessary measures to prevent suicides by members of the Armed Forces, including by facilitating the access of members of the Armed Forces to successful non-governmental treatment regimen.

(4) Consultation.—In developing the policy under this subsection, the Secretary of Defense shall consult with the Secretaries of each of the military departments and the Chief of the National Guard Bureau.

(b) Submission and Implementation.—

(1) Submission.—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 House of Representatives a copy of the policy developed under this section.

(2) Deadline for implementation.—The Secretary of Defense shall ensure that the policy de-
veloped under this section is implemented by not later than the date that is 180 days after the submission of the policy under paragraph (1).

SEC. 596. SENSE OF CONGRESS ON DESIRABILITY OF SERVICE-WIDE ADOPTION OF GOLD STAR INSTALLATION ACCESS CARD.

It is the sense of Congress that the Secretary of each military department and the Secretary of the Department in which the Coast Guard is operating should—

(1) provide for the issuance of a Gold Star Installation Access Card to Gold Star family members who are the survivors of deceased members of the Armed Forces in order to expedite the ability of a Gold Star family member to gain unescorted access to military installations for the purpose of obtaining the on-base services and benefits for which the Gold Star family member is entitled or eligible;

(2) work jointly to ensure that a Gold Star Installation Access Card issued to a Gold Star family member by one Armed Force is accepted for access to military installations of another Armed Force; and

(3) in developing, issuing, and accepting the Gold Star Installation Access Card—
(A) prevent fraud in the procurement or use of the Gold Star Installation Access Card;

(B) limit installation access to those areas that provide the services and benefits for which the Gold Star family member is entitled or eligible; and

(C) ensure that the availability and use of the Gold Star Installation Access Card does not adversely affect military installation security.

SEC. 597. ANNUAL REPORT ON PERFORMANCE OF REGIONAL OFFICES OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7734 of title 38, United States Code, is amended—

(1) in the first sentence, by inserting before the period the following: “and on the performance of any regional office that fails to meet its administrative goals”;

(2) in paragraph (2), by striking “and”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following new paragraph (3):

“(3) in the case of any regional office that, for the year covered by the report, did not meet the ad-
ministrative goal of no claim pending for more than
125 days and an accuracy rating of 98 percent—

“(A) a signed statement prepared by the
individual serving as director of the regional of-
office as of the date of the submittal of the report
containing—

“(i) an explanation for why the re-
gional office did not meet the goal;

“(ii) a description of the additional re-
sources needed to enable the regional office
to reach the goal; and

“(iii) a description of any additional
actions planned for the subsequent year
that are proposed to enable the regional of-
office to meet the goal; and

“(B) a statement prepared by the Under
Secretary for Benefits explaining how the fail-
ure of the regional office to meet the goal af-
fected the performance evaluation of the direc-
tor of the regional office; and”.

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SEC. 598. PRELIMINARY MENTAL HEALTH SCREENINGS FOR INDIVIDUALS BECOMING MEMBERS OF THE ARMED FORCES.

(a) In general.—Chapter 31 of title 10, United States Code, is amended by adding at the end the following new section:

§ 520d. Preliminary mental health screenings

“(a) Provision of mental health screening.—Before any individual enlists in an armed force or is commissioned as an officer in an armed force, the Secretary concerned shall provide the individual with a mental health screening.

“(b) Use of screening.—(1) The Secretary shall use the results of a mental screening conducted under subsection (a) as a baseline for any subsequent mental health examinations of the individual, including such examinations provided under sections 1074f and 1074m of this title.

“(2) The Secretary may not consider the results of a mental health screening conducted under subsection (a) in determining the promotion of a member of the armed forces.

“(c) Application of privacy laws.—With respect to applicable laws and regulations relating to the privacy of information, the Secretary shall treat a mental health screening conducted under subsection (a) in the same
manner as the medical records of a member of the armed forces.”.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 520c the following new item:

“520d. Preliminary mental health screenings.”.

(c) Reports.—

(1) Initial report.—

(A) In general.—Not later than 180 days after the date of the enactment of this Act, the National Institute of Mental Health of the National Institutes of Health shall submit to Congress and the Secretary of Defense a report on preliminary mental health screenings of members of the Armed Forces.

(B) Matters included.—The report under subparagraph (A) shall include the following:

(i) Recommendations with respect to establishing a preliminary mental health screening of members of the Armed Forces to bring mental health screenings to parity with physical screenings of members.

(ii) 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.—The National Institute of Mental Health shall carry out subparagraph (A) in coordination with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the surgeons general of the military departments, and other relevant experts.

(2) REPORTS ON EFFICACY OF SCREENINGS.—

(A) SECRETARY OF DEFENSE.—Not later than one year after the date on which the Secretary of Defense begins providing preliminary mental health screenings under section 520d(a) of title 10, United States Code, as added by subsection (a), the Secretary shall submit to Congress a report on the efficacy of such preliminary mental health screenings.

(B) COMPTROLLER GENERAL.—Not later than one year after the submittal of the report under subparagraph (A), the Comptroller General of the United States shall submit to Con-
gress a report on the efficacy of the preliminary
mental health screenings described in such sub-
paragraph.

(C) MATTERS INCLUDED.—The reports re-
quired by subparagraphs (A) and (B) shall in-
clude the following:

(i) An evaluation of the evidence-
based best practices used by the Secretary
in composing and conducting preliminary
mental health screenings of members of
the Armed Forces under such section
520d(a).

(ii) An evaluation of the evidence-
based best practices used by the Secretary
in tracking changes in mental health
screenings relating to traumatic brain inju-
ries, post-traumatic stress disorder, and
other conditions among members of the
Armed Forces.

(d) IMPLEMENTATION OF PRELIMINARY MENTAL
HEALTH SCREENING.—The Secretary of Defense may not
provide a preliminary mental health screening under sec-
tion 520d(a) of title 10, United States Code, as added by
subsection (a), until the Secretary receives and evaluates
the initial report required by subsection (c)(1).
(c) Report on Efficacy of Physical Examinations for Certain Members of the Armed Forces Upon Separation From Active Duty.—

(1) In General.—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 efficacy of the mental health components of the physical examinations provided under paragraph (5) of section 1145(a) of title 10, United States Code, to members of the Armed Forces who are separated from active duty as described in paragraph (2) of such section.

(2) Evaluation of Effectiveness.—The report required by paragraph (1) shall include an evaluation of the effectiveness of the physical examinations described in such subsection in—

(A) identifying members of the Armed Forces with traumatic brain injury, post-traumatic stress disorder, and other mental health conditions; and

(B) ensuring that health care is provided for such members.
SEC. 599. REPORT REGARDING NEW RULEMAKING UNDER THE MILITARY LENDING ACT AND DEFENSE MANPOWER DATA CENTER REPORTS AND MEETINGS.

(a) Report on New Military Lending Act Rulemaking.—After the issuance by the Secretary of Defense of the regulation issued with regard to section 987 of title 10, United States Code (commonly known as the Military Lending Act), and part of 232 of title 32, Code of Federal Regulations (its implementing regulation), but before the relevant compliance date for any provisions of such regulation that relate to the identification of a covered borrower under the Military Lending Act, the Secretary shall submit to Congress a report that discusses—

(1) the ability and reliability of the Defense Manpower Data Center in meeting real-time requests for accurate information needed to make a determination regarding whether a borrower is covered by the Military Lending Act; or

(2) an alternate mechanism or mechanisms for identifying such covered borrowers.

(b) Defense Manpower Data Center Reports and Meetings.—

(1) Reports on Accuracy, Reliability, and Integrity of Systems.—The Director of the Defense Manpower Data Center shall submit to Con-
gress reports on the accuracy, reliability, and integrity of the Defense Manpower Data Center systems used to identify covered borrowers and covered policyholders under military consumer protection laws.

The first report is due six months after the date of the enactment of this Act, and the Director shall submit additional reports every six months thereafter as necessary to show improvements in the accuracy, reliability, and integrity of such systems.

(2) Report on plan to strengthen capabilities.—Not later than six months after the date of the enactment of this Act, the Director of the Defense Manpower Data Center shall submit to Congress a report on plans to strengthen the capabilities of the Defense Manpower Data Center systems, including staffing levels and funding, in order to improve the identification of covered borrowers and covered policyholders under military consumer protection laws.

(3) Meetings with private sector users of systems.—The Director of the Defense Manpower Data Center shall meet regularly with private sector users of Defense Manpower Data Center systems used to identify covered borrowers and covered policyholders under military consumer protection
laws to learn about issues facing such users and to
develop ways of addressing such issues. The first
meeting pursuant to this requirement shall take
place with three months after the date of the enact-
ment of this Act.

TITLE VI—COMPENSATION AND
OTHER PERSONNEL BENEFITS
Subtitle A—Pay and Allowances

SEC. 601. EXTENSION OF AUTHORITY TO PROVIDE TEM-
PORARY INCREASE IN RATES OF BASIC AL-
LOWANCE FOR HOUSING UNDER CERTAIN
CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code,
is amended by striking “December 31, 2015” and insert-
ing “December 31, 2016”.

SEC. 602. PROHIBITION ON PER DIEM ALLOWANCE REDUC-
TIONS BASED ON THE DURATION OF TEM-
PORARY DUTY ASSIGNMENT OR CIVILIAN
TRAVEL.

(a) MEMBERS OF THE UNIFORMED SERVICES.—Sec-
tion 474(d)(3) of title 37, United States Code, is amended
by adding at the end the following new sentence: “The
Secretaries concerned shall not alter the amount of the
per diem allowance, or the maximum amount of reim-
bursement, for a locality based on the duration of the tem-
porary duty assignment of a member of the uniformed
services in the locality.”.

(b) CIVILIAN EMPLOYEES.—Section 5702(a)(2) of
title 5, United States Code, is amended by adding at the
end the following new sentence: “The Secretary of the De-
partment of Defense shall not alter the amount of the per
diem allowance, or the maximum amount of reimburse-
ment, for a locality based on the duration of the travel
of an employee of the Department in the locality.”.

(c) REPEAL OF POLICY AND REGULATIONS.—The
policy, and any regulations issued pursuant to such policy,
implemented by the Secretary of the Department of De-
fense on November 1, 2014, with respect to reductions in
per diem allowances based on duration of temporary duty
assignment or civilian travel shall have no force or effect.

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 Re-
serve 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 BO-NUSES 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 branches of the 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.

Section 333(d)(1)(A) of title 37, United States Code, is amended by striking “$35,000” and inserting “$50,000”.

SEC. 617. MODIFICATION TO SPECIAL AVIATION INCENTIVE PAY AND BONUS AUTHORITIES FOR OFFICERS.

(a) Clarification of Secretarial Authority to Set Requirements for Aviation Incentive Pay Eligibility.—Section 334(a) of title 37, United States Code, is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) Incentive pay authorized; eligibility.—The Secretary”;

(2) by designating existing paragraphs (1), (2), (3), (4), and (5) as subparagraphs (A), (B), (C),
(D), and (E), respectively, and moving the margin of such subparagraphs, as so designated, 2 ems to the right; and

(3) by adding at the end the following new paragraph:

“(2) Officers not currently engaged in flying duty.—The Secretary concerned may pay aviation incentive pay under this section to an officer who is otherwise qualified for such pay but who is not currently engaged in the performance of operational flying duty or proficiency flying duty if the Secretary determines, under regulations prescribed under section 374 of this title, that payment of aviation incentive pay to that officer is in the best interests of the service.”.

(b) Restoration of Authority to Pay Aviation Incentive Pay to Medical Officers Performing Flight Surgeon Duties.—Section 334(h)(1) of title 37, United States Code, is amended by striking “(except a flight surgeon or other medical officer)”. 

(c) Increase in Maximum Amount of Aviation Special Pays.—Section 334(c)(1) of title 37, United States Code, is amended—

(1) in subparagraph (A), by striking “$850” and inserting “$1,000”.
(2) in subparagraph (B), is amended by striking "$25,000" and inserting "$35,000".

(d) Authority to Pay Aviation Bonus and Skill Incentive Pay Simultaneously to Officers.—Section 334(f) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking "353" and inserting "353(a)"; and

(2) in paragraph (2)—

(A) by striking "a payment" and inserting "a bonus payment"; and

(B) by striking "353" and inserting "353(b)".

SEC. 618. REPEAL OF OBSOLETE SPECIAL TRAVEL AND TRANSPORTATION ALLOWANCE FOR SURVIVORS OF DECEASED MEMBERS OF THE ARMED FORCES FROM THE VIETNAM CONFLICT.

(a) Repeal and Redesignation.—Section 481f of title 37, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g).

(b) Conforming Amendment to Cross Reference.—Section 2493(a)(4)(B)(ii) of title 10, United States Code, is amended—

(1) by striking subsection (e); and

(2) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g).
States Code, is amended by striking “section 481f(e)” and inserting “section 481f(d)”.

Subtitle C—Modernization of Military Retirement System

SEC. 631. FULL PARTICIPATION FOR MEMBERS OF THE UNIFORMED SERVICES IN THRIFT SAVINGS PLAN.

(a) MODERNIZED RETIREMENT SYSTEM.—

(1) DEFINITIONS.—Section 8440e(a) of title 5, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) the term ‘basic pay’ means basic pay payable under section 204 of title 37;

“(2) the term ‘full TSP member’ means a member described in subsection (e)(1);

“(3) the term ‘member’ has the meaning given the term in section 211 of title 37; and

“(4) the term ‘Secretary concerned’ has the meaning given the term in section 101 of title 37.”.

(2) TSP MATCHING CONTRIBUTIONS.—Subsection (e) of section 8440e of title 5, United States Code, is amended to read as follows:

“(e) MODERNIZED RETIREMENT SYSTEM.—
“(1) TSP MATCHING CONTRIBUTIONS.—Notwithstanding any other provision of law, the Secretary concerned shall make contributions to the Thrift Savings Fund, in accordance with section 8432 of this title (except to the extent the requirements under such section are modified by this subsection), for the benefit of a member—

“(A) who first enters a uniformed service on or after October 1, 2017; or

“(B) who entered a uniformed service before that date, but who makes the election described in section 1409(b)(4) of title 10 to receive Thrift Savings Plan matching contributions under this subsection in exchange for the reduced multipliers described in section 1409(b)(4)(B) of title 10 for purposes of calculating the retired pay of the member.

“(2) MATCHING AMOUNT.—The amount contributed under this subsection by the Secretary concerned with respect to any contribution made by a full TSP member for any pay period shall be equal to such portion of the total amount of the member’s contribution as does not exceed 5 percent of the member’s basic pay for the pay period. Such amount contributed under this subsection is instead of, and
not in addition to, amounts contributed under section 8432(e)(2) of this title.

“(3) Timing and duration of matching contributions.—The Secretary concerned shall make a contribution under this subsection on behalf of a full TSP member for any pay period for the member that—

“(A) begins on or after December 1, 2017;

and

“(B) covers any period of service by the member after the member completes two years of service.

“(4) Protections for spouses and former spouses.—Section 8435 of this title shall apply to a full TSP member in the same manner as such section is applied to an employee or Member under such section.”.

(b) Automatic enrollment in Thrift Savings Plan.—Section 8432(b)(2) of title 5, United States Code, is amended—

(1) in subparagraph (D)(ii), by striking “Members” and inserting “(ii) Except in the case of a full TSP member (as defined in section 8440e(a) of this title), members”;
(2) in subparagraph (E), by striking “8440e(a)(1)” and inserting “8440e(b)(1)”; and

(3) by adding at the end the following new sub-
paragraph:

“(F) Notwithstanding any other provision of this paragraph, if a full TSP member (as defined in section 8440e(a) of this title) has declined automatic enrollment into the Thrift Savings Plan for a year, the full TSP mem-
ber shall be automatically reenrolled on January 1 of the succeeding year, with contributions under subsection (a) at the default percentage of basic pay.”.

(c) VESTING.—

(1) TWO-YEARS OF SERVICE.—Section 8432(g)(2) of title 5, United States Code, is amend-
ed—

(A) in subparagraph (A)(iii), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period at the end 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.”.

(2) SEPARATION.—Section 8432(g) of title 5, United States Code, is amended by adding at the end the following new paragraph:
“(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, 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) Repeal of Separate Contribution Agreement Authority.—

(1) Repeal.—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) Conforming Amendment.—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)”.

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SEC. 632. MODERNIZED RETIREMENT SYSTEM FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) Regular Service.—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 multiplier for full TSP members.—Notwithstanding paragraphs (1), (2), and (3), in the case of a member who first becomes a member of the uniformed services on or after October 1, 2017, or a member who makes the election described in subparagraph (B) (referred to as a ‘full TSP member’)—

“(i) paragraph (1)(A) 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) clause (ii)(I) of such paragraph shall be applied by substituting ‘2’ for ‘2½’.

“(B) Election to participate in modernized retirement system.—Pursuant to subparagraph (C), a member of a uniformed service serving on September 30, 2017, may
elect, in exchange for the reduced multipliers described in subparagraph (A) for purposes of calculating the retired pay of the member, to receive Thrift Savings Plan matching contributions pursuant to section 8440e(e) of title 5.

“(C) Election period.—

“(i) In general.—Except as provided in clauses (ii) and (iii), a member of a uniformed service may make the election authorized by subparagraph (B) only during the period that begins on January 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 member who experiences a hardship as determined by the Secretary concerned.

“(iii) Effect of break in service.—A member of a uniformed service who returns to service after a break in service that occurs during the election period specified in clause (i) shall make the election described in subparagraph (B) within 30 days after the date of the re-entry into service of the member.
“(D) Regulations.—The Secretary concerned shall prescribe regulations to implement this paragraph.”.

(b) Non-regular Service.—Section 12739 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) Modernized Retirement System.—

“(1) Reduced multiplier for full TSP members.—In the case of a person who first performs reserve component service on or after October 1, 2017, after not having performed regular or reserve component service on or before that date—

“(A) subsection (a)(2) 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) subparagraph (B)(ii) of such subsection shall be applied by substituting ‘2 percent’ for ‘2½ percent’.

“(2) Regulations.—The Secretary concerned shall prescribe regulations to implement this subsection.”.

(c) 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 sec-
   tion 1208” and inserting “the retired pay
   multiplier determined for the member
   under section 1409 of this title”; and

   (ii) in paragraph (1) in column 2 of
   formula number 2, by striking “2½% of
   years of service credited to him under sec-
   tion 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 strik-
   ing “section 1409(a)” and inserting “sec-
   tion 1409”.

(B) Clarification regarding modern-
ized retirement system.—Section 1401a(b)
of title 10, United States Code, 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 or former 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) 15-Year Career Status Bonus.—Section 354 of title 37, United States Code, is amended—

(A) in subsection (f)—

(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) 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.”; and
(B) 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 September 30, 2017.

“(2) Subject to subsection (f)(2), the Secretary concerned may continue to make payments for bonuses that were awarded under this section on or before the date specified in paragraph (1).”.

(3) A pplication to national oceanic AND atmoSpheric admiNistration commissioned corps.—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.”.

(4) A pplication to public health serv- ice.—Section 211(a)(4) of the Public Health Service Act (42 U.S.C. 212(a)(4)) is amended—
(A) in the matter preceding subparagraph (A), by striking “at the rate of 2 \( \frac{1}{2} \) 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.”.
(d) CONFORMING DELAY IN COST-OF-LIVING AMENDMENTS.—


(2) COVERED MEMBERS.—Subparagraph (G) of section 1401a(b)(4) of title 10, United States Code, which shall take effect October 1, 2017, pursuant paragraph (1) and section 403(a) of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1186), section 10001 of the Department of Defense Appropriations Act, 2014 (division C of Public Law 113–76; 128 Stat. 151) and section 2 of Public Law 113–82 (128 Stat. 1009), is amended by striking “January 1, 2014” and inserting “October 1, 2017”.

(3) CONFORMING REPEAL.—Effective on the date of the enactment of this Act, section 623 of the National Defense Authorization Act for Fiscal Year
SEC. 633. CONTINUATION PAY FOR FULL TSP MEMBERS WITH 12 YEARS OF SERVICE.

(a) CONTINUATION PAY.—Subchapter II of chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

“§356. Continuation pay: full TSP members with 12 years of service

“(a) CONTINUATION PAY.—The Secretary concerned shall make a payment of continuation pay to each full TSP member (as defined in section 8440e(a) of title 5) of the uniformed services under the jurisdiction of the Secretary who—

“(1) completes 12 years of service; and

“(2) enters into an agreement with the Secretary to serve for an additional 4 years of obligated service.

“(b) AMOUNT.—The amount of continuation pay payable to a full TSP member under subsection (a) 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) ADDITIONAL DISCRETIONARY AUTHORITY.—In addition to the continuation pay required under subsection (a), the Secretary concerned may provide pay continuation pay under this subsection to a full TSP member described in subsection (a), and subject to the service agreement referred to in paragraph (2) of such subsection, in an amount determined by the Secretary concerned.
“(d) Timing of Payment.—The Secretary concerned shall pay continuation pay under subsection (a) to a full TSP member when the member completes 12 years of service. If the Secretary concerned also provides continuation pay under subsection (c) to the member, that continuation pay shall be provided when the member completes 12 years of service.

“(e) Lump Sum or Installments.—A full TSP member may elect to receive continuation pay provided under subsection (a) or (c) in a lump sum or in a series of not more than four payments.

“(f) Relationship to Other Pay and Allowances.—Continuation pay under this section is in addition to any other pay or allowance to which the full TSP member is entitled.

“(g) Repayment.—A full TSP member who receives continuation pay under this section (a) and fails to complete the obligated service required under such subsection shall be subject to the repayment provisions of section 373 of this title.

“(h) Regulations.—Each Secretary concerned shall prescribe regulations to carry out this section.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 5 of title 37, United States
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Code, is amended by adding at the end the following new

item:

“356. Continuation pay: full TSP members with 12 years of service.”.

SEC. 634. EFFECTIVE DATE AND IMPLEMENTATION.

(a) EFFECTIVE DATE.—Except as provided in sec-

tion 632(d)(3), the amendments made by this subtitle

shall take effect on October 1, 2017.

(b) IMPLEMENTATION PLAN.—Not later than March

1, 2016, the Secretaries concerned shall submit to the ap-

propriate committees of Congress a report containing a

plan to ensure the full and effective commencement of the

implementation of the amendments made by this section

on the date specified in subsection (a). The Secretaries

concerned, the Director of the Office of Personnel Man-

agement, and the Federal Retirement Thrift Investment

Board shall take appropriate actions to ensure the full and

effective implementation of the amendments.

(c) ADDITIONAL TECHNICAL AND CONFORMING

AMENDMENTS.—The report required by subsection (b)

shall contain a draft of such legislation as may be nec-

essary to make any additional technical and conforming

changes to titles 10 and 37, United States Code, and other

provisions of law that are required or should be made by

reason of the amendments made by this subtitle.

(d) DEFINITIONS.—In this section:
(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Health, Education, Labor, and Pensions of the Senate.

(2) The term “Secretary concerned” has the meaning given that term in section 101 of title 37, United States Code.

Subtitle D—Commissary and Non-appropriated Fund Instrumentality Benefits and Operations

SEC. 641. PRESERVING ASSURED COMMISSARY SUPPLY TO ASIA AND THE PACIFIC.

(a) IN GENERAL.—The Secretary of Defense shall ensure that there are no changes to the second destination transportation policy that currently applies to fresh fruit and vegetable supplies for commissaries in Asia and the Pacific until the Defense Commissary Agency conducts
and submits to Congress a comprehensive study on fresh
fruit and vegetable supply for the region.

(b) ELEMENTS OF STUDY.—The study required by
subsection (a) shall include, at a minimum, for Japan,
South Korea, Okinawa, and Guam—

(1) an item-by-item review of the price, quality,
and availability of fresh fruits and vegetables under
both local sourcing models and second destination
models, including an updated market survey of fresh
fruits and vegetables in each location;

(2) an item-by-item review of fresh fruits and
vegetables to determine the most cost-effective way
to supply each item in each location year-round
without increasing prices to commissary consumers;
and

(3) a comprehensive review of supply models
that would lower costs to the Defense Working Cap-
ital Fund, DECA, without increasing prices for com-
misary patrons.
SEC. 642. PROHIBITION ON REPLACEMENT OR CONSOLIDATION OF DEFENSE COMMISSARY AND EXCHANGE SYSTEMS PENDING SUBMISSION OF REQUIRED REPORT ON DEFENSE COMMISSARY SYSTEM.

The Secretary of Defense shall take no action to replace or consolidate the defense commissary and exchange systems, including through the establishment of a new defense resale system, before submission of the report on the defense commissary system required by section 634 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).

Subtitle E—Other Matters

SEC. 651. IMPROVEMENT OF FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

(a) SENSE OF CONGRESS ON FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS.—It is the sense of Congress that—

(1) the Secretary of Defense should strengthen arrangements with other departments and agencies of the Federal Government and 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, 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 should pro-
vide support for the financial literacy and prepared-
ness training carried out under section 992 of title
10, United States Code, as amended by subsections
(b), (c), and (d).

(b) Provision of Financial Literacy and Pre-
paredness Training.—Subsection (a) of section 992 of
title 10, United States Code, is amended—

(1) in the subsection heading, by striking
“Consumer Education” and inserting “Financial
Literacy Training”;

(2) in paragraph (1), by striking “education” in
the matter preceding subparagraph (A) and insert-
ing “financial literacy training”;

(3) by striking paragraph (2) and inserting the
following new paragraph:

“(2) Training under this subsection shall be provided
to a member of the armed forces—

“(A) as a component of the initial entry train-
ing of the member;

“(B) upon arrival at the first duty station of
“(C) upon arrival at each subsequent duty station, in the case of a member in pay grade E–4 or below or in pay grade O–3 or below;
“(D) on the date of promotion of the member, in the case of a 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) under section 8432(g)(2)(C) of title 5;
“(F) when the member becomes entitled to receive continuation pay under section 356 of title 37, at which time the training shall include, at a minimum, information on options available to the member regarding the use of continuation pay;
“(G) at each major life event during the service of the member, such as—
“(i) marriage;
“(ii) divorce;
“(iii) birth of first child; or
“(iv) disabling sickness or condition;
“(H) during leadership training;
“(I) during pre-deployment training and during post-deployment training;
“(J) at transition points in the service of the member, such as—
“(i) transition from a regular component to a reserve component;
“(ii) separation from service; or
“(iii) retirement; and
“(K) as a component of periodically recurring required training that is provided to the member at a military installation.”;
(4) in paragraph (3), by striking “paragraph (2)(B)” and inserting “paragraph (2)(J)”;
(5) by adding at the end the following new paragraph:
“(4) The Secretary concerned shall prescribe regulations setting forth any other events and circumstances (in addition to the events and circumstances described in paragraph (2)) upon which the training required by this subsection will be provided.”.

c) **Survey of Members’ Financial Literacy and Preparedness.**—Section 992 of title 10, United States Code, is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (e) 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.”.

(d) Financial Services Defined.—Subsection (e) of section 992 of title 10, United States Code, as redesignated by subsection (c)(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).”.

(e) Clerical Amendments.—

(1) Section heading.—The heading of section 992 of title 10, United States Code, 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.”.

(f) IMPLEMENTATION.—Not later than six months after the date of the enactment of this Act, the Secretary of the military department concerned and the Secretary of the Department in which the Coast Guard is operating shall commence providing financial literacy training under section 992 of title 10, United States Code, as amended by subsections (b), (c), and (d) of this section, to members of the Armed Forces.

SEC. 652. AVAILABILITY FOR PURCHASE OF DEPARTMENT OF VETERANS AFFAIRS MEMORIAL HEADSTONES AND MARKERS FOR MEMBERS OF RESERVE COMPONENTS WHO PERFORMED CERTAIN TRAINING.

Section 2306 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(i)(1) The Secretary shall make available for purchase a memorial headstone or marker for the marked or unmarked grave of an individual described in paragraph
(2) or for the purpose of commemorating such an individual whose remains are unavailable.

“(2) An individual described in this paragraph is an individual who—

“(A) as a member of a National Guard or Reserve component performed inactive duty training or active duty for training for at least six years but did not serve on active duty; and

“(B) is not otherwise ineligible for a memorial headstone or marker on account of the nature of the individual’s separation from the Armed Forces or other cause.

“(3) A headstone or marker for the grave of an individual may be purchased under this subsection by—

“(A) the individual;

“(B) the surviving spouse, child, sibling, or parent of the individual; or

“(C) an individual other than the next of kin, as determined by the Secretary of Veterans Affairs.

“(4) In establishing the prices of the headstones and markers made available for purchase under this section, the Secretary shall ensure the prices are sufficient to cover the costs associated with the production and delivery of such headstones and markers.
“(5) No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of this subsection.

“(6) This subsection does not authorize any new burial benefit for any person or create any new authority for any individual to be buried in a national cemetery.

“(7) The Secretary shall coordinate with the Secretary of Defense in establishing procedures to determine whether an individual is an individual described in paragraph (2).”.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. JOINT UNIFORM FORMULARY FOR TRANSITION OF CARE.

(a) JOINT FORMULARY.—Not later than June 1, 2016, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish a joint uniform formulary for the Department of Veterans Affairs and the Department of Defense with respect to pharmaceutical agents that are critical for the transition of an individual from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs.
(b) Selection.—The Secretaries shall select for inclusion on the joint uniform formulary established under subsection (a) pharmaceutical agents relating to—

(1) the control of pain, sleep disorders, and psychiatric conditions, including post-traumatic stress disorder; and

(2) any other conditions determined appropriate by the Secretaries.

(e) Report.—Not later than July 1, 2016, the Secretaries shall jointly submit to the appropriate congressional committees a report on the joint uniform formulary established under subsection (a), including a list of the pharmaceutical agents selected for inclusion on the formulary.

(d) Definitions.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

and

(B) the Committees on Veterans’ Affairs of the House of Representatives and the Senate.

(2) The term “pharmaceutical agent” has the meaning given that term in section 1074g(g) of title 10, United States Code.

(e) Conforming Amendment.—Section 1074g(a)(2)(A) of title 10, United States Code, is amend-
ed by adding at the end the following new sentence: “With respect to members of the uniformed services, such uniform formulary shall include pharmaceutical agents on the joint uniform formulary established under section 701 of the National Defense Authorization Act for Fiscal Year 2016.”

**SEC. 702. ACCESS TO BROAD RANGE OF METHODS OF CONTRACEPTION APPROVED BY THE FOOD AND DRUG ADMINISTRATION FOR MEMBERS OF THE ARMED FORCES AND MILITARY DEPENDENTS AT MILITARY TREATMENT FACILITIES.**

(a) In General.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that every military medical treatment facility has a sufficient stock of a broad range of methods of contraception approved by the Food and Drug Administration to be able to dispense any such method of contraception to any women members of the Armed Forces and female covered beneficiaries who receive care through such facility.

(b) Covered Beneficiary Defined.—In this section, the term “covered beneficiary” has the meaning given that term in section 1072(5) of title 10, United States Code.
SEC. 703. ACCESS TO CONTRACEPTIVE METHOD FOR DURATION OF DEPLOYMENT.

The Secretary of Defense shall ensure that, whenever possible, a female member of the Armed Forces who uses prescription contraception on a long-term basis should be given prior to deployment a sufficient supply of the prescription contraceptive for the duration of the deployment.

SEC. 704. ACCESS TO INFERTILITY TREATMENT FOR MEMBERS OF THE ARMED FORCES AND DEPENDENTS.

(a) ACCESS.—Pursuant to the findings contained in the report required by section 729 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), the Secretary of Defense, in coordination with the Secretaries of the military departments, shall provide to members of the Armed Forces and dependents of members of the Armed Forces access to reproductive counseling and treatments for infertility.

(b) CONTINUITY OF SERVICES.—In carrying out subsection (a), the Secretary shall ensure that members and dependents are provided continuity of services as appropriate if treatments for infertility are disrupted, including pursuant to a change of duty station.
SEC. 705. ACCESS TO TRICARE PRIME FOR CERTAIN BENEFICIARIES.

(a) Access.—Section 732(e)(3) of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 1097a note) is amended to read as follows:

“(3) Residence at time of election.—

“(A) Except as provided by subparagraph (B), an affected eligible beneficiary may not make the one-time election under paragraph (1) if, at the time of such election, the beneficiary does not reside—

“(i) in a ZIP code that is in a region described in subsection (d)(1)(B); and

“(ii) within 100 miles of a military medical treatment facility.

“(B) Subparagraph (A)(ii) shall not apply with respect to an affected eligible beneficiary who—

“(i) as of December 25, 2013, resides farther than 100 miles from a military medical treatment facility; and

“(ii) is such an eligible beneficiary by reason of service in the Army, Navy, Air Force, or Marine Corps.”.

(b) Funding.—
(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in section 4501, is hereby increased by $4,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 301 for operation and maintenance, Navy, Line 040, Air Operations and Safety Support, MV–22 Fleet Engineering Support Unfunded Requirement, as specified in the corresponding funding table in section 4301, is hereby reduced by $4,000,000.

Subtitle B—Health Care Administration

SEC. 711. UNIFIED MEDICAL COMMAND.

(a) UNIFIED COMBATANT COMMAND.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by inserting after section 167a the following new section:

“§ 167b. Unified combatant command for medical operations

“(a) ESTABLISHMENT.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the
President, through the Secretary of Defense, shall establish under section 161 of this title a unified command for medical operations (in this section referred to as the ‘unified medical command’). The principal function of the command is to provide medical services to the armed forces and other health care beneficiaries of the Department of Defense as defined in chapter 55 of this title.

“(b) ASSIGNMENT OF FORCES.—In establishing the unified medical command under subsection (a), all active military medical treatment facilities, training organizations, and research entities of the armed forces shall be assigned to such unified command, unless otherwise directed by the Secretary of Defense.

“(c) GRADE OF COMMANDER.—The commander of the unified medical command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such command shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37. During the five-year period beginning on the date on which the Secretary establishes the command under subsection (a), the
commander of such command shall be exempt from the requirements of section 164(a)(1) of this title.

“(d) SUBORDINATE COMMANDS.—(1) The unified medical command shall have the following subordinate commands:

“(A) A command that includes all fixed military medical treatment facilities, including elements of the Department of Defense that are combined, operated jointly, or otherwise operated in such a manner that a medical facility of the Department of Defense is operating in or with a medical facility of another department or agency of the United States.

“(B) A command that includes all medical training, education, and research and development activities that have previously been unified or combined, including organizations that have been designated as a Department of Defense executive agent.

“(C) The Defense Health Agency.

“(2) The commander of a subordinate command of the unified medical command shall hold the grade of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The commander of such a subordinate command shall be appointed to that grade by the President, by and with the advice and consent of the
Senate, for service in that position. The commander of such a subordinate command shall also be required to be a surgeon general of one of the military departments.

“(e) Authority of Combatant Commander.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the unified medical command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to medical operations activities.

“(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to medical operations activities (whether or not relating to the unified medical command):

“(A) Developing programs and doctrine.

“(B) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for the forces described in subsection (b) and for other forces assigned to the unified medical command.

“(C) Exercising authority, direction, and control over the expenditure of funds—

“(i) for forces assigned to the unified medical command;

“(ii) for the forces described in subsection (b) assigned to unified combatant commands
other than the unified medical command to the
extent directed by the Secretary of Defense; and

“(iii) for military construction funds of the
Defense Health Program.

“(D) Training assigned forces.

“(E) Conducting specialized courses of instruc-
tion for commissioned and noncommissioned officers.

“(F) Validating requirements.

“(G) Establishing priorities for requirements.

“(H) Ensuring the interoperability of equip-
ment and forces.

“(I) Monitoring the promotions, assignments,
retention, training, and professional military edu-
cation of medical officers described in paragraph (1),
(2), (3), (4), (5), or (6) of section 335(j) of title 37.

“(3) The commander of such command shall be re-
ponsible for the Defense Health Program, including the
Defense Health Program Account established under sec-
tion 1100 of this title.

“(g) REGULATIONS.—In establishing the unified
medical command under subsection (a), the Secretary of
Defense shall prescribe regulations for the activities of the
unified medical command.”.
(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 167a the following new item:

“167b. Unified combatant command for medical operations.”.

(b) PLAN, NOTIFICATION, AND REPORT.—

(1) PLAN.—Not later than July 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan to establish the unified medical command authorized under section 167b of title 10, United States Code, as added by subsection (a), including any legislative actions the Secretary considers necessary to implement the plan.

(2) NOTIFICATION.—The Secretary shall submit to the congressional defense committees written notification of the time line of the Secretary to establish the unified medical command under such section 167b by not later than the date that is 30 days before establishing such command.

(3) REPORT.—Not later than 180 days after submitting the notification under paragraph (2), the Secretary shall submit to the congressional defense committees a report on the establishment of the unified medical command.
SEC. 712. LICENSURE OF MENTAL HEALTH PROFESSIONALS IN TRICARE PROGRAM.

(a) In general.—The Secretary of Defense shall ensure that a qualified mental health professional described in subsection (b) is eligible for reimbursement under the TRICARE program as a TRICARE certified mental health counselor.

(b) Qualified mental health care professional described.—A qualified mental health care professional described in this subsection is an individual who—

(1) holds a masters degree or doctoral degree in counseling from a mental health counseling program or clinical mental health counseling program that is accredited by the Council for Accreditation of Counseling and Related Educational Programs;

(2) is licensed by a State in mental health counseling at the clinical level or, with respect to a State that has a tiered licensing scheme, at the highest level available; and

(3) has passed the National Clinical Mental Health Counseling Examination.

(c) Special rule for certain practicing professionals.—During the period preceding January 1, 2027, for purposes of subsection (a), an individual who meets the following criteria is deemed to be a qualified
mental health care professional described in subsection (b):

(1) The individual holds a masters degree or doctoral degree in counseling from a program that is accredited by a covered institution.

(2) The individual has been licensed by a State as a mental health counselor for a period of not less than five years.

(d) DEFINITIONS.—In this section:

(1) The term “covered institution” means any of the following:

(A) The Accrediting Commission for Community and Junior Colleges Western Association of Schools and Colleges (ACCJC-WASC).

(B) The Higher Learning Commission (HLC).

(C) The Middle States Commission on Higher Education (MSCHE).


(E) The Southern Association of Colleges and Schools (SACS) Commission on Colleges.

(F) The WASC Senior College and University Commission (WASC-SCUC).
(G) The Accrediting Bureau of Health Education Schools (ABHES).

(H) The Accrediting Commission of Career Schools and Colleges (ACCSC).

(I) The Accrediting Council for Independent Colleges and Schools (ACICS).

(J) The Distance Education Accreditation Commission (DEAC).

(2) The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and each possession of the United States.

(3) The term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 713. REPORTS ON PROPOSED REALIGNMENTS OF MILITARY MEDICAL TREATMENT FACILITIES.

(a) LIMITATION ON REALIGNMENT.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073b the following new section:

“§ 1073c. Reports on proposed realignments of military medical treatment facilities

“(a) LIMITATION.—The Secretary of Defense may not restructure or realign a military medical treatment facility until—
“(1) the Secretary submits to the congressional defense committees a report on such proposed restructuring or realignment; and

“(2) a period of 90 days has elapsed following the date of such submission.

“(b) ELEMENTS.—Each report under subsection (a)(1) shall include, with respect to the military medical treatment facility covered by the report, the following:

“(1) The average daily inpatient census.

“(2) The average inpatient capacity.

“(3) The top five inpatient admission diagnoses.

“(4) Each medical specialty available.

“(5) The average daily percent of staffing available for each medical specialty.

“(6) The beneficiary population within the catchment area.

“(7) The budgeted funding level.

“(8) Whether the facility has a helipad capable of receiving medical evacuation airlift patients arriving on the primary evacuation aircraft platform for the military installation served.

“(9) A determination of whether the civilian hospital system in which the facility resides, if any, is a Federally-designated underserved medical community and the effect on such community from any
reduction in staff or functions or downgrade of the facility.

“(10) If the facility serves a training center—

“(A) a determination of the risk with respect to high-tempo, live-fire military operations, treating battlefield-like injuries, and the potential for a mass casualty event if the facility is downgraded to a clinic or reduced in personnel or capabilities; and

“(B) a description of the extent to which the Secretary, in making such determination, consulted with the appropriate training directorate, training and doctrine command, and forces command of each military department.

“(11) A site assessment by the TRICARE program to assess the network capabilities of TRICARE providers in the local area.

“(12) The inpatient mental health availability.

“(13) The average annual inpatient care directed to civilian medical facilities.

“(14) The civilian capacity by medical specialty in each catchment area.

“(15) The distance in miles to the nearest civilian emergency care department.
“(16) The distance in miles to the closest civilian inpatient hospital, listed by level of care and whether the facility is designated a sole community hospital.

“(17) The availability of ambulance service on the military installation and the distance in miles to the nearest civilian ambulance service, including the average response time to the military installation.

“(18) An estimate of the cost to restructure or realign the military medical treatment facility, including with respect to bed closures and civilian personnel reductions.

“(19) If the military medical treatment facility is restructured or realigned, an estimate of—

“(A) the number of civilian personnel reductions, listed by series;

“(B) the number of local support contracts terminated; and

“(C) the increased cost of purchased care.

“(20) An assessment of the effect of the elimination of health care services at the military medical treatment facility on civilians employed at such facility.”.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting
after the item relating to section 1073b the following new
item:

“1073c. Reports on proposed realignments of military medical treatment facili-
ties.”.

SEC. 714. PILOT PROGRAM FOR OPERATION OF NETWORK
OF RETAIL PHARMACIES UNDER TRICARE
PHARMACY BENEFITS PROGRAM.

(a) Authority to Establish Pilot Program.—

The Secretary of Defense may conduct a pilot program
to evaluate whether, in carrying out the TRICARE phar-
my benefits program under section 1074g of title 10,
United States Code, operating a network of preferred re-
tail pharmacies will generate cost savings for the Depart-
ment of Defense.

(b) Elements of Pilot Program.—In conducting
the pilot program under subsection (a), the Secretary
shall—

(1) incorporate “best practices” to enhance pa-
tient access from non-TRICARE health plans that
are using a preferred retail network of pharmacies
along with the mail-order pharmacy program of the
plans and preferred pharmacy networks in Medicare
Part D;

(2) allow beneficiaries to obtain prescription
medication that is available through the TRICARE
pharmacy benefits program, including maintenance
medication, through the network of preferred retail pharmacies and the national mail-order pharmacy program under section 1074g(a)(2)(E)(iii) of title 10 United States Code;

(3) allow retail pharmacies participating in the network of preferred retail pharmacies to purchase prescription medication for beneficiaries in the pilot program at rates available to the Federal government through its Prime Vendor contracting process;

(4) ensure that retail pharmacies participating in the network of preferred retail pharmacies shall include small business pharmacies (as defined by the Small Business Administration) at a rate no lower than the current TRICARE pharmacy program participation rate provided there are sufficient number of small business pharmacies willing to participate in the pilot program;

(5) study the potential, viability, cost efficiency, and health care effectiveness of the TRICARE pharmacy benefits program administering prescription medication through a network of preferred retail pharmacies in addition to the methods available pursuant to section 1074g(a)(2)(E) of title 10, United States Code; and
(6) determine the opportunities for and barriers to coordinating and leveraging the use of a network of preferred retail pharmacies in addition to such methods available pursuant to such section 1074g(a)(2)(E).

(c) SELECTION OF RETAIL PHARMACIES.—The Secretary shall select the retail pharmacies to participate in the preferred network of preferred retail pharmacies pursuant to subsection (a) and shall work with small business pharmacies to participate in the pilot program. In making such selection the Secretary may—

(1) require that retail pharmacies opt-in to the network and agree to the reimbursement rates paid by the Secretary;

(2) determine specific criteria for each retail pharmacy to meet or that a certain number of retail pharmacies must meet;

(3) use a competitive process; and

(4) require the preferred pharmacy network to comply with the existing TRICARE retail pharmacy access standards.

(d) SELECTION OF MILITARY COMMUNITIES.—In carrying out the pilot program under subsection (a), the Secretary shall give preference to regions with high small business pharmacy participation rates and shall select at
least one region in which to carry out the pilot program.

The Secretary shall ensure that any region selected meets
the following criteria:

(1) The region has a certain number or per-
centage, as determined by the Secretary, of—

(A) members of the Armed Forces serving
on active duty;

(B) members of the Armed Forces serving
in a reserve component; and

(C) retired members of the Armed Forces.

(2) The number of beneficiaries under para-
graph (1) is sufficient to produce statistically signifi-
cant results.

(3) The region has at least one retail pharmacy
that operates at least 10 pharmacy locations in the
region.

(4) The region has at least one military instal-
lation that has a military medical treatment facility
with a pharmacy.

(e) CONSULTATION.—The Secretary shall develop the
pilot program under subsection (a) in consultation with—

(1) the Secretaries of the military departments;

(2) retail pharmacies;
(3) representatives from the military installations within the region selected under subsection (d); and

(4) the TRICARE-managed pharmacy contractor with responsibility for the national pharmacy mail-order program.

(f) DURATION OF PILOT PROGRAM.—If the Secretary of Defense carries out the pilot program under subsection (a), the Secretary shall commence such pilot program by not later than May 1, 2016, and shall terminate such program on September 30, 2018.

(g) REPORTS.—If the Secretary of Defense carries out the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees reports on the pilot program as follows:

(1) Not later than 90 days after the date of the enactment of this Act, a report containing an implementation plan for the pilot program.

(2) Not later than 90 days after the date on which the pilot program commences, and semiannually thereafter during the period in which the pilot program is carried out, an interim report on the pilot program.

(3) Not later than 90 days after the date on which the pilot program terminates, a final report
describing the results of the pilot program, including
any recommendations of the Secretary to expand
such program.

Subtitle C—Reports and Other
Matters

SEC. 721. 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 insert-
ing “September 30, 2020”.

SEC. 722. EXTENSION OF AUTHORITY FOR JOINT DEPART-
MENT OF DEFENSE-DEPARTMENT OF VET-
ERANS AFFAIRS MEDICAL FACILITY DEM-
ONSTRATION FUND.
Section 1704(e) of the National Defense Authoriza-
tion Act for Fiscal Year 2010 (Public Law 111–84; 123
Stat. 2573), as amended by section 722 of the National
Defense Authorization Act for Fiscal Year 2015 (Public
Law 113–291;128 Stat. 3417), is amended by striking
“September 30, 2016” and inserting “September 30,
2017”.

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SEC. 723. LIMITATION ON AVAILABILITY OF FUNDS FOR DEPARTMENT OF DEFENSE HEALTHCARE MANAGEMENT SYSTEMS MODERNIZATION.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense Healthcare Management Systems Modernization, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense makes the certification required by section 713(g)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1071 note).

SEC. 724. PRIMARY BLAST INJURY RESEARCH.

The peer-reviewed Psychological Health and Traumatic Brain Injury Research Program shall conduct a study on blast injury mechanics covering a wide range of primary blast injury conditions, including traumatic brain injury, in order to accelerate solution development in this critical area.

SEC. 725. SENSE OF CONGRESS REGARDING MENTAL HEALTH COUNSELING FOR MEMBERS OF THE ARMED FORCES AND FAMILIES.

(a) FINDINGS.—Congress finds the following:

(1) It has been shown that some members of the Armed Forces struggle with post-traumatic
stress and other behavioral health disorders from traumatic events experienced during combat.

(2) It has also been shown that emotional distress and trauma from life events can be exacerbated by traumatic events experienced during combat.

(3) Members of the Armed Forces who struggle with post-traumatic stress and other behavioral health disorders are often unable to provide emotional support to spouses and children, causing emotional distress and the risk of behavioral health disorders among the dependents of the members.

(b) Sense of Congress.—It is the sense of Congress that—

(1) the Department of Defense should continue to support members of the Armed Forces and their families by providing family counseling and individual counseling services that reduce the symptoms of post-traumatic stress and other behavioral health disorders and empowers members to be emotionally available to their spouses and children;

(2) such services should be readily available at branches of the Department and military bases;

(3) the Department should rely on industry standards established by the medical community
when developing standards for their own practice of
family and individual counseling; and

(4) the Department should conduct a five-year
study of the progress of members of the Armed
Forces that are treated for mental health disorders,
including with respect to—

(A) difficulty keeping up with treatment;

(B) familial status before and after treat-
ment; and

(C) access to mental health counseling at
Department facilities and military installations.

SEC. 726. PROVISION OF TRANSPORTATION OF DEPENDENT
PATIENTS RELATING TO OBSTETRICAL ANES-
THESIA SERVICES.

Section 1040(a)(2) of title 10, United States Code,
is amended by striking subparagraph (F).

TITLE VIII—ACQUISITION POL-
ICY, ACQUISITION MANAGE-
MENT, AND RELATED MAT-
TERS

SEC. 800. SENSE OF CONGRESS ON THE DESIRED TENETS
OF THE DEFENSE ACQUISITION SYSTEM.

(a) FINDINGS.—Congress finds the following:

(1) The Committee on Armed Services of the
House of Representatives held a series of hearings
in 2013, 2014, and 2015 gathering testimony from key acquisition leaders and experts. It is clear that the acquisition reform efforts of the last 50 years continue to founder because they fail to address the motivational and environmental factors in which they must be implemented. The acquisition system, though frustrating to all, is in one sense in equilibrium. The acquisition system provides enough benefits to proponents and opponents to continue, with only minor changes, despite its shortcomings.

(2) The Armed Forces continue to pursue too many defense acquisitions, chasing too few dollars. Consequently, there remains a vast difference between the budgeting plans of the Department and the reality of the cost of its systems or the services it acquires.

(3) To keep programs alive, the Department develops and Congress accepts fragile acquisition strategies that downplay technical issues and assume only successful outcomes from high-risk efforts. As a result, the Department often ends up with too few weapons, with performance that falls short, that are difficult and costly to maintain, delivered late at too high a cost. Congressional and Department of Defense leadership have limited insight into the serv-
ices acquired or what services need to be acquired in the future. Furthermore, the conventional acquisition process is not agile enough for today’s demands. Finally, the Department of Defense continues to struggle with financial management and auditability, affecting its ability to control costs, ensure basic accountability, anticipate future costs and claims on the budget, and measure performance.

(4) Too often today, all stakeholders in the Department of Defense, Congress, and industry, accept that—

(A) for the acquisition process, success is defined as maximizing technical performance or protecting organizational interests, without regard to funding disruptions and delivery delays of needed capability or services to the warfighter; and

(B) the acquisition process is—

(i) reactive, meaning issues are addressed late and at great cost only after problems are realized;

(ii) plodding, meaning the bureaucratic processes are sclerotic and cumbersome;
(iii) opaque, meaning that limiting information is necessary to protect programs; and

(iv) traditional, meaning that customary approaches and suppliers are preferred over perceived risk of new or unique concepts and vendors.

(5) Today, the United States is at a crossroads, and if changes to the acquisition system are not made soon, the trend of fewer and more costly systems and services that fall short of the needs of the Armed Forces will continue. Congress, the Department of Defense, and industry all have a stake in making positive changes. Each plays a role in contributing to the current system. Each gains benefits from that system, but each is frustrated by it as well.

(6) The acquisition improvement effort of the Committee on Armed Services of the House of Representatives proposes a different approach from previous efforts by seeking to improve the environment (i.e., statutes, regulations, processes, and culture) driving acquisition decisions in the Department of Defense, industry, and Congress. The Committee has solicited input from industry and the Depart-
ment of Defense, as well as others in Congress, and will continue to do so. The Committee recognizes that there are no “silver bullets” that can immediately fix the current acquisition system in a holistic and long-standing manner. Therefore, the reform effort will be an ongoing and iterative process that will result in legislation not only this year, but will be embedded in the Committee’s annual and regular work.

(b) **Sense of Congress on the Tenets of an Improved Acquisition System.**—It is the sense of Congress that all stakeholders in the acquisition system—the Department of Defense, Congress, and industry—should be governed by the following tenets:

1. **Success.**—Success in the acquisition system means the timely delivery of affordable and effective military equipment and services.
2. **Proactive.**—The acquisition system should be proactive, meaning—
   1. (A) the system should recognize that development and acquisition problems can occur; and
   2. (B) officials at all levels should be empowered to solve problems and reduce risks by surfacing issues early and honestly and taking action to resolve them.
(3) Agile.—The acquisition system should be agile, meaning that needed program adjustments to both respond to emerging threats and the rapid pace of technological change and to address development or production issues should be proposed and adjudicated quickly.

(4) Transparent.—The acquisition system should be transparent, meaning that—

(A) all decision makers should be given useful, relevant, credible, and reliable information when making commitments;

(B) Government and industry communication should be clear and open; and

(C) the Department of Defense should produce auditable financial management statements.

(5) Innovative.—The acquisition system should be innovative, meaning that barriers should be removed that preclude companies from undertaking defense business or officials from proposing new approaches.
Subtitle A—Acquisition Policy and Management

SEC. 801. REPORT ON LINKING AND STREAMLINING REQUIREMENTS, ACQUISITION, AND BUDGET PROCESSES WITHIN ARMED FORCES.

(a) Reports.—Not later than 180 days after the date of the enactment of this Act, 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 the congressional defense committees a report on efforts to link and streamline the requirements, acquisition, and budget processes within the Army, Navy, Air Force, and Marine Corps, respectively.

(b) Matters Included.—Each report under subsection (a) shall include the following:

(1) A specific description of—

(A) the management actions the Chief concerned or the Commandant has taken or plans to take to link and streamline the requirements, acquisition, and budget processes of the Armed Force concerned;

(B) any reorganization or process changes that will link and streamline the requirements, acquisition, and budget processes of the Armed Force concerned; and
(C) any cross-training or professional de-
velopment initiatives of the Chief concerned or
the Commandant.

(2) For each description under paragraph (1)—

(A) the specific timeline associated with
implementation;

(B) the anticipated outcomes once imple-
mented; and

(C) how to measure whether or not those
outcomes are realized.

(3) Any other matters the Chief concerned or
the Commandant considers appropriate.

SEC. 802. REQUIRED REVIEW OF ACQUISITION-RELATED
FUNCTIONS OF THE CHIEFS OF STAFF OF
THE ARMED FORCES.

(a) Review Required.—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 conduct a review of their current individual
authorities provided in sections 3033, 5033, 8033, and
5043 of title 10, United States Code, and other relevant
statutes and regulations related to defense acquisitions for
the purpose of developing such recommendations as the
Chief concerned or the Commandant considers necessary
to further or advance the role of the Chief concerned or
the Commandant in the development of requirements, ac-
quisition processes, and the associated budget practices of
the Department of Defense.

(b) REPORTS.—Not later than March 1, 2016, 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 the congressional
defense committees a report containing, at a minimum,
the following:

(1) The recommendations developed by the
Chief concerned or the Commandant under sub-
section (a) and other results of the review conducted
under such subsection.

(2) The actions the Chief concerned or the
Commandant is taking, if any, within the Chief’s or
Commandant’s existing authority to implement such
recommendations.

SEC. 803. INDEPENDENT STUDY OF MATTERS RELATED TO
BID PROTESTS.

(a) REQUIREMENT FOR STUDY.—Not later than 180
days after the date of the enactment of this Act, the Sec-
retary of Defense shall enter into a contract with an inde-
pendent research entity that is a not-for-profit entity or
a federally funded research and development center with
appropriate expertise and analytical capability to carry out
a comprehensive study of factors leading to the filing of
bid protests. The study shall cover the entire Federal Gov-
erment and examine issues such as the following:

(1) The variable influences on the net benefit
(monetary and non-monetary) to contractors either
filing a protest or indicating intent to file a protest.

(2) The extent to which protests are filed by in-
cumbent contractors for purposes of extending a
contract’s period of performance.

(3) The extent to which companies file protests
even when those companies do not believe there was
an error in the procurement process.

(4) The time it takes agencies to implement
corrective actions after a ruling or decision.

(b) REPORT.—Not later than one year after the date
of the enactment of this Act, the independent entity shall
provide to the Secretary, the congressional defense com-
mittees, the Committee on Oversight and Government Re-
form of the House of Representatives, and the Committee
on Homeland Security and Governmental Affairs of the
Senate a report on the results of the study, along with
any recommendations it may have.

SEC. 804. PROCUREMENT OF COMMERCIAL ITEMS.

(a) COMMERCIAL ITEM DETERMINATIONS BY DE-
PARTMENT OF DEFENSE.—
(1) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:

“§2380. Commercial item determinations by Department of Defense

“The Secretary of Defense shall—

“(1) establish and maintain a centralized capability with necessary expertise and resources to oversee the making of commercial item determinations for the purposes of procurements by the Department of Defense; and

“(2) provide public access to Department of Defense commercial item determinations for the purposes of procurements by the Department of Defense.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2380. Commercial item determinations by Department of Defense.”.

(b) COMMERCIAL ITEM EXCEPTION TO SUBMISSION OF COST AND PRICING DATA.—Section 2306a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) COMMERCIAL ITEM DETERMINATION.—(A) For purposes of applying the commercial item exception under paragraph (1)(B) to the required submis-
sion of certified cost or pricing data, the contracting officer may presume that a prior commercial item determination made by a military department, a Defense Agency, or another component of the Department of Defense shall serve as a determination for subsequent procurements of such item.

“(B) If the contracting officer does not make the presumption described in subparagraph (A) and instead chooses to proceed with a procurement of an item previously determined to be a commercial item using procedures other than the procedures authorized for the procurement of a commercial item, the contracting officer shall request a review of the commercial item determination by the head of the contracting activity.

“(C) Not later than 30 days after receiving a request for review of a commercial item determination under subparagraph (B), the head of a contracting activity shall—

“(i) confirm that the prior determination was appropriate and still applicable; or

“(ii) issue a revised determination with a written explanation of the basis for the revision.”.
(c) Definition of Commercial Item.—Nothing in this section or the amendments made by this section shall affect the meaning of the term “commercial item” under subsection (a)(5) of section 2464 of title 10, United States Code, or any requirement under subsection (a)(3) or subsection (c) of such section.

SEC. 805. Modification to Information Required to Be Submitted by Offeror in Procurement of Major Weapon Systems as Commercial Items.

(a) Requirement for Determination.—Subsection (a) of section 2379 of title 10, United States Code, is amended—

(1) in subsection (1)(B), by inserting “and” after the semicolon;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) Treatment of Subsystems as Commercial Items.—Subsection (b) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “only if” and inserting “if either”;

(2) in paragraph (2)—
(A) by striking “that—” and all that follows through “the subsystem is a” and inserting “that the subsystem is a”; 

(B) by striking “; and” and inserting a period; and 

(C) by striking subparagraph (B). 

(c) TREATMENT OF COMPONENTS AS COMMERCIAL ITEMS.—Subsection (c)(1) of such section is amended—

(1) by striking “title only if” and inserting “title if either”; and 

(2) in subparagraph (B)—

(A) by striking “that—” and all that follows through “the component or” and inserting “that the component or”; 

(B) by striking “; and” and inserting a period; and 

(C) by striking clause (ii). 

(d) INFORMATION SUBMITTED.—Subsection (d) of such section is amended—

(1) by striking “submit—” and all that follows through “prices paid” and inserting “submit prices paid”; 

(2) by striking “; and” and inserting a period; and 

(3) by striking paragraph (2).
SEC. 806. AMENDMENT RELATING TO MULTIYEAR CONTRACT AUTHORITY FOR ACQUISITION OF PROPERTY.

Paragraph (1) of section 2306b(a) of title 10, United States Code, is amended to read as follows:

“(1) That there is a reasonable expectation that the use of such a contract will result in lower total anticipated costs of carrying out the program than if the program were carried out through annual contracts.”.

SEC. 807. COMPLIANCE WITH INVENTORY OF CONTRACTS FOR SERVICES.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the operation of the Office of the Under Secretary of Defense for Personnel and Readiness, not more than 75 percent may be obligated or expended in fiscal year 2016 until—

(1) the “Department of Defense Compliance Plan for Section 8108(c) of Public Law 112–10”, as contained in a memorandum and enclosure dated November 22, 2011, is implemented;

(2) the implementing direction contained in the “Enterprise-wide Contractor Manpower Reporting Application”, as contained in a memorandum dated November 28, 2012, from the Under Secretary of
Defense for Acquisition, Technology, and Logistics
and the (then) Acting Principal Deputy Under Sec-
retary of Defense for Personnel and Readiness is
fulfilled; and
(3) the funds made available in March 2014 to
establish the Total Force Management Support Of-

cice to define business processes for compiling, re-
viewing, and using the inventory required under sec-
tion 2330a(e) of title 10, United States Code, have
been obligated.

Subtitle B—Workforce
Development and Related Matters
SEC. 811. AMENDMENTS TO DEPARTMENT OF DEFENSE AC-
QUISITION WORKFORCE DEVELOPMENT
FUND.
(a) PERMANENT EXTENSION OF FUND.—Section 1705(d)(2) of title 10, United States Code, is amended—
(1) in subparagraph (C), by striking “of an
amount as follows:” and all that follows through the
end and inserting “of an amount of not less than
$500,000,000.”; and
(2) in subparagraph (D), by striking “an
amount that is less than” and all that follows
through the end and inserting “an amount that is
less than $400,000,000.”.
(b) Permanent Extension of Expedited Hiring Authority.—Section 1705(g) of such title is amended—

(1) by striking paragraph (2);

(2) by striking “Authority.—” and all that follows through “For purposes of” in paragraph (1) and inserting “Authority.—For purposes of”;

(3) by striking “(A)” and inserting “(1)”;

(4) by striking “(B)” and inserting “(2)”;

(5) by aligning paragraphs (1) and (2), as designated by paragraphs (3) and (4), so as to be two ems from the left margin.

(c) Clarification of Acquisition Workforce Covered.—Section 1705(g) of such title, as amended by subsection (c), is further amended by striking “acquisition workforce positions” and inserting “of positions in the acquisition workforce, as defined in subsection (h),”.

SEC. 812. Dual-Track Military Professionals in Operational and Acquisition Specialties.

(a) Requirement for Service Chief Involvement.—Section 1722a(a) of title 10, United States Code, is amended by inserting after “military department)” the following: “, in collaboration 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 Army, Navy, Air Force, and Marine Corps, respectively),”.

(b) **Dual-track Career Path.**—Section 1722a(b) of such title is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(2) in paragraph (1), by inserting “single-track” before “career path”; and

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) A dual-track 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.”.

**SEC. 813. Provision of Joint Duty Assignment Credit for Acquisition Duty.**

Section 668(a)(1) of title 10, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (D);
(2) by striking the period at the end of sub-
paragraph (E) and inserting “; or”; and

(3) by adding at the end the following new sub-
paragraph:

“(F) acquisition matters addressed by military
personnel and covered under chapter 87 of this
title.”.

SEC. 814. REQUIREMENT FOR ACQUISITION SKILLS ASSESS-
MENT BIENNIAL STRATEGIC WORKFORCE
PLAN.

(a) Requirement.—Section 115b(b)(1) of title 10,
United States Code, is amended—

(1) by redesignating subparagraph (D) as sub-
paragraph (E);

(2) in subparagraph (C), by striking “and” at
the end; and

(3) by inserting after subparagraph (C) the fol-
lowing:

“(D) new or expanded critical skills and
competencies needed by the existing civilian em-
ployee workforce of the Department to address
new acquisition process requirements estab-
lished by law or policy during the four years
preceding the year of submission of the plan;
and”.

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(b) CONFORMING AMENDMENTS.—Section 115b of such title is further amended—

(1) in subparagraph (E) of subsection (b)(1), as redesignated by subsection (a)(1), by striking “(C)” and inserting “(D)”;

(2) in paragraph (2) of subsection (b), in the matter preceding subparagraph (A), by striking “(1)(D)” and inserting “(1)(E)”; and

(3) in paragraph (2)(A) of each of subsections (c), (d), and (e), by striking “through (D)” and inserting “through (E)”.

SEC. 815. MANDATORY REQUIREMENT FOR TRAINING RELATED TO THE CONDUCT OF MARKET RESEARCH.

(a) MANDATORY MARKET RESEARCH TRAINING.—

Section 2377 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) MARKET RESEARCH TRAINING REQUIRED.—

The Secretary of Defense shall provide mandatory training for members of the armed forces and employees of the Department of Defense responsible for the conduct of market research required under subsection (c). Such mandatory training shall, at a minimum—
“(1) provide comprehensive information on the subject of market research and the function of market research in the acquisition of commercial items;

“(2) teach best practices for conducting and documenting market research; and

“(3) provide methodologies for establishing standard processes and reports for collecting and sharing market research across the Department.”.

(b) INCORPORATION INTO MANAGEMENT CERTIFICATION TRAINING MANDATE.—The Chairman of the Joint Chiefs of Staff shall ensure that the requirements of section 2377(d) of title 10, United States Code, as added by subsection (a), are incorporated into the requirements management certification training mandate of the Joint Capabilities Integration Development System.

SEC. 816. INDEPENDENT STUDY OF IMPLEMENTATION OF DEFENSE ACQUISITION WORKFORCE IMPROVEMENT EFFORTS.

(a) Requirement for Study.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent research entity described in subsection (b) to carry out a comprehensive study of the strategic planning of the Department of Defense related to the defense acquisition workforce. The study shall provide a comprehensive
examination of the Department’s efforts to recruit, develop, and retain the acquisition workforce with a specific review of the following:

(1) The implementation of the Defense Acquisition Workforce Improvement Act (including chapter 87 of title 10, United States Code).

(2) The application of the Department of Defense Acquisition Workforce Development Fund (as established under section 1705 of title 10, United States Code).

(3) The effectiveness of professional military education programs, including fellowships and exchanges with industry.

(b) INDEPENDENT RESEARCH ENTITY.—The entity described in this subsection is an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability.

(c) REPORTS.—

(1) TO SECRETARY.—Not later than one year after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report containing—

(A) the results of the study required by subsection (a); and
(B) such recommendations to improve the acquisition workforce as the independent research entity considers to be appropriate.

(2) To Congress.—Not later than 30 days after receipt of the report under paragraph (1), the Secretary of Defense shall submit such report, together with any additional views or recommendations of the Secretary, to the congressional defense committees.

SEC. 817. EXTENSION OF DEMONSTRATION PROJECT RELATING TO CERTAIN ACQUISITION PERSONNEL MANAGEMENT POLICIES AND PROCEDURES.

Section 1762(g) of title 10, United States Code, is amended by striking “2017” and inserting “2020”.

Subtitle C—Weapon Systems Acquisition and Related Matters

SEC. 821. SENSE OF CONGRESS ON THE DESIRED CHARACTERISTICS FOR THE WEAPON SYSTEMS ACQUISITION SYSTEM.

(a) Findings.—Congress makes the following findings:

(1) Current situation.—Despite significant and repeated attempts at acquisition reform, the Department of Defense still experiences case after case
of expensive weapon system acquisition failures. The Department of Defense has a track record of too many cancellations, schedule slippages, cost overruns, and failures to deliver timely solutions to the requirements of the Armed Forces. This situation is unacceptable. For example, according to the Final Report of the 2010 Army Acquisition Review, between 1996 and 2010, the Army expended approximately $1 billion to $3 billion annually on two dozen programs that were eventually cancelled. No military service and no type of weapon acquisition has been immune.

(2) Problems in all phases of acquisitions.—

(A) Despite detailed weapon acquisition processes and procedures, there is only limited discipline in starting programs. Many programs begin without a solid foundation. They have too many requirements deemed “critical”, which are driven by too many organizations and individuals. Approved requirements are often set with only a limited understanding of the technical feasibility of achieving them. The resulting compromises of good program management and engineering judgment that allow the programs
to proceed are the “spackle” of the acquisition system that covers up the risks and enables the system to operate.

(B) As these weapon systems proceed into engineering and manufacturing development, they often encounter development problems leading to cost growth, schedule delay, and performance reductions. Industry and Government officials frequently respond by taking additional development risks to resolve basic performance issues by reducing the time to analyze and assess development results, overlapping key development efforts, and reducing testing. The Department of Defense and Congress disrupt the planned funding of stable programs to find resources for troubled programs or to fund across-the-board spending cuts. Funding instability is the inevitable price that programs pay for survival because funding disruptions actually keep more programs alive.

(C) Finally, these weapons are often rushed into production only to encounter production problems, and are fielded with many unknowns or deficiencies leading to significantly reduced quantities and force structure reduc-
tions. The warfighter faces the challenge of operating weapons with poor reliability, high maintenance demands, reduced performance, and many capability shortfalls.

(b) Sense of Congress.—

(1) In general.—It is the sense of Congress that, in accordance with the tenets described in section 800, to improve weapon system acquisitions, the Department of Defense, Congress, and industry should develop an acquisition system characterized by highly disciplined program initiation coupled with agile program execution and balanced oversight, as described in paragraphs (2), (3), and (4).

(2) Highly disciplined program initiation.—An acquisition system characterized by highly disciplined program initiation means that programs do not begin engineering development until firm requirements are matched to a flexible acquisition strategy structured to develop militarily useful capability that can be delivered in a relevant period of time with available technologies, funding, and management capacity. Such a highly disciplined program initiation includes—

(A) a workforce with smart requirements setters and expert buyers, with the knowledge,
skills, and experience to successfully plan for
and execute highly complex acquisitions;

(B) requirements that are well-defined, technically feasible, and affordable;

(C) acquisition strategies that are designed to minimize time to market of militarily useful capability, with the program concerned being structured so that—

(i) lower-risk, technically mature capabilities are matched to delivering capability to the warfighter in the near term, while remaining requirements are aligned and resources are programmed to support integration into later increments to meet the requirements of the Armed Forces;

(ii) capabilities are approved for an increment only when their developmental risks have been appropriately reduced; and

(iii) increments are planned to complete engineering and manufacturing development in a reasonable period of time;

(D) a science and technology development enterprise that is responsive to the acquisition process before engineering and manufacturing development begins, and sufficiently resourced
to reduce risks and enable programs to make smart decisions without losing critical funds; and

(E) redtape reduction in order to free up program and Department officials to focus on their mission of defining an executable program and understanding and addressing risks.

(3) AGILE PROGRAM EXECUTION.—An acquisition system characterized by agile program execution means a system in which acquisition speed and flexibility to make trade-offs are balanced with the need to achieve desired technical performance. Such agile program execution includes—

(A) program managers and program officials who are expert buyers and negotiators who anticipate problems, negotiate solutions, and are empowered to manage;

(B) a preference for fixed price contracting where appropriate for the size and complexity of the work and for the nature and scope of the capabilities being developed;

(C) program managers who avoid increasing program risk by resisting the addition of new requirements or the reduction of developmental activities;
(D) empowering program managers and senior decisionmakers to make decisions easily in order to move forward with capabilities that mature quickly, cancel those that encounter greater difficulties than expected, and trade-off or reduce requirements to maintain cost and schedule;

(E) enabling program managers to focus on overcoming execution challenges and delivering success rather than concentrating on compliance with reporting, certifications, and other redtape; and

(F) senior decisionmakers who have knowledge of demonstrated performance as programs proceed through development, with robust developmental testing occurring before committing to production for operational use as a basis for decision making.

(4) Balanced Oversight.—An acquisition system characterized by balanced oversight means that the focus is on ensuring discipline initiating programs and that appropriate adjustments are made during development, so that programs have the best chance to succeed. Such balanced oversight includes—
(A) involvement by decisionmakers early to ensure that an understanding of trade-offs, risks, and needs are considered, resourced, and validated, and that agreement is reached between the executive and legislative branches;

(B) acceptance by decisionmakers that complex weapon system developments are inherently risky and require expertise and flexibility to manage effectively;

(C) conscious decisions by decisionmakers regarding where to accept risk, while ensuring that risk mitigation plans are resourced (with time, funding, alternatives, and competent government and contractor officials);

(D) measuring and monitoring by decision-makers of the right factors, such as technology maturation progress and systems engineering during risk reduction, development cost growth during engineering and manufacturing development, and reliability growth during system demonstration;

(E) work by Congress and the Department of Defense, once a program has begun, to resolve issues by considering trade-offs among
cost, schedule, and performance necessary to
best support the warfighter; and

(F) congressional understanding of risks
and efforts to mitigate such risks even if they
are through non-traditional means or other
technological advances.

SEC. 822. ACQUISITION STRATEGY REQUIRED FOR EACH
MAJOR DEFENSE ACQUISITION PROGRAM
AND MAJOR SYSTEM.

(a) CONSOLIDATION OF REQUIREMENTS RELATING
to ACQUISITION STRATEGY.—

(1) NEW TITLE 10 SECTION.—Chapter 144 of
title 10, United States Code, is amended by insert-
ing after section 2431 the following new section:

§ 2431a. Acquisition strategy

“(a) ACQUISITION STRATEGY REQUIRED.—There
shall be an acquisition strategy for each major defense ac-
quision program and each major system approved by a
Milestone Decision Authority.

“(b) RESPONSIBLE OFFICIAL.—For each acquisition
strategy required by subsection (a), the Under Secretary
of Defense for Acquisition, Technology, and Logistics is
responsible for issuing and maintaining the requirements
for—

“(1) the content of the strategy; and
“(2) the review and approval process for the strategy.

“(c) CONSIDERATIONS.—(1) In issuing requirements for the content of an acquisition strategy for a major defense acquisition program or major system, the Under Secretary shall ensure that—

“(A) the strategy clearly describes the proposed business and technical management approach for the program or system, in sufficient detail to allow the Milestone Decision Authority to assess the viability of the proposed approach;

“(B) the strategy contains a clear explanation of how the strategy is designed to be implemented with available resources, such as time, funding, and management capacity; and

“(C) the strategy considers the items listed in paragraph (2).

“(2) Each strategy shall, at a minimum, consider the following:

“(A) An approach that delivers required capability in increments, each depending on available mature technology, and that recognizes up front the need for future capability improvements.
“(B) Acquisition approach, including industrial base considerations in accordance with section 2440 of this title.

“(C) Risk management, including such methods as competitive prototyping at the system, subsystem, or component level, in accordance with section 2431b of this title.

“(D) Business strategy, including measures to ensure competition at the system and subsystem level throughout the life-cycle of the program or system in accordance with section 2337 of this title.

“(E) Contracting strategy, including—

“(i) contract type and how the type selected relates to level of program risk in each acquisition phase;

“(ii) how the plans for the program or system to reduce risk enable the use of fixed-price elements in subsequent contracts and the timing of the use of those fixed price elements;

“(iii) market research; and

“(iv) consideration of small business participation.

“(F) Intellectual property strategy in accordance with section 2320 of this title.
“(G) International involvement, including foreign military sales and cooperative opportunities, in accordance with section 2350a of this title.

“(H) Multi-year procurement in accordance with section 2306b of this title.

“(I) Integration of current intelligence assessments into the acquisition process.

“(J) Requirements related to logistics, maintenance, and sustainment in accordance with sections 2464 and 2466 of this title.

“(d) REVIEW.—(1) Subject to the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Milestone Decision Authority shall review and approve, as appropriate, the acquisition strategy for a major defense acquisition program or major system at each of the following times:

“(A) Milestone A approval.

“(B) The decision to release the request for proposals for development of the program or system.

“(C) Milestone B approval.

“(D) Each subsequent milestone.

“(E) Review of any decision to enter into full-rate production.

“(F) When there has been—
“(i) a significant change to the cost of
the program or system;
“(ii) a critical change to the cost of
the program or system;
“(iii) a significant change to the
schedule of the program or system; or
“(iv) a significant change to the per-
formance of the program or system.
“(G) Any other time considered relevant by
the Milestone Decision Authority.
“(2) If the Milestone Decision Authority revises an
acquisition strategy for a program or system, the Mile-
stone Decision Authority shall provide notice of the revi-
sion to the congressional defense committees.
“(e) DEFINITIONS.—In this section:
“(1) The term ‘major defense acquisition pro-
gram’ has the meaning provided in section 2430 of
this title.
“(2) The term ‘major system’ has the meaning
provided in section 2302(5) of this title.
“(3) The term ‘Milestone A approval’ means a
decision to enter into technology maturation and
risk reduction pursuant to guidance prescribed by
the Secretary of Defense for the management of De-
partment of Defense acquisition programs.
“(4) The term ‘Milestone B approval’ has the meaning provided in section 2366(e)(7) of this title.

“(5) The term ‘Milestone Decision Authority’, with respect to a major defense acquisition program or major system, means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program or system, including authority to approve entry of the program or system into the next phase of the acquisition process.

“(6) The term ‘management capacity’, with respect to a major defense acquisition program or major system, means the capacity to manage the program or system through the use of highly qualified organizations and personnel with appropriate experience, knowledge, and skills.

“(7) The term ‘significant change to the cost’, with respect to a major defense acquisition program or major system, means a significant cost growth threshold, as that term is defined in section 2433(a)(4) of this title.

“(8) The term ‘critical change to the cost’, with respect to a major defense acquisition program or major system, means a critical cost growth thresh-
old, as that term is defined in section 2433(a)(5) of this title.

“(9) The term ‘significant change to the schedule’, with respect to a major defense acquisition program or major system, means any schedule delay greater than six months in a reported event.

“(f) Submission to Congressional Committees.—Upon request by the chairman or ranking member of the Committee on Armed Services of the Senate or the House of Representatives, the Secretary of Defense shall submit to the committee the most recently approved acquisition strategy for a major defense acquisition program or major system. The strategy shall be submitted in unclassified form but may include a classified annex.”.

(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) Additional 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), by striking “The recommendation of the Under Secretary” and inserting “A recommendation to the Milestone Decision Authority”.

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SEC. 823. REVISION TO REQUIREMENTS RELATING TO RISK MANAGEMENT IN DEVELOPMENT OF MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEMS.

(a) Risk Management and Mitigation Requirements.—

(1) In general.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2431a (as added by section 813) the following new section:

§ 2431b. Risk management and mitigation in major defense acquisition programs and major systems

“(a) Requirement.—(1) There shall be a risk management and mitigation strategy for each major defense acquisition program or major system.

“(2) The Secretary of Defense shall ensure that the initial acquisition strategy (required under section 2431a of this title) approved by the Milestone Decision Authority and any subsequent revisions include the following:
“(A) A comprehensive strategy for managing and mitigating risk (including technical, cost, and schedule risk) during each of the following periods:

“(i) The period preceding engineering manufacturing development, or its equivalent.

“(ii) The period preceding initial production.

“(iii) The period preceding full-rate production.

“(B) An identification of the major sources of risk in each of the periods listed in subparagraph (A).

“(3) In the case of a program or system with separate increments of capabilities that require Milestone Decision Authority approval to begin or proceed, paragraphs (1) and (2) shall apply to each increment.

“(b) Strategy to Manage and Mitigate Risks.—(1) The comprehensive strategy to manage and mitigate risk included in the acquisition strategy for purposes of subsection (a)(2)(A) shall identify each individual risk and the risk management and mitigation activities to address each risk. For the mitigation activities identified, the strategy shall note whether they require cost and schedule margins and need to be included in funding requests.
“(2) The strategy shall be comprehensive and, at a minimum, include consideration of risk mitigation tech-
niques such as the following:

“(A) Prototyping (including prototyping at the system, subsystem, or component level and competi-
tive prototyping, where appropriate) and, if proto-
typing at either the system, subsystem, or compo-
nent level is not used, an explanation of why it is not appropriate.

“(B) Modeling and simulation, the areas that modeling and simulation will assess, and identifica-
tion of the need for development of any new mod-
eling and simulation tools in order to support the comprehensive strategy.

“(C) Technology demonstrations and decision points for disciplined transition of planned tech-
nologies into programs or the selection of alternative technologies.

“(D) Multiple design approaches.

“(E) Alternative designs, including any designs that meet requirements but do so with reduced per-
formance.

“(F) Phasing of program activities or related technology development efforts in order to address high risk areas as early as feasible.
“(c) DEFINITIONS.—In this section, the terms ‘major defense acquisition program’ and ‘major system’ have the meanings provided in section 2431a of this title.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2431a, as so added, the following new item:

“2431b. Risk reduction in major defense acquisition programs and major systems.”.

(b) REPEAL OF SUPERSEDED PROVISION.—Section 203 of the Weapon Systems Acquisition Reform Act of 2009 (10 U.S.C. 2430 note) is repealed.

SEC. 824. MODIFICATION TO REQUIREMENTS RELATING TO DETERMINATION OF CONTRACT TYPE FOR MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEMS.

(a) DETERMINATION OF CONTRACT TYPE.—Section 2306 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(i) REQUIRED ELEMENTS OF GUIDANCE RELATING TO CONTRACT TYPE.—(1) The Secretary of Defense shall ensure that the guidance of the Department of Defense relating to major defense acquisition programs, major systems, and major automated information systems includes a requirement that the acquisition strategy required under
section 2431a of this title for such a program or system includes—

“(A) a separate identification of the contract type for each acquisition phase of the program or system; and

“(B) a justification of the contract type identified.

“(2) The contract type identified in accordance with paragraph (1)(A) may be—

“(A) a fixed-price type contract (including a fixed-price incentive contract); or

“(B) a cost-type contract (including a cost-plus-incentive-fee contract).

“(3) The guidance referred to in paragraph (1) shall require that the justification for the contract type selected explain—

“(A) how the level of program risk in each acquisition phase relates to the contract type selected;

“(B) how the use of incentives (especially cost incentives) in the contract, if any, supports the program or system objectives during each acquisition phase; and

“(C) how the plans for the program or system to reduce risk enable the use of fixed-price elements in subsequent contracts.
“(4) The guidance shall also specify that the use of contracts with target costs, target profits or fees, and profit or fee adjustment formulas can be an appropriate contract type.”.

(b) REPEAL.—Section 818 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2306 note) is amended by striking subsections (b), (c), (d), and (e).

SEC. 825. REQUIRED DETERMINATION BEFORE MILESTONE A APPROVAL OR INITIATION OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) Determination Rather Than Certification Required.—Subsection (a) of section 2366a of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “Certification” and inserting “Written Determination Required”; and

(2) in the matter preceding paragraph (1), by striking “certifies” and inserting “determines, in writing,”.

(b) Submission of Written Determination to Congress.—Subsection (b) of such section is amended to read as follows:

“(b) Submission to Congress.—At the request of any of the congressional defense committees, the Secretary
of Defense shall submit to the committee an explanation
of the basis for a determination made under subsection
(a) with respect to a major defense acquisition program,
共同 with a copy of the written determination. The ex-
planation shall be submitted in unclassified form, but may
include a classified annex.”.

(e) Repeal of Unused Definitions.—Subsection
(c) of such section is amended—
(1) by striking paragraphs (2) and (4); and
(2) by redesignating paragraphs (3), (5), (6),
and (7) as paragraphs (2), (3), (4), and (5), respec-
tively.
(d) Clerical Amendments.—
(1) Section heading.—The heading of section
2366a of title 10, United States Code, is amended
to read as follows:

“§ 2366a. Major defense acquisition programs: deter-
mination required before Milestone A ap-
proval”.

(2) Table of sections.—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 new item:

“2366a. Major defense acquisition programs: determination required before
Milestone A approval.”.
SEC. 826. REQUIRED CERTIFICATION AND DETERMINATION BEFORE MILESTONE B APPROVAL OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) Determination Required in Addition to Certification.—Subsection (a) of section 2366b of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “CERTIFICATION” and inserting “CERTIFICATION AND DETERMINATION REQUIRED”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by striking “(3) further certifies that—” and inserting the following:

“(3) further 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;

“(4) determines, in writing, that—”.

(b) Submission of Written Determination to Congress.—Subsection (e) of such section is amended by adding at the end the following new paragraph:
“(3) At the request of any of the congressional defense committees, the Secretary of Defense shall submit to the committee an explanation of the basis for a determination made under subsection (a)(4) with respect to a major defense acquisition program, together with a copy of the written determination. The explanation shall be submitted in unclassified form, but may include a classified annex.”.

(e) National Security Waiver.—Subsection (d) of such section is amended—

(1) in paragraph (1), by striking “certification requirement” and inserting “certification and determination requirements”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A) and in subparagraph (A), by inserting “waiver” before “determination” each place it appears; and

(B) in subparagraph (B), by striking “certification components” both places it appears and inserting “certification and determination components”.

(d) Conforming Amendments.—Section 2366b of title 10, United States Code, is further amended—
(1) in subsection (b)(1), by striking “paragraph (1) or (2) of subsection (a)” and inserting “paragraph (1), (2), or (3) of subsection (a)”;

(2) in subsection (d)(1), by striking “paragraph (1), (2), or (3) of subsection (a)” and inserting “paragraph (1), (2), (3), or (4) of subsection (a)”;

and

(3) in subsection (d)(2)(B), by striking “paragraphs (1), (2), and (3) of subsection (a)” and inserting “paragraphs (1), (2), (3) and (4) of subsection (a)”.

(e) Clerical Amendments.—

(1) Section heading.—The heading of section 2366b of title 10, United States Code, is amended to read as follows:

“§ 2366b. Major defense acquisition programs: certification and determination required before Milestone B approval”.

(2) Table of sections.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2366b and inserting the following new item:

“2366b. Major defense acquisition programs: certification and determination required before Milestone B approval.”.
Subtitle D—Industrial Base
Matters

SEC. 831. CODIFICATION AND AMENDMENT OF MENTOR-
PROTEGE PROGRAM.

(a) In General.—Section 831 of the National De-
fense Authorization Act for Fiscal Year 1991 (Public Law
101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) is trans-
ferred to chapter 137 of title 10, United States Code, in-
serted so as to appear after section 2323a, redesignated
as section 2323b, and amended—

(1) by amending the section heading to read as
follows:

“§ 2323b. Mentor-Protege Program”;

(2) by striking “pilot” each place such term ap-
ppears;

(3) by amending subsection (e)(1) to read as
follows:

“(1) A developmental program for the protege
firm, in such detail as may be reasonable, includ-
ing—

“(A) factors to assess the protege firm’s
developmental progress under the program; and

“(B) the anticipated number and type of
subcontracts to be awarded to the protege
firm.”;
(4) in subsection (g)(2)(B), by striking “under subsection (l)(2)”;


(6) by striking subsection (j) and redesignating subsections (k) and (l) as subsections (j) and (k), respectively;

(7) by amending subsection (j) (as so redesignated) to read as follows:

“(j) REGULATIONS.—The regulations implementing the Mentor-Protege Pilot Program established under section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) as in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2016 shall apply to this section. The Secretary of Defense may revise such regulations or prescribe additional regulations necessary to carry out this section. The Department of Defense policy regarding the Mentor-Protege Program shall be published and maintained as an appendix to the Department of Defense Supplement to the Federal Acquisition Regulation.”;

(8) by striking “prescribed pursuant to subsection (k)” each place such term appears and inserting “described in subsection (j)”; and
(9) in subsection (k) (as so redesignated)—

   (A) in paragraph (1), by striking “means
a business concern that meets the requirements
of section 3(a) of the Small Business Act (15
U.S.C. 632(a)) and the regulations promulgated
pursuant thereto” and inserting “has the mean-
ing given such term under section 3 of the

   (B) in paragraph (2)—

      (i) in subparagraph (D), by striking
“the severely disabled” and inserting “se-
verely disabled individuals”; and

      (ii) in subparagraph (G), by inserting
“(15 U.S.C. 632(p))” after “Small Busi-
ness Act”; and

   (C) by amending paragraph (8) to read as
follows:

      “(8) The term ‘severely disabled individual’
means an individual who is blind (as defined in sec-
tion 8501 of title 41) or a severely disabled indi-
vidual (as defined in such section).”.

(b) CLERICAL AMENDMENT.—The table of sections
at the beginning of such chapter is amended by inserting
after the item relating to section 2323a the following new
item:

“2323b. Mentor-Protege Program.”.
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SEC. 832. AMENDMENTS TO DATA QUALITY IMPROVEMENT PLAN.

(a) In General.—Section 15(s) of the Small Business Act (15 U.S.C. 644(s)) is amended—

(1) by redesignating paragraph (4) as paragraph (6); and

(2) by inserting after paragraph (3) the following new paragraphs:

“(4) Implementation.—Not later than the first day of fiscal year 2017, the Administrator of the Small Business Administration shall implement the plan described in this subsection.

“(5) Certification.—The Administrator shall annually provide to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a certification of the accuracy and completeness of data reported on bundled and consolidated contracts.”.

(b) GAO Study.—

(1) Study.—Not later than the first day of fiscal year 2018, the Comptroller General of the United States shall initiate a study on the effectiveness of the plan described in section 15(s) of the Small Business Act (15 U.S.C. 644(s)) that shall as-
sess whether contracts were accurately labeled as
bundled or consolidated.

(2) CONTRACTS EVALUATED.—For the pur-
poses of conducting the study described in para-
graph (1), the Comptroller General of the United
States—

(A) shall evaluate, for work in each of sec-
tors 23, 33, 54, and 56 (as defined by the
North American Industry Classification Sys-
tem), not fewer than 100 contracts in each sec-
tor;

(B) shall evaluate only those contracts—

(i) awarded by an agency listed in sec-
tion 901(b) of title 31, United States
Code; and

(ii) that have a Base and Exercised
Options Value, an Action Obligation, or a
Base and All Options Value (as such terms
are defined in the Federal procurement
data system described in section
1122(a)(4)(A) of title 41, United States
Code, or any successor system); and

(C) shall not evaluate contracts that have
used any set aside authority.
(3) **Report.**—Not later than 12 months after initiating the study required by paragraph (1), the Comptroller General of the United States shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the results from such study and, if warranted, any recommendations on how to improve the quality of data reported on bundled and consolidated contracts.

**SEC. 833. NOTICE OF CONTRACT CONSOLIDATION FOR ACQUISITION STRATEGIES.**

(a) **Notice Requirement for the Senior Procurement Executive or Chief Acquisition Officer.**—Section 44(c)(2) of the Small Business Act (15 U.S.C. 657q(c)(2)) is amended by adding at the end the following:

“(C) **Notice.**—Not later than 7 days after making a determination that an acquisition strategy involving a consolidation of contract requirements is necessary and justified under subparagraph (A), the senior procurement executive or Chief Acquisition Officer shall publish a notice on a public website that such determination has been made. Any solicitation for a
procurement related to the acquisition strategy may not be published earlier than 7 days after such notice is published. Along with the publication of the solicitation, the senior procurement executive or Chief Acquisition Officer shall publish a justification for the determination, which shall include the information in subparagraphs (A) through (E) of paragraph (1).”.

(b) Notice Requirement for the Head of a Contracting Agency.—Section 15(e)(3) of the Small Business Act (15 U.S.C. 644(e)(3)) is amended to read as follows:

“(3) Strategy specifications.—If the head of a contracting agency determines that an acquisition plan for a procurement involves a substantial bundling of contract requirements, the head of a contracting agency shall publish a notice on a public website that such determination has been made not later than 7 days after making such determination. Any solicitation for a procurement related to the acquisition plan may not be published earlier than 7 days after such notice is published. Along with the publication of the solicitation, the head of a contracting agency shall publish a justification for the
determination, which shall include following information:

“(A) The specific benefits anticipated to be derived from the bundling of contract requirements and a determination that such benefits justify the bundling.

“(B) An identification of any alternative contracting approaches that would involve a lesser degree of bundling of contract requirements.

“(C) An assessment of—

“(i) the specific impediments to participation by small business concerns as prime contractors that result from the bundling of contract requirements; and

“(ii) the specific actions designed to maximize participation of small business concerns as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements.”.

(c) TECHNICAL AMENDMENT.—Section 44(c)(1) of the Small Business Act (15 U.S.C. 657q(c)(1)) is amended by striking “Subject to paragraph (4), the head” and inserting “The head”.

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SEC. 834. CLARIFICATION OF REQUIREMENTS RELATED TO
SMALL BUSINESS CONTRACTS FOR SERVICES.

(a) PROCUREMENT CONTRACTS.—Section 8(a)(17)
of the Small Business Act (15 U.S.C. 637(a)(17)) is
amended—

(1) in subparagraph (A), by striking “any pro-
curement contract” and all that follows through
“section 15” and inserting “any procurement con-
tract, which contract has as its principal purpose the
supply of a product to be let pursuant to this sub-
section or subsection (m), or section 15(a), 31, or
36,”; and

(2) by adding at the end the following new sub-
paragraph:

“(C) LIMITATION.—This paragraph shall not
apply to a contract that has as its principal purpose
the acquisition of services or construction.”.

(b) SUBCONTRACTOR CONTRACTS.—Section 46(a)(4)
of the Small Business Act (15 U.S.C. 657s(a)(4)) is
amended by striking “for supplies from a regular dealer
in such supplies” and inserting “which is principally for
supplies from a regular dealer in such supplies, and which
is not a contract principally for services or construction,”.
SEC. 835. REVIEW OF GOVERNMENT ACCESS TO INTELLECTUAL PROPERTY RIGHTS OF PRIVATE SECTOR FIRMS.

(a) Review Required.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct a review of:

(1) Department of Defense regulations, practices, and sustainment requirements related to Government access to and use of intellectual property rights of private sector firms; and

(2) Department of Defense practices related to the procurement, management, and use of intellectual property rights to facilitate competition in sustainment of weapon systems throughout their life-cycle. The contract shall require that in conducting the review, the independent entity shall consult with the National Defense Technology and Industrial Base Council (described in section 2502 of title 10, United States Code) and each Center of Industrial and Technical Excellence (described in section 2474 of title 10, United States Code).

(b) Report.—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report on the findings of the independent entity, along with a description of any actions that the Secretary proposes to revise and clarify laws or that the Secretary
may take to revise or clarify regulations related to intellectual property rights.

SEC. 836. 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 sub-

“(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 Author-
ization Act for Fiscal Year 2016 using funds available for
National Defense Sealift Fund programs or Shipbuilding
and Conversion, Navy.”.

SEC. 837. POLICY REGARDING SOLID ROCKET MOTORS
USED IN TACTICAL MISSILES.

(a) POLICY.—The Secretary of Defense shall ensure
that every tactical missile program of the Department of
Defense that uses solid propellant as the primary propul-
sion system shall have at least one rocket motor supplier
within the national technology and industrial base (as de-
finite in section 2500(1) of title 10, United States Code).

(b) WAIVER.—The Secretary may waive subsection
(a) in the case of compelling national security reasons.

SEC. 838. FAR COUNCIL MEMBERSHIP FOR ADMINIS-
TRATOR OF SMALL BUSINESS ADMINISTRA-
TION.

(a) ADDITION OF ADMINISTRATOR OF SMALL BUSI-
NESS ADMINISTRATION TO FEDERAL ACQUISITION REGU-
LATORY COUNCIL.—Section 1302(b)(1) of title 41, United
States Code, is amended—

(1) by striking “and” at the end of subpara-
graph (C);

(2) by striking the period and inserting “; and”
at the end of subparagraph (D); and
(3) by adding at the end the following new sub-
paragraph:

“(E) the Administrator of the Small Busi-
ness Administration.”.

(b) CONFORMING AMENDMENTS.—Such title is
amended—

(1) in section 1303(a)(1)—

(A) by striking “and the Administrator of
National Aeronautics and Space,” and inserting
“the Administrator of National Aeronautics and
Space, and the Administrator of the Small
Business Administration,”; and

(B) by striking “and the National Aero-
nautics and Space Act of 1958 (42 U.S.C. 2451
et seq.),” and inserting “the National Aero-
nautics and Space Act of 1958 (42 U.S.C. 2451
et seq.), and the Small Business Act (15 U.S.C.
631 et seq.),”; and

(2) in section 1121(d), by striking “and the
General Services Administration” and inserting “the
General Services Administration, and the Small
Business Administration”.

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SEC. 839. SURETY BOND REQUIREMENTS AND AMOUNT OF GUARANTEE.

(a) SURETY BOND REQUIREMENTS.—Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

“§ 9310. Individual sureties

“If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

“(1) consist of eligible obligations described under section 9303(a); and

“(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b).”; and

(2) in the table of contents for such chapter, by adding at the end the following:

“9310. Individual sureties.”.

(b) AMOUNT OF SURETY BOND GUARANTEE FROM SMALL BUSINESS ADMINISTRATION.—Section 411(c)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(1)) is amended by striking “70” and inserting “90”.

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(c) COMPTROLLER GENERAL STUDY ON SURETY BONDS.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study on the following:

(A) All instances during the 10-year period beginning on January 31, 2006, in which a surety bond proposed or issued by a surety in connection with a Federal project was—

(i) rejected by a Federal contracting officer; or

(ii) accepted by a Federal contracting officer, but was later found to have been backed by insufficient collateral or to be otherwise deficient or with respect to which the surety did not perform.

(B) The consequences to the Federal Government, subcontractors, and suppliers of the instances described under subparagraph (A).

(C) The percentages of all Federal contracts that were awarded to new startup businesses (including new startup businesses that are small disadvantaged businesses or disadvantaged business enterprises), small disadvan-
tagged businesses, and disadvantaged business enterprises as prime contractors during—

(i) the 2-year period beginning on January 31, 2014 and ending on January 31, 2016; and

(ii) the 2-year period beginning on January 31, 2016 and ending on January 31, 2018.

(D) An assessment of the impact of the amendments made by this section upon the percentages described in subparagraph (C).

(2) REPORT.—Not later than January 31, 2019, the Comptroller General shall issue a report to the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate containing all findings and determinations made in carrying out the study required under paragraph (1).

(3) DEFINITIONS.—In this subsection:

(A) DISADVANTAGED BUSINESS ENTERPRISE.—The term “disadvantaged business enterprise” has the meaning given that term under section 26.5 of title 49, Code of Federal Regulations.
(B) NEW STARTUP BUSINESS.—The term “new startup business” means a business that was formed in the 2-year period ending on the date on which the business bids on a Federal contract that requires giving a surety bond.

(C) SMALL DISADVANTAGED BUSINESS.—The term “small disadvantaged business” has the meaning given the term “socially and economically disadvantaged small business concern” under section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).

SEC. 840. CERTIFICATION REQUIREMENTS FOR PROCUREMENT CENTER REPRESENTATIVES, BUSINESS OPPORTUNITY SPECIALISTS, AND COMMERCIAL MARKET REPRESENTATIVES.

(a) PROCUREMENT CENTER REPRESENTATIVE REQUIREMENTS.—Section 15(l)(5)(A)(iii) of the Small Business Act (15 U.S.C. 644(l)(5)(A)(iii)) is amended by striking “except that” and all that follows through the period at the end and inserting the following: “except that—

“(I) any person serving in such a position on or before January 3, 2013, may continue to serve in that position for a period of 5 years begin-
ning on such date without the required certification; and

“(II) any person hired for such position after January 3, 2013, may have up to one calendar year from the date of employment to obtain the required certification.”.

(b) **BUSINESS OPPORTUNITY SPECIALIST REQUIREMENTS.**—

(1) **IN GENERAL.**—Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following new subsection:

“(g) **CERTIFICATION REQUIREMENTS FOR BUSINESS OPPORTUNITY SPECIALISTS.**—A Business Opportunity Specialist described under section 7(j)(10)(D) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that—

“(1) a Business Opportunity Specialist who was serving on or before January 3, 2013, may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on such date without such a certification; and

“(2) any person hired as a Business Opportunity Specialist after January 3, 2013, may have
up to one calendar year from the date of employment to obtain the required certification.”.

(2) CONFORMING AMENDMENT.—Section 7(j)(10)(D)(i) of such Act (15 U.S.C. 636(j)(10)(D)(i)) is amended by striking the second sentence.

(e) COMMERCIAL MARKET REPRESENTATIVE REQUIREMENTS.—Section 4 of the Small Business Act (15 U.S.C. 633), as amended by subsection (b)(1), is further amended by adding at the end the following new subsection:

“(h) CERTIFICATION REQUIREMENTS FOR COMMERCIAL MARKET REPRESENTATIVES.—A commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that—

“(1) a commercial market representative who was serving on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 may continue to serve as a commercial market representative for a period of 5 years beginning on such date without such a certification; and

“(2) any person hired as a commercial market representative after the date of the enactment of the
National Defense Authorization Act for Fiscal Year 2016 may have up to one calendar year from the date of employment to obtain the required certification.”.

SEC. 841. INCLUDING SUBCONTRACTING GOALS IN AGENCY RESPONSIBILITIES.

Section 1633(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2076; 15 U.S.C. 631 note) is amended by striking “assume responsibility for of the agency’s success in achieving small business contracting goals and percentages” and inserting “assume responsibility for the agency’s success in achieving each of the small business prime contracting and subcontracting goals and percentages”.

SEC. 842. MODIFICATIONS TO REQUIREMENTS FOR QUALIFIED HUBZONE SMALL BUSINESS CONCERNS LOCATED IN A BASE CLOSURE AREA.

(a) Period for Base Closure Areas.—

(1) Extension of period.—

(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 “for a period of 5 years” and inserting “for the later of—
“(A) 8 years from the date of final closure; or

“(B) the date designated by the Administrator of the Small Business Administration that is based on data of the Bureau of the Census obtained from the first decennial census conducted after the date of final closure.”.

(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 “the later of—

“(A) 8 years; or

“(B) the date designated by the Administrator of the Small Business Administration described in section 152(a)(2)(B) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note).”.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendments made by paragraph (1) shall—

(A) take effect on the date of the 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 the 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 installation 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 the enactment of this Act.

(b) ELIGIBLE AREA FOR EMPLOYEE RESIDENCE FOR BASE CLOSURE HUBZONES.—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
new item:

“(bb) pursuant to subparagraph (A), (B), (C), (D), or (E)
of paragraph (3), that its principal office is located within a
base closure area and that not fewer than 35 percent of its em-
ployees reside in such base closure area or in another
HUBZone; or”.

(c) Expansion of Area Included in Base Area
Closure Definition.—Section 3(p)(4)(D) of the Small
(1) in clause (iv), by striking the period at the
end and inserting “; and”;
(2) by redesignating clauses (i) through (iv) as
subclauses (I) through (IV), respectively;
(3) in the matter preceding subclause (I), as so
redesignated, by striking “means lands within” and
inserting the following: “means—
“(i) lands within”; and
(4) by adding at the end the following new clause:

“(ii) lands within 25 miles of the external boundaries of a military installation described in clause (i), excluding any such lands that are not within a qualified non-metropolitan county.”.

SEC. 843. JOINT VENTURING AND TEAMING.

(a) Joint Venture Offers for Bundled or Consolidated Contracts.—Section 15(e)(4) of the Small Business Act (15 U.S.C. 644(e)(4)) is amended to read as follows:

“(4) Contract teaming.—

“(A) In general.—In the case of a solicitation of offers for a bundled or consolidated contract that is issued by the head of an agency, a small business concern that provides for use of a particular team of subcontractors or a joint venture of small business concerns may submit an offer for the performance of the contract.

“(B) Evaluation of offers.—The head of the agency shall evaluate an offer described in subparagraph (A) in the same manner as other offers, with due consideration to the capa-
bilities of all of the proposed subcontractors or members of the joint venture as follows:

“(i) **TEAMS.**—When evaluating an offer of a small business prime contractor that includes a proposed team of small business subcontractors, the head of the agency shall consider the capabilities and past performance of each first tier subcontractor that is part of the team as the capabilities and past performance of the small business prime contractor.

“(ii) **JOINT VENTURES.**—When evaluating an offer of a joint venture of small business concerns, if the joint venture does not have sufficient capabilities or past performance to be considered for award of a contract opportunity, the head of the agency shall consider the capabilities and past performance of each member of the joint venture as the capabilities past performance of the joint venture.

“(C) **STATUS AS A SMALL BUSINESS CONCERN.**—Participation of a small business concern in a team or a joint venture under this paragraph shall not affect the status of that
concern as a small business concern for any
other purpose.”.

(b) TEAM AND JOINT VENTURES OFFERS FOR MULTIPLE AWARD CONTRACTS.—Section 15(q)(1) of such Act
(15 U.S.C. 644(q)(1)) is amended—

(1) in the heading, by inserting “AND JOINT VENTURE” before “REQUIREMENTS”;

(2) by striking “Each Federal agency” and insert-

“(A) IN GENERAL.—Each Federal agen-

cy”; and

(3) by adding at the end the following new sub-

paragraph:

“(B) TEAMS.—When evaluating an offer of

a small business prime contractor that includes

a proposed team of small business subcontrac-

tors for any multiple award contract above the

substantial bundling threshold of the Federal

agency, the head of the agency shall consider

the capabilities and past performance of each

first tier subcontractor that is part of the team

as the capabilities and past performance of the

small business prime contractor.

“(C) JOINT VENTURES.—When evaluating

an offer of a joint venture of small business
concerns for any multiple award contract above
the substantial bundling threshold of the Fed-
eral agency, if the joint venture does not have
sufficient capabilities or past performance to be
considered for award of a contract opportunity,
the head of the agency shall consider the capa-
bilities and past performance of each member of
the joint venture as the capabilities and past
performance of the joint venture.”.

SEC. 844. MODIFICATION TO AND SCORECARD PROGRAM
FOR SMALL BUSINESS CONTRACTING GOALS.

(a) Amendment to Governmentwide Goal for
Small Business Participation in Procurement
Contracts.—Section 15(g)(1)(A)(i) of the Small Busi-
ness Act (15 U.S.C. 644(g)(1)(A)(i) is amended by adding
at the end the following: “In meeting this goal, the Gov-
ernment shall ensure the participation of small business
concerns from a wide variety of industries and from a
broad spectrum of small business concerns within each in-
dustry.”.

(b) Scorecard Program for Evaluating Fed-
eral Agency Compliance With Small Business
Contracting Goals.—

(1) In general.—Not later than September
30, 2016, the Administrator of the Small Business
Administration, in consultation with the Federal agencies, shall—

(A) develop a methodology for calculating a score to be used to evaluate the compliance of each Federal agency with meeting the goals established pursuant to section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)); and

(B) develop a scorecard based on such methodology.

(2) AGENCY ANNUAL GOAL.—In developing the methodology for calculating a score described in paragraph (1), the Administrator shall consider each annual goal established by each Federal agency pursuant to section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)).

(3) USE OF SCORECARD.—Beginning in fiscal year 2017, the Administrator shall establish and carry out a program to use the scorecard developed under paragraph (1) to evaluate whether each Federal agency is creating the maximum practicable opportunities for the award of prime contracts and subcontracts to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business
concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, by assigning a score to each Federal agency. If the Administrator fails to establish and carry out this program before the end of fiscal year 2017, the Administrator may not exercise the authority under section 7(a)(25)(A) until such time as the program is implemented.

(4) CONTENTS OF SCORECARD.—The scorecard developed under paragraph (1) shall include, for each Federal agency, the following information:

(A) A determination of whether the Federal agency met each of the prime contract goals established pursuant to section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)) with respect to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.
(B) A determination of whether the Federal agency met each of the subcontract goals established pursuant to such section with respect to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(C) The number of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women awarded prime contracts in each North American Industrial Classification System code during the fiscal year and a comparison to the number awarded contracts during the prior fiscal year, if available.

(D) The number of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified
HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women awarded subcontracts in each North American Industrial Classification System code during the fiscal year and a comparison to the number awarded contracts during the prior fiscal year, if available.

(E) Any other factors that the Administrator deems important to achieve the maximum practicable utilization of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(5) Weighted Factors.—In using the scorecard to evaluate and assign a score to a Federal agency, the Administrator shall base—

(A) fifty percent of the score on the dollar value of prime contracts described in paragraph (4)(A); and
(B) fifty percent of the score on the information provided in subparagraphs (B) through (E) of paragraph (4), weighted in a manner determined by the Administrator to encourage the maximum practicable opportunity for the award of prime contracts and subcontracts to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(6) PUBLICATION.—The scorecard used by the Administrator under this subsection shall be submitted to the President and Congress along with the report submitted under section 15(h)(2) of the Small Business Act (15 U.S.C. 644(h)(2)).

(7) REPORT.—After the Administrator submits the scorecard for fiscal year 2018, but not later than March 31, 2019, the Administrator shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate. Such report shall include the following:
(A) A description of any increase in the dollar amount of prime contracts and subcontracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(B) A description of any increase in the dollar amount of prime contracts and subcontracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in each North American Industrial Classification System code.

(C) A description of any increase to the number of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small
business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women awarded contracts in each North American Industrial Classification System code.

(D) The recommendation of the Administrator on continuing, modifying, expanding, or terminating the program established under this subsection.

(8) GAO REPORT ON SCORECARD METHODOLOGY.—Not later than September 30, 2018, the Comptroller General of the United States shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report that—

(A) evaluates whether the methodology used to calculate a score under this subsection accurately and effectively—

(i) measures the compliance of each Federal agency with meeting the goals established pursuant to section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)); and
(ii) encourages Federal agencies to expand opportunities for small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women to compete for and be awarded Federal procurement contracts across North American Industrial Classification System Codes; and

(B) if warranted, makes recommendations on how to improve such methodology to improve its accuracy and effectiveness.

(9) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Small Business Administration.

(B) FEDERAL AGENCY.—The term “Federal agency” has the meaning given the term “agency” by section 551(1) of title 5, United States Code, but does not include the United
States Postal Service or the Government Accountability Office.

(C) SCORECARD.—The term “scorecard” shall mean any summary using a rating system to evaluate a Federal agency’s efforts to meet goals established under section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)) that—

(i) includes the measures described in paragraph (4); and

(ii) assigns a score to each Federal agency evaluated.

(D) SMALL BUSINESS ACT DEFINITIONS.—

(i) IN GENERAL.—The terms “small business concern”, “small business concern owned and controlled by service-disabled veterans”, “qualified HUBZone small business concern”, and “small business concern owned and controlled by women” shall have the meanings given such terms under section 3 of the Small Business Act (15 U.S.C. 632).

(ii) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED IN-
DIVIDUALS.—The term “small business concern owned and controlled by socially and economically disadvantaged individuals” has the meaning given that term under section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

SEC. 845. ESTABLISHMENT OF AN OFFICE OF HEARINGS AND APPEALS IN THE SMALL BUSINESS ADMINISTRATION; PETITIONS FOR RECONSIDERATION OF SIZE STANDARDS.

(a) Establishment of an Office of Hearings and Appeals in the Small Business Administration.—

(1) In general.—Section 5 of the Small Business Act (15 U.S.C. 634) is amended by adding at the end the following new subsection:

“(i) Office of Hearings and Appeals.—

“(1) Establishment.—

“(A) Office.—There is established in the Administration an Office of Hearings and Appeals—

“(i) to impartially decide matters relating to program decisions of the Administrator—
“(I) for which Congress requires a hearing on the record; or

“(II) that the Administrator designates for hearing by regulation; and

“(ii) which shall contain the office of the Administration that handles requests submitted pursuant to sections 552 of title 5, United States Code (commonly referred to as the ‘Freedom of Information Act’) and maintains records pursuant to section 552a of title 5, United States Code (commonly referred to as the ‘Privacy Act of 1974’).

“(B) JURISDICTION.—The Office of Hearings and Appeals shall only hear appeals of matters as described in this Act, the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), and title 13 of the Code of Federal Regulations.

“(C) ASSOCIATE ADMINISTRATOR.—The head of the Office of Hearings and Appeals shall be the Chief Hearing Officer appointed under section 4(b)(1), who shall be responsible to the Administrator.

“(2) CHIEF HEARING OFFICER DUTIES.—
“(A) In general.—The Chief Hearing Officer shall—

“(i) be a career appointee in the Senior Executive Service and an attorney licensed by a State, commonwealth, territory or possession of the United States, or the District of Columbia; and

“(ii) be responsible for the operation and management of the Office of Hearings and Appeals.

“(B) Alternative dispute resolution.—The Chief Hearing Officer may assign a matter for mediation or other means of alternative dispute resolution.

“(3) Hearing officers.—

“(A) In general.—The Office of Hearings and Appeals shall appoint Hearing Officers to carry out the duties described in paragraph (1)(A)(i).

“(B) Conditions of employment.—A Hearing Officer appointed under this paragraph—

“(i) shall serve in the excepted service as an employee of the Administration under section 2103 of title 5, United
States Code, and under the supervision of the Chief Hearing Officer;

“(ii) shall be classified at a position to which section 5376 of title 5, United States Code, applies; and

“(iii) shall be compensated at a rate not exceeding the maximum rate payable under such section.

“(C) Authority; Powers.—Notwithstanding section 556(b) of title 5, United States Code, a Hearing Officer—

“(i) shall have the authority to hear claims arising under section 554 of such title;

“(ii) shall have the powers described in section 556(c) of such title; and

“(iii) shall conduct hearings and issue decisions in the manner described under sections 555, 556, and 557 of such title, as applicable.

“(D) Treatment of Current Personnel.—An individual serving as a Judge in the Office of Hearings and Appeals (as that position and office are designated in section 134.101 of title 13, Code of Federal Regula-
tions) on the effective date of this subsection shall be considered as qualified to be, and re-designated as, a Hearing Officer.

“(4) HEARING OFFICER DEFINED.—In this subsection, the term ‘Hearing Officer’ means an individual appointed or redesignated under this subsection who is an attorney licensed by a State, commonwealth, territory or possession of the United States, or the District of Columbia.”.

(2) ASSOCIATE ADMINISTRATOR AS CHIEF HEARING OFFICER.—Section 4(b)(1) of such Act (15 U.S.C. 633(b)) is amended by adding at the end the following: “One such Associate Administrator shall be the Chief Hearing Officer, who shall administer the Office of Hearings and Appeals established under section 5(i).”.

(3) REPEAL OF REGULATION.—Section 134.102(t) of title 13, Code of Federal Regulations, as in effect on January 1, 2015, (relating to types of hearings within the jurisdiction of the Office of Hearings and Appeals) shall have no force or effect.

(b) PETITIONS FOR RECONSIDERATION OF SIZE STANDARDS FOR SMALL BUSINESS CONCERNS.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:
“(9) Petitions for reconsideration of size standards.—

“(A) In general.—A person may file a petition for reconsideration with the Office of Hearings and Appeals (as established under section 5(i)) of a size standard revised, modified, or established by the Administrator pursuant to this subsection.

“(B) Time limit.—A person filing a petition for reconsideration described in subparagraph (A) shall file such petition not later than 30 days after the publication in the Federal Register of the notice of final rule to revise, modify, or establish size standards described in paragraph (6).

“(C) Process for agency review.—The Office of Hearings and Appeals shall use the same process it uses to decide challenges to the size of a small business concern to decide a petition for review pursuant to this paragraph.

“(D) Judicial review.—The publication of a final rule in the Federal Register described in subparagraph (B) shall be considered final agency action for purposes of seeking judicial review. Filing a petition for reconsideration
under subparagraph (A) shall not be a condition precedent to judicial review of any such size standard.”.

SEC. 846. LIMITATIONS ON REVERSE AUCTIONS.

(a) Sense of Congress.—It is the sense of Congress that, when used appropriately, reverse auctions may improve the Federal Government’s procurement of commercially available commodities by increasing competition, reducing prices, and improving opportunities for small businesses.

(b) Limitations on Reverse Auctions.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 (15 U.S.C. 631 note) as section 48; and

(2) by inserting after section 46 the following new section:

“SEC. 47. LIMITATIONS ON REVERSE AUCTIONS.

“(a) Prohibition on Using Reverse Auctions for Covered Contracts.—In the case of a covered contract described in subsection (c), a reverse auction may not be used if the award of the contract is to be made under—

“(1) section 8(a);

“(2) section 8(m);

“(3) section 15(a);
“(4) section 15(j);
“(5) section 31; or
“(6) section 36.

“(b) LIMITATIONS ON USING REVERSE AUCTIONS.—
In the case of the award of a contract made under paragraphs (1) through (6) of subsection (a) that is not a covered contract, a reverse auction may be used for the award of such a contract, but only if the following requirements are met:

“(1) DECISIONS REGARDING USE OF A REVERSE AUCTION.—Subject to paragraph (2), the following decisions with respect to such a contract shall be made only by a contracting officer:

“(A) A decision to use a reverse auction as part of the competition for award of such a contract.

“(B) Any decision made after the decision described in subsection (A) regarding the appropriate evaluation criteria, the inclusion of vendors, the acceptability of vendor submissions (including decisions regarding timeliness), and the selection of the winner.

“(2) TRAINING REQUIRED.—Only a contracting officer who has received training on the appropriate use and supervision of reverse auctions may use or
supervise a reverse auction for the award of such a contract. The training shall be provided by, or simi-
lar to the training provided by, the Defense Acquisi-
tion University as described in section 824 of the
Carl Levin and Howard P. ‘Buck’ McKeon National
(Public Law 113–291).

“(3) NUMBER OF OFFERS; REVISIONS TO
BIDS.—A Federal agency may not award such a con-
tract using a reverse auction if only one offer is re-
ceived or if offerors do not have the ability to submit
revised bids with lower prices throughout the course
of the auction.

“(4) TECHNICALLY ACCEPTABLE OFFERS.—A
Federal agency awarding such a contract using a re-
verse auction shall evaluate the technical accept-
ability of offers only as technically acceptable or un-
acceptable.

“(5) USE OF PRICE RANKINGS.—A Federal
agency may not award such a contract using a re-
verse auction if at any time during the award proc-
ess the Federal agency misinforms an offeror about
the price ranking of the offeror’s last offer sub-
mied in relation to offers submitted by other
offerors.
“(6) USE OF THIRD-PARTY AGENTS.—If a Federal agency uses a third party agent to assist with the award of such a contract using a reverse auction, the Federal agency shall ensure that—

“(A) inherently governmental functions (as such term is used in section 2303 of title 41, United States Code) are not performed by private contractors, including by the third party agent;

“(B) information on the past contract performance of offerors created by the third party agent and shared with the Federal agency is collected, maintained, and shared in compliance with section 1126 of title 41, United States Code;

“(C) information on whether an offeror is a responsible source (as defined in section 113 of title 41, United States Code) that is created by the third party agent and shared with the Federal agency is shared with the offeror and complies with section 8(b)(7) of this Act; and

“(D) disputes between the third party agent and an offeror may not be used to justify a determination that an offeror is not a responsible source (as defined in section 113 of title
41, United States Code) or to otherwise restrict
the ability of an offeror to compete for the
award of such a contract or task or delivery
order.

“(c) DEFINITIONS.—In this section:

“(1) CONTRACTING OFFICER.—The term ‘con-
tracting officer’ has the meaning given that term in
section 2101(1) of title 41, United States Code.

“(2) COVERED CONTRACT.—The term ‘covered
contract’ means a contract—

“(A) for design and construction services;

“(B) for goods purchased to protect Fed-
eral employees, members of the Armed Forces,
or civilians from bodily harm; or

“(C) for goods or services other than those
goods or services described in subparagraph (A)
or (B)—

“(i) to be awarded based on factors
other than price and technical responsi-

“(ii) if awarding the contract requires
the contracting officer to conduct discus-
sions with the offerors about their offer.

“(3) DESIGN AND CONSTRUCTION SERVICES.—
The term ‘design and construction services’ means—
“(A) site planning and landscape design;
“(B) architectural and interior design;
“(C) engineering system design;
“(D) performance of construction work for facility, infrastructure, and environmental restora- tion projects;
“(E) delivery and supply of construction materials to construction sites;
“(F) construction, alteration, or repair, including painting and decorating, of public buildings and public works; and
“(G) architectural and engineering services as defined in section 1102 of title 40, United States Code.
“(4) REVERSE AUCTION.—The term ‘reverse auction’, with respect to procurement by an agency, means an auction between a group of offerors who compete against each other by submitting offers for a contract or task or delivery order with the ability to submit revised offers with lower prices throughout the course of the auction.”.

SEC. 847. SENSE OF CONGRESS ON PROCUREMENT OF FIRE HOSES.

(a) FINDINGS.—
(1) The General Services Administration has historically procured specialized fire hoses designed for combating wildfires used by the Forest Service.

(2) A memorandum of agreement was signed on February 5, 2014, by the Administrator of General Services and the Director of the Defense Logistics Agency designating the Defense Logistics Agency as the integrated material manager and source of supply for such fire hoses.

(3) While the intent of this agreement was to secure efficiencies in procurement and cost savings for the Government, the transfer of procurement authority to the Department of Defense had the unintentional effect of requiring all suppliers of such fire hoses to comply with the domestic sourcing requirements of section 2533a of title 10, United States Code, also known as the Berry Amendment.

(4) There is currently only one known provider of such fire hoses and that provider is not fully compliant with the domestic sourcing requirements of the Berry Amendment.

(5) As a result of the designation of the Defense Logistic Agency as the integrated material manager for the procurement of such fire hoses and the new requirement for compliance with the Berry
Amendment, the Forest Service does not anticipate the ability to procure the necessary number of fire hoses before the fire season begins in early June and is currently facing a shortfall of 56,000 hoses out of the 93,000 required. According to the Chief of the Forest Service, this shortfall represents a critical risk to a number of States that are likely to experience a season of above average wildfire activity.

(6) During the period of May 1, 2014, through May 5, 2015, less than 9 percent of quantities of such hoses purchased by the Defense Logistics Agency were procured for the purposes of the Department of Defense.

(b) SENSE OF CONGRESS.—Based on the findings in subsection (a), it is the sense of Congress that procurement authority for specialized fire hoses for the United States Forest Service should be reestablished as an activity of the General Services Administration.

**Subtitle E—Other Matters**

**SEC. 851. ADDITIONAL RESPONSIBILITY FOR DIRECTOR OF OPERATIONAL TEST AND EVALUATION.**

(a) ADDITIONAL RESPONSIBILITY.—Section 139 of title 10, United States Code, is amended—
(1) by redesignating subsections (c), (d), (e), (f), (g), (h), (i), (j), and (k) as subsections (d), (e), (f), (g), (h), (i), (j), (k), and (l), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) The Director shall consider the potential for increases in program cost estimates or delays in schedule estimates in the implementation of policies, procedures, and activities related to operational test and evaluation and shall take appropriate action to ensure that operational test and evaluation activities do not unnecessarily increase program costs or impede program schedules.”.

(b) Conforming Amendment.—Section 196(c)(1)(A)(ii) of such title is amended by striking “section 139(i)” and inserting “section 139(k)”.

SEC. 852. USE OF RECENT PRICES PAID BY THE GOVERNMENT IN THE DETERMINATION OF PRICE REASONABILITY.

Section 2306a(b) of title 10, United States Code, as amended by section 804, is further amended by adding at the end the following new paragraph:

“(5) A contracting officer shall consider evidence provided by an offeror of recent purchase prices paid by the Government for the same or similar commercial items in establishing price reason-
ableness on a subsequent purchase if the contracting
officer is satisfied that the prices previously paid re-
main a valid reference for comparison after consid-
ering the totality of other relevant factors such as
the time elapsed since the prior purchase and any
differences in the quantities purchased or applicable
terms and conditions.”.

SEC. 853. CODIFICATION OF OTHER TRANSACTION AU-
THORITY FOR CERTAIN PROTOTYPE
PROJECTS.

(a) IN GENERAL.—Section 845 of the National De-
fense Authorization Act for Fiscal Year 1994 (Public Law
103–160; 10 U.S.C. 2371 note) is transferred to chapter
139 of title 10, United States Code, inserted so as to ap-
pear after section 2371a, redesignated as section 2371b,
and amended—

(1) by amending the section heading to read as
follows:

“§ 2371b. Authority of the Advanced Research
Projects Agency to carry out certain pro-
totype projects”;

(2) by striking “of title 10, United States
Code” each place it appears and inserting “of this
title”;
(3) by striking “of title 41, United States Code” each place it appears and inserting “of title 41”;

(4) by amending subparagraph (B) of subsection (d)(1) to read as follows:

“(B) all parties to the transaction other than the Federal Government are innovative small business and nontraditional contractors with unique capabilities relevant to the prototype project.”; and

(5) by striking subsection (i).

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2371a the following new item:

“2371b. Authority of the Advanced Research Projects Agency to carry out certain prototype projects.”.

SEC. 854. AMENDMENTS TO CERTAIN ACQUISITION THRESHOLDS.

(a) Simplified Acquisition Threshold Generally.—Section 134 of title 41, United States Code, is amended by striking “$100,000” and inserting “$500,000”.

(b) Micro-Purchase Threshold.—Section 1902(a) of title 41, United States Code, is amended by striking “$3,000” and inserting “$5,000”.
(c) **Special Emergency Procurement Authority.**—Section 1903(b)(2) of title 41, United States Code, is amended—

(1) in subparagraph (A), by striking “$250,000” and inserting “$750,000”; and

(2) in subparagraph (B), by striking “$1,000,000” and inserting “$1,500,000”.

(d) **Small Business Concern Reservation.**—

Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking “$100,000” and inserting “$500,000”.

(e) **Limitation.**—Subsection (a) shall not apply to a covered item as defined in subparagraphs of (B), (C), (D), or (E) of section 2533a(b)(1) of title 10, United States Code.

**SEC. 855. Revision of Method of Rounding When Making Inflation Adjustment of Acquisition-Related Dollar Thresholds.**

Section 1908(e)(2) of title 41, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “on the day before the adjustment” and inserting “as calculated under paragraph (1)”; and

(2) by striking “and” at the end of subparagraph (C); and
(3) by striking subparagraph (D) and inserting the following new subparagraphs:

“(D) not less than $1,000,000, but less than $10,000,000, to the nearest $500,000;

“(E) not less than $10,000,000, but less than $100,000,000, to the nearest $5,000,000;

“(F) not less than $100,000,000, but less than $1,000,000,000, to the nearest $50,000,000; and

“(G) $1,000,000,000 or more, to the nearest $500,000,000.”.

SEC. 856. 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 realigning those paragraphs so as to be two ems from the left margin; 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” at the end 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 item relating to such section in the table of sections at the beginning of chapter 144 of such title is amended to read as follows:

“2434. Independent cost estimates.”.
SEC. 857. EXAMINATION AND GUIDANCE RELATING TO
OVERSIGHT AND APPROVAL OF SERVICES
CONTRACTS.

Not later than March 1, 2016, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(1) complete an examination of the decision authority related to acquisition of services; and

(2) develop and issue guidance to improve capabilities and processes related to requirements development and source selection for, and oversight and management of, services contracts.

SEC. 858. STREAMLINING OF REQUIREMENTS RELATING TO
DEFENSE BUSINESS SYSTEMS.

(a) IN GENERAL.—

(1) REVISION.—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) supports efficient business processes that have been reviewed, and as appropriate revised, through business process reengineering;

“(2) is integrated into a comprehensive defense business enterprise architecture; and

“(3) is managed in a manner that provides visibility into, and traceability of, expenditures for the system.

“(b) 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, as appropriate, for the guidance of the Secretary issued under paragraph (1).
“(c) GUIDANCE ELEMENTS.—The guidance issued under subsection (b)(1) shall include the following elements:

“(1) Policy to ensure that the business processes of the Department of Defense are continuously reviewed and revised—

“(A) to implement the most streamlined and efficient business processes practicable;

“(B) to enable the use of commercial off-the-shelf business systems with the fewest changes necessary to accommodate requirements and interfaces that are unique to the Department of Defense;

“(C) to evaluate commercial off-the-shelf business systems for security, resilience, reliability, interoperability, and integration with existing interrelated systems where such system integration and interoperability are essential to Department of Defense operations;

“(D) to work with commercial off-the-shelf business system developers and owners in adapting systems for Department of Defense use;

“(E) to work with commercial off-the-shelf business system developers and owners where
necessary to evaluate the feasibility of making the necessary changes where needed to adapt systems for Department of Defense use;

“(F) to perform Department of Defense system audits to determine which systems are related to or rely upon the system to be replaced or integrated with commercial off-the-shelf business systems;

“(G) to include data mapping as a step in the testing of commercial off-the-shelf business systems prior to deployment; and

“(H) to perform full backup of systems that will be changed or replaced by the installation of commercial off-the-shelf business systems prior to installation and deployment to ensure reconstitution of the system to a functioning state should it become necessary.

“(2) A process to establish requirements for covered defense business systems.

“(3) Mechanisms for the planning and control of investments in covered defense business systems, including a process for the collection and review of programming and budgeting information for covered defense business systems.
“(4) 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.

“(d) DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.—

“(1) BLUEPRINT.—The Secretary, working through the Deputy Chief Management Officer of the Department of Defense, shall develop and maintain a blueprint to guide the development of integrated business processes within the Department of Defense. Such blueprint shall be known as the ‘defense business enterprise architecture’.

“(2) PURPOSE.—The defense business enterprise architecture shall be sufficiently defined to effectively guide implementation of interoperable defense business system solutions and shall be consistent with the policies and procedures established by the Director of the Office of Management and Budget.

“(3) ELEMENTS.—The defense business enterprise architecture shall—

“(A) include policies, procedures, business data standards, business performance measures, and business information requirements that
apply uniformly throughout the Department of Defense; and

“(B) enable the Department of Defense to—

“(i) comply with all applicable law, including Federal accounting, financial management, and reporting requirements;

“(ii) routinely produce verifiable, timely, accurate, and reliable business and financial information for management purposes; and

“(iii) integrate budget, accounting, and program information and systems.

“(4) INTEGRATION INTO INFORMATION TECHNOLOGY ARCHITECTURE.—(A) The defense business enterprise architecture shall be integrated into the information technology enterprise architecture required under subparagraph (B).

“(B) The Chief Information Officer of the Department of Defense shall develop an information technology enterprise architecture. The architecture shall describe a plan for improving the information technology and computing infrastructure of the Department of Defense, including for each of the major
business processes conducted by the Department of
Defense.

“(e) DEFENSE BUSINESS COUNCIL.—

“(1) REQUIREMENT FOR COUNCIL.—The Sec-
rectary shall establish a Defense Business Council to
provide advice to the Secretary on developing the de-
fense business enterprise architecture, reengineering
the Department’s business processes, and require-
ments for defense business systems. The Council
shall be chaired by the Deputy Chief Management
Officer and the Chief Information Officer of the De-
partment of Defense.

“(2) MEMBERSHIP.—The membership of the
Council shall include the following:

“(A) The Chief Management Officers of
the military departments, or their designees.

“(B) The following officials of the Depart-
ment of Defense, or their designees:

“(i) The Under Secretary of Defense
for Acquisition, Technology, and Logistics
with respect to acquisition, logistics, and
installations management processes.

“(ii) The Under Secretary of Defense
(Comptroller) with respect to financial
management and planning and budgeting processes.

“(iii) The Under Secretary of Defense for Personnel and Readiness with respect to human resources management processes.

“(f) APPROVALS REQUIRED FOR DEVELOPMENT.—

“(1) INITIAL APPROVAL REQUIRED.—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 official (as specified in paragraph (2)) approves the program by determining that the covered defense business system concerned—

“(A) supports a business process that has been, or is being as a result of the acquisition program, reengineered to be as streamlined and efficient as practicable consistent with the guidance issued pursuant to subsection (b), including business process mapping;

“(B) is in compliance with the defense business enterprise architecture developed pursuant to subsection (d) or will be in compliance as a result of modifications planned;
“(C) has valid, achievable requirements;
and
“(D) is in compliance with the Department’s auditability requirements.
“(2) APPROPRIATE OFFICIAL.—For purposes of paragraph (1), the appropriate approval official with respect to a covered defense business system is the following:
“(A) In the case of a system of a military department, the Chief Management Officer of that military department.
“(B) In the case of a system of a Defense Agency or Defense Field Activity or a system that will support the business process of more than one military department or Defense Agency or Defense Field Activity, the Deputy Chief Management Officer of the Department of Defense.
“(C) In the case of any system, such official other than the applicable official under subparagraph (A) or (B) as the Secretary designates for such purpose.
“(3) ANNUAL CERTIFICATION.—For any fiscal year in which funds are expended for development pursuant to a covered defense business system pro-
gram, the Defense Business Council shall review the system and certify (or decline to certify as the case may be) that it continues to satisfy the requirements of paragraph (1). If the Council determines that certification cannot be granted, the chairman of the Council shall notify the appropriate approval official and the acquisition Milestone Decision Authority for the program and provide a recommendation for corrective action.

“(4) Obligation of funds in violation of requirements.—The obligation of Department of Defense funds for a covered defense business system program that has not been certified in accordance with paragraph (3) is a violation of section 1341(a)(1)(A) of title 31.

“(g) Responsibility of Milestone Decision Authority.—The Secretary shall ensure that, as part of the defense acquisition system, the requirements of this section are fully addressed by the Milestone Decision Authority for a covered defense business system program as acquisition process approvals are considered for such system.

“(h) Annual report.—Not later than March 15 of each year from 2016 through 2020, the Secretary shall submit to the congressional defense committees a report
on activities of the Department of Defense pursuant to this section. Each report shall include the following:

“(1) A description of actions taken and planned with respect to the guidance required by subsection (b) and the defense business enterprise architecture developed pursuant to subsection (d).

“(2) A description of actions taken and planned for the reengineering of business processes by the Defense Business Council established pursuant to subsection (e).

“(3) A summary of covered defense business system funding and covered defense business systems approved pursuant to subsection (f).

“(4) Identification of any covered defense business system program that during the preceding fiscal year was reviewed and not approved pursuant to subsection (f) and the reasons for the lack of approval.

“(5) Identification of any covered defense business system program that during the preceding fiscal year failed to achieve initial operational capability within five years after the date the program received Milestone B approval.
“(6) For any program identified under paragraph (5), a description of the plan to address the issues that caused the failure.

“(7) A discussion of specific improvements in business operations and cost savings resulting from successful covered defense business systems programs.


“(i) Definitions.—In this section:

“(1)(A) Defense business system.—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 the threshold established for the use of special
simplified acquisition procedures pursuant to section 2304(g)(1)(B) of this title.

“(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) ENTERPRISE ARCHITECTURE.—The term ‘enterprise architecture’ has the meaning given that term in section 3601(4) of title 44.

“(5) INFORMATION SYSTEM.—The term ‘information system’ has the meaning given that term in section 11101 of title 40.

“(6) NATIONAL SECURITY SYSTEM.—The term ‘national security system’ has the meaning given that term in section 3542(b)(2) of title 44.

“(7) 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.

“(8) 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 sec-
tions at the beginning of such chapter is amended
by striking the item relating to section 2222 and in-
serting the following new item:

“2222. Defense business systems: business process reengineering; enterprise ar-
chitecture; management.”.

(b) DEADLINE FOR GUIDANCE.—The guidance re-
quired 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.

(c) REPEAL.—Section 811 of the John Warner Na-
(Public Law 109–364; 10 U.S.C. 2222 note) is repealed.

SEC. 859. CONSIDERATION OF STRATEGIC MATERIALS IN
PRELIMINARY DESIGN REVIEW.

(a) CONSIDERATION.—The Under Secretary of De-
fense for Acquisition, Technology, and Logistics shall en-
sure that Department of Defense Instruction 5000.02 and
other applicable guidance receive full consideration, during
preliminary design review for a product, with respect to
any strategic materials required for sustainment of the
product over the life cycle of the product.
(b) **Strategic Materials.**—In this section, the term “strategic materials” means—

(1) materials critical to national security, as defined in section 187(e)(1) of title 10, United States Code; and

(2) any specialty metal, as defined in section 2533b(l) of such title.

**SEC. 860. PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT.**

(a) **Requirement.**—The Secretary of Defense shall use best value tradeoff source selection methods to the maximum extent practicable when procuring an item of personal protective equipment or critical safety items.

(b) **Personal Protective Equipment Defined.**—In this section, the term “personal protective equipment” includes the following:

(1) Body armor components.

(2) Combat helmets.

(3) Combat protective eyewear.

(4) Environmental and fire resistant clothing.

(5) Footwear.

(6) Organizational clothing and individual equipment.

(7) Other critical safety items as determined appropriate by the Secretary.
SEC. 861. AMENDMENTS CONCERNING DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.

Section 818(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2302 note) is amended—

(1) in clause (i), by inserting “electronic” after “avoid counterfeit”;

(2) in clause (ii)—

(A) by inserting “covered” after “provided to the”; and

(B) by inserting “or were obtained by the covered contractor in accordance with regulations described in paragraph (3)” after “Regulation”; and

(3) in clause (iii), by inserting “discovers the counterfeit electronic parts or suspect counterfeit electronic parts and” after “contractor”.

SEC. 862. REVISION TO DUTIES OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION AND THE DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR SYSTEMS ENGINEERING.

Section 139b of title 10, United States Code, is amended—

(1) in subsection (a)(5)—
(A) in subparagraph (B), by striking “review and approve or disapprove” and inserting “advise in writing the milestone decision authority regarding review and approval of”; and

(B) in subparagraph (C), by inserting “in order to advise relevant technical authorities for such programs on the incorporation of best practices for developmental test from across the Department” after “programs”; and

(2) in subsection (b)(5)—

(A) in subparagraph (B), by striking “review and approve” and inserting “advise in writing the milestone decision authority regarding review and approval of”; and

(B) in subparagraph (C), by inserting “in order to advise relevant technical authorities for such programs on the incorporation of best practices for systems engineering from across the Department” after “programs”.

SEC. 863. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489), as most recently amended by section 813 of the

(1) in subsections (a) and (b), by striking “or 2015” and inserting “2015, or 2016”;

(2) in subsection (c)(3), by striking “and 2015” and inserting “2015, and 2016”;

(3) in subsection (d)(4), by striking “or 2015” and inserting “2015, or 2016”; and

(4) in subsection (e), by striking “2015” and inserting “2016”.

SEC. 864. USE OF LOWEST PRICE, TECHNICALLY ACCEPTABLE EVALUATION METHOD FOR PROCUREMENT OF AUDIT OR AUDIT READINESS SERVICES.

(a) FINDINGS.—Congress finds the following:

(1) Given the size and scope of the Department of Defense, the effort to finish and institutionalize auditability is one of the more challenging management tasks that has ever faced the Department.

(2) The acquisition of services by the Department abides by many rules and parameters, one of which is the lowest price, technically acceptable (LPTA) evaluation method.
(3) The Department’s audit effort is extremely complicated, requiring personnel and assistance who have the financial management and auditor skills that a non-independent public accounting firm or a non-credentialed firm offering the lowest price may not have.

(4) In order for the Department to meet the September 30, 2017, audit readiness statutory deadline and the March 31, 2019, audit of fiscal year 2018 statutory deadline, it is imperative that the Department not sacrifice contracts with firms who have the proper credentials and expertise to meet these deadlines.

(5) The LPTA evaluation method is appropriate for commercial or non-complex services or supplies where the requirement is clearly definable and the risk of unsuccessful contract performance is minimal. However, audit and audit readiness services are complex and evolving.

(b) REQUIREMENTS BEFORE USING LPTA EVALUATION METHOD.—Before using the lowest price, technically acceptable evaluation method for the procurement of audit or audit readiness services, the Secretary of Defense shall—
(1) establish the values and metrics for the services being procured, including domain expertise and experience, size and scope of offeror’s team, personnel qualifications and certifications, technology, and tools; and

(2) review each offeror’s past performance requirements.

SEC. 865. EXCEPTION FOR ABILITYONE PRODUCTS FROM AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN AFGHANISTAN, CENTRAL ASIAN STATES, AND DJIBOUTI.

(a) Exception for Certain Items Not Produced 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) Exception for Items on the AbilityOne Procurement List.—The requirements of this section shall not apply to any product that is included in the procurement list described in section 8503(a) of title 41.”.
(b) Exception for Certain Items Not Produced in Central Asian States.—Section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2400) 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) Exception for Items on the AbilityOne Procurement List.—The requirements of this section shall not apply to any product that is included in the procurement list described in section 8503(a) of title 41.”.

(c) Exception for Certain Items Not Produced 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) 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) Exception for Items on the AbilityOne Procurement List.—The requirements of this section
shall not apply to any product that is included in the procure-ment list described in section 8503(a) of title 41.”.

SEC. 866. EFFECTIVE COMMUNICATION BETWEEN GOVERN-
MENT AND INDUSTRY.

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe a regulation making clear that agency acquisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry, so long as those exchanges are consistent with existing law and regulation and do not promote an unfair competitive advantage to particular firms.

SEC. 867. STRENGTHENING PROGRAM AND PROJECT MAN-
AGEMENT PERFORMANCE.

(a) PLAN ON STRENGTHENING PROGRAM AND PROJECT MANAGEMENT PERFORMANCE.—Not later than 180 days following the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Director of the Office of Personnel Management, shall submit to the relevant congressional committees a plan for improving management of IT programs and projects.

(b) MATTERS COVERED.—The plan required by subsection (a) shall include, at a minimum, the following:
(1) Creation of a specialized career path for program management.

(2) The development of a competency model for program management consistent with the IT project manager model.

(3) A career advancement model that requires appropriate expertise and experience for advancement.

(4) A career advancement model that is more competitive with the private sector and that recognizes both Government and private sector experience.

(e) COMBINATION WITH OTHER CADRES PLAN.—

The Director may combine the plan required by subsection (a) with the acquisition human capital plans that were developed pursuant to the October 27, 2009, guidance issued by the Administrator for Federal Procurement Policy in furtherance of section 1704(g) of title 41, United States Code (originally enacted as section 869 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4553)), to address how the agencies are meeting their human capital requirements to support the timely and effective acquisition of information technology.
SEC. 868. SYCHRONIZATION OF DEFENSE ACQUISITION CURRICULA.

Section 1746(c) of title 10, United States Code, is amended—

(1) by striking “The” and inserting “(1) The”;

and

(2) by adding at the end the following:

“(2) The President of such University shall also convene a review board annually with faculty representatives from relevant professional schools and degree-granting institutions of the Department of Defense and military departments, such as the service academies, the Naval Postgraduate School, and other similar schools and institutions, in order to review and synchronize defense acquisition curricula across the entire Department of Defense.”.

SEC. 869. RESEARCH AND ANALYSIS OF DEFENSE ACQUISITION POLICY.

Section 1746(a) of title 10, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) research and analysis of defense acquisition policy issues from academic institutions, such as the Naval Postgraduate School and other Department of Defense schools, that offer in-depth analysis of the entire defense acquisition decision support
system from both a business and public policy perspective and from an operational and information sciences perspective.”.

SEC. 870. STANDARDS FOR OROCUREMENT OF SECURE INFORMATION TECHNOLOGY AND CYBER SECURITY SYSTEMS.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment of the application of the Open Trusted Technology Provider Standard to Department of Defense procurements for information technology and cyber security acquisitions and provide a briefing to the Committee on Armed Services of the House of Representatives not later than one year after the date of the enactment of this Act.

(b) ELEMENTS.—The assessment and briefing required by subsection (a) shall include the following:

(1) Assessment of the current Open Trusted Technology Provider Standard to determine what aspects might be adopted by the Department of Defense and where additional development of the standard may be required.

(2) Identification of the types or classes of programs where the standard might be applied most effectively, as well as identification of types or classes
of programs that should specifically be excluded from consideration.

(3) Assessment of the impact on current acquisition regulations or policies of the adoption of the standard.

(4) Recommendations the Secretary may have related to the adoption of the standard or improvement in the standard to support Department acquisitions.

(5) Any other matters the Secretary may deem appropriate.

SEC. 871. MODIFICATIONS TO THE JUSTIFICATION AND APPROVAL PROCESS FOR CERTAIN SOLE-SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS.

(a) REPEAL OF SIMPLIFIED JUSTIFICATION AND APPROVAL PROCESS.—Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2405; 41 U.S.C. 3304 note) is repealed.

(b) REQUIREMENTS FOR JUSTIFICATION AND APPROVAL PROCESS.—

(1) DEFENSE PROCUREMENTS.—Section 2304(f)(2)(D)(ii) of title 10, United States Code, is amended by inserting “if such procurement is for
property or services in an amount less than
$20,000,000” before the semicolon at the end.

(2) CIVILIAN PROCUREMENTS.—Section
3304(e)(4) of title 41, United States Code, is
amended—

(A) in subparagraph (C), by striking “or”
at the end;

(B) in subparagraph (D), by striking “or
section 8(a) of the Small Business Act (15
U.S.C. 637(a)).” and inserting “; or”; and

(C) by adding at the end the following new
subparagraph:

“(E) the procurement is for property or
services in an amount less than $20,000,000
and is conducted under section 8(a) of the
Small Business Act (15 U.S.C. 637(a)).”.

TITLE IX—DEPARTMENT OF DE-
FENSE ORGANIZATION AND
MANAGEMENT

SEC. 901. REDESIGNATION OF THE DEPARTMENT OF THE

NAVY AS THE DEPARTMENT OF THE NAVY

AND MARINE CORPS.

(a) Redesignation of the Department of the

Navy as the Department of the Navy and Marine

Corps.—
(1) Redesignation of military department.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(2) Redesignation of secretary and other statutory offices.—

(A) Secretary.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(B) Other statutory offices.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

(b) Conforming amendments to title 10, United States Code.—

(1) Definition of “military department”.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:
“(8) The term ‘military department’ means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.”.

(2) Organization of Department.—The first sentence of section 5011 of such title is amended to read as follows: “The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.”.

(3) Position of Secretary.—Section 5013(a)(1) of such title is amended by striking “There is a Secretary of the Navy” and inserting “There is a Secretary of the Navy and Marine Corps”.

(4) Chapter headings.—

(A) The heading of chapter 503 of such title is amended to read as follows:

“CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS”.

(B) The heading of chapter 507 of such title is amended to read as follows:


(5) Other amendments.—
(A) Title 10, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking “Assistant Secretaries of the Navy” and inserting “Assistant Secretaries of the Navy and Marine Corps”.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting “and Marine Corps” after “of the Navy”, with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.
(c) Other Provisions of Law and Other References.—

(1) Title 37, United States Code.—Title 37, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively.

(2) Other References.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in subsection (a)(2) shall be considered to be a reference to that office as redesignated by that section.

(d) Effective Date.—This section and the amendments made by this section shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.
SEC. 902. CHANGE OF PERIOD FOR CHAIRMAN OF THE JOINT CHIEFS OF STAFF REVIEW OF THE UNIFIED COMMAND PLAN.

Section 161(b)(1) of title 10, United States Code, is amended by striking “two years” and inserting “four years”.

SEC. 903. UPDATE OF STATUTORY SPECIFICATION OF FUNCTIONS OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO JOINT FORCE DEVELOPMENT ACTIVITIES.

Section 153(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(F) Advising the Secretary on development of joint command, control, communications, and cyber capability, including integration and interoperability of such capability, through requirements, integrated architectures, data standards, and assessments.”.

SEC. 904. SENSE OF CONGRESS ON THE UNITED STATES MARINE CORPS.

(a) FINDINGS.—Congress finds the following:

(1) As senior United States statesman Dr. Henry Kissinger wrote in testimony submitted to the Senate Armed Services Committee on January 29, 2015, “The United States has not faced a more di-
verse and complex array of crises since the end of
the Second World War.”.

(2) The rise of non-state forces and near peer
competitors has introduced destabilizing pressures
around the globe.

(3) Advances in information and weapons tech-
ology have reduced the time available for the
United States to prepare for and respond to crises
against both known and unknown threats.

(4) The importance of the maritime domain
cannot be overstated. As acknowledged in the March
2015 Navy, Marine Corps, and Coast Guard mari-
time strategy, “A Cooperative Strategy for 21st
Century Seapower”: “Oceans are the lifeblood of the
interconnected global community. . . 90 percent of
trade by volume travels across the oceans. Approxi-
mately 70 percent of the world’s population lives
within 100 miles of the coastline.”.

(5) The United States must be prepared to rap-
idly respond to crises around the world regardless of
the nation’s fiscal health.

(6) In this global security environment, it is
critical that the nation possess a maritime force
whose mission and ethos is readiness—a fight to-
night force, forward deployed, that can respond im-
mediately to emergent crises across the full range of
military operations around the globe either from the
sea or home station.

(7) The need for such a force was recognized by
the 82nd Congress after the major wars of the twen-
tieth century, 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.

(b) Sense of Congress.—

(1) It is the sense of Congress that—

(A) the Marine Corps, within the Depart-
ment of the Navy, remain the Nation’s expedi-
tionary, crisis response force;

(B) the need for such a force with such a
capability has never been greater; and

(C) accordingly, in recognition of this need
and the wisdom of the 82nd Congress, the
114th Congress reaffirms section 5063 of title
10, United States Code, uniquely charging the
United States Marine Corps with this responsi-
bility.

(2) It is further the sense of Congress that the
Marine Corps—

(A) shall—
(i) be organized to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein;

(ii) 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

(iii) provide detachments and organizations for service on armed vessels of the Navy, shall provide security detachments for the protection of naval property at naval stations and bases, and shall perform such other duties as the President may direct;

but these additional duties may not detract from nor interfere with the operations for which the Marine Corps is primarily organized;

(B) shall develop, in coordination with the Army and the Air Force, those phases of am-
phibious operations that pertain to the tactics, techniques, and equipment used by landing forces; and

(C) is 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.

SEC. 905. ADDITIONAL REQUIREMENTS FOR STREAMLINING OF DEPARTMENT OF DEFENSE MANAGEMENT HEADQUARTERS.

(a) FINDINGS.—

(1) On July 31, 2013, the then Secretary of Defense stated that the Department would “reduce[e] the Department’s major headquarters budgets by 20 percent. . .Although the 20 percent cut applies to budget dollars, organizations will strive for a goal of 20 percent reductions in government civilians and military personnel.” The then Secretary further stated that “these management reforms. . .will reduce the Department’s overhead and operating costs by...$10 billion over the next five years.”.

(2) Furthermore, the President’s budget request for the Department of Defense for fiscal year 2015 stated that reductions to management headquarters staff and consolidation of duplicative efforts
across the Department would result in a savings of $5.3 billion over 5 years—through fiscal year 2019. However, as noted by the Government Accountability Office in a January 2015 report (GAO–15–10), the Department accounted for $5.3 billion as efficiency savings in its budget request, but has not provided specific details on the reductions to management headquarters’ staff it plans to make.

(3) In June 2014, the Government Accountability Office found (in GAO–14–439) that the Department did not have an accurate accounting of the resources being devoted to management headquarters to use as a starting point for tracking reductions to such headquarters. In April 2015, the Government Accountability Office reported (in GAO–15–404SP) that focusing reductions on management headquarters budgets and personnel, which tend to be inconsistently defined and often represent a small portion of the overall headquarters, shields much of the resources identified for potential reduction.

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

(1) the Secretary of Defense’s commitment in July 2013 to a goal of a 20 percent reduction in
headquarters budgets and personnel and a goal of $10 billion in cost savings over five years is worthwhile and should be fully implemented;

(2) without a clear baseline for management headquarters, it is difficult to demonstrate and track progress achieving actual savings;

(3) any reduction in personnel should not be implemented as an across-the-board cut, but rather should be strategically designed to retain critical functions, capabilities, and skill sets—including but not limited to depots and the acquisition workforce—and eliminate unnecessary or redundant functions or skill sets that do not benefit or support mission requirements;

(4) functions should be performed at the lowest appropriate organizational level and those organizations should be empowered and held accountable;

(5) duplicative functions at higher level organizations should be eliminated; and

(6) the movement of a function from a management headquarters to a different Department of Defense organization or a lower level organization does not result in an efficiency, since the same budget is still required to perform that function.
(c) Requirement to Implement 20 Percent Reduction in Management Headquarters Functions.—Section 904 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 111 note) is amended by adding at the end the following new subsection:

“(e) Implementation of Management Headquarters Reduction.—The Secretary of Defense shall implement the 20 percent reduction directed by the Secretary in July 2013 in management headquarters budget and personnel by September 30, 2019, for the covered organizations in the National Capital Region (as defined in section 2674(f) of title 10, United States Code). Such reductions shall be strategically designed to retain critical functions, capabilities, and skill sets. Management, functions, programs, or offices shall be moved to the lowest appropriate organizational level. In any report issued pursuant to subsection (d), the Secretary may not claim a cost savings solely based on moving management, functions, programs, or offices from one organization to another.”.

(d) Limitation on Working-Capital Fund Positions.—Section 904 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10
U.S.C. 111 note) is further amended by adding at the end the following new subsection:

“(f) LIMITATION ON WORKING-CAPITAL FUND POSITIONS.—In implementing the 20 percent reduction referred to in subsection (e), the Secretary of Defense may not reduce the number of Department of Defense civilian employees whose salaries are funded from working-capital funds except in accordance with section 2472 of title 10, United States Code.”.

(c) CHANGE IN DEADLINE FOR REQUIRED PLAN.—Section 904(a) of the such Act is amended by striking “180 days after the date of the enactment of this Act” and inserting “March 31, 2016”.

(f) ADDITIONAL ELEMENTS OF PLAN.—Section 904(b) of such Act is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

“(1) An accurate baseline accounting of defense headquarters budgets and personnel as of fiscal year 2014, including what is and is not included as part of management headquarters accounting, and a detailed description of the number of personnel, budgets, functions, capabilities, and skill sets.”;
(3) in paragraph (2), as so redesignated—
   (A) by inserting “actual and” before “planned changes”;
   (B) by striking “staffing” and inserting “personnel”; and
   (C) by inserting before the period at the end the following: “, set forth separately by fiscal year, from fiscal year 2014 through fiscal year 2019”;

(4) in paragraph (3), as so redesignated—
   (A) by striking “description of the planned changes” and inserting “detailed description of the actual and planned changes”; and
   (B) by inserting before the period at the end the following: “, set forth separately by fiscal year, from fiscal year 2014 through fiscal year 2019”; and

(5) in paragraph (4), as so redesignated, by striking “fiscal year 2015, and estimated savings to be achieved for each of fiscal years 2015 through 2024” and inserting “fiscal year 2014, and estimated savings to be achieved, along with associated changes or reductions in budget, for each of fiscal years 2014 through 2024”.
(g) ADDITIONAL REPORT REQUIREMENTS.—Section 904(d) of such Act is amended—

(1) in paragraph (1), by striking “180 days after the date of the enactment of this Act” and inserting “March 31, 2016”; and

(2) in paragraph (2)—

(A) in subparagraph (C), by striking “including” and all that follows through the end of the subparagraph and inserting the following:

“and specific detailed information on how the changes, consolidations, or reductions were prioritized and resulted in functions no longer being performed, in the fiscal year covered by such report.”;

(B) in subparagraph (F), by striking “, including” and all that follows through “management review”; and

(C) by adding at the end the following new subparagraph:

“(H) A separate description of—

“(i) the management functions, programs, or offices that were eliminated and how each represents a redundant management or oversight function; and
“(ii) the management, functions, programs, or offices that were moved, and how moving each will result in efficiency.”.

SEC. 906. SENSE OF CONGRESS ON PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVE SYSTEM.

(a) FINDINGS.—Congress finds the following:

(1) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) required the Department of Defense to institute a fair, credible, and transparent performance appraisal system, given the name “New Beginnings,” for employees, which—

(A) links employee bonuses and other performance-based action to employee performance appraisals;

(B) ensures ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period, with timetables for review; and

(C) develops performance assistance plans to give employees formal training, on-the-job training, counseling, mentoring, and other assistance.
(2) The military components and defense agencies of the Department of Defense are currently reviewing the proposed “New Beginnings” performance management and workforce incentive system developed in response to section 1113 of Public Law 111–84.

(3) The Department of Defense anticipates it will begin implementation of the “New Beginnings” performance management and workforce incentive system in April 2016.

(4) The authority provided in section 1113 of Public Law 111–84 provided the Secretary of Defense, in coordination with the Director of the Office of Personnel Management, flexibilities in promulgating regulations to redesign the procedures which are applied by the Department of Defense in making appointments to positions within the competitive service in order to—

(A) better meet mission needs;

(B) respond to managers' needs and the needs of applicants;

(C) produce high-quality applicants;

(D) support timely decisions;

(E) uphold appointments based on merit system principles; and
(F) promote competitive job offers.

(5) In implementing the “New Beginnings” performance management and workforce incentive system, section 113 of Public Law 111–84 requires the Secretary of Defense to comply with veterans’ preference requirements.

(6) Among the criteria for the new performance management and workforce incentive system authorized under section 1113 of Public Law 111–84, the Secretary of Defense is required to—

(A) adhere to merit principles;

(B) include a means for ensuring employee involvement (for bargaining unit employees, through their exclusive representatives) in the design and implementation of the performance management and workforce incentive system;

(C) provide for adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the performance management and workforce incentive system;

(D) develop a comprehensive management succession program to provide training to employees to develop managers for the agency and a program to provide training to supervisors on
actions, options, and strategies a supervisor
may use in administering the performance man-
agement and workforce incentive system;

(E) include effective transparency and ac-
countability measures and safeguards to ensure
that the management of the performance man-
agement and workforce incentive system is fair,
credible, and equitable, including appropriate
independent reasonableness reviews, internal as-
sessments, and employee surveys;

(F) use the annual strategic workforce
plan required by section 115b of title 10; and

(G) ensure that adequate agency resources
are allocated for the design, implementation,
and administration of the performance manage-
ment and workforce incentive system.

(7) Section 1113 of Public Law 111–84 also re-
quires the Secretary of Defense to develop a pro-
gram of training—to be completed by a supervisor
every three years—on the actions, options, and
strategies a supervisor may use in—

(A) developing and discussing relevant
goals and objectives with the employee, commu-
nicating and discussing progress relative to per-
formance goals and objectives, and conducting performance appraisals;

(B) mentoring and motivating employees, and improving employee performance and productivity;

(C) fostering a work environment characterized by fairness, respect, equal opportunity, and attention to the quality of the work of employees;

(D) effectively managing employees with unacceptable performance;

(E) addressing reports of a hostile work environment, reprisal, or harassment of or by another supervisor or employee; and

(F) allowing experienced supervisors to mentor new supervisors by sharing knowledge and advice in areas such as communication, critical thinking, responsibility, flexibility, motivating employees, teamwork, leadership, and professional development, and pointing out strengths and areas of development.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should proceed with the collaborative work with employee representatives on the “New Beginnings” performance management and
workforce incentive system and begin implementation of
the new system at the earliest possible date.

SEC. 907. GUIDELINES FOR CONVERSION OF FUNCTIONS
PERFORMED BY CIVILIAN OR CONTRACTOR
PERSONNEL TO PERFORMANCE BY MILITARY
PERSONNEL.

Section 129a of title 10, United States Code, is
amended by adding at the end the following new sub-
section:

“(g) Guidelines for Performance of Certain
Functions by Military Personnel.—(1) Except as
provided in paragraph (2), no functions performed by ci-
vilian personnel or contractors may be converted to per-
formance by military personnel unless—

“(A) there is a direct link between the functions
to be performed and a military occupational spe-
cialty; and

“(B) the conversion to performance by military
personnel is cost effective, based on Department of
Defense instruction 7041.04 (or any successor ad-
ministrative regulation, directive, or policy).

“(2) Paragraph (1) shall not apply to the following
functions:

“(A) Functions required by law or regulation to
be performed by military personnel.
“(B) Functions related to—

“(i) missions involving operation risks and
combatant status under the Law of War;
“(ii) specialized collective and individual
training requiring military-unique knowledge
and skills based on recent operational experi-
ence;
“(iii) independent advice to senior civilian
leadership in the Department of Defense requir-
ing military-unique knowledge and skills based
on recent operational experience; and
“(iv) command and control arrangements
under chapter 47 of this title (the Uniform
Code of Military Justice).”.

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 De-
partment of Defense in this division for fiscal year
2016 between any such authorizations for that fiscal
year (or any subdivisions thereof). Amounts of au-
thorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount
is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION AND NAVAL REACTORS.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration under section 3101 or otherwise made available for fiscal year 2016 is less than $8,900,000,000 (the amount projected to be required for such activities in fiscal year 2016 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2016 pursuant to this Act, to the Secretary of Energy an amount, not to exceed $150,000,000, to be available only for naval reactors or weapons activities of the National Nuclear Security Administration.
(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

SEC. 1003. ACCOUNTING STANDARDS TO VALUE CERTAIN PROPERTY, PLANT, AND EQUIPMENT ITEMS.

(a) REQUIREMENT FOR CERTAIN ACCOUNTING STANDARDS.—The Secretary of Defense shall work in coordination with the Federal Accounting Standards Advisory Board to establish accounting standards to value large and unusual general property, plant, and equipment items.

(b) DEADLINE.—The accounting standards required by subsection (a) shall be established by not later than September 30, 2017, and be available for use for the full audit on the financial statements of the Department of Defense for fiscal year 2018, as required by section

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SEC. 1004. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

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 ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

66; 127 Stat. 844), is further amended by striking “2016” and inserting “2017”.

(b) MAXIMUM AMOUNT OF SUPPORT.—Subsection (c)(2) of such section 1033, as so amended, is further amended by striking “2016” and inserting “2017”.

SEC. 1012. STATEMENT OF POLICY ON PLAN CENTRAL AMERICA.

(a) FINDINGS.—Congress makes the following findings:

(1) The stability and security of Central American nations have a direct impact on the stability and security of the United States.

(2) Over the past decade, stability and increased security in the Republic of Colombia has pushed illicit trafficking to Central America bringing increased violence and instability.

(3) Much of Central America has seen spikes in violence and homicides. In fiscal year 2013, the United Nations Office on Drugs and Crime released its Global Study on Homicide 2013. Four of the top five countries with the highest homicide rates in the world were Central American nations including Honduras, Belize, El Salvador, and Guatemala.

(4) In calendar year 2014, approximately 65,000 unaccompanied alien children from Central
America entered the United States through its southwest border. This number of such children who enter the United States during calendar year 2015 is expected to be approximately the same.

(5) The southwest border of the United States continues to be porous to illicit trafficking of narcotics, weapons, cash, and people.

(6) In November 2014, Guatemala, Honduras, and El Salvador announced a Plan for the Alliance for Prosperity of the Northern Triangle. This plan is a comprehensive approach to address the ongoing violence and instability facing these three nations by stimulating economic opportunities, improving public safety and rule of law, and strengthening institutions to increase trust in the state.

(7) The United States Government has stated its support for the Alliance for Prosperity and included in the President’s fiscal year 2016 budget request $1,000,000,000 in Department of State funds, to support the strategy for United States engagement in Central America. According to the strategy, this funding will be focused on promoting prosperity and regional economic integration, enhancing security, and promoting improved governance.
(8) None of the President’s $1,000,000,000 budget request for the strategy for United States engagement in Central America includes any funding for Department of Defense programs in the region.

(9) The Department of Defense provides training, equipment, education, and interdiction efforts to address security challenges in Central America through detection and monitoring of illicit trafficking, assistance in illicit trafficking interdictions, and building partnership capacities.

(10) The Department of Defense through its roles and missions, is executing a plan to address security challenges in Central America in conjunction with the United States Strategy for Engagement in Central America.

(b) POLICY.—It shall be the policy of the United States to prioritize a Plan Central America to address the threatening levels of violence, instability, illicit trafficking, and transnational organized crime that challenge the sovereignty of Central American nations and security of the United States. In order to address such issues, the Department of Defense shall—

(1) increase the efforts of the Department of Defense as the lead agency to detect and monitor
the aerial and maritime illicit trafficking into the United States;

(2) increase the efforts of the Department of Defense to support aerial and maritime illicit trafficking interdiction efforts;

(3) increase the efforts of the Department of Defense to build partnership capacity with partner nations in Central America to confront security challenges through increased training opportunities, education, and exercises;

(4) enforce human rights requirements consistent with section 2249e of title 10, United States Code, and increase the training and education regarding human rights provided in Central American nations; and

(5) support interagency efforts in Central America addressing all levels of instability including development, education, economic, political, and security challenges.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. RESTRICTIONS ON THE OVERHAUL AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

(a) In General.—Section 7310(b)(1) of title 10, United States Code, is amended—
(1) by striking “In the case” and inserting “(A) Except as provided in subparagraph (B), in the case”;
(2) by striking “during the 15-month” and all that follows through “United States)”;
(3) by inserting before the period at the end the following: “, other than in the case of voyage repairs”; and
(4) by adding at the end the following new subparagraph:
“(B) The Secretary of the Navy may waive the application of subparagraph (A) to a contract award if the Secretary determines that the waiver is essential to the national security interests of the United States.”.

(b) Effective Date.—The amendments made by subsection (a) shall take effect on the later of the following dates:

(2) October 1, 2016.

SEC. 1022. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS AFOAT.

(a) Extension.—Subsection (b) of section 1014 of the Duncan Hunter National Defense Authorization Act

(b) TECHNICAL AND CLARIFYING AMENDMENTS.—

Subsection (a) of such section is 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”.

SEC. 1023. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION ON THE AVAILABILITY OF FUNDS.—

Except as otherwise provided in this section, none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2016 may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(b) CRUISER MODERNIZATION.—
(1) IN GENERAL.—As provided by section 1026 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490), the Secretary of the Navy shall begin the modernization of two cruisers during fiscal year 2016 only after the receipt of the materiel required to begin such modernization. Such modernization shall include—

(A) hull, mechanical, and electrical upgrades; and

(B) combat systems modernizations.

(2) DURATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the time period for such modernization shall not exceed two years.

(B) EXTENSION.—If the Secretary of the Navy determines that the scope of the modernization cannot be reasonably completed in two years, the Secretary may extend the time period under subparagraph (A) for an additional six months. If the Secretary issues such an extension, the Secretary shall submit to the congressional defense committees notice of the extension and the reasons the Secretary made such determination.
(3) Delay.—The Secretary of the Navy may delay the modernization required under paragraph (1) if the materiel required to begin the modernization has not been received.

SEC. 1024. LIMITATION ON THE USE OF FUNDS FOR REMOVAL OF BALLISTIC MISSILE DEFENSE CAPABILITIES FROM TICONDEROGA CLASS CRUISERS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be used to remove ballistic missile defense capabilities from any of the 5 Ticonderoga class cruisers equipped with such capabilities until the Secretary of the Navy certifies to the congressional defense committees that the Navy has—

(1) obtained the ballistic missile capabilities required by the most recent Navy Force Structure Assessment; or

(2) determined to upgrade such cruisers with an equal or improved ballistic missile defense capability.
Subtitle D—Counterterrorism

SEC. 1031. PERMANENT AUTHORITY TO PROVIDE REWARDS THROUGH GOVERNMENT PERSONNEL OF ALIEN FORCES AND CERTAIN OTHER MODIFICATIONS TO DEPARTMENT OF DEFENSE PROGRAM TO PROVIDE REWARDS.

(a) IN GENERAL.—Section 127b(c)(3) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “subparagraphs (B) and (C)” and inserting “subparagraph (B)”;

(2) by striking subparagraphs (C) and (D).

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The section heading for section 127b of title 10, United States Code, is amended to read as follows:

“§ 127b. Department of Defense rewards program”.

(2) TABLE OF SECTIONS.—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.”.
SEC. 1032. CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.

Section 130f of title 10, United States Code, is amended—

(1) by striking subsection (e); and

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

SEC. 1033. REPEAL OF SEMIANNUAL REPORTS ON OBLIGATION AND EXPENDITURE OF FUNDS FOR COMBATING TERRORISM PROGRAM.

Section 229 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

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

SEC. 1034. REPORTS TO CONGRESS ON CONTACT BETWEEN TERRORISTS AND INDIVIDUALS FORMERLY DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) Section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1874; 10 U.S.C. 801 note) is amended by inserting after paragraph (5) the following new paragraphs:

“(6) A summary of all contact by any means of communication, including telecommunications, electronic or technical means, in person, written commu-
nications, or any other means of communication, regard-
less of content, between any individual formerly
detained at Naval Station, Guantanamo Bay, Cuba,
and any individual known or suspected to be associ-
ated with a foreign terrorist group.

“(7) A description of whether any of the con-
tact described in the summary required by para-
graph (6) included any information or discussion
about hostilities against the United States or its al-
lies or partners.”.

(b) Rule of Construction.—Nothing in this sec-
tion or the amendments made by this section shall be con-
strued to terminate, alter, modify, override, or otherwise
affect any reporting of information required under section
319(c) of the Supplemental Appropriations Act, 2009
(Public Law 111–32; 123 Stat. 1874; 10 U.S.C. 801 note)
prior to the enactment of this section.

SEC. 1035. INCLUSION IN REPORTS TO CONGRESS INFOR-
MATION ABOUT RECIDIVISM OF INDIVIDUALS
FORMERLY DETAINED AT UNITED STATES
NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 319(c) of the Supplemental Appropriations
Act, 2009 (Public Law 111–32; 123 Stat. 1874; 10 U.S.C.
801 note), as amended by section 1034, is further amend-
ed by inserting after paragraph (7), as added by such sec-
tion, the following new paragraphs:

“(8) For each individual described in paragraph (4), the period of time between the date on which the individual was released or transferred from Naval Station, Guantanamo Bay, Cuba, and the date on which it is confirmed that the individual is suspected or confirmed of reengaging in terrorist ac-
tivities.

“(9) The average period of time described in paragraph (8) for all the individuals described in paragraph (4).”.

SEC. 1036. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or other-
wise made available to any department or agency of the United States Government may be used during the period beginning on the date of the enactment of this Act and ending on the date that is two years after the date of the enactment of this Act to transfer, release, or assist in the transfer or release to or within the United States, its terri-
tories, or possessions of Khalid Sheikh Mohammed or any other detainee who—
(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1037. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) In General.—No amounts authorized to be appropriated or otherwise made available to any department or agency of the United States Government may be used during the period beginning on the date of the enactment of this Act and ending on the date that is two years after the date of the enactment of this Act to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) Exception.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) Individual Detained at Guantanamo Defined.—In this section, the term “individual detained at
Guantanamo” has the meaning given that term in section 1039(f)(2).

SEC. 1038. PROHIBITION ON USE OF FUNDS TO TRANSFER OR RELEASE INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO COMBAT ZONES.

(a) In General.—No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on December 31, 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 a combat zone.

(b) Combat Zone Defined.—In this section, the term “combat zone” means any area designated as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986 (26 U.S.C. 112) for which the income of a member of the Armed Forces was excluded during 2014, 2015, or 2016 by reason of the member’s service on active duty in such area.
SEC. 1039. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE 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 during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, 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 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 Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense 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; and

(2) includes an assessment conducted by the Director of National Intelligence, in classified or unclassified form, that such government or entity has the capacity and willingness, and demonstrated past practices (if applicable) to comply with the requirements under paragraph (1).

(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 made 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 con-
firmed 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.—Paragraph (1) shall not
apply to any action taken by the Secretary to trans-
fer any individual detained at Guantanamo to effec-
tuate an order affecting the disposition of the indi-
vidual that is issued by a court or competent tri-
unal of the United States having lawful jurisdiction
(which the Secretary shall notify Congress of
promptly after issuance).

(d) National Security Waiver.—

(1) In General.—Except as provided in para-
graph (3), 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 re-
quired by subsection (b) for transfers prohibited by
(c) and determines that—
 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 Con-
gress, 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 deter-
mination, 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 para-
graph (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 elimi-
nated; and

(iii) a classified summary of—

(I) the individual’s record of co-
operation while in the custody of or
under the effective control of the De-
partment of Defense; and

(II) the agreements and mecha-
nisms in place to provide for con-
tinuing 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).

(3) EXCEPTION.—The Secretary may not exer-
cise the waiver authority under paragraph (1) with
respect to any individual detained at Guantanamo,
who has ever been determined or assessed to be a
detainee referred for prosecution, a detainee ap-
proved for detention, or a detainee approved for con-
ditional detention by the Guantanamo Detainee Re-
view Task Force established pursuant to Executive
Order number 13492.

(e) RECORD OF COOPERATION.—In assessing the risk
that an individual detained at Guantanamo will engage in
terrorist activity or other actions that could affect the se-
curity 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—

(1) who has substantially cooperated with
United States intelligence and law enforcement au-
thorities, pursuant to a pre-trial agreement, while in
the custody of or under the effective control of the
Department of Defense; and
(2) 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.

(f) COORDINATION WITH PROHIBITION ON TRANSFER TO YEMEN.—During the period when section 1042 is in effect, the exception in subsection (c)(2) and the waiver authority under subsection (d) shall not apply to the transfer of any individual detained at Guantanamo to Yemen.

(g) COORDINATION WITH PROHIBITION ON TRANSFER TO COMBAT ZONES.—During the period when section 1038 is in effect, the exception in subsection (c)(2) and the waiver authority under subsection (d) shall not apply to the transfer of any individual detained at Guantanamo to a combat zone, as such term is defined in subsection (b) of such section.

(h) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and
(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, 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.

(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).

(i) Repeal of Superceded Requirements and Limitations.—Section 1035 of the National Defense Au-
The authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851; 10 U.S.C. 801 note) is repealed.

**SEC. 1040. SUBMISSION TO CONGRESS OF CERTAIN DOCUMENTS RELATING TO TRANSFER OF INDIVIDUALS DETAINED AT GUANTANAMO TO QATAR.**

(a) Submission to Congress.—Not later than 30 days after the date of the enactment of this Act, the Attorney General and the Secretary of Defense shall submit to the congressional defense committees and the Committees on the Judiciary of the Senate and House of Representatives all covered correspondence.

(b) Covered Correspondence.—For purposes of this section, the term “covered correspondence”—

(1) means any correspondence between the Department of Defense and the Department of Justice or any other agency or entity of the United States Government that—

(A) relates to the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to Qatar;

(B) is dated any time between January 1, 2013, and June 1, 2014; and

(C) is in the custody of the Department of Justice or the Department of Defense; and

(2) includes—
(A) all relevant correspondence, including the email exchange described in June 11, 2014, testimony to the Committee on Armed Services of the House of Representatives by the Secretary of Defense and the General Counsel of the Department of Defense; and

(B) any analysis of—

(i) 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);

(ii) section 8111 of the Consolidated Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 131);

(iii) section 1341 of title 31, United States Code (popularly known as “the Antideficiency Act”); or

(iv) Article II of the Constitution.

(c) LIMITATION ON THE USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available for the Office of the Secretary of Defense for fiscal year 2016, not more than 75 percent may be obligated or expended until the date of the submission of all covered correspondence.
SEC. 1041. SUBMISSION OF UNREDACTED COPIES OF DOCUMENTS RELATING TO THE TRANSFER OF CERTAIN INDIVIDUALS DETAINED AT GUANTANAMO TO QATAR.

(a) UNREDACTED DOCUMENTS REQUIRED.—

(1) FUTURE SUBMISSIONS.—The Secretary of Defense shall submit an unredacted copy of any document submitted to the Committee on Armed Services of the House of Representatives in response to a request from the Committee dated June 9, 2014, for information regarding the transfer of five individuals from United States Naval Station, Guantanamo Bay, Cuba, to Qatar.

(2) PRIOR SUBMISSIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives an unredacted copy of any redacted document that was submitted, before the date of the enactment of this Act, in response to a request dated June 9, 2014, for information regarding the transfer of five individuals from United States Naval Station, Guantanamo Bay, Cuba, to Qatar.

(b) LIMITATION ON THE USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available for the Office of the Secretary of Defense for
fiscal year 2016, not more than 75 percent may be obli-
gated or expended until the date of the submission of all
documents required to be submitted under subsection
(a)(2).

SEC. 1042. PROHIBITION ON USE OF FUNDS FOR TRANSFER
OR RELEASE OF INDIVIDUALS DETAINED AT
UNITED STATES NAVAL STATION, GUANTA-
NAMO BAY, CUBA, TO YEMEN.

No amounts authorized to be appropriated or other-
wise made available to any department or agency of the
United States Government may be used during the period
beginning on the date of the enactment of this Act and
ending on the date that is two years after the date of the
enactment of this Act to transfer, release, or assist in the
transfer or release of any individual detained in the cus-
tody 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.
Subtitle E—Miscellaneous
Authorities and Limitations

SEC. 1051. ENHANCEMENT OF AUTHORITY OF SECRETARY
OF NAVY TO USE NATIONAL SEA-BASED DETERRENCE FUND.

(a) In General.—Section 2218a of title 10, United States Code, is amended—

(1) in subsection (c)(1), by striking “national sea-based deterrence vessels” and inserting “a class of twelve national sea-based deterrence vessels, and cross-program coordinated procurement efforts with other nuclear powered vessels”;

(2) in subsection (d), by inserting before the period at the end the following: “and cross program coordinated procurement efforts with other nuclear powered vessels”;

(3) by redesignating subsections (f) and (g) as subsections (j) and (l), respectively;

(4) by inserting after subsection (e) the following new subsections:

“(f) Authority to Enter Into Economic Order Quantity Contracts.—(1) The Secretary of the Navy may use funds deposited in the Fund to enter into contracts known as ‘economic order quantity contracts’ with private shipyards and other commercial or government en-
tities to achieve economic efficiencies based on production economies for major components or subsystems. The au-

thority under this subsection extends to the procurement of parts, components, and systems (including weapon sys-
tems) common with and required for other nuclear pow-

ered vessels under joint economic order quantity contracts.

“(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the avail-

ability 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 time of termination.

“(g) Authority to Begin Manufacturing and Fabrication Efforts Prior to Ship Authorization.—(1) The Secretary of the Navy may use funds de-

posited into the Fund to enter into contracts for advance construction of national sea-based deterrence vessels to support achieving cost savings through workload manage-
ment, manufacturing efficiencies, or workforce stability, or to phase fabrication activities within shipyard and manage sub-tier manufacturer capacity.

“(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the avail-
ability 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 time of termination.

“(h) Authority to Use Incremental Funding
To Enter Into Contracts for Certain Items.—(1)
The Secretary of the Navy may use funds deposited into
the Fund to enter into incrementally funded contracts for
advance procurement of high value, long lead time items
for nuclear powered vessels to better support construction
schedules and achieve cost savings through schedule re-
ductions and properly phased installment payments.

“(2) A contract entered into under paragraph (1)
shall provide that any obligation of the United States to
make a payment under the contract is subject to the avail-
ability 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 time of termination.

“(i) Facilities Funding.—The Secretary of the
Navy may use funds deposited into the Fund to provide
incentives for investments in critical infrastructure at nu-
clear capable shipyards and critical sub-tier vendors. Addi-
tionally, the Secretary of the Navy may use such funds
for certain cancellation costs in the event of significant
changes to the Long Range Shipbuilding Strategy for nuclear powered vessels.”;

(5) by inserting after subsection (j), as redesignated by paragraph (3), the following new subsection:

“(k) REPORT TO CONGRESS.—(1) The Secretary of the Navy shall submit to the congressional defense committees, by March 1, 2016, and annually through the year 2025, a report on the Fund. Each such report shall identify separately the amount allocated by ship for programs, projects, and activities for construction (including design of vessels), purchase, alteration, and conversion. At a minimum, each such report shall include—

“(A) information about the activities carried out using funds deposited into the Fund during the fiscal year covered by the report, including the status of class design and construction efforts, including programmatic schedules, procurement schedules, and funding requirements.

“(B) a plan detailing forecasted obligations and expenditures for construction (including design of vessels), purchase, alteration, and conversion of vessels by ship for the fiscal year following the fiscal year during which the report is submitted; and
“(C) the identification of the stable need and design for items, together with a description of any savings associated with the authorities provided in subsections (e) and (f), as documented in cost estimates.

“(2) The Secretary of the Navy shall provide to the congressional defense committees notice in writing at least 30 days before executing any significant deviation to the annual plan required under paragraph (1)(B).”; and

(6) in subsection (l), as so redesignated, by adding at the end the following new paragraph:

“(3) The term ‘advance construction’ means shipyard manufacturing and fabrication activities (including sub-tier manufacturing of major components or subsystems).”.

(b) Availability of Certain Unobligated Funds for Transfer.—Section 1022(b)(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3487) is amended by striking “for the Navy for the Ohio Replacement Program” and inserting “to the Department of Defense”.
SEC. 1052. DEPARTMENT OF DEFENSE EXCESS PROPERTY PROGRAM.

(a) Website Required.—Section 2576a of title 10, United States Code is amended by adding at the end the following new subsection:

“(e) Publicly Accessible Website.—(1) The Secretary of Defense, acting through the Director of the Defense Logistics Agency, shall create and maintain a publicly available Internet website that provides information on the property transferred under this section and the recipients of such property.

“(2) The contents of the Internet website required under paragraph (1) shall include all unclassified information pertaining to the request, transfer, denial, and repossession of controlled property under this section, including—

“(A) a current inventory of all controlled property transferred to law enforcement agencies under this section, listed by recipient, that includes the recipient’s location, by county and State, and the year of the transfer;

“(B) all outstanding requests for transfers of controlled property under this section; and

“(C) information provided by the law enforcement agencies requesting transfers referred to in subparagraph (B).
“(3) The Secretary may not authorize the transfer of any property under this section to a Federal or State agency to which property has been transferred previously unless the agency submits to the Secretary for publication on the Internet website required under paragraph (1) each of the following:

“(A) A description of any controlled property transferred to the agency under this section, which shall be submitted by not later than 30 days after the date on which the agency takes possession of the property.

“(B) An annual report on the use of any controlled property so transferred to the agency, including a description of the context in which the property was used.

“(4) The Secretary may not authorize the transfer of any property under this section to a Federal or State agency until 30 days after a request for the transfer has been published on the Internet website required under paragraph (1).”.

(b) Eligibility Requirements.—Subsection (b) of such section is amended—

(1) in paragraph (3), by striking “and” at the end;
(2) in paragraph (4), by striking the period and inserting ‘‘; and’’; and

(3) by adding at the end the following new paragraphs:

“(5) in the case of property that is controlled property, the recipient submits to the Secretary written notice of the intent of the recipient to apply for the controlled property, including authorization of such application by the entity charged with legal oversight of the recipient agency; and

“(6) the recipient agency is located in a State with a State coordinator for the program under this section who—

“(A) has law enforcement experience and is employed by a law enforcement agency or entity with oversight of law enforcement functions;

“(B) serves as the custodian of controlled property transferred to recipients located in that State; and

“(C) has the authority to non-concur with proposed uses of such property.’’.

(e) Definition of Controlled Property.—Such section is further amended by adding at the end the following new subsection:
“(f) Controlled Property.—In this section, the term ‘controlled property’ means any item assigned a demilitarization code of B, C, D, E, F, G, or Q under Department of Defense Manual 4160.21–M, ‘Defense Material Disposition Manual’, or any successor document.”.

(d) Examination of Training Requirements.—The Director of the Defense Logistics Agency shall enter into an agreement with a federally funded research and development center to conduct an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code, as amended by this section. Such assessment shall include an evaluation of the policies and controls governing the determination of the suitability of recipients of controlled property transferred under the program, including specific recommendations relating to the training that law enforcement agencies that receive such property should receive, at no cost to the Department of Defense, to ensure end-user proficiency in the use, maintenance, and sustainment of such property.

(e) One-Year Mandatory Use Policy Assessment.—The Director of the Defense Logistics Agency shall enter into an agreement with a federally funded research and development center for the conduct of an assessment of the Department of Defense excess property
program under section 2576a of title 10, United States Code, to determine if the requirement that all controlled property transferred under the program be used within one year of being transferred is achieving its intended effect. Such assessment shall also include recommendations on process improvement, including legislative proposals.

(f) COMPTROLLER GENERAL ASSESSMENT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code. Such assessment shall include—

(1) an evaluation of the transfer of controlled property under the program, including the manner in which the property was used in community law enforcement and the effectiveness of the Internet website required under subsection (e) of section 2576a, as added by subsection (a), in providing transparency to the public; and

(2) a determination of whether the transfer of property under the program enhances the ability of law enforcement agencies to carry out counter-drug and counter-terrorism activities in accordance with the purposes of the program as set forth in section 2576a of title 10, United States Code.
SEC. 1053. LIMITATION ON TRANSFER OF CERTAIN AH–64 APACHE HELICOPTERS FROM ARMY NATIONAL GUARD TO REGULAR ARMY AND RELATED PERSONNEL LEVELS.

Section 1712 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in subsection (b), by striking “March 31, 2016” and inserting “June 30, 2016”; and

(2) in subsection (e), by striking “March 31, 2016” and inserting “June 30, 2016” both places it appears.

SEC. 1054. SPACE AVAILABLE TRAVEL FOR ENVIRONMENTAL MORALE LEAVE BY CERTAIN SPOUSES AND CHILDREN OF DEPLOYED MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall revise the Air Transportation Eligibility Regulation, DOD 4515.13–R, to authorize space-available travel for environmental morale leave by unaccompanied spouses and dependent children of members of the Armed Forces who are deployed for at least 30 consecutive days under priority category IV. The Secretary shall also update any other instructions, directives, or internal policies necessary to facilitate such revision.
SEC. 1055. INFORMATION-RELATED AND STRATEGIC COMMUNICATIONS CAPABILITIES ENGAGEMENT

PILOT PROGRAM.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense may carry out a pilot program or multiple pilot programs under which the Secretary assesses information-related and strategic communications capabilities to support the tactical, operational, and strategic requirements of the geographic and functional combatant commanders, including the urgent and emergent operational needs and the operational and theater security cooperation plans of such combatant commanders, to further United States national security objectives and strategic communications requirements.

(b) ELEMENTS.—Any pilot program carried out under subsection (a) shall include each of the following elements:

(1) Clearly defined goals and end-state objectives for the pilot program, including the traceability of such goals and objectives to the tactical, operational, or strategic requirements of the combatant commanders.

(2) A process for measuring the performance and effectiveness of the pilot program.
(3) A demonstration of a technology capability or concept to support the tactical, operational, or strategic needs of the combatant commanders.

(4) Supporting activities and coordinating elements with joint, interagency, intergovernmental, and multinational partners.

(c) Governance.—The Secretary shall create a governance structure for executing any pilot program carried out under subsection (a) that allows for centralized oversight and planning of the program with program execution decentralized to the combatant commands. The Secretary shall provide a written charter for such a governance structure by not later than the date that is 30 days after the date on which the Secretary decides to carry out such a pilot program.

(d) Notification Required.—By not later than 14 days after the date on which the Secretary decides to carry out a pilot program under subsection (a), the Secretary shall submit to the congressional defense committees written notice of the decision. Such notice shall include the scope of activities, funding required, sponsoring combatant commander, anticipated participants, and expected duration of the pilot program.
(c) Termination.—The authority to carry out a pilot program under this section shall terminate on September 30, 2022.

SEC. 1056. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF HELICOPTER SEA COMBAT SQUADRON 84 AND 85 AIRCRAFT.

(a) Prohibitions.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Navy may be obligated or expended to—

(1) retire, prepare to retire, transfer, or place in storage any Helicopter Sea Combat Squadron 84 (HSC–84) or Helicopter Sea Combat Squadron 85 (HSC–85) aircraft; or

(2) make any changes to manning levels with respect to any HSC–84 or HSC–85 aircraft squadron.

(b) Waiver.—The Secretary of the Navy may waive subsection (a), if the Secretary certifies to the congressional defense committees that the Secretary has—

(1) conducted a cost-benefit analysis identifying savings to Department of the Navy regarding decommissioning or deactivation of an HSC–84 or HSC–85 squadron;
(2) identified a replacement capability to meet all operational requirements, including special operational-peculiar requirements of the combatant commands, currently being met by the HSC–84 or HSC–85 squadrons and aircraft to be retired, transferred, or placed in storage; and

(3) deployed such capability.

SEC. 1057. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF CERTAIN LANDMINES.

(a) LIMITATION.—Except as provided under subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmines of the United States (as defined in the announcement of the President on September 23, 2014) until—

(1) the Secretary of Defense publishes a comprehensive study on—

(A) the tactical and operational effects of a ban on such landmines; and

(B) the current state of research into operational alternatives to such landmines;

(2) such alternatives are specifically authorized by law and provided appropriations;
(3) such alternatives are fully deployed;

(4) members of the Armed Forces of the United States and allies of the United States are trained in the use of such alternatives; and

(5) the Secretary certifies to the congressional defense committees that the replacement of such landmines by such alternatives will not endanger members of the Armed Forces of the United States or allies of the United States or pose any operational challenges and that adequate stockpiles and manufacturing capacity exists to meet the needs of the Armed Forces of the United States and allies of the United States in current deployments and anticipated contingencies.

(b) EXCEPTION FOR SAFETY.—The limitation under subsection (a) shall not apply to any anti-personnel land mine that the Secretary certifies has become unsafe or poses a safety risk if not demilitarized or destroyed.

SEC. 1058. LIMITATION ON AVAILABILITY OF FUNDS FOR MODIFYING COMMAND AND CONTROL OF UNITED STATES PACIFIC FLEET.

None of the funds authorized to be appropriated or otherwise made available for fiscal year 2016 may be obligated or expended to modify command and control relationships to give Fleet Forces Command operational and
administrative control of Navy forces assigned to the Pacific Fleet. The command and control relationships in effect on October 1, 2004, shall remain in effect unless a change to such relationships is specifically authorized by a law.

SEC. 1059. PROHIBITION ON THE CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States military presence in the Republic of Cuba began in 1898, and United States military basing began in Cuba in 1903.

(2) In 1934, the United States and Cuba entered into the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934. Under Article III, the treaty stipulates the perpetual lease agreement between the United States and Cuba for the 45 square miles of land encompassing Guantánamo Bay, Cuba.

(3) On March 12, 2015, Commander of United States Southern Command, General John Kelly, testified before the Committee on Armed Services of the Senate, highlighting, “Its [Naval Station Guantánamo Bay] airfield and port facilities are indispen-
sable to the Departments of Defense, Homeland Security, and State’s operational and contingency plans. As the only permanent U.S. military base in Latin America and the Caribbean, its location provides persistent U.S. presence and immediate access to the region, as well as supporting a layered defense to secure the air and maritime approaches to the United States”.

(4) Former Commander of United States Southern Command, retired Admiral James Stavridis, recently stated “Guantanamo Bay Naval Station has immense strategic value above and beyond its reputation as a detention facility. It is the logistic, planning, surveillance and basing linchpin for the U.S. Fourth Fleet, crucial to the military for disaster relief, humanitarian work, medical diplomacy, and counternarcotics, all key missions for the U.S. Navy in Latin America and the Caribbean. The U.S. should do all in its power to maintain its legal control over the base”.

(5) In testimony in front of the Committee on Armed Services of the House of Representatives in 2012, then-Commander of United States Southern Command, General Douglas Fraser, stated, “Absent a detention facility and even following the eventual
demise of the Castro regime, the strategic capability
provided by the U.S. Naval Station Guantanamo
Bay remains essential for executing national priori-
ties throughout the Caribbean, Latin America, and
South America”.

(6) As part of “normalizing” relations with the
government of Cuba, announced in December 2014,
ongoing negotiations are occurring to determine the
diplomatic framework between the governments of
the United States and Cuba.

(7) In January 2015, soon after negotiations
began between the United States and Cuba, Cuban
President Raul Castro demanded the return of
United States Naval Station, Guantanamo Bay,
Cuba, to Cuba.

(8) In February 2015, Assistant Secretary of
State for Western Hemisphere Affairs Roberta
Jacobson, in testimony in front of the Foreign Af-
fairs Committee of the House of Representatives,
stated that the return of United States Naval Sta-
tion, Guantanamo Bay, Cuba, is “not on the table
in these conversations”, referencing current diplo-
matic negotiations. Later in her testimony Assistant
Secretary Jacobson pointed out, referring to the pos-
sible closure of the Naval Station, that she is not a
“high enough ranking person to know. . .whether it could be in the future”.

(b) Sense of Congress.—It is the sense of Congress that—

(1) the strategic, logistic, and postural significance of United States Naval Station Guantanamo Bay, Cuba, is vital to the security of the United States; and

(2) the United States must not relinquish control of Guantanamo Bay to the Republic of Cuba.

(c) Prohibition.—United States Naval Station, Guantanamo Bay, Cuba, may not be closed or abandoned, and the President shall ensure that the obligations of the United States under Article III of the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934 are met, including the payment of the annual lease sum to the government of Cuba, unless otherwise specifically provided—

(1) by law;

(2) in a treaty that is ratified with the advice and consent of the Senate; or

(3) by a modification of the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, that is ratified with the advice and consent of the Senate.
(d) Report.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Commander of United States Southern Command shall submit to appropriate committees of Congress, a report setting forth a military assessment of the strategic implications of United States Naval Station Guantanamo Bay, Cuba.

(2) Elements.—The report required under paragraph (1) shall include each of the following:

(A) An historical analysis of the use and significance of the basing at United States Naval Station, Guantanamo Bay, Cuba.

(B) A description of the personnel, resources, and base operations based out of United States, Naval Station Guantanamo Bay, Cuba, as of the date of the enactment of this Act.

(C) An assessment of United States Naval Station, Guantanamo Bay, Cuba, in support of the National Security Strategy, the National Defense Strategy, and the National Military Strategy.

(D) An assessment of missions and military requirements that United States Naval
Station, Guantanamo Bay, Cuba, currently supports.

(E) A description of the uses of United States Naval Station, Guantanamo Bay, Cuba by other United States Government agencies.

(F) Any other related matter at the discretion of the Commander.

(3) **Appropriate Committees of Congress.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.

**SEC. 1060. PROHIBITION ON USE OF FUNDS FOR REALIGNMENT OF FORCES AT OR CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used, during the period beginning on the date of the
enactment of this Act and ending on December 31, 2016, to—

(1) close or abandon United States Naval Station, Guantanamo Bay, Cuba;

(2) relinquish control of Guantanamo Bay to the Republic of Cuba; or

(3) modify the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, including a modification of the boundaries of Guantanamo Bay, unless ratified with the advice and consent of the Senate.

SEC. 1060a. CIVILIAN AVIATION ASSET MILITARY PARTNERSHIP PILOT PROGRAM.

(a) Participation.—The Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, may participate in a Civilian Aviation Asset Military Partnership Pilot Program (in this section referred to as the “Program”) in accordance with this section.

(b) Grant Authority.—Subject to the availability of appropriations to carry out this section, the Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, may make a grant under the Program, on a competitive basis, to an eligible airport to assist a project—
(1) to improve aviation infrastructure; or

(2) to repair, replace, or otherwise improve an
eligible tower facility at that airport.

(e) NUMBER.—Not more than three eligible airports
may receive a grant under the Program for a fiscal year.

(d) AMOUNT.—The amount provided to each eligible
airport that receives a grant under the Program may not
exceed $2,500,000.

(e) ELIGIBILITY.—To be eligible for a grant under
the Program, an eligible airport shall submit to the Sec-
retary of Defense an application at such time, in such
form, and containing such information as the Secretary,
in coordination with the Administrator of the Federal
Aviation Administration, determines is appropriate. An
application shall include, at a minimum, a description of—

(1) the proposed project with respect to which
a grant is requested, including estimated costs;

(2) the need for the project at the eligible air-
port, including how the project will assist both civil
aircraft and military aircraft; and

(3) the non-Federal funding available for the
project.

(f) SELECTION AND TERMS.—The Secretary of De-
fense and the Administrator of the Federal Aviation Ad-
ministration shall jointly—
(1) select eligible airports to receive grants under the Program; and

(2) establish the terms of each grant made under the Program.

(g) FUNDING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a project assisted with a grant under the Program may not exceed 70 percent. Prioritization shall be given to projects with the lowest Federal share.

(2) COORDINATION.—With respect to the Federal share of the cost of a project assisted with a grant under the Program, 50 percent of that Federal share shall be paid by the Administrator of the Federal Aviation Administration and 50 percent shall be paid by the Secretary of Defense.

(h) TERMINATION.—The Program shall terminate at the end of the third fiscal year in which a grant is made under the Program.

(i) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE AIRPORT.—The term “eligible airport” means an airport at which—

(A) military aircraft conducts operations; and
(B) civil aircraft operations are conducted.

(2) ELIGIBLE TOWER FACILITY.—The term “eligible tower facility” means a tower facility that—
(A) is located at an eligible airport;
(B) is greater than 30 years of age; and
(C) has demonstrated failings.

(3) AVIATION INFRASTRUCTURE.—The term “aviation infrastructure” means any activity defined under the term “airport development” in section 47102 of title 49, United States Code.

SEC. 1060b. SALE OR DONATION OF EXCESS PERSONAL PROPERTY FOR BORDER SECURITY ACTIVITIES.

Section 2576a of title 10, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (1)(A), by striking “counter-drug and counter-terrorism activities” and inserting “counterdrug, counterterrorism, and border security activities”; and
(B) in paragraph (2), by striking “the Attorney General and the Director of National Drug Control Policy” and inserting “the Attorney General, the Director of National Drug
Control Policy, and the Secretary of Homeland Security, as appropriate.”; and

(2) in subsection (d), by striking “counter-drug and counter-terrorism activities” and inserting “counterdrug, counterterrorism, or border security activities”.

SEC. 1060c. LIMITATION ON USE OF FUNDS TO DEACTIVATE 440TH AIRLIFT WING.

None of the funds authorized to be appropriated in this Act or otherwise made available for the Department of Defense may be used to deactivate the 440th airlift wing, or to move the personnel or aircraft of the 440th airlift wing, or to otherwise degrade the capabilities of the 440th airlift wing until the Secretary of Defense certifies that the deactivation of the 440th airlift wing will not affect the military readiness for the airborne and special operations units stationed at Fort Bragg, North Carolina.

Subtitle F—Studies and Reports

SEC. 1061. PROVISION OF DEFENSE PLANNING GUIDANCE AND CONTINGENCY PLANNING GUIDANCE INFORMATION TO CONGRESS.

(a) In General.—Section 113(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:
“(3) At the time of the budget submission by the President for a fiscal year, the Secretary of Defense shall include in the budget materials submitted to Congress for that year summaries of the guidance developed under paragraphs (1) and (2), as well as summaries of any plans developed in accordance with the guidance developed under paragraph (2). Such summaries shall be sufficient to allow the congressional defense committees to evaluate fully the requirements for military forces, acquisition programs, and operation and maintenance funding in the President’s annual budget request for the Department of Defense.”.

(b) REPORT REQUIRED.—Notwithstanding the requirement under paragraph (3) of section 113(g) of title 10, United States Code, as added by subsection (a), that the Secretary of Defense submit summaries under that paragraph at the time of the President’s annual budget submission, by not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing—

(1) summaries of the guidance developed under paragraphs (1) and (2) of subsection (g) of section 113 of title 10, United States Code; and
(2) summaries of any plans developed in accordance with the guidance developed under paragraph (2) of such subsection.

(c) **LIMITATION ON OBLIGATION OF FUNDS PENDING REPORT.**—Of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-wide, for the office of the Secretary of Defense, not more than 75 percent may be obligated or expended before the date that is 15 days after the date on which the Secretary submits the report described in subsection (b).

SEC. 1062. **MODIFICATION OF CERTAIN REPORTS SUBMITTED BY COMPTROLLER GENERAL OF THE UNITED STATES.**

(a) **REPORT ON NNSA BUDGET REQUESTS.**—Section 3255(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2455) is amended by inserting before “, the Comptroller General” the following: “in an even-numbered year, and not later than 150 days after the date on which the Administrator submits such materials in an odd-numbered year”.

(b) **REPORT ON ENVIRONMENTAL MANAGEMENT.**—Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713), as amended by section 3134 of the National De-
fense 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 “reviews as described in subsections (b) and (c)”;

(2) by striking subsection (d); and

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

SEC. 1063. REPORT ON IMPLEMENTATION OF THE GEOGRAPHICALLY DISTRIBUTED FORCE LAYDOWN IN THE AREA OF RESPONSIBILITY OF UNITED STATES PACIFIC COMMAND.

(a) Report Required.—Not later than March 1, 2016, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command, shall submit to the congressional defense committees a report on Department of Defense plans for implementing the geographically distributed force laydown in the area of responsibility of United States Pacific Command.

(b) Matters to Be Included.—The report required under subsection (a) shall include the following:

(1) A description of the force laydown.

(2) A discussion of how the force laydown affects the operational and contingency plans in the
area of responsibility of United States Pacific Com-
mand, including a discussion on how timeliness,
availability of forces, and risk in meeting the mili-
tary objectives contained in those plans are affected.

(3) A discussion of the specific support asset
requirements derived from the force laydown, includ-
ing logistical sustainment, pre-positioned stocks, sea
and air lift and, command and control.

(4) A discussion of the specific infrastructure
and military construction requirements derived from
the force laydown.

(5) A discussion on how Department of Defense
plans to meet the requirements identified in para-
graphs (3) and (4), including the ability of United
States Transportation Command, the United States
Combat Logistics Force, and the Armed Forces to
meet those requirements.

(6) Any other matters the Secretary of Defense
determines to be appropriate.

(e) FORM.—The report required under subsection (a)
shall be submitted in unclassified form, but may include
a classified annex.
SEC. 1064. INDEPENDENT STUDY OF NATIONAL SECURITY STRATEGY FORMULATION PROCESS.

(a) Requirement for Study.—The Secretary of Defense shall enter into a contract with an independent research entity described in subsection (c) to carry out a comprehensive study of the role of the Department of Defense and its process for the formulation of national security strategy.

(b) Matters Covered.—The study required by subsection (a) shall include, at a minimum, the following:

(1) Case studies of the role of the Department of Defense and its process for the formulation of previous national security strategies in place throughout the history of the United States, including an examination of the development and execution of previous strategies, as well as the factors that contributed to the development and execution of successful previous strategies with specific emphasis on—

(A) the frequency of strategy updates;

(B) the synchronization of timelines and content among different strategies;

(C) the prioritization of objectives;

(D) the assignment of roles and responsibilities among relevant agencies;
(E) the links between strategy and resourcing;

(F) the implementation of strategy within the planning documents of relevant agencies; and

(G) the value of a competition of ideas.

(2) A complete review and analysis of the current national security strategy formulation process, as it relates to the Department of Defense, including an analysis of the following:

(A) All major Government products and documents of national security strategy relevant to the Department of Defense and how they fit together, including—

(i) the National Military Strategy prepared by the Chairman of the Joint Chiefs of Staff under section 153(b)(1) of title 10, United States Code;

(ii) the most recent quadrennial defense review conducted by the Secretary of Defense pursuant to section 118 of title 10, United States Code;

(iii) the national security strategy report required under section 108 of the Na-
tional Security Act of 1947 (50 U.S.C. 3043); and

(iv) any other relevant national security strategy products and documents.

(B) The time periods during which the products and documents covered by subparagraph (A) are prepared and published, and how they fit together.

(C) The interaction between the White House and the agencies that develop such products and documents and formulate strategy.

(D) All the current entities in the Federal Government that contribute to the national security strategy formulation process and how they fit together.

(e) INDEPENDENT RESEARCH ENTITY.—The entity described in this subsection is an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability.

(d) REPORT.—Not later than 18 months after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report on the results of the study. Not later than 30 days after receipt of the report, the Secretary shall submit such report,
together with any additional views or recommendations of
the Secretary, to the congressional defense committees.

SEC. 1065. STUDY AND REPORT ON ROLE OF DEPARTMENT
OF DEFENSE IN FORMULATION OF LONG-
TERM STRATEGY.

The Secretary of Defense shall direct the Office of
Net Assessment to conduct a study on the role of the De-
partment of Defense in the formulation of long-term strat-
egy. Not later than two years after the date of the enact-
ment of this Act, the Secretary shall submit to the con-
gressional defense committees a report on the results of
the study, which shall include—

(1) historical lessons learned, and recommenda-
tions for both the executive and legislative branch on
how to create an entity or entities, programs or
projects, or supporting efforts or activities to study
and formulate suggestions for Department of De-
defense long-term strategy across the combination of
military, economic, scientific, technological, geo-
political, resources, international relations, and other
relevant areas of study related to the role of the De-
partment of Defense in national security.

(2) key recommendations for alternative or can-
didate courses of action for establishing such an en-
tity or entities, programs or projects, or supporting
efforts or activities within or outside of the Government, including identification of areas or components of the Government most suited to the formulation of Department of Defense long-term strategy, or identification of new offices, organizational units, or supporting efforts within or outside of the Government focused on the development of long-term strategies for the Department; and

(3) an analysis of the efforts of the Department of Defense to cultivate long-term strategists within and outside of the Department and the Government, including an examination of options of best methods to improve and support the development, training, and education of strategic thinkers within and outside of the Department and the Government.

SEC. 1066. REPORT ON POTENTIAL THREATS TO MEMBERS OF THE ARMED FORCES OF UNITED STATES NAVAL FORCES CENTRAL COMMAND AND UNITED STATES FIFTH FLEET IN BAHRAIN.

(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 on the threat posed to members of the Armed Forces of the United States Naval Forces Central Command and the
United States Fifth Fleet from Naval Support Activity Bahrain and their family members should an increase in violent clashes in Bahrain make their presence in that nation untenable.

(b) CONTENT OF REPORT.—The report required by subsection (a) shall include the following:

(1) An assessment of the current security situation in Bahrain, marked by escalating violence between security forces and protesters, and the potential impact increased instability could have on—

(A) the physical safety and security of United States personnel and their families living in Bahrain, both inside and outside the confines of military installations;

(B) the freedom of movement of United States personnel and their families living in Bahrain; and

(C) the future operations of Naval Support Activity in Bahrain as it relates to ongoing regional missions.

(2) Safety measures and contingency planning to protect Navy personnel in the event of such an increase in instability, including an analysis of viable alternative locations for both the United States
Naval Forces Central Command and the United States Fifth Fleet.

SEC. 1067. REPORT ON THE STATUS OF DETECTION, IDENTIFICATION, AND DISABLEMENT CAPABILITIES RELATED TO REMOTELY PILOTED AIRCRAFT.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report addressing the suitability of existing capabilities to detect, identify, and disable remotely piloted aircraft operating within special use and restricted airspace. The report shall include the following:

(1) An assessment of the degree to which existing capabilities to detect, identify, and potentially disable remotely piloted aircraft within special use and restricted airspace are able to be deployed and combat prevailing threats.

(2) An assessment of existing gaps in capabilities related to the detection, identification, or disablement of remotely piloted aircraft within special use and restricted airspace.

(3) A plan that outlines the extent to which existing research and development programs within the Department of Defense can be leveraged to fill iden-
tified capability gaps and/or the need to establish
new programs to address such gaps as are identified
pursuant to paragraph (2).

SEC. 1068. REPORT ON OPTIONS TO ACCELERATE THE
TRAINING OF REMOTELY PILOTED AIRCRAFT
PILOTS.

Not later than February 1, 2016, the Secretary of
the Air Force shall submit to the congressional defense
committees a report addressing the immediate and critical
training and operational needs of the remotely piloted air-
craft community. The report shall include the following:

(1) An assessment of the viability of using non-
rated, civilian, contractor, or enlisted pilots to exe-
cute remotely piloted aircraft missions.

(2) An assessment of the availability and exist-
ing utilization of special use airspace available for
remotely piloted aircraft training and a plan for ac-
cessing additional special use airspace in order to
meet anticipated training requirements for remotely
piloted aircraft.

(3) A comprehensive training plan aimed at in-
creasing the throughput of undergraduate remotely
piloted aircraft training without sacrificing quality
and standards.
(4) Establishment of an optimum ratio for the mix of training airframes to operational airframes in the remotely piloted aircraft inventory necessary to achieve manning requirements for pilots and sensor operators and, to the extent practicable, a plan for fielding additional remotely piloted aircraft airframes at the formal training units in the active, National Guard, and reserve components in accordance with optimum ratios for MQ–9 and Global Hawk remotely piloted aircraft.

(5) Establishment of optimum and minimum crew ratios to combat air patrols taking into account all tasks remotely piloted aircraft units execute and, to the extent practicable, a plan for conducting missions in accordance with optimum ratios.

(6) Identification of any resource, legislative, or departmental policy challenges impeding the corrective action needed to reach a sustainable remotely piloted aircraft operations tempo.

(7) An assessment, to the extent practicable, of the direct and indirect impacts that the integration of remotely piloted aircraft into the national airspace system has on the ability to generate remotely piloted aircraft crews.
(8) Any other matters the Secretary determines appropriate.

SEC. 1069. EXPEDITED MEETINGS OF THE NATIONAL COM-
MISSION ON THE FUTURE OF THE ARMY.

Section 1702(f) of the National Defense Authoriza-
tion Act for Fiscal Year 2015 (Public Law 113–291; 128
Stat. 3665) is amended by adding at the end the following
new sentence: “Section 10 of the Federal Advisory Com-
mittee Act (5 U.S.C. App. I) shall not apply to a meeting
of the Commission unless the meeting is attended by five
or more members of the Commission.”.

Subtitle G—Repeal or Revision of
National Defense Reporting Re-
quirements

SEC. 1071. REPEAL OR REVISION OF REPORTING REQUIRE-
MENTS RELATED TO MILITARY PERSONNEL
ISSUES.

(a) Reports on Health Protection Quality
and Health Assessment Data.—

(1) Repeal.—Section 1073b of title 10, United
States Code, is repealed.

(2) Clerical amendment.—The table of sec-
tions at the beginning of chapter 55 of title 10,
United States Code, is amended by striking the item
relating to section 1073b.
(b) Report on Voting Assistance Programs Effectiveness and Compliance.—Section 1566(e) of title 10, United States Code, is amended—

(1) by striking “(1)” after the subsection heading; and

(2) by striking paragraphs (2) and (3).

c) Report on Aviation Officer Retention Bonuses.—Section 301b(i) of title 37, United States Code, is amended—

(1) by striking “(1)” after the subsection heading; and

(2) by striking paragraph (2).

d) Report on Foreign Language Proficiency Incentive Pay.—Section 316a of title 37, United States Code, as amended by section 615(5) of this Act, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

e) Report on Use of Waiver Authority for Military Service Academy Appointments.—Section 553 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 4346 note) is amended—

(1) by striking subsection (e); and

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


(g) Report on Implementation of Yellow Ribbon Reintegration Program.—

(1) Reporting requirement.—Section 582(e) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended by striking paragraph (4).

(2) Conforming repeal.—Section 597 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 10101 note) is repealed.


(i) Report on Inspections of Facilities.—Section 1662 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended—
(1) by striking “(a) Required Inspections of Facilities.—”; and
(2) by striking subsection (b).

(j) Report on Inspections of Other Facilities.—Section 3307 of the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 10 U.S.C. 1073 note) is amended—
(1) by striking subsection (d); and
(2) by redesignating subsection (e) as subsection (d).

(1) by striking subsection (c); and
(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 1072. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATING TO READINESS.

(a) Biennial Reports on Allocation of Funds Within Operation and Maintenance Budget Sub-activities.—
(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by striking section 228.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 228.

(b) ANNUAL REPORT ON NAVAL PETROLEUM RESERVES.—Section 7431 of title 10, United States Code, is amended by striking subsection (c).

(e) ANNUAL REPORT ON ARMY NATIONAL GUARD COMBAT READINESS.—

(1) IN GENERAL.—Chapter 1013 of title 10, United States Code, is amended by striking section 10542.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 10542.

(d) INSIDER THREAT DETECTION BUDGET SUBMISSION.—Section 922 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2224 note) is amended by striking subsection (f).


(1) by striking subsection (c); and

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


(j) GAO Review of Contractor-operated Civil Engineering Supply Stores Program.—Section 345

(1) by striking subsection (d); and

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

(k) QUARTERLY REPORT ON END STRENGTH.—Section 8104 of the Department of Defense Appropriations Act, 2014 (Division C of Public Law 113–76) is repealed.

(l) QUARTERLY REPORT ON END STRENGTH.—Section 8105 of the Department of Defense Appropriations Act, 2013 (Division C of Public Law 113–6) is repealed.


SEC. 1073. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO NAVAL VESSELS AND MERCHANT MARINE.

(a) REPORT ON NAMING OF NAVAL VESSELS.—Section 7292 of title 10, United States Code, is amended by striking subsection (d).
(b) Report on Transfer of Vessels Stricken From Naval Vessel Register.—Section 7306 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(e) Reports on Mission Modules of Littoral Combat Ship.—Section 126 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1657) is amended—

(1) by striking “(a) Designation Re-quired.—”; and

(2) by striking subsection (b).


(f) **Annual Report of Maritime Administration.**—

(1) **Elimination of report and revision of remaining requirement.**—Section 50111 of title 46, United States Code, is amended to read as follows:

"§ 50111. Submission of annual MARAD authorization request

‘(a) Submission of Legislative Proposal.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the Maritime Administration authorization request for that fiscal year.

‘(b) Maritime Administration Request Defined.—In this section, the term ‘Maritime Administration authorization request’ means a proposal for legislation that, for a fiscal year—

‘(1) recommends authorizations of appropriations for the Maritime Administration for that fiscal year, including with respect to matters described in
subsection 109(j) of title 49 or authorized in subtitle V of this title; and

“(2) addresses any other matter with respect to the Maritime Administration that the Secretary determines is appropriate.”.

(2) Clerical Amendment.—The table of sections at the beginning of chapter 501 of title 46, United States Code, is amended by striking the item relating to section 50111 and inserting the following new item:

"50111. Submission of annual MARAD authorization request."

(g) Discretionary Reports No Longer Needed.—The Secretary of the Navy is not required to submit to the congressional defense committees—

(1) a report, or updates to such a report, on open architecture as described in Senate Report 110–077; or

(2) a monthly report on Ford class aircraft carriers not otherwise required by law.

SEC. 1074. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO NUCLEAR, PROLIFERATION, AND RELATED MATTERS.

(a) Report on Nuclear Weapons Council.—Section 179 of title 10, United States Code, is amended by striking subsection (g).
(b) Report on Proliferation Security Initiative.—Section 1821(b) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 2911) is amended—

(1) by striking "(1) In General.—"; and

(2) by striking paragraphs (2) and (3).

(c) Briefings on Dialogue Between United States and Russian Federation on Nuclear Arms.—Section 1282 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 22 U.S.C. 5951 note) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.


(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).
SEC. 1075. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO MISSILE DEFENSE.

(a) Report on Missile Defense Executive Board Activities.—Section 232 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1339) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(b) Report on Ground-Based Midcourse Defense Program.—Section 234 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1340) is amended—

(1) by striking “(a) Sense of Congress.—”;

and

(2) by striking subsection (b).

SEC. 1076. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO ACQUISITION.

(a) Report on Foreign Purchases.—Section 8305 of title 41, United States Code, is repealed, and the table of sections at the beginning of chapter 83 of such title is amended by striking the item relating to that section.

(b) Report on Cost Assessment Activities.—Section 2334 of title 10, United States Code, is amended—
(1) by striking subsection (f); and

(2) by redesigning subsection (g) as subsection (f).

(c) Report on Performance Assessments and Root Cause Analyses.—Section 2438 of title 10, United States Code, is amended by striking subsection (f).

SEC. 1077. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO CIVILIAN PERSONNEL.

(a) Report on Pilot Program for Exchange of Information Technology Personnel.—Section 1110 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2493) is amended—

(1) by striking subsection (i);

(2) by redesigning subsection (j) as subsection (i); and

(3) in subsection (i), as so redesignated, by striking paragraph (2) and inserting the following new paragraph:

“(2) any employee whose assignment is allowed to continue by virtue of paragraph (1) shall be taken into account for purposes of the numerical limitation under subsection (h).”.

(b) Report on Experimental Program for Scientific and Technical Personnel.—Section 1101 of the Strom Thurmond National Defense Authorization Act
for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2139) is amended by striking subsection (g).

SEC. 1078. REPEAL OR REVISION OF MISCELLANEOUS REPORTING REQUIREMENTS.

(a) Report on Rewards for Combating Terrorism.—Section 127b of title 10, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(b) Report on Technological Maturity and Integration Risk of Critical Technologies.—Section 138(b)(8) of title 10, United States Code, is amended—

(1) by striking subparagraph (B); and

(2) by striking “shall——” and all that follows through “assess the technological maturity” and inserting “shall periodically review and assess the technological maturity”; and

(3) by striking “; and” and inserting a period.

(c) Report on Systems Engineering.—Section 139b(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as so redesignated——
(A) by striking “or (2)”;  
(B) in subparagraph (A), by striking “systems engineering master plans and”;  
(C) in subparagraph (B), by striking “, systems engineering master plans,”;  
(D) in subparagraph (C); by striking “systems engineering, development planning,” and inserting “development planning”; and  
(E) by redesignating subparagraph (D) as subparagraph (F);  
(4) by transferring subparagraphs (A) and (B) of paragraph (4) to the end of paragraph (2), as so redesignated, and redesignating those subparagraphs as subparagraphs (D) and (E), respectively; and  
(5) by striking paragraph (4).  
(d) REPORT ON REGIONAL DEFENSE COUNTERTERRORISM FELLOWSHIP PROGRAM.—Section 2249c of title 10, United States Code, is amended by striking subsection (c).  
(e) REPORT ON DARPA.—  
(1) REPEAL.—Section 2352 of title 10, United States Code, is repealed.  
(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of title 10,
United States Code, is amended by striking the item relating to section 2352.

(f) REPORT ON AIRLIFT REQUIREMENTS.—Section 112 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1654) is repealed.

(g) REPORT ON IN-KIND PAYMENTS.—Section 2805 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2149) is repealed.

(h) REPORT ON AIRBORNE SIGNALS INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES.—Section 112(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4153) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

Subtitle H—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 heading of section 153(a)(5) is amended to read as follows: “JOINT FORCE DEVELOPMENT ACTIVITIES.—”.

(2) 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.”.

(3) Section 2679, as transferred, redesignated, and amended by section 351 of the 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”.

(4) Section 2687a(d)(2) is amended by inserting “fair market” before “value”.

(5) Section 2926, as added and amended by section 901(g) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 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,”.

(6) Subsection (d)(4) of section 9314a, as redesignated by section 591(a) of this Act, 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 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 sub-paragraph (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”.

(5) Section 1104(b)(2) (128 Stat. 3526) is amended by striking “paragraph (2)” and inserting “paragraph (1)(A)”.

(6) Section 1208 (128 Stat. 3541) 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”.

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(1) by redesignating the paragraphs (1) through (8) added by section 1202(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat 2512) as sub-paragraphs (A) through (H), respectively; and

(2) by moving the margins of such sub-paragraphs, as so redesignated, two ems to the right.

(e) 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. EXECUTIVE AGENT FOR THE OVERSIGHT AND MANAGEMENT OF ALTERNATIVE COMPENSATORY CONTROL MEASURES.

(a) Executive Agent.—

(1) In general.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end of the following new section:

“§ 430a. Executive agent for management and oversight of alternative compensatory control measures

“(a) Executive Agent.—The Secretary of Defense shall designate a senior official from among the personnel of the Department of Defense to act as the Department of Defense executive agent for the management and oversight of alternative compensatory control measures.

“(b) Roles, Responsibilities, and Authorities.—The Secretary of Defense shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a). Such roles, responsibilities, and authorities shall include the development of an annual management and oversight plan for Department-wide accountability and reporting to the congressional defense committees.”.
(2) Clerical amendment.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"430a. Executive agent for management and oversight of alternative compensatory control measures."

(b) Report.—Not later than 30 days after the close of each of fiscal years 2016 through 2020, the Secretary of Defense shall submit to the congressional defense committees a report on the oversight and management of alternative compensatory control measures. Each such report shall include—

(1) the annual management and oversight plan required under section 430a(b) of title 10, United States Code, as added by subsection (a);

(2) a discussion of the scope and number of alternative compensatory control measures in effect; and

(3) any other matters the Secretary of Defense determines appropriate.

SEC. 1083. NAVY SUPPORT OF OCEAN RESEARCH ADVISORY PANEL.

Section 7903 of title 10, United States Code, is amended by striking subsection (c).

SEC. 1084. LEVEL OF READINESS OF CIVIL RESERVE AIR FLEET CARRIERS.

(a) Findings.—Congress finds the following:
(1) The National Airlift Policy states that “[t]he national defense airlift objective is to ensure that military and civil airlift resources will be able to meet defense mobilization and deployment requirements in support of US defense and foreign policies.”.

(2) The National Airlift Policy also emphasizes the need for “dialogue and cooperation with our national aviation industry,” and it states that “[i]t is of particular importance that the aviation industry be apprised by the Department of Defense of long-term requirements for airlift in support of national defense.”.

(3) The National Airlift Policy emphasizes the importance of both military and civil airlift resources and their interdependence in the fulfillment of the national defense airlift objective, and it states that the “Department of Defense shall establish appropriate levels for peacetime cargo airlift augmentation in order to promote the effectiveness of Civil Reserve Air Fleet and provide training within the military airlift system.”.

(4) Civil Reserve Air Fleet carriers continue to be an important component of the military airlift
system in support of United States defense and foreign policies.

(b) Level of Readiness of Civil Reserve Air Fleet Carriers.—

(1) In general.—Chapter 931 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 9517. Level of readiness of Civil Reserve Air Fleet carriers

“(a) Policy.—The Civil Reserve Air Fleet program is an important component of the military airlift system in support of United States defense and foreign policies, and it is the policy of the United States to maintain the readiness and interoperability of Civil Reserve Air Fleet carriers by providing appropriate levels of peacetime airlift augmentation to maintain networks and infrastructure, exercise the system, and interface effectively within the military airlift system.

“(b) Report Requirement.—On the day the President submits the budget for a fiscal year to Congress, the Secretary of Defense shall submit to Congress a report that sets forth, for each fiscal year during the period covered by the current future-years defense program under section 221 of this title, each of the following, expressed separately for passenger and cargo airlift services:
“(1) The results (including analytical and justification materials) of an assessment, conducted in consultation with the Civil Reserve Air Fleet carriers, of the level of commercial airlift augmentation necessary to maintain the readiness and interoperability of such carriers, maintain networks and infrastructure, exercise the system, and facilitate the regular interfacing between such carriers and the military airlift system, which shall include—

“(A) a projection of the number of block hours necessary to achieve such levels of commercial airlift augmentation;

“(B) a strategic plan for achieving such level of commercial airlift augmentation; and

“(C) an explanation of any deviation from the previous fiscal year’s assessment of the projected number of block hours under subparagraph (A).

“(2) A comparison (including analytical and justification materials and explanations of any deviations) of the forecasted number of block hours for each fiscal year of the period covered by the report with the projected number of block hours under paragraph (1)(A) for each such fiscal year.

“(e) DEFINITIONS.—In this section:
“(1) The term ‘budget’ has the meaning given that term in section 231(f) of this title.

“(2) The term ‘defense budget materials’ has the meaning given that term in section 231(f) of this title.”.

(2) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“9517. Level of Readiness of Civil Reserve Air Fleet carriers.”.

(3) Definition of Civil Reserve Air Fleet Program.—Section 9511 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(12) The term ‘Civil Reserve Air Fleet program’ means the program developed by the Department of Defense through which the Department of Defense augments its airlift capability by use of civil aircraft.”.

SEC. 1085. Authorization of Transfer of Surplus Firearms to Corporation for the Promotion of Rifle Practice and Firearms Safety.

(a) In General.—Section 40728 of title 36, United States Code, is amended by adding at the end the following new subsection:
(h) Authorized Transfers.—The Secretary may transfer to the corporation, in accordance with the procedure prescribed in this subchapter, surplus firearms and spare parts and related accessories for those firearms that on the date of the enactment of this subsection are under the control of the Secretary and are excess to the requirements of the Department of the Army, and such material as may be recovered by the Secretary pursuant to section 40728A(a) of this title. The Secretary shall determine a reasonable schedule for the transfer of these excess firearms.”.

(b) Technical and Conforming Amendments.—Such title is further amended—

(1) in section 40278A—

(A) by striking “rifles” each place it appears and inserting “surplus firearms”; and

(B) in subsection (a), by striking “section 40731(a)” and inserting “section 40732(a)”;

(2) in section 40729(a)—

(A) in paragraph (1), by striking “described in section 40728(a) of this title”; and

(B) in paragraph (2), by striking “firearms described in section 40728(a) of this title” and inserting “surplus firearms”; and
(C) in paragraph (4), by striking “caliber .30 and caliber .22 rimfire rifles” and inserting “firearms”; and

(3) in section 40732—

(A) by striking “caliber .22 rimfire and caliber .30 surplus rifles” both places it appears and inserting “surplus firearms”; and

(B) in subsection (a), by striking “is over 18 years of age” and inserting “is legally of age”.

SEC. 1086. 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 Na-
tional Guard or the Chief of Air Force Re-
serve.”; and

(B) in paragraph (3), by striking “depot”;

(2) by striking subsection (b) and inserting the

following:

“(b) Submittal of Agreements to the Depart-
ment of Defense and Congress.—The Secretary of
the Air Force may not take any action to transfer an air-
craft until the Secretary ensures that the Air Force has
complied with applicable Department of Defense regula-
tions and, for a transfer described in subsection (c)(1),
until the Secretary submits to the congressional defense
committees an agreement entered into pursuant to sub-
section (a) regarding the transfer of the aircraft.”; and

(3) by adding at the end the following new sub-
sections:

“(c) Covered Aircraft Transfers.—

“(1) Covered transfers.—An aircraft trans-
fer 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 compo-
nent of the Air Force of—

“(A) the permanent assignment of an air-
craft that terminates a reserve component’s eq-
uitable interest in the aircraft; or
“(B) possession of an aircraft for a period in excess of 90 days.

“(2) EXCEPTIONS.—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 subsection (c)(2)(A), possession of the aircraft shall be transferred back to the reserve component upon completion of the work described in subsection (c)(2)(A).”.

(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”.

(e) TECHNICAL AMENDMENTS TO DELETE REFERENCES TO AIRCRAFT OWNERSHIP.—Subsection (a) of such section is further amended by striking “the ownership of” in paragraphs (2)(A), (2)(C), and (3).

SEC. 1087. REESTABLISHMENT OF COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACK.

(a) REESTABLISHMENT.—The commission established pursuant to title XIV 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–345), and reestablished pursuant to section 1052 of the National Defense Authorization Act for Fiscal Year
2006 (Public Law 109–163; 50 U.S.C. 2301 note), known as the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, is hereby reestablished.

(b) MEMBERSHIP.—The Commission as reestablished shall have the same membership as the Commission had as of the date of the submission of the report of the Commission pursuant to section 1403(a) of such Act, as amended by such section 1052. Service on the Commission is voluntary, and Commissioners may elect to terminate their service on the Commission. If a Commissioner is unwilling or unable to serve on the Commission, the Secretary of Defense, in consultation with the chairmen and ranking members of the Committees on Armed Services of the House of Representatives and the Senate, shall appoint a new member to fill that vacancy.


(d) **Expanded Purpose.**—Section 1401(b) of the Commission charter (114 Stat. 1654A–345) is amended by inserting before the period at the end the following: “, from non-nuclear EMP weapons, from natural EMP generated by geomagnetic storms, and from proposed uses in the military doctrines of potential adversaries of using EMP weapons in combination with other attack vectors.”.

(e) **Duties of Commission.**—Section 1402 of the Commission charter (114 Stat. 1654A–346) is amended to read as follows:

**“SEC. 1402. DUTIES OF COMMISSION.”**

“The Commission shall assess the following:

“(1) The vulnerability of electric-dependent military systems in the United States to a manmade or natural EMP event, giving special attention to the progress made by the Department of Defense, other Government departments and agencies of the United States, and entities of the private sector in taking steps to protect such systems from such an event.

“(2) The evolving current and future threat from state and non-state actors of a manmade EMP attack employing nuclear or non-nuclear weapons.
“(3) New technologies, operational procedures, and contingency planning that can protect electronics and electric-dependent military systems from a manmade or natural EMP event.

“(4) Among the States, if State grids are islanded for protection against manmade or natural EMP, which States should receive highest priority for protecting critical defense assets and for maximizing survival of the national population.”.

(f) REPORT.—Section 1403 of the Commission charter (114 Stat. 1654A–345) is amended by striking “September 30, 2007” and inserting “June 30, 2017”.

(g) TERMINATION.—Section 1049 of the Commission charter (114 Stat. 1654A–348) is amended by inserting before the period at the end the following: “, as amended by the National Defense Authorization Act for Fiscal Year 2016”.

SEC. 1088. DEPARTMENT OF DEFENSE STRATEGY FOR COUNTERING UNCONVENTIONAL WARFARE.

(a) STRATEGY REQUIRED.—The Secretary of Defense, in consultation with the President and the Chairman of the Joint Chiefs of Staff, shall develop a strategy for the Department of Defense to counter unconventional warfare threats posed by adversarial state and non-state actors.
(b) **ELEMENTS.**—The strategy required under subsection (a) shall include each of the following:

1. An articulation of the activities that constitute unconventional warfare being waged upon the United States and allies.

2. A clarification of the roles and responsibilities of the Department of Defense in providing indications and warning of, and protection against, acts of unconventional warfare.

3. The current status of authorities and command structures related to countering unconventional warfare.

4. An articulation of the goals and objectives of the Department of Defense with respect to countering unconventional warfare threats.

5. An articulation of related or required interagency capabilities and whole-of-Government activities required by the Department of Defense to support a counter-unconventional warfare strategy.

6. Recommendations for improving the counter-unconventional warfare capabilities, authorities, and command structures of the Department of Defense.
(7) Recommendations for improving interagency coordination and support mechanisms with respect to countering unconventional warfare threats.

(8) Recommendations for the establishment of joint doctrine to support counter-unconventional warfare capabilities within the Department of Defense.

(9) Any other matters the Secretary of Defense and the Chairman of the Joint Chiefs of Staff determine necessary.

(c) SUBMITTAL TO CONGRESS.—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 the strategy required by subsection (a). The strategy shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITION OF UNCONVENTIONAL WARFARE.—In this section, the term “unconventional warfare” means activities conducted to enable a resistance movement or insurgency to coerce, disrupt, or overthrow a government or occupying power by operating through or with an underground, auxiliary, or guerrilla force in a denied area.

SEC. 1089. MINE COUNTERMEASURES MASTER PLAN.

(a) PLAN REQUIRED.—
(1) IN GENERAL.—At the same time the budget is submitted to Congress for each of fiscal years 2018 through 2023, the Secretary of the Navy shall submit to the congressional defense committees a mine countermeasures (hereinafter in this section referred to as “MCM”) master plan. Each such plan shall include each of the following:

(A) An evaluation of the capabilities, capacities, requirements, and readiness levels of the defensive capabilities of the Navy for MCM, including an assessment of the dedicated MCM force as well as the capabilities of ships, aircraft, and submarines that are not yet dedicated to MCM but could be modified to carry mine warfare capabilities.

(B) An evaluation of the ability of units to properly command and control air and surface MCM forces from fleet level down through to element level and to provide necessary operational and tactical control and awareness of such forces to facilitate mission accomplishment and defense.

(C) An assessment of technologies having promising potential for use for improving mine warfare and of programs for transitioning such
technologies from the testing and evaluation phases to procurement.

(D) A fiscal plan to support the master plan through the Future Years Defense Plan.

(E) A plan for inspection of each asset with mine warfare responsibilities, requirements, and capabilities, which shall include proposed methods to ensure the material readiness of each asset and the training level of the force, a general summary, and readiness trends.

(2) FORM OF SUBMISSION.—Each plan submitted under paragraph (1)(E) shall be in unclassified form, but may include a classified annex addressing the capability and capacity to meet operational plans and contingency requirements.

(b) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing the recommendations of the Secretary regarding the force structure and ensuring the operational effectiveness of the surface mine warfare force through 2025 based on current capabilities and capacity, replacement schedules, and service life extensions or retirement schedules. Such report shall include an assessment of the MCM vessels, including the decommissioned
SEC. 1090. CONGRESSIONAL NOTIFICATION AND BRIEFING REQUIREMENT ON ORDERED EVACUATIONS OF UNITED STATES EMBASSIES AND CONSULATES INVOLVING THE USE OF UNITED STATES ARMED FORCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that in order to ensure the safety and security of members of the Armed Forces of the United States overseas—

(1) members of the Armed Forces of the United States should have the proper authorized resources at all times to protect themselves while participating in an ordered evacuation of a United States embassy or consulate abroad; and

(2) no restrictions should be placed on the ability of members of the Armed Forces of the United States to maintain on their person and use authorized weapons and equipment for personal and evacuee security at all times and to take authorized protective actions subject to applicable law and orders from the chain of command, during an ordered evacuation of a United States embassy or consulate.
(b) Notification Requirement.—The Secretary of Defense and the Secretary of State shall provide joint notification to the appropriate congressional committees as soon as practicable after the initiation of an ordered evacuation of a United States embassy or consulate involving the use of United States Armed Forces.

c) Briefing Requirement.—The Secretary of Defense and the Secretary of State shall provide a joint briefing to the appropriate congressional committees not later than 15 days after the initiation of an ordered evacuation of a United States embassy or consulate involving the use of the United States Armed Forces.

(d) Elements.—Each notification under subsection (a) and briefing under subsection (b) shall include the following:

(1) An overview of the ordered evacuation.

(2) The status of all personnel assigned to the embassy or consulate, including United States citizens and locally-employed staff.

(3) The status of the embassy or consulate, including whether the embassy or consulate was secured and all classified or otherwise sensitive material destroyed upon departure.

(4) An overview of the manner and location from which the Department of State will continue to
conduct the duties and responsibilities of the em-
bassy or consulate.

(5) A description of the disposition of United States Government property and whether such prop-
erty was destroyed, disabled, abandoned or otherwise left behind, or remains in the possession of United States Government personnel.

(6) Any other matters the Secretary of Defense and Secretary of State determine to be relevant.

e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congres-
sional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1091. DETERMINATION AND DISCLOSURE OF TRANS-
PORTATION COSTS INCURRED BY SECRETARY OF DEFENSE FOR CONGRESSIONAL TRIPS OUTSIDE THE UNITED STATES.

(a) DETERMINATION AND DISCLOSURE OF COSTS BY SECRETARY.—In the case of a trip taken by a Member, officer, or employee of the House of Representatives or Senate in carrying out official duties outside the United
States for which the Department of Defense provides transportation, the Secretary of Defense shall—

(1) determine the cost of the transportation provided with respect to the Member, officer, or employee;

(2) not later than 10 days after completion of the trip involved, provide a written statement of the cost—

(A) to the Member, officer, or employee involved, and

(B) to the Committee on Armed Services of the House of Representatives (in the case of a trip taken by a Member, officer, or employee of the House) or the Committee on Armed Services of the Senate (in the case of a trip taken by a Member, officer, or employee of the Senate); and

(3) upon providing a written statement under paragraph (2), make the statement available for viewing on the Secretary’s official public website until the expiration of the 4-year period which begins on the final day of the trip involved.

(b) EXCEPTIONS.—This section does not apply with respect to any trip the sole purpose of which is to visit
one or more United States military installations or to visit
United States military personnel in a war zone (or both).

(c) DEFINITIONS.—In this section:

(1) MEMBER.—The term “Member”, with re-
spect to the House of Representatives, includes a
Delegate or Resident Commissioner to the Congress.

(2) UNITED STATES.—The term “United
States” means the several States, the District of Co-
lumbia, the Commonwealth of Puerto Rico, the Com-
monwealth of the Northern Mariana Islands, the
Virgin Islands, Guam, American Samoa, and any
other territory or possession of the United States.

(d) EFFECTIVE DATE.—This section shall apply with
respect to trips taken on or after the date of the enact-
ment of this Act, except that this section does not apply
with respect to any trip which began prior to such date.

SEC. 1092. INTERAGENCY HOSTAGE RECOVERY COORDI-
NATOR.

(a) INTERAGENCY HOSTAGE RECOVERY COORDI-
nator.—

(1) IN GENERAL.—Not later than 60 days after
the date of the enactment of this Act, the President
shall designate an existing Federal officer to coordi-
nate efforts to secure the release of United States
persons who are hostages of hostile groups or state
sponsors of terrorism. For purposes of carrying out
the duties described in paragraph (2), such officer
shall have the title of “Interagency Hostage Recov-
ery Coordinator”.

(2) DUTIES.—The Coordinator shall have the
following duties:

(A) Coordinate and direct all activities of
the Federal Government relating to each hos-
tage situation described in paragraph (1) to en-
sure efforts to secure the release of all hostages
in the hostage situation are properly resourced
and correct lines of authority are established
and maintained.

(B) Establish and direct a fusion cell con-
sisting of appropriate personnel of the Federal
Government with purview over each hostage sit-
tuation described in paragraph (1).

(C) Develop a strategy to keep family
members of hostages described in paragraph (1)
informed of the status of such hostages and in-
form such family members of updates, proce-
dures, and policies that do not compromise the
national security of the United States.

(b) LIMITATION ON AUTHORITY.—The authority of
the Interagency Hostage Recovery Coordinator shall be
limited to countries that are state sponsors of terrorism and areas designated as hazardous for which hostile fire and imminent danger pay are payable to members of the Armed Forces for duty performed in such area.

(c) QUARTERLY REPORT.—

(1) IN GENERAL.—On a quarterly basis, the Coordinator shall submit to the appropriate congressional committees and the members of Congress described in paragraph (2) a report that includes a summary of each hostage situation described in subsection (a)(1) and efforts to secure the release of all hostages in such hostage situation.

(2) MEMBERS OF CONGRESS DESCRIBED.—The members of Congress described in this subparagraph are, with respect to a United States person hostage covered by a report under paragraph (1), the Senators representing the State, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district, where a hostage described in subsection (a)(1) resides.

(3) FORM OF REPORT.—Each report under this subsection may be submitted in classified or unclassified form.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Federal Govern-
ment to negotiate with a state sponsor of terrorism or an organization that the Secretary of State has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(e) Definitions.—In this section:

(1) Coordinator.—The term “Coordinator” means the Interagency Hostage Recovery Coordinator designated under subsection (a).

(2) Hostile group.—The term “hostile group” means—

(A) a group that is designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) a group that is engaged in armed conflict with the United States; or

(C) any other group that the President determines to be a hostile group for purposes of this paragraph.

(3) State sponsor of terrorism.—The term “state sponsor of terrorism”—

(A) means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the
Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism; and

(B) includes North Korea.

SEC. 1093. SITUATIONS INVOLVING BOMBINGS OF PLACES OF PUBLIC USE, GOVERNMENT FACILITIES, PUBLIC TRANSPORTATION SYSTEMS, AND INFRASTRUCTURE FACILITIES.

(a) IN GENERAL.—Chapter 18 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 383. Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities

“(a) IN GENERAL.—The direct participation of members of the Armed Forces assigned to explosive ordnance disposal (EOD) units providing support to civilian law enforcement agencies does not involve search, seizure, arrest or other similar activity. Upon the request of the Attorney General, the Secretary of Defense may provide such assistance in Department of Justice activities related to the enforcement of section 2332f of title 18 during situations
involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.

“(b) Mutual Aid Agreement.—The Secretary of Defense, through mutual aid agreement with the Attorney General shall, in the interest of public safety, waive reimbursement on military EOD support of Department of Justice activities related to the enforcement of section 2332f of title 18 for situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.

“(c) Rendering-Safe Support.—Military EOD units providing rendering-safe support to Department of Justice activities relating to the enforcement of section 175, 229, or 2332a of title 18 emergency situations involving weapons of mass destruction shall be consistent with the provisions of section 382 of this title.

“(d) Definitions.—In this section:

“(1) The term ‘explosive ordnance’—

“(A) means—

“(i) bombs and warheads;

“(ii) guided and ballistic missiles;

“(iii) artillery, mortar, rocket, and small arms ammunition;
“(iv) all mines, torpedoes, and depth charges;

“(v) grenades demolition charges;

“(vi) pyrotechnics;

“(vii) clusters and dispensers;

“(viii) cartridge- and propellant– actuated devices;

“(ix) electroexplosives devices;

“(x) clandestine and improvised explosive devices (IEDs); and

“(xi) all similar or related items or components explosive in nature; and

“(B) includes all munitions containing explosives, propellants, nuclear fission or fusion materials, and biological and chemical agents.

“(2) The term ‘explosive ordnance disposal procedures’ means those particular courses or modes of action for access to, recovery, rendering–safe, and final disposal of explosive ordnance or any hazardous material associated with an EOD incident, including—

“(A) access procedures;

“(B) recovery procedures;

“(C) render-safe procedures; and

“(D) final disposal procedures.”.
(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“383. Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.”.

SEC. 1094. SENSE OF CONGRESS REGARDING TECHNICAL CORRECTION.

It is the sense of Congress that a technical correction to the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act of Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3881) should be enacted in order to expeditiously carry out the intent of such section 3095.

SEC. 1095. OBSERVANCE OF VETERANS DAY.

(a) Two Minutes of Silence.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following new section:

“§ 145. Veterans Day

“The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation, beginning at—

“(1) 3:11 pm Atlantic standard time;
“(2) 2:11 pm eastern standard time;
“(3) 1:11 pm central standard time;
“(4) 12:11 pm mountain standard time;
“(5) 11:11 am Pacific standard time;
“(6) 10:11 am Alaska standard time; and
“(7) 9:11 am Hawaii-Aleutian standard time.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following new item:

“145. Veterans Day.”

SEC. 1096. **BUSINESS CASE ANALYSIS OF DECISION TO MAINTAIN C130J AIRCRAFT AT KEESLER AIR FORCE BASE, MISSISSIPPI.**

Not later than 60 days after the date of the enactment of this Act, the Secretary of the Air Force shall conduct a business case analysis of the decision to maintain 10 C-130J aircraft at Keesler Air Force Base, Mississippi. Such analysis shall include consideration of—

(1) any efficiencies or cost savings that would be achieved by transferring such aircraft to Little Rock Air Force Base, Arkansas;

(2) any effects of such decision on the operation of the air mobility command; and

(3) the short-term and long-term costs of maintaining such aircraft at Keesler Air Force Base.
SEC. 1097. SENSE OF CONGRESS REGARDING CYBER RESILIENCE OF NATIONAL GUARD NETWORKS AND COMMUNICATIONS SYSTEMS.

It is the sense of Congress that—

(1) National Guard personnel need to have situational awareness and reliable communications in the event of an emergency, terrorist attack, or natural or man-made disaster;

(2) in the event of such an emergency, attack, or disaster, the ability of the National Guard personnel to communicate and coordinate response is vital;

(3) current communications and networking systems for the National Guard, including commercial wireless solutions, such as mobile wireless kinetic mesh and other systems that are interoperable with the systems of civilian first responders, should provide the necessary robustness, interoperability, reliability, and resilience to extend needed situational awareness and communications to all users and under all operating conditions, including in degraded communications environments where infrastructure is damaged, destroyed, or under cyber attack or disruption; and

(4) the National Guard should be constantly seeking ways to improve and expand its communica-
tions and networking capabilities to provide for en-
hanced performance and resilience in the face of
cyber attacks or disruptions, as well as other in-
stances of degradation.

SEC. 1098. SENSE OF CONGRESS ON PAID-FOR PATRIOTISM.

It is the sense of Congress that—

(1) while recruitment and advertising in sup-
port of the Armed Forces, including the National
Guard and Reserves, is appropriate, the taxpayer
should not have to pay any organization to honor
the service of members of the Armed Forces;

(2) instead of being paid by the Department of
Defense to honor the service of members of the
Armed Forces, these organizations should be moti-
vated by patriotism to honor the service of members
of the Armed Forces out of their own free will; and

(3) any funds that the Department of Defense
would have used for purposes described in paragraph
(1) should be redirected toward post-traumatic
stress disorder research and treatment for members
of the Armed Forces.
TITLE XI—CIVILIAN PERSONNEL
MATTERS

SEC. 1101. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


SEC. 1102. AUTHORITY TO PROVIDE ADDITIONAL ALLOWANCES AND BENEFITS FOR DEFENSE CLANDESTINE SERVICE EMPLOYEES.

Section 1603 of title 10, United States Code, is amended by adding at the end the following:

“(c) ADDITIONAL ALLOWANCES AND BENEFITS FOR EMPLOYEES OF THE DEFENSE CLANDESTINE SERVICE.—In addition to the authority to provide compensation under subsection (a), the Secretary of Defense may pro-
vide an employee in a defense intelligence position who is
assigned to the Defense Clandestine Service allowances
and benefits under paragraph (1) of section 9904 of title
5 without regard to the limitations in that section—
“(1) that the employee be assigned to activities
outside the United States; or
“(2) that the activities to which the employee is
assigned be in support of Department of Defense ac-
tivities abroad.”.

SEC. 1103. EXTENSION OF RATE OF OVERTIME PAY FOR DE-
PARTMENT OF THE NAVY EMPLOYEES PER-
FORMING WORK ABOARD OR DOCKSIDE IN
SUPPORT OF THE NUCLEAR-POWERED AIR-
CRAFT CARRIER FORWARD DEPLOYED IN
JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code,
is amended by striking “September 30, 2015” and insert-
ing “September 30, 2017”.

SEC. 1104. MODIFICATION TO TEMPORARY AUTHORITIES
FOR CERTAIN POSITIONS AT DEPARTMENT
OF DEFENSE RESEARCH AND ENGINEERING
FACILITIES.

Section 1107 of the National Defense Authorization
888) is amended—
(1) in subsection (a), by adding at the end the following:

“(4) NONCOMPETITIVE CONVERSION TO PERMANENT APPOINTMENT.—With respect to any student appointed by the director of an STRL under paragraph (3) to an indefinite or term appointment, upon graduation from the applicable institution of higher education (as defined in such paragraph), the director may noncompetitively convert such student to a permanent appointment within the STRL without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), provided the student meets all eligibility and Office of Personnel Management qualification requirements for the position.”;

(2) in subsection (c)(1), by striking “3 percent” and inserting “6 percent”; and

(3) in subsection (c)(2), by striking “1 percent” and inserting “3 percent”; and

(4) in subsection (f)(2), by striking “1 percent” and inserting “2 percent”.


SEC. 1105. PREFERENCE ELIGIBILITY FOR MEMBERS OF
RESERVE COMPONENTS OF THE ARMED
FORCES APPOINTED TO COMPETITIVE SERV-
ICE; CLARIFICATION OF APPEAL RIGHTS.

(a) Preference Eligibility.—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) by inserting the following after sub-
paragraph (H):

“(I) an individual who is a member of a re-
serve component of the armed forces:

“(i) who has—

“(I) successfully completed offi-
cer candidate training or entry level
and skill training; and

“(II) incurred, or is performing,
an initial period of obligated service in
a reserve component of the armed
forces of not less than 6 consecutive
years; or

“(ii) who has completed at least 10
years of service in a reserve component of
the armed forces in each of which the indi-
vidual was credited with at least 50 points
under section 12732 of title 10 toward the
computation of years of service under sec-
tion 12732 of title 10 for purposes of eligi-
bility for retired pay under chapter 1223
of title 10; and
“(J) an individual who is—
“(i) retired from service in a reserve
component of the armed forces; and
“(ii) eligible for, but has not yet com-
mented receipt of, retired pay for non-reg-
ular service under chapter 1223 of title
10;”;
(2) in paragraph (4)—
(A) in subparagraph (A), by striking “or”
at the end;
(B) in subparagraph (B), by striking
“and” at the end and inserting “or”; and
(C) by adding at the end the following:
“(C) the individual is a retiree described in
paragraph (3)(J);”;
(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) ‘entry level and skill training’ has the
meaning given that term in section 3301(2) of title
38; 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.—Sec-
tion 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the
end; and

(2) by striking paragraph (2) and inserting the
following:

“(2) a preference eligible under subparagraph
(A), (B), or (J) of section 2108(3) of this title-5
points;

“(3) a preference eligible under section
2108(3)(I)(ii) of this title-4 points; and

“(4) a preference eligible under section
2108(3)(I)(i) of this title-3 points.”.

(c) Clarification of Appeal Rights.—

(1) In General.—Section 3330a of title 5,
United States Code, is amended—

(A) in subsection (a)(1)(A), by inserting “,
including a preference eligible appointed pursu-
ant to section 7401 of title 38 or otherwise em-
ployed by the Veterans Health Administration
of the Department of Veterans Affairs,” after
“A preference eligible”; and

(B) in subsection (d)(1), by inserting “, in-
cluding a complaint so filed by a preference eli-
gible appointed pursuant to section 7401 of
title 38 or otherwise employed by the Veterans
Health Administration,” after “If the Secretary
of Labor is unable to resolve a complaint under
subsection (a)”.

(2) COORDINATION RULE.—Section 3330a of
title 5, United States Code, is amended by adding
at the end the following new subsection:
“(f) If any part of this section is deemed to be incon-
sistent with any provision of chapter 74 of title 38, this
section shall be deemed to supersede, override or otherwise
modify such provision of chapter 74 of title 38.”.
TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.


(1) in subsection (a), by striking “fiscal year 2015” and inserting “fiscal year 2016”;

(2) in subsection (d), by striking “during the period beginning on October 1, 2014, and ending on December 31, 2015” and inserting “during the period beginning on October 1, 2015, and ending on December 31, 2016”; and

(3) in subsection (e)(1), by striking “December 31, 2015” and inserting “December 31, 2016”.

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SEC. 1202. STRATEGIC FRAMEWORK FOR DEPARTMENT OF
DEFENSE SECURITY COOPERATION.

(a) Strategic Framework.—

(1) In general.—The Secretary of Defense, in coordination with the Secretary of State, shall de-
velop a strategic framework for Department of De-
fense security cooperation to guide prioritization of
resources and activities.

(2) Elements.—The strategic framework re-
quired by paragraph (1) shall include the following:

(A) Discussion of the strategic goals of De-
partment of Defense security cooperation pro-
grams, and the extent to which these programs
complement Department of State security as-
assistance programs to achieve United States
Government goals globally, regionally, and, if
appropriate, within specific programs.

(B) Identification of the primary objec-
tives, priorities, and desired end-states of De-
partment of Defense security cooperation pro-
grams.

(C) Identification of challenges to achiev-
ing the primary objectives, priorities, and de-
sired end-states identified under subparagraph
(B), including—
(i) constraints on Department of Defense resources, authorities, and personnel;

(ii) partner nation variables, such as political will, absorptive capacity, corruption, and instability risk;

(iii) constraints or limitations due to bureaucratic impediments, interagency processes, or congressional requirements;

(iv) validation of requirements; and

(v) assessment, monitoring, and evaluation.

(D) A methodology for assessing the effectiveness of Department of Defense security cooperation programs in making progress toward achieving the primary objectives, priorities, and desired end-states identified under subparagraph (B), including an identification of key benchmarks for such progress and the implications of failing to achieve such primary objectives, priorities, and desired end-states.

(E) An analysis of overlap, duplication, or gaps among Department of Defense security cooperation authorities and how these authorities complement or overlap with Department of State security assistance authorities.
(F) Any other matters the Secretary of Defense determines appropriate.

(b) Report.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the strategic framework required by subsection (a).

(2) Form.—The report required by paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

(3) Definition.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees;

and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1203. MODIFICATION AND TWO-YEAR EXTENSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

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”.

(e) PROCEDURES.—Such section, as so amended, is further amended—

(1) by redesignating subsections (c) through (i) as subsections (d) through (j), 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 conduct 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) IN GENERAL.—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) EXCEPTION.—The Secretary is not required to establish a Fund under
clause (i) if, not later than February 1, 2016, the Secretary determines and re-
ports to the appropriate congressional com-
mittees (as defined in subsection (h)(1)) that in the opinion of the Secretary such a Fund should be established on the books of the Department of the Treasury.

“(B) CRITERIA.—In administering the Fund established under subparagraph (A)(i), 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 appro-
priated to carry out the program under this section.

“(ii) Amounts that the Secretary of Defense transfers, in such amounts as pro-
vided 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 Na-
tional Guard.

“(C) INCLUSION IN ANNUAL BUDGET.—
The President shall include the Fund estab-
lished under subparagraph (A)(i) or such a Fund established on the books of the Depart-
ment of the Treasury 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 re-
quired by subsection (c)(1) and any update to any changes to the list of core com-
petencies 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) Termination.—Section 1205(i) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 899; 32 U.S.C. 107 note) is amended by striking “September 30, 2016” and inserting “September 30, 2018”.

SEC. 1204. EXTENSION OF AUTHORITY FOR NON-RECIPIROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.


SEC. 1205. MONITORING AND EVALUATION OF OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) In General.—Of the amounts authorized to be appropriated by this Act to carry out sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code, up to 5 percent of such amounts may be made available to conduct monitoring and evaluation of programs con-
ducted pursuant to such authorities during fiscal year 2016.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the appropriate congressional committees on mechanisms to evaluate the programs conducted pursuant to the authorities listed in subsection (a). The briefing shall include the following:

(1) A description of how the Department of Defense evaluates program and project outcomes and impact, including cost effectiveness and extent to which programs meet designated goals.

(2) An analysis of steps taken to implement the recommendations from the following reports:

(A) The Government Accountability Office’s Report entitled “Project Evaluations and Better Information Sharing Needed to Manage the Military’s Efforts”.


Monitoring and Evaluating Department of Defense Humanitarian Assistance Projects”.

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. COMMANDERS’ EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(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 National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3546), is further amended by striking “fiscal year 2015” each place it appears and inserting “fiscal year 2016”.

(b) FUNDS AVAILABLE DURING FISCAL YEAR 2016.—Subsection (a) of such section, as so amended, is further amended by striking “$10,000,000” and inserting “$5,000,000”.
SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.


(b) Limitation on Amounts Available.—Subsection (d)(1) of such section, 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 $1,260,000,000”; and

(2) in the third sentence, by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(c) 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(d) of the National Defense Authorization Act for
Fiscal Year 2015 (128 Stat. 3548), is further amended by striking “September 30, 2015” and inserting “September 30, 2016”.

(d) 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 most recently amended by section 1222(e) of the National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3548), is further amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(e) 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 (b)(2)), $400,000,000 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 continues to conduct military operations in North Waziristan to disrupt the safe haven
and freedom of movement of the Haqqani Network
in Pakistan;

(2) Pakistan has prevented the Haqqani Net-
work from using North Waziristan as a safe haven;
and

(3) the Government of Pakistan actively coordi-
nates with the Government of Afghanistan to re-
strict the movement of militants, such as the
Haqqani Network, along the Afghanistan-Pakistan
border.

SEC. 1213. SENSE OF CONGRESS ON UNITED STATES POL-
ICY AND STRATEGY IN AFGHANISTAN.

It is the sense of Congress that—

(1) the United States continues to have vital
national security interests in ensuring that Afghani-
stan is a stable, sovereign country;

(2) President Ashraf Ghani of Afghanistan
should be applauded for his leadership and commit-
ment to ensuring that Afghanistan remains stable,
secure, and a friend of the United States;

(3) the decision by the President of the United
States to maintain 9,800 United States troops in Af-
ghanistan through all of 2015 to train, advise, and
assist and conduct counterterrorism missions in Af-
ghanistan is the appropriate approach, is consistent
with United States national security interests, and
should be supported by Congress;

(4) the President should withdraw United
States troops only on a pace that is consistent with
the ability of the Afghan National Security Forces
to sustain itself and secure Afghanistan and should
review maintaining the United States advisory mis-
mission in Afghanistan beyond 2016;

(5) the United States should provide monetary
and advisory support for the 352,000 Afghan Na-
tional Security Forces personnel and 30,000 Afghan
Local Police, including intelligence, surveillance, and
reconnaissance support, through 2018 while also
maintaining a focus on the protection of human
rights;

(6) the Afghan National Security Forces should
have the independent capability to prevent groups
such as al-Qaeda, the Haqqani Network, the Quetta
Shura Taliban, and other terrorist and insurgent
groups from being able to conduct de-stabilizing at-
tacks and military operations inside Afghanistan or
against the United States and its allies and holding
or governing territory; and

(7) the United States should continue to vigor-
ously conduct counterterrorism operations in Af-
ghanistan beyond 2016, including against the
Haqqani Network, to preserve the vital national se-
curity interests of the United States.

SEC. 1214. EXTENSION OF AUTHORITY TO ACQUIRE PROD-
UCTS AND SERVICES PRODUCED IN COUN-
TRIES 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 of the
(Public Law 113–66; 127 Stat. 814), is further amended
by striking “December 31, 2015” and inserting “Decem-
ber 31, 2016”.

SEC. 1215. EXTENSION OF AUTHORITY TO TRANSFER DE-
FENSE 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 National Defense Authorization Act
3556), is further amended by striking “December 31,
2015” and inserting “December 31, 2016”.

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(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 “and 2015” each place it appears and inserting “, 2015, and 2016”.

SEC. 1216. ASSISTANCE FOR AFGHAN TRANSLATORS, INTERPRETERS, AND ADMINISTRATIVE AIDS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is in the interest of the United States to continue to assist Afghan partners, and their immediate families, who have served as translators or interpreters and those who have performed sensitive and trusted activities for United States forces.

(b) SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)(A)(ii)(II), by striking “International Security Assistance Force” each place such term appears and inserting “International Security Assistance Force, the Resolute Support Mission, or any successor organization”;

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(2) in paragraph (3)(F)(i), by striking “September 30, 2015;” and inserting “December 31, 2015;”;
and

(3) by adding at the end the following:

“(15) ADDITIONAL REPORT.—Not later than 60 days after the date of the enactment of this paragraph, and every 2 years thereafter, the Secretary of Defense and the Secretary of State jointly shall submit a report to the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives and the Committee on Armed Services and the Committee on the Judiciary of the Senate containing the following:

“(A) The number of citizens or nationals of Afghanistan employed in Afghanistan by, or on behalf of, entities or organizations described in paragraph (2)(A)(ii).

“(B) A prediction of the number of such individuals who will be so employed on the date that is 2 years after the date used for the count under subparagraph (A).”.

SEC. 1217. REPORT ON EFFORTS TO ENGAGE UNITED STATES MANUFACTURERS IN PROCUREMENT OPPORTUNITIES RELATED TO EQUIPPING THE AFGHAN NATIONAL SECURITY FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to Congress a report on efforts of the Secretaries to engage United States manufacturers in procurement opportunities related to equipping the Afghan National Security Forces.

SEC. 1218. REPORT ON ACCESS TO FINANCIAL RECORDS OF THE GOVERNMENT OF AFGHANISTAN TO AUDIT THE USE OF FUNDS FOR ASSISTANCE FOR AFGHANISTAN.

Not later than December 31, 2016, the Special Inspector General for Afghanistan Reconstruction shall submit to Congress a report on the extent to which the Office of the Special Inspector General for Afghanistan Reconstruction has adequate access to financial records of the Government of Afghanistan to audit the use of funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for assistance for Afghanistan.

SEC. 1219. SENSE OF CONGRESS RELATING TO DR. SHAKIL AFRIDI.

(a) FINDINGS.—Congress finds the following:

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(1) The attacks of September 11, 2001, killed approximately 3,000 people, most of whom were Americans, but also included hundreds of individuals with foreign citizernships, nearly 350 New York Fire Department personnel, and about 50 law enforcement officers.

(2) Downed United Airlines flight 93 was reportedly intended, under the control of the al-Qaeda high-jackers, to crash into the White House or the Capitol in an attempt to kill the President of the United States or Members of the United States Congress.

(3) The September 11, 2001, attacks were largely planned and carried out by the al-Qaeda terrorist network led by Osama bin Laden and his deputy Ayman al Zawahiri, after which Osama bin Laden enjoyed safe haven in Pakistan from where he continued to plot deadly attacks against the United States and the world.

(4) The United States has obligated nearly $30 billion between 2002 and 2014 in United States taxpayer money for security and economic aid to Pakistan.

(5) The United States very generously and swiftly responded to the 2005 Kashmir Earthquake
in Pakistan with more than $200 million in emergency aid and the support of several United States military aircraft, approximately 1,000 United States military personnel, including medical specialists, thousands of tents, blankets, water containers and a variety of other emergency equipment.

(6) The United States again generously and swiftly contributed approximately $150 million in emergency aid to Pakistan following the 2010 Pakistan flood, in addition to the service of nearly twenty United States military helicopters, their flight crews, and other resources to assist the Pakistan Army’s relief efforts.

(7) The United States continues to work tirelessly to support Pakistan’s economic development, including millions of dollars allocated towards the development of Pakistan’s energy infrastructure, health services and education system.

(8) The United States and Pakistan continue to have many critical shared interests, both economic and security related, which could be the foundation for a positive and mutually beneficial partnership.

(9) Dr. Shakil Afridi, a Pakistani physician, is a hero to whom the people of the United States, Pakistan and the world owe a debt of gratitude for
his help in finally locating Osama bin Laden before more innocent American, Pakistani and other lives were lost to this terrorist leader.

(10) Pakistan, the United States and the international community had failed for nearly 10 years following attacks of September 11, 2001, to locate and bring Osama bin Laden, who continued to kill innocent civilians in the Middle East, Asia, Europe, Africa and the United States, to justice without the help of Dr. Afridi.

(11) The Government of Pakistan’s imprisonment of Dr. Afridi presents a serious and growing impediment to the United States’ bilateral relations with Pakistan.

(12) The Government of Pakistan has leveled and allowed baseless charges against Dr. Afridi in a politically motivated, spurious legal process.

(13) Dr. Afridi is currently imprisoned by the Government of Pakistan, a deplorable and unconscionable situation which calls into question Pakistan’s actual commitment to countering terrorism and undermines the notion that Pakistan is a true ally in the struggle against terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Dr. Shakil Afridi is an international hero and
that the Government of Pakistan should release him immedi-
ately from prison.

Subtitle C—Matters Relating to
Syria and Iraq

SEC. 1221. EXTENSION OF AUTHORITY TO SUPPORT OPER-
ATIONS AND ACTIVITIES OF THE OFFICE OF
SECURITY COOPERATION IN IRAQ.

(a) Extension of Authority.—Subsection (f)(1)
of section 1215 of the National Defense Authorization Act
for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113
note), as most recently amended by section 1237 of the
(Public Law 113–291; 128 Stat. 3562), is further amend-
ed by striking “fiscal year 2015” and inserting “fiscal
year 2016”.

(b) Amount Available.—Such section, as so
amended, is further amended—

(1) in subsection (c), by striking “fiscal year
2015” and all that follows and inserting “fiscal year
2016 may not exceed $143,000,000.”; and

(2) in subsection (d), by striking “fiscal year
2015” and inserting “fiscal year 2016”.

(e) Report.—Not later than 180 days after the date
of the enactment of this Act, the Secretary of Defense and
the Secretary of State shall submit to the congressional
defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the activities of the Office of Security Cooperation in Iraq. The report shall include the following:

(1) A description of how the programs of the Office of Security Cooperation in Iraq, in conjunction with other United States programs, such as Foreign Military Financing program and the Foreign Military Sales program, will address the capability gaps of the Iraqi Security Forces and coordinate activities to provide for the training and equipping of the Iraqi Security Forces.

(2) A description of constraints, if any, caused by the operational environment in Iraq on the ability of the Office of Security Cooperation in Iraq to carry out its mission.

SEC. 1222. COMPREHENSIVE STRATEGY FOR THE MIDDLE EAST AND TO COUNTER ISLAMIC EXTREMISM.

(a) FINDINGS.—Congress finds the following:

(1) In testimony before the Committee on Armed Services of the House of Representatives, General Martin Dempsey, Chairman of the Joint Chiefs of Staff stated, “The global security environ-
ment is as uncertain as I have seen in my 40 years
of service.”.

(2) In testimony before the Committee on
Armed Services of the Senate, the Director of Na-
tional Intelligence, James Clapper, stated: “Sunni
violent extremists are gaining momentum and the
number of Sunni violent extremist groups, members,
and safe havens is greater than at any other point
in history.”.

(3) In testimony to the Committee on Armed
Services of the House of Representatives, Lieutenant
General Michael Flynn, former Director of the De-
fense Intelligence Agency stated, “...whether it be
the number of violent Islamist groups, the territory
which they control, the scale and scope of the Is-
lamic State of Iraq and the Levant (ISIL) and asso-
ciated movements, the number of terrorist attacks
they perpetrate, the numbers of causalities they in-
flict, their broad expansion and use of the internet,
or just their sheer barbarism; I can draw no other
conclusion than to say that the threat of Islamic ex-
tremism has reached an unacceptable level and that
it is growing.”.

(4) In testimony before the Committee on
Armed Services of the Senate, James Clapper, the
Director of National Intelligence, stated the following:

(A) “When the final counting is done, 2014 will have been the most lethal year for global terrorism in the 45 years such data has been compiled . . . about half of all attacks, as well as fatalities, in 2014 occurred in just three countries: Iraq, Pakistan and Afghanistan . . . the Islamic State in Iraq and the Levant (ISIL) conducted more attacks than any other terrorist group in the first nine months of 2014.”.

(B) “Since the conflict began, more than 20,000 Sunni foreign fighters have traveled to Syria from more than 90 countries to fight the Assad regime . . . of that number, at least 13,600 have extremist ties.”.

(C) “More than 3,400 Western fighters have gone to Syria and Iraq. Hundreds have returned home to Europe.”.

(D) “About 180 Americans or so have been involved in various stages of travel to Syria . . . and some number have come back.”.

(E) “ISIL, al-Qaeda and al-Qaeda in the Arabian Peninsula (AQAP), and, most recently, al-Shabaab are calling on their supporters to
conduct lone-wolf attacks against the United States and other Western countries. Of the 13 attacks in the West since last May, 12 were conducted by individual extremists.”.

(5) AQAP continues to be one of al-Qaeda’s most capable affiliates, has the intent and capability to attack the United States and its allies, and attempted attacks inside the United States on December 25, 2009, and October 27, 2010.

(6) Iran has been a Department of State-designated state sponsor of terrorism since January 19, 1984, and continues to sponsor and support terrorism throughout the Middle East region and around the world.

(7) In testimony before the Committee on Armed Services of the Senate, former Vice Chief of Staff of the Army, General Jack Keane (retired), stated, “Is it possible to . . . claim that the United States policy and strategy is working or that al-Qaeda is on the run? It is unmistakable that our policies have failed . . . And the unequivocal explanation is U.S. policy has focused on disengaging from the Middle East.”.

(8) In testimony before the Committee on Armed Services of the Senate, former commander of
United States Central Command, General James Mattis (retired), stated, “We have lived too long in a strategy-free mode . . . America needs a refreshed national strategy . . . And our Nation’s strategy demands a comprehensive approach.”

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

(1) Islamic extremism is growing in the Middle East and elsewhere;

(2) Iran continues to be a leading state sponsor of terrorism in the Middle East and across the globe and continues to actively work against United States interests;

(3) the threat of terrorist attacks in the United States and threats against United States interests have increased due to the growth of Islamic extremism, the proliferation of terrorist groups across the world, and the instability in the Middle East in countries such as Libya, Yemen, Iraq, and Syria;

(4) the approach of Building Partnership Capacity (BPC) and conducting limited counterterrorism operations has had some positive effects in some locations, but has not prevented the proliferation and violence of terrorist groups or instability in the Middle East;
(5) the United States should articulate, develop, and implement an effective strategy to work with its allies and partners to defeat Islamic extremist groups that threaten the interests of the United States and its allies;

(6) the Secretary of Defense, in coordination with Secretary of State, shall continue to pursue efforts to shut down ISIL’s illicit oil revenues;

(7) support for United States allies and partners in the Middle East is a critical component of the effort to prevent the spread of Islamic extremism;

(8) other actors, such as Russia, China, and Iran are trying to work against United States interests in the Middle East;

(9) the United States should take a greater leadership role in fighting Islamic extremism and supporting stability in the Middle East to include coordinating actions of United States allies and partners in the region;

(10) the United States plays a vital leadership role in coordinating the activities of the United States and its allies and partners and should seek opportunities to expand such cooperation to contribute to greater stability in the Middle East;
(11) the United States should continue to take steps to prevent the spread of malign Iranian influence in Iraq, Syria, Yemen, and the region;

(12) the United States remains an indispensable actor in the Middle East, and the President should ensure that United States Armed Forces remain forward postured in the region to deter adversaries, fight threats to the United States and its interests, and support United States allies and partners in the region.

(c) Strategy Required.—

(1) In general.—Not later than February 15, 2016, the Secretary of Defense and the Secretary of State shall submit to the specified congressional committees a comprehensive strategy for the Middle East and to counter Islamic extremism.

(2) Matters to be included.—The strategy required by paragraph (1) shall include the following:

(A) A detailed description of the objectives and end state for the United States in the Middle East and with respect to Islamic extremism.

(B) A description of the roles and responsibilities of the Department of State in such strategy.
(C) A description of the roles and responsibilities of the Department of Defense in such strategy.

(D) A detailed description of actions to prevent the weakening and failing of states in the Middle East.

(E) A detailed description of actions to counter Islamic extremism, including Islamic ideology, strategy, and tactics globally.

(F) A detailed description of the resources required by the Secretary of Defense to counter ISIL’s illicit oil revenues.

(G) A detailed definition of those states and non-state actors the United States will address to counter Islamic extremism.

(H) A detailed description of actions to establish a coalition to carry out the strategy.

(I) An assessment of United States’ efforts to disrupt and prevent foreign fighters traveling to Syria and Iraq and disrupt and prevent foreign fighters in Syria and Iraq traveling to the United States.

(3) Specified Congressional Committees.—In the section, the term “specified congressional committees” means—
(A) the congressional defense committees;
and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1223. MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) Quarterly Progress Report.—Subsection (d) of section 1236 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3561) is amended by striking “30 days” and inserting “90 days”.

(b) Funding.—Of the amounts authorized to be appropriated in this Act for Overseas Contingency Operations in title XV for fiscal year 2016, there are authorized to be appropriated $715,000,000 to carry out such section.

(c) Waiver Authority.—Subsection (j)(1)(B) of such section is amended—

(1) by striking “the following:” and all that follows through “Any provision of law” and inserting “any provision of law”; and

(2) by striking clause (ii).
(d) Requirements Relating to Assistance for Fiscal Year 2016.—Such section, as so amended, is further amended by adding at the end the following:

“(l) Requirements Relating to Assistance for Fiscal Year 2016.—

“(1) Assessment.—

“(A) In general.—Not later than 90 days after the date of the enactment of this subsection, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees an assessment of the extent to which the Government of Iraq is meeting the conditions described in subparagraph (B).

“(B) Conditions.—The conditions described in this subparagraph are that the Government of Iraq—

“(i) is addressing the grievances of ethnic and sectarian minorities;

“(ii) is increasing political inclusiveness;

“(iii) is conducting efforts sufficient to reduce support for the Islamic State of Iraq and the Levant and improve stability in Iraq;
“(iv) is legislating the Iraqi Sunni National Guard;

“(v) is ensuring that minorities are represented in adequate numbers, trained, and equipped in government security organizations;

“(vi) is ending support to Shia militias and stopping abuses of elements of the Iraqi population by such militias;

“(vii) is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to security forces with a national security mission in Iraq, including the Kurdish Peshmerga, Sunni tribal security forces with a national security mission, and the Iraqi Sunni National Guard;

“(viii) is releasing prisoners from ethnic or sectarian minorities who have been arrested and held without trial or to charge and try such prisoners in a fair, transparent, and prompt manner; and

“(ix) is taking such other actions as the Secretaries consider appropriate.
“(C) UPDATE.—The Secretary of Defense and the Secretary of State may submit an update of the assessment required under subparagraph (A) to the extent necessary.

“(D) SUBMISSION.—The assessment required under subparagraph (A) and the update of the assessment authorized under subparagraph (C) may be submitted as part of the quarterly report required under subsection (d).

“(2) RESTRICTION ON DIRECT ASSISTANCE TO GOVERNMENT OF IRAQ.—If the Secretary of Defense and the Secretary of State do not submit the assessment required by paragraph (1) or if the Secretaries submit the assessment required by paragraph (1) but the assessment indicates that the Government of Iraq has not substantially achieved the conditions contained in the assessment, the Secretaries shall withhold the provision of assistance pursuant to subsection (a) directly to the Government of Iraq for fiscal year 2016 until such time as the Secretaries submit an update of the assessment that indicates that the Government of Iraq has substantially achieved the conditions contained in the assessment.

“(3) DIRECT ASSISTANCE TO CERTAIN COVERED GROUPS.—
“(A) IN GENERAL.—Of the funds authorized to be appropriated under this section for fiscal year 2016, not less than 25 percent of such funds shall be obligated and expended for assistance directly to the groups described in subparagraph (E) (of which not less than 12.5 percent of such funds shall be obligated and expended for assistance directly to the group described in clause (i) of such subparagraph).

“(B) ADDITIONAL DIRECT ASSISTANCE.—If the Secretary of Defense and the Secretary of State withhold the provision of assistance pursuant to subsection (a) directly to the Government of Iraq for fiscal year 2016 in accordance with paragraph (2) of this subsection, the Secretaries shall obligate and expend not less than an additional 60 percent of all unobligated funds authorized to be appropriated under this section for fiscal year 2016 for assistance directly to the groups described in subparagraph (E).

“(C) COST-SHARING REQUIREMENT INAPPLICABLE.—The cost-sharing requirement of subsection (k) shall not apply with respect to funds that are obligated or expended for assist-
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ance directly to the groups described in sub-
paragraph (E).

“(D) Rule of construction.—Notwith-
standing any other provision of law, the groups
described in subparagraph (E) shall each be
deemed to meet the eligibility requirements of
section 3 of the Arms Export Control Act (22
U.S.C. 2753) and chapter 2 of part II of the
Foreign Assistance Act of 1961 (22 U.S.C.
2311 et seq.).

“(E) Covered groups.—The groups de-
described in this subparagraph are—

“(i) the Kurdish Peshmerga;

“(ii) Sunni tribal security forces with

a national security mission; and

“(iii) the Iraqi Sunni National

Guard.”.

SEC. 1224. REPORT ON UNITED STATES ARMED FORCES DE-
PLOYED IN SUPPORT OF OPERATION INHER-
ENT RESOLVE.

(a) Sense of Congress.—It is the sense of Con-
gress that—

(1) it should continue to be a top priority to

provide United States Armed Forces deployed in
support of Operation Inherent Resolve with the nec-
necessary force protection and combat search and rescue support;

(2) United States military personnel who are tasked with the mission of providing combat search and rescue support, casualty evacuation, and medical support for Operation Inherent Resolve should not be counted as part of any limitation on the number of United States ground forces for Operation Inherent Resolve;

(3) military assets required to support United States Armed Forces deployed in support of Operation Inherent Resolve should be staged as forward as possible and as proximate to such United States Armed Forces as practicable given the operating environment and also should not be subject to any limitation on the number of United States ground forces for Operation Inherent Resolve; and

(4) the President, the Secretary of Defense, and military commanders on the ground in support of Operation Inherent Resolve should continuously evaluate the force protection and combat search and rescue support requirements, and the associated measures that are being taken to support such requirements, in order to ensure that such require-
ments and associated measures are sufficient given
the operating environment and optimally postured.

(b) Report Required.—Not later than 30 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 United
States Armed Forces deployed in support of Operation In-
herent Resolve.

(c) Matters to Be Included.—The report shall
include the following:

(1) The total number of members of the United
States Armed Forces deployed in support of Oper-
ation Inherent Resolve for the most recent month
for which data is available, delineated by service,
component, country, and military task.

(2) The total number of members of the United
States Armed Forces conducting force protection
and combat search and rescue, delineated by coun-
try, location in such country, and capability.

(3) An estimate for the three-month period fol-
lowing the date on which the report is submitted of
the total number of members of the United States
Armed Forces expected to be deployed in support of
Operation Inherent Resolve, delineated by service,
component, country, and military task.
(4) A description of the authorities and limitations on the number of United States Armed Forces deployed in support of Operation Inherent Resolve.

(5) A description of military functions that are and are not subject to the authorities and limitations described in paragraph (3).

(6) Any changes to the authorities and limitations described in paragraph (3) and the rationale for such changes.

(7) Any changes to United States policy and authorities for United States Armed Forces deployed in support of Operation Inherent Resolve.

(8) Any other matters that the Secretary of Defense determines to be necessary.

(d) SUNSET.—The requirement to submit reports under this section shall terminate on the date on which Operation Inherent Resolve terminates or the date that is 5 years after the date of the enactment of this Act, whichever occurs earlier.

SEC. 1225. MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) MODIFICATION.—

(1) IN GENERAL.—Section 1209(f) of the National Defense Authorization Act for Fiscal Year
2015 (Public Law 113–291; 128 Stat. 3543) is amended—

(A) by striking ‘‘The Secretary of Defense’’ and inserting the following:

‘‘(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Defense’’;

(B) by striking ‘‘for Overseas Contingency Operations’’ and inserting ‘‘under the Syria Train and Equip Fund’’; and

(C) by further adding at the end the following:

‘‘(2) REPORT REQUIRED.—At the same time the Secretary of Defense submits a request for a re-programming or transfer of funds under paragraph (1), the Secretary shall submit to the appropriate congressional committees a report that contains the following:

‘‘(A) UPDATE.—An update of the comprehensive strategy required under section 1225(b) of the National Defense Authorization Act for Fiscal Year 2016.

‘‘(B) CERTIFICATION.—A certification that—

‘‘(i) a required number and type of United States Armed Forces have been es-
established to meet the objectives of the strategy and such Armed Forces, including support and enablers, have been or will be deployed to meet the objectives of the strategy; and

“(ii) a required amount of support, including support provided by United States Armed Forces and enablers, has been or will be provided by the United States to the elements of the Syrian opposition that are to be trained and equipped under this section to ensure that such elements are able to defend themselves from attacks by ISIL and Government of Syria forces consistent with the purposes set forth in subsection (a).

“(C) USE OF FUNDS.—A detailed description of how the funds subject to the request for a reprogramming or transfer of funds under paragraph (1) will be used to meet the objectives of the strategy.”

(2) EFFECTIVE DATE.—The amendments made by this subsection take effect on the date of the enactment of this Act and apply with respect to any request for a reprogramming or transfer of funds
under section 1209(f) of the National Defense Au-

thorization Act for Fiscal Year 2015, as amended by

paragraph (1), that is submitted on or after such
date of enactment.

(b) **COMPREHENSIVE STRATEGY REQUIRED.**—

(1) **IN GENERAL.**—Not later than 30 days after

the date of the enactment of this Act, the Secretary

of Defense shall submit to the appropriate congress-

sional committees a comprehensive strategy for

Syria and Iraq.

(2) **MATTERS TO BE INCLUDED.**—The com-

prehensive strategy shall contain the following:

(A) An identification of requirements that

have been established to ensure that assistance

provided to appropriately vetted elements of the

Syrian opposition and other appropriately vet-

ted Syrian groups and individuals achieve the

purposes set forth in section 1209(a) of the Na-

tional Defense Authorization Act for Fiscal


3541).

(B) A description of United States policy

and strategy for addressing the Assad regime in

Syria and the post-Assad regime in Syria.
(C) A detailed explanation of how the military campaigns in Syria and Iraq are integrated and a description of the goals, objectives, and the end states for Syria and Iraq, including a description of how the train and equip programs in Iraq and Syria support the goals, objectives, and end states in Iraq and Syria.

(D) A description of the roles and responsibilities of each coalition country under the strategy.

(E) A description of the relevant agency roles and responsibilities and interagency coordination under the strategy.

(3) DEFINITION.—In this subsection, the term “appropriate congressional committees” has the meaning given the term in section 1209(e)(2) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3543).

SEC. 1226. ASSISTANCE TO THE GOVERNMENT OF JORDAN FOR BORDER SECURITY OPERATIONS.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may provide assistance on a reimbursement basis to the Government of Jordan for purposes of supporting
and enhancing efforts of the armed forces of Jordan
to sustain security along the border of Jordan with
Syria and Iraq.

(2) FREQUENCY.—Assistance may be provided
under this subsection on a quarterly basis.

(b) FUNDS AVAILABLE FOR ASSISTANCE.—

(1) IN GENERAL.—Of the amounts authorized
to be appropriated in this Act for “Assistance for
the Border Security of Jordan” in title XV for fiscal
year 2016, there are authorized to be appropriated
$300,000,000 to carry out this section.

(2) PROHIBITION ON CONTRACTUAL OBLIGA-
TIONS.—The Secretary of Defense may not enter
into any contractual obligation to provide assistance
under the authority in subsection (a).

(e) NOTICE BEFORE EXERCISE.—Not later than 15
days before providing assistance under the authority in
subsection (a), the Secretary of Defense shall submit to
the specified congressional committees a report setting
forth a full description of the assistance to be provided,
including the amount of assistance to be provided, and the
timeline for the provision of such assistance.

(d) SPECIFIED CONGRESSIONAL COMMITTEES.—In
the section, the term “specified congressional committees”
means—
(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(e) Expiration of Authority.—No assistance may be provided under the authority in subsection (a) after December 31, 2016.

SEC. 1227. REPORT ON EFFORTS OF TURKEY TO FIGHT TERRORISM.

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 following:

(1) Turkey’s bilateral and multilateral efforts to combat the flow of foreign fighters through its country into Syria.

(2) Turkey’s relationship with Hamas, including its harboring of leaders of Hamas.

(3) The efforts of Turkey to fight terrorism, including Turkey’s military and humanitarian role in the anti-ISIS coalition.
SEC. 1228. REPORT TO ASSESS THE POTENTIAL EFFECTIVENESS OF AND REQUIREMENTS FOR THE ESTABLISHMENT OF SAFE ZONES OR A NO-FLY ZONE IN SYRIA.

(a) FINDINGS.—Congress makes the following findings:

(1) March 2015 marked the fourth year of the crisis in Syria, which has resulted in the world’s largest ongoing humanitarian disaster.

(2) Syrian President Bashar al-Assad and supporting militias, including Hezbollah, continue to carry out sectarian mass atrocities, which have included mass targeted killings, mass graves, the extermination of entire families, including their children, incidents of ethnic cleansing, sexual violence, widespread torture, aerial bombardment of residential areas, and forced displacement of certain Syrian civilians especially from areas in western Syria where Assad is attempting to increase the dominance of his own loyalists.

(3) Approximately 220,000 people have been killed, including thousands of children, many more have been seriously wounded, and civilian casualties continue to mount as widespread and systematic attacks on schools, hospitals, and other civilian facili-
ties persist in violation of international norms and principles.

(4) Assad’s forces and supporting militias have used air power to target Syrian civilians, including the deployment of barrel bombs filled with explosives, shrapnel, and chemical weapons.

(5) Assad’s forces, supporting militias, and other parties to the conflict are systematically blocking humanitarian aid delivery, including food and medical care, from many civilian areas in violation of international norms and principles.

(b) Report.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the specified congressional committees a report that—

(A) assesses the potential effectiveness, risks, and operational requirements of the establishment and maintenance of a no-fly zone over part or all of Syria, including—

(i) the operational and legal requirements for United States and coalition air power to establish a no-fly zone in Syria;
(ii) the impact a no-fly zone in Syria would have on humanitarian and counter-terrorism efforts in Syria and the surrounding region;

(iii) the potential for force contributions from other countries to establish a no-fly zone in Syria; and

(iv) the impact of the establishment of a no-fly zone in Syria on the recipients of training provided by section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541); and

(B) assesses the potential effectiveness, risks, and operational requirements for the establishment of one or more safe zones in Syria for internally displaced people or for the facilitation of humanitarian assistance, including—

(i) the operational and legal requirements for United States and coalition forces to establish one or more safe zones in Syria;

(ii) the impact one or more safe zones in Syria would have on humanitarian and
counterterrorism efforts in Syria and the surrounding region;

(iii) the potential for contributions from other countries and vetted non-state actor partners to establish and maintain one or more safe zones in Syria; and

(iv) the impact of the establishment of one or more safe zones in Syria on the recipients of training provided by section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(3) DEFINITION.—In this subsection, the term “specified congressional committees” means—

(A) the congressional defense committees;

and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.
Subtitle D—Matters Relating to Iran

SEC. 1231. EXTENSION OF ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) Matters to Be Included.—Subsection (b) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2544), as amended by section 1232 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 920), is further amended by adding at the end the following:

“(5) An assessment of transfers to Iran of military equipment, technology, and training from non-Iranian sources.”.

(b) Termination.—Subsection (d) of such section, as amended by section 1277 of the 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, 2025”.

SEC. 1232. SENSE OF CONGRESS ON THE GOVERNMENT OF IRAN’S NUCLEAR PROGRAM AND ITS MALIGN MILITARY ACTIVITIES.

(a) Findings.—Congress finds the following:

(1) The understanding announced on April 2, 2015, between the countries of the P5+1 (the
United States, the United Kingdom, France, Germany, Russia, and China) and Iran on a Comprehensive Joint Plan of Action (CJPOA) provides sanctions relief in exchange for constraints on Iran’s nuclear program for a limited period of time.

(2) Iran continues to develop ballistic missiles in violation of United Nations Security Council Resolutions 1747 (2007) and 1929 (2010), has developed medium-range ballistic missiles to target Israel and other United States allies, is working towards an intercontinental ballistic missile (ICBM) capability and the CJPOA places no limitations on Iran’s ballistic and cruise missile development efforts.

(3) The Secretary of State has designated Iran as a state-sponsor of terrorism since 1984 and for the past decade has characterized Iran as the “most active state sponsor of terrorism” in the world.

(4) Iran continues to support Hezbollah in Lebanon, the Bashar al-Assad regime in Syria, Shia militias in Iraq, Hamas in Gaza, the Houthi rebels in Yemen, and other terrorist organizations and extremists globally.

(5) Iran continues to conduct malign military activities across the Middle East and around the globe, which has and will continue to destabilize the
region. As the Commander of United States Central Command testified to the Committee on Armed Services of the House of Representatives on March 3, 2015, “the leaders in the region. . . are also equally concerned about Iran’s ability to mine the Straits, Iran’s cyber capabilities, Iran’s. . . ballistic missile capability, as well as the activity of their Quds forces... And so whether we get a deal or don’t get a deal, I think they will still share those concerns.”.

(6) Iran’s destabilizing activities throughout the region pose a threat to United States interests, the interests of United States allies in the region, and international security.

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

(1) Iran’s illicit pursuit, development, or acquisition of a nuclear weapons capability and its malign military activities overall constitute a grave threat to regional stability and the national security interests of the United States and its allies and partners;

(2) Iran continues to expand its malign activities in the Middle East and globally, which may well increase under a CJPOA;
(3) sanctions relief under the CJPOA will provide Iran the ability to increase funding for its ballistic missile development programs, acquisition of destabilizing types and amounts of conventional weapons, support for terrorism, and other malign activities throughout the Middle East and globally;

(4) United States bilateral and multilateral sanctions against Iran, once relieved, will be extremely difficult to reconstitute in response to Iranian violations of its international obligations;

(5) Iran would be an internationally-approved nuclear-threshold state under the framework of the CJPOA, which will likely lead to the proliferation of nuclear weapons across the Middle East;

(6) Congress should review and assess all elements of any agreement entered into between the countries of the P5+1 and Iran and it should approve or disapprove of any sanctions relief that results from such an agreement;

(7) the United States must continue to support the defense of allies and partners in the region, including Israel, strengthening ballistic missile defense capabilities, and increasing security assistance;

(8) Congress supports efforts to reach a peaceful, diplomatic solution to permanently and verifiably
end Iran’s pursuit, development, and acquisition of
a nuclear weapons capability, and it reaffirms that
it is United States policy that Iran will not be al-
lowed to develop a nuclear weapons capability and
that all instruments of United States power must be
considered to prevent Iran from acquiring a nuclear
weapon;

(9) Congress reaffirms the rights of United
States allies to exercise their legitimate right to self-
defense against the Government of Iran;

(10) the sale of advanced weaponry to Iran,
particularly advanced air defenses, encourages bad
behavior by Iran and poses a high risk of desta-
bilizing the region and should be opposed; and

(11) no terrorism-related sanctions should be
lifted or loosened as a part of any nuclear agreement
and additional sanctions should be considered
against Iran due to Iran’s continued state sponsor-
ship of terrorism, its development and proliferation
of ballistic missile technology, its continued biologi-
cal and chemical weapons programs, and the egre-
gious violation of the human rights of the Iranian
people.
SEC. 1233. REPORT ON MILITARY POSTURE REQUIRED IN THE MIDDLE EAST TO DETER IRAN FROM DEVELOPING A NUCLEAR WEAPON.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report regarding the military posture required in the Middle East to deter Iran from developing a nuclear weapon.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a discussion of the military forces, bases and capabilities required to—

(1) maintain a military option of preventing Iran from achieving a nuclear weapon;

(2) counter Iran’s military activities; and

(3) protect the United States military and other interests in the region.

SEC. 1234. LIMITATION ON MILITARY-TO-MILITARY EXCHANGES AND CONTACTS WITH IRAN.

(a) LIMITATION.—The Secretary of Defense may not authorize any military-to-military exchange or contact described in subsection (b) to be conducted by the Armed Forces or Department of Defense civilians with representatives of the military or paramilitary forces (including the IRGC) of the Islamic Republic of Iran until the Secretary certifies that Iran—

(1) has ended its ballistic missile program;
(2) is no longer listed by the Secretary of State as a state sponsor of terrorism; and

(3) has recognized the Israel as a Jewish state.

(b) COVERED EXCHANGES AND CONTACTS.—Subsection (a) applies to any military-to-military exchange or contact that includes inappropriate exposure to any of the following:

(1) Force projection operations.

(2) Nuclear operations.

(3) Advanced combined-arms and joint combat operations.

(4) Advanced logistical operations.

(5) Chemical and biological defense and other capabilities related to weapons of mass destruction.

(6) Surveillance and reconnaissance operations.

(7) Joint warfighting experiments.

(8) Military space operations.

(9) Other advanced capabilities of the Armed Forces.

(10) Arms sales or military-related technology transfers.

(11) Release of classified or restricted information.

(12) Access to a Department of Defense laboratory or base.
(13) Military operations or exercises with allies and partners.

(c) EXCEPTIONS.—Subsection (a) does not apply to any search-and-rescue or humanitarian operation or exercise.

(d) ANNUAL CERTIFICATION BY SECRETARY.—The Secretary of Defense shall, without delegation, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, not later than December 31 each year, a certification in writing as to whether or not any military-to-military exchange or contact during that calendar year was conducted in violation of subsection (a).

SEC. 1235. SECURITY GUARANTEES ASSOCIATED WITH IRAN’S NUCLEAR WEAPONS PROGRAM.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate congressional committees a copy of any security agreement or commitment provided by the United States to any country in the Middle East, including the member countries of the Gulf Cooperation Council, associated with Iran’s nuclear weapons program.

(b) ANALYSIS.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the
Joint Chiefs of staff shall provide the Secretary of Defense with a detailed analysis of the United States military force structure and posture, as well as the estimated costs associated with such force structure and posture, required to meet any security agreement or commitment in the Middle East, including member countries of the Gulf Cooperation Council. The Secretary shall provide such analysis, without change, along with any additional views the Secretary may offer, when the Secretary submits the materials required under subsection (a).

(c) Limitation on Certain Expenditures.—The Secretary of Defense may not obligate or expend any funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2016 for meeting any security agreements or commitments described in this section unless the Secretary certifies to the appropriate congressional committees that the Secretary has provided a copy of such agreement as required under subsection (a).

(d) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services.
Services and the Committee on Foreign Relations of the Senate.

SEC. 1236. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of force against Iran.

Subtitle E—Matters Relating to the Russian Federation

SEC. 1241. NOTIFICATIONS AND UPDATES RELATING TO TESTING, PRODUCTION, DEPLOYMENT, AND SALE OR TRANSFER TO OTHER STATES OR NON-STATE ACTORS OF THE CLUB-K CRUISE MISSILE SYSTEM BY THE RUSSIAN FEDERATION.

(a) Notifications.—

(1) Regarding testing, production, deployment, and sale or transfer.—The Secretary of Defense shall submit to the appropriate committees of Congress quarterly notifications on the testing, production, deployment, and sale or transfer to other states or non-state actors of the Club-K cruise missile system by the Russian Federation.

(2) Upon deployment or sale or transfer.—Not later than seven days after the Secretary determines that there is reasonable grounds to be-
lieve that the Russian Federation has deployed or
sold or transferred to other states or non-state ac-
tors the Club-K cruise missile system, the Secretary
shall submit to the appropriate committees of Con-
gress a notification of such determination.

(3) Form.—A notification required under para-
graph (1) or (2) shall be submitted in unclassified
form, but may contain a classified annex if nec-
ecessary.

(b) Quarterly Updates.—

(1) In General.—The Secretary shall submit
to the appropriate committees of Congress not less
than quarterly updates on the coordination of allied
responses to the deployment or sale or transfer to
other states or non-state actors of the Club-K cruise
missile system by the Russian Federation.

(2) Form.—The update required under para-
graph (1) shall be submitted in unclassified form,
but may contain a classified annex if necessary.

(e) Strategy.—

(1) Development.—The Chairman of the
Joint Chiefs of Staff shall develop a strategy to de-
tect, defend against, and defeat the Club-K cruise
missile system, including opportunities for allied con-
tributions to such efforts based on consultations
with such allies.

(2) Submission.—Not later than September
30, 2016, the Chairman of the Joint Chiefs of Staff
shall submit to the appropriate committees of Con-
gress the strategy developed under paragraph (1).

(d) Definition.—In this section, the term “ap-
propriate committees of Congress” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the
Senate and the Committee on Foreign Affairs of the
House of Representatives.

(e) Sunset.—The provisions of this section shall not
be in effect on and after the date that is 5 years after
the date of the enactment of this Act.

SEC. 1242. NOTIFICATIONS OF DEPLOYMENT OF NUCLEAR
WEAPONS BY RUSSIAN FEDERATION TO TERR-
RITORY OF UKRAINIAN REPUBLIC.

(a) Notifications.—

(1) Regarding possible deployment.—The
Secretary of Defense shall submit to the appropriate
congressional committees quarterly notifications on
the status of the Russian Federation conducting ex-
ercises with, planning or preparing to deploy, or de-
ploying covered weapons systems onto the territory of the Ukranian Republic.

(2) UPON DEPLOYMENT.—Not later than seven days after the Secretary determines that there is reasonable grounds to believe that the Russian Federation has deployed covered weapons systems onto the territory of the Ukranian Republic, the Secretary shall submit to the appropriate congressional committees a notification of such determination.

(3) FORM.—A notification required under paragraph (1) or (2) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(b) STRATEGY.—

(1) DEVELOPMENT.—The Chairman of the Joint Chiefs of Staff shall develop a strategy to respond to the military threat posed by the Russian Federation deploying covered weapons systems onto the territory of the Ukranian Republic, including opportunities for allied cooperation in developing such responses based on consultation with such allies.

(2) SUBMISSION.—Not later than June 30, 2016, the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees the following:
(A) The strategy developed under paragraph (1).

(B) The views of the Secretary of Defense with respect to the strategy developed under paragraph (1), if any.

c) Definitions.—In this section:

(1) Appropriate Congressional Committees.—The term “appropriate congressional committees” means—

(A) the congressional defense committees;

and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) Covered Weapons Systems.—The term “covered weapons systems” means weapons systems that can perform both conventional and nuclear missions, nuclear weapon delivery systems, and nuclear warheads.

d) Sunset.—The provisions of this section shall not be in effect on and after the date that is 5 years after the date of the enactment of this Act.
SEC. 1243. NON-COMPLIANCE BY THE RUSSIAN FEDERATION WITH ITS OBLIGATIONS UNDER THE INF TREATY.

(a) FINDINGS.—Congress finds the following:

(1) The Department of State, on July 31, 2014, released the Annual Report on the “Adherence to and Compliance With Arms Control, Non-proliferation, and Disarmament Agreements and Commitments” which included the finding that, “The United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.”.

(2) According to the testimony of senior officials of the Department of State, the Russian Federation is not complying with numerous treaties and agreements, including the INF Treaty, the Open Skies Treaty, the Biological Weapons Convention, the Chemical Weapons Convention, the Vienna Document, the Budapest Memorandum, the Istanbul Commitments, the Presidential Nuclear Initiatives, the Missile Technology Control Regime, and the Russian Federation has recently withdrawn from the
Treaty on Conventional Armed Forces in Europe (CFE).

(3) The Commander of U.S. European Command, and Supreme Allied Commander of Europe, General Philip Breedlove, USAF, 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 . . . I would not judge how the alliance will choose to react, but I would say they will have to consider what to do about it, [i]t can’t go unanswered.”.

(4) General Breedlove has further stated that “we need to first and foremost signal that we cannot accept this change and that, if this change is continued, that we will have to change the cost calculus for Russia in order to help them to find their way to a less bellicose position.”.

(5) General Martin Dempsey, Chairman, Joint Chiefs of Staff testified that, “I think we have to make it very clear that things like their compliance with the INF treaty that there will be political, diplomatic and potentially military costs in terms of the way we posture ourselves and the way we plan and work with our allies to address those provo-
cations. . .It concerns me greatly. I certainly would
counsel them not to roll back the clock.”.

(6) The Secretary of Defense, Ashton B. Car-
ter, testified that, “On the military side, we have
begun to consider . . . what our options are, because
the INF treaty is a treaty, meaning that it’s a two-
way street. We accepted constraints in return for
constraints of the then Soviet Union. It is a two-way
street, and we need to remind them that it’s a two-
way street, meaning that we, without an INF treaty,
can take action also that we both decided years ago
was best for neither of us to take.”.

(7) The Department of Defense has been con-
sidering a range of military options to respond to
the Russian Federation’s violation of the INF Tre-
ty and these options would “aim to negate any ad-
vantage Russia might gain from deploying an INF-
prohibited system, and all of these would be de-
dsigned to make us more secure”, and these options
“fall into three broad categories: active defenses to
counter intermediate-range ground-launched cruise
missiles; counterforce capabilities to prevent inter-
mediate-range ground-launched cruise missile at-
tacks; and countervailing strike capabilities to en-
hance U.S. or allied forces.”.
(8) President Barack Obama stated in Prague in 2009 that, “Rules must be binding. Violations must be punished. Words must mean something.”.

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

(1) the Russian Federation should return to compliance with the INF Treaty;

(2) the continuing violation of the INF Treaty by the Russian Federation threatens the viability of the INF Treaty;

(3) the United States has reportedly been undertaking diplomatic efforts to address with the Russia Federation its violations of the INF Treaty since 2013, and the Russian Federation has failed to respond to these efforts in any meaningful way;

(4) not only should the Russian Federation end its cheating with respect to the INF Treaty, but also its illegal occupation of the sovereign territory of another nation, its plans for stationing nuclear weapons on that nation’s territory, and its cheating and violation of as many as eight of its 12 arms control obligations and agreements; and

(5) there are several United States military requirements that would be addressed by the develop-
ment and deployment of systems currently prohib-
ited by the INF Treaty.

(c) Notification of Russian Violations of INF Treaty.—

(1) In General.—The President shall submit
to the appropriate congressional committees a notifi-
cation of—

(A) whether the Russian Federation has
flight-tested, deployed, or possesses a military
system that has achieved an initial operating
capability of a covered missile system; and

(B) whether the Russian Federation has
begun steps to return to full compliance with
the INF Treaty, including by agreeing to in-
spections and verification measures necessary to
achieve high confidence that any covered missile
system will be eliminated, as required by the
INF Treaty upon its entry into force.

(2) Deadline.—The notification required
under paragraph (1) shall be submitted not later
than 30 days after the date of the enactment of this
Act and not later than 30 days after the date on
which the Russian Federation meets any of the re-
quirements of subparagraphs (A) and (B) of para-
graph (1).
(3) Form.—The notification required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(d) Notification of Coordination With Allies Regarding INF Treaty.—

(1) In General.—Not later than 120 days after the date of the enactment, and every 120-day period thereafter for a period of 5 years, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with the Secretary of State and the Director of National Intelligence, shall jointly submit to the appropriate congressional committees a notification on the status and content of updates provided to the North Atlantic Treaty Organization (NATO) and allies of the United States in East Asia, on the Russian Federation’s flight testing, operating capability and deployment of a covered missile system, including updates on the status and a description of efforts with such allies to develop collective responses, including economic and military responses, to the Russian Federation’s arms control violations, including violations of the INF Treaty.
(2) Form.—The notification required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

e) Military Response Options to Russian Federation Violation of the Treaty on Intermediate Range Nuclear Forces.—

(1) Development of Capabilities.—If, as of the date of the enactment of this Act, the President determines that the Russian Federation has not begun steps to return to full compliance with the INF Treaty, including by agreeing to inspections and verification measures necessary to achieve high confidence that any covered missile system will be eliminated, as required by the INF Treaty upon its entry into force, the President shall begin developing the following military capabilities:

(A) Counterforce capabilities to prevent intermediate-range ground-launched ballistic missile and cruise missile attacks, including capabilities that may be acquired from allies.

(B) Countervailing strike capabilities to enhance the Armed Forces of the United States or allies of the United States, including capabilities that may be acquired from allies.
(2) **Availability of funds for recommended capabilities.**—The Secretary of Defense 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 paragraph (1) that are recommended by the Chairman of the Joint Chiefs of Staff to meet military requirements and current capability gaps. In making such a selection, the Chairman shall give priority to such capabilities that the Chairman determines could be tested and fielded most expeditiously, with the most priority given to capabilities that the Chairman determines could be fielded in two years.

(3) **Reports on development.**—

(A) **In general.**—During each 180-day period beginning on the date on which funds are first obligated to develop capabilities under paragraph (2), the Chairman shall submit to the appropriate congressional committees a report on such capabilities, including the costs of development (and estimated total costs of each system if pursued to deployment) and the
timeline for development flight testing and deployment.

(B) SUNSET.—The provisions of subparagraph (A) shall not be in effect on and after the date on which the President certifies to the appropriate congressional committees that the INF Treaty is no longer in force or the Russian Federation has fully returned to compliance with its obligations under the INF Treaty.

(4) REPORT ON DEPLOYMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the following:

(A) Potential deployment locations of the military capabilities described in paragraph (1) in East Asia and Eastern Europe, including any potential basing agreements that may be required to facilitate such deployments.

(B) Any required safety and security measures, estimates of potential costs of deployments described in subparagraph (A) and an assessment of whether or not such deployments in Eastern Europe may require a decision of the North Atlantic Council.
(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(C) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) COVERED MISSILE SYSTEM.—The term “covered missile system” means ground-launched ballistic missiles or ground-launched cruise missiles with a flight-tested range of between 500 and 5500 kilometers.

SEC. 1244. MODIFICATION OF NOTIFICATION AND ASSESSMENT OF PROPOSAL TO MODIFY OR INTRODUCE NEW AIRCRAFT OR SENSORS FOR FLIGHT BY THE RUSSIAN FEDERATION UNDER OPEN SKIES TREATY.

Section 1242(b)(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3563) is amended—

(1) by striking “30 days” and inserting “90 days”; and

(2) by striking “and the Chairman of the Joint Chiefs of Staff” and inserting “, the Chairman of the Joint Chiefs of Staff, and the commander of each relevant combatant command”.

SEC. 1245. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic States of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts meant to demonstrate the United States’ commitment to the Baltic States of Estonia, Latvia, and Lithuania, and the
United States-Baltic partnership’s shared goal of peace and stability in the region. Built upon the common values of peace, stability and prosperity, Operation Atlantic Resolve strengthens communication and understanding, and is an important effort to deter Russian aggression against the Baltic States.

(3) As part of Operation Atlantic Resolve, the European Reassurance Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our Baltic State allies into a common defense framework.

(4) All three Baltic States contributed to the NATO-led International Security Assistance Force in Afghanistan, sending disproportionate numbers of troops and operating with few caveats. They also continue to engage in the Resolute Support Mission in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense as enshrined in Article 5 of the North Atlantic Treaty for our NATO allies, Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia,
and Lithuania as well as their internationally recog-
nized borders, and expresses concerns over increas-
ingly aggressive military maneuvering by Russia
near their borders and airspace;

(3) expresses concerns over increasingly aggres-
sive military maneuvering by the Russian Federation
near Baltic state borders and airspace, and con-
demns reported subversive and destabilizing activi-
ties by the Russian Federation within the Baltic
states; and

(4) encourages the Administration to further
enhance defense cooperation efforts with Estonia,
Latvia, and Lithuania and supports the efforts of
their Governments to provide for the defense of their
people and sovereign territory.

SEC. 1246. SENSE OF CONGRESS ON SUPPORT FOR GEOR-
GIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United
States and has repeatedly demonstrated its commit-
ment to advancing the mutual interests of both
countries, including the deployment of Georgian
forces as part of the NATO-led International Secu-
rity Assistance Force (ISAF) in Afghanistan and the
Multi-National Force in Iraq.
(2) The European Reassurance Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for their own defense.

(3) In addition to the European Reassurance Initiative, Georgia’s participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the heavy and painful losses suffered during the ISAF, as a NATO partner Georgia is engaged in the Resolute Support Mission in Afghanistan with the second largest contingent on the ground.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms United States support for Georgia’s sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the Abkhazia and South Ossetia regions, currently occupied by Russia, as independent; and

(2) supports continued cooperation between the United States and Georgia and the efforts of the Government of Georgia to provide for the defense of its people and sovereign territory.
SEC. 1247. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) In General.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended—

(1) to implement any action or policy that recognizes the de jure or de facto sovereignty of the Russian Federation over Crimea, its airspace, or its territorial waters; or

(2) to provide assistance for the central government of a country that has taken affirmative steps intended to recognize or otherwise be supportive of the Russian Federation’s forcible and illegal occupation of Crimea.

(b) Waiver.—The Secretary of Defense may waive the restriction on assistance required by subsection (a)(2) if the Secretary certifies and reports to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that to do so is in the national interest of the United States.

(c) Sunset.—The requirements of subsection (a) shall cease to be in effect if the Secretary of Defense certifies and reports to the Committee on Armed Services of the Senate and the Committee on Armed Services of the
House of Representatives that the armed forces of the Russian Federation have withdrawn from Crimea and the Government of Ukraine has reestablished sovereignty over Crimea.

SEC. 1248. LIMITATION ON MILITARY CONTACT AND CO-OPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2016 for the Department of Defense may be used for any bilateral military-to-military contact or cooperation between the Governments of the United States and the Russian Federation until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that—

(1) the armed forces of the Russian Federation are no longer illegally occupying Ukrainian territory;

(2) the Russian Federation is respecting the sovereignty of all Ukrainian territory;

(3) the Russian Federation is no longer taking actions that are inconsistent with the INF Treaty;

and

(4) the Russian Federation has not sold or otherwise transferred the Club-K land attack cruise
missile system to any foreign country or foreign person during fiscal year 2015.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) with respect to a certification requirement specified in paragraph (1), (2), or (3) if—

(1) the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees—

(A) a notification that such a waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver; and

(B) a report explaining why the Secretary of Defense cannot make the certification under subsection (a); and

(2) a period of 30 days has elapsed following the date on which the Secretary of Defense submits the information in the report under paragraph (1)(B).

(c) ADDITIONAL WAIVER.—The Secretary of Defense may waive the limitation required by subsection (a)(4) with respect to the sale or other transfer of the Club-K land attack cruise missile system if—
(1) the United States has imposed sanctions against the manufacturer of such system by reason of such sale or other transfer; or

(2) the Secretary has developed and submitted to the appropriate congressional committees a plan to prevent the sale or other transfer of such system in the future.

(d) Exception for Certain Military Bases.—The certification requirement specified in paragraph (1) of subsection (a) shall not apply to military bases of the Russian Federation in Ukraine’s Crimean peninsula operating in accordance with its 1997 agreement on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine.

(e) Definitions.—In this section:

(1) Appropriate Congressional Committees.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.
(2) **Bilateral military-to-military contact or cooperation.**—The term “bilateral military-to-military contact or cooperation”—

(A) means—

(i) reciprocal visits and meetings by high-ranking delegations;

(ii) information sharing, policy consultations, security dialogues or other forms of consultative discussions;

(iii) exchanges of military instructors, training personnel, and students;

(iv) exchanges of information;

(v) defense planning; and

(vi) military training or exercises; but

(B) does not include any contact or cooperation that is in support of United States stability operations.

(f) Effective Date.—This section takes effect on the date of the enactment of this Act and applies with respect to funds described in subsection (a) that are unobligated as of such date of enactment.

SEC. 1249. LIMITATION ON FUNDS FOR IMPLEMENTATION OF THE NEW START TREATY.

(a) Limitation.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2016 for the Department of Defense may be used for implementation of the New START Treaty until the President certifies to the appropriate congressional committees that—

(1) the armed forces of the Russian Federation are no longer illegally occupying Ukrainian territory;

(2) the Russian Federation is respecting the sovereignty of all Ukrainian territory;

(3) the Russian Federation is no longer taking actions that are inconsistent with the INF Treaty;

(4) the Russian Federation is in compliance with the CFE Treaty and has lifted its suspension of Russian observance of its treaty obligations; and

(5) there have been no inconsistencies by the Russian Federation with New START Treaty requirements.

(b) Definitions.—In this section:
(1) Appropriate Congressional Committees.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.


(4) New START Treaty.—The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and
Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

(c) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to funds described in subsection (a) that are unobligated as of such date of enactment.

Subtitle F—Matters Relating to the Asia-Pacific Region

SEC. 1251. SENSE OF CONGRESS RECOGNIZING THE 70TH ANNIVERSARY OF THE END OF ALLIED MILITARY ENGAGEMENT IN THE PACIFIC THEATER.

(a) FINDINGS.—Congress makes the following findings:

(1) September 2, 2015, marks the 70th anniversary of the end of Allied military engagement in the Pacific theater, also marking the end of the Second World War.

(2) The United States entered the Second World War in December 1941, following the Empire of Japan’s attack on Pearl Harbor, and over the next four years Americans participated in what was arguably the greatest national endeavor in the Nation’s history.
(3) The casualty toll of Americans in the Pacific theater during the Second World War was approximately 92,904 killed, 208,333 wounded, and tens of thousands missing in action and prisoners of war, with civilians and military forces of the Allied Powers suffering equally devastating tolls.

(4) American military forces displayed extraordinary courage and suffered significant casualties in battles across the Pacific theater, including in the Battle of the Philippine Sea, the Battle of Leyte Gulf, the Philippines Campaign, the Battle of Iwo Jima, and the Battle of Okinawa.

(5) Japanese military forces and the Japanese civilian population also suffered staggering losses.

(6) On August 15, 1945, Emperor Hirohito of Japan announced the unconditional surrender of Japan’s military forces, made formal on September 2, 1945, aboard the U.S.S. Missouri in Tokyo Bay, Japan, thus ending the most devastating war in human history.

(7) Japan is now a free and prosperous democracy; a valued ally with shared values and mutual interests based on the principles of democracy, individual liberty, and the rule of law, who serves as a cornerstone for peace and security in the region and
for whom the United States seeks to further enhance
security, economic, and diplomatic ties.

(8) The bravery and sacrifice of the members of
the United States Armed Forces and the military
forces of the Allied Powers who served valiantly to
rescue the Pacific nations from tyranny and aggres-
sion should be always remembered.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the 70th anniversary of the end
of Allied military engagement in the Pacific theater,
and also marking the end of Second World War;

(2) joins with a grateful nation in expressing
respect and appreciation to the members of the
United States Armed Forces who served in the Pa-
cific theater during the Second World War;

(3) remembers and honors those Americans who
made the ultimate sacrifice and gave their lives for
their country during the campaigns in the Pacific
theater during the Second World War; and

(4) preserves and applies the lessons learned
from the history of the Second World War in the
Pacific theater and recognizes the close alliance be-
tween the United States and Japan, codified in the
1960 Treaty of Mutual Cooperation and Security be-
tween the United States and Japan, that continues
to be enhanced to maintain peace and prosperity in the region.

SEC. 1252. SENSE OF CONGRESS REGARDING CONSOLIDATION OF UNITED STATES MILITARY FACILITIES IN OKINAWA, JAPAN.

(a) FINDINGS.—Congress finds the following:

(1) The defense alliance between the United States and Japan remains important and strong.

(2) Progress continues to be made in the United States and Japan to fulfill the April 27, 2012, agreement of the United States-Japan Security Consultative Committee that modified the United States-Japan Roadmap for Realignment Implementation, originally codified on May 1, 2006, including the Governor of Okinawa signing the landfill permit for Henoko construction on December 27, 2013, and the elimination of restrictions on Government of Japan contributions for the realignment of Marine Corps forces in the Asia-Pacific region by section 2821 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291).

(3) The Government of Japan has made significant and unprecedented direct financial contributions of more than $3,000,000,000 to the Support
for United States Relocation to Guam Account pursuant to section 2350k of title 10, United States Code, for the relocation of Marine Corps forces from Okinawa to Guam and the relocation of certain training from Okinawa to the Marianas region, of which nearly $1,000,000,000 has already been received from the Government of Japan, and a significant amount of these funds has already been obligated and expended to support the relocation of Marine Corps forces on Guam.

(4) It is important to return formerly used United States military property in Okinawa to the local government.

(5) Consolidation of United States facilities and the return of formerly used United States military property in Okinawa will be implemented as soon as possible, while ensuring operational capability, including training capability, throughout the consolidation process.

(6) Under the April 27, 2012, agreement referred to in paragraph (2), the United States is authorized to establish Marine Air-Ground Task Forces at additional locations in the Asia-Pacific region, including Guam, Hawaii, and Australia, which will enhance their readiness posture through flexi-
ability and speed to respond to regional threats and maintain regional peace, stability, and security.

(7) Even though realignment of Marine Corps forces from Okinawa to Guam is “de-linked” from progress on the construction of the Futenma Replacement Facility in Henoko, there must be continued progress on Guam and Okinawa to meet the agreement.

(b) Sense of Congress.—It is the sense of Congress that the Henoko location for the Futenma Replacement Facility—

(1) has been studied and analyzed for several decades, reaffirmed by both the United States and Japan on several occasions, including the 2010 Futenma Replacement Facility Bilateral Experts study and the independent assessment required by section 346 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1373); and

(2) remains the only option for the Futenma Replacement Facility.

SEC. 1253. STRATEGY TO PROMOTE UNITED STATES INTERESTS IN THE INDO-ASIA-PACIFIC REGION.

(a) Strategy.—The President shall develop an overall strategy to promote United States interests in the
Indo-Asia-Pacific region. Such strategy shall be informed by the following:


(2) The strategy to prioritize United States defense interests in the Asia-Pacific region as contained in the report required by section 1251(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).

(3) The integrated, multi-year planning and budget strategy for a rebalancing of United States policy in Asia submitted to Congress pursuant to section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of the Consolidated Appropriations Act, 2014 (Public Law 113–76)).

(b) PRESIDENTIAL POLICY DIRECTIVE.—The President shall issue a Presidential Policy Directive to relevant Federal departments and agencies that contains the strategy developed under subsection (a) and includes implementing guidance to such departments and agencies.
(c) Relation to Agency Priority Goals and Annual Budget.—

(1) Agency Priority Goals.—In identifying agency priority goals under section 1120(b) of title 31, United States Code, for each relevant Federal department and agency, the head of such department or agency, or as otherwise determined by the Director of the Office of Management and Budget, shall take into consideration the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

(2) Annual Budget.—The President, acting through the Director of the Office of Management and Budget, shall ensure that the annual budget submitted to Congress under section 1105 of title 31, United States Code, includes a separate section that clearly highlights programs and projects that are being funded in the annual budget that relate to the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

SEC. 1254. SENSE OF CONGRESS ON THE UNITED STATES ALLIANCE WITH JAPAN.

It is the sense of Congress that—
(1) the United States highly values its alliance with the Government of Japan as a cornerstone of peace and security in the region, based on shared values of democracy, the rule of law, free and open markets, and respect for human rights in order to promote peace, security, stability, and economic prosperity in the Asia-Pacific region;

(2) the United States welcomes Japan’s decision to contribute more proactively to regional and global peace and security;

(3) the United States supports recent changes in Japanese defense policy, including the adoption of collective self-defense and the new bilateral Guidelines for U.S.-Japan Defense Cooperation which were approved on April 27, 2015, and will promote a more balanced and effective alliance to meet the emerging security challenges of this century;

(4) the United States and Japan should continue to improve joint interoperability and collaborate on developing future capabilities with which to maintain regional stability in an increasingly uncertain security environment;

(5) the United States and Japan should continue efforts to strengthen regional multilateral institutions that promote economic and security co-
operation based on internationally accepted rules

and norms;

(6) the United States acknowledges that the

Senkaku Islands are under the administration of

Japan and opposes any unilateral actions that would

seek to undermine such administration and remains

committed under the Treaty of Mutual Cooperation

and Security to respond to any armed attack in the

territories under the administration of Japan; and

(7) the United States reaffirms its commitment
to the Government of Japan under Article V of the

Treaty of Mutual Cooperation and Security that

"[e]ach Party recognizes that an armed attack

against either Party in the territories under the ad-

ministration of Japan would be dangerous to its own

peace and safety and declares that it would act to

meet the common danger in accordance with its con-

stitutional provisions and processes".

SEC. 1255. SENSE OF CONGRESS ON OPPORTUNITIES TO

ENHANCE THE UNITED STATES ALLIANCE

WITH THE REPUBLIC OF KOREA.

It is the sense of Congress that—

(1) the alliance between the United States and

the Republic of Korea has served as an anchor for

stability, security, and prosperity on the Korean Pe-
ninsula, in the Asia-Pacific region, and around the world;

(2) the United States and the Republic of Korea continue to strengthen and adapt the comprehensive strategic alliance of bilateral, regional, and global scope to serve as a linchpin of peace and stability in the Asia-Pacific region, recognizing the shared values of democracy, human rights, free and open market, and the rule of law, as reaffirmed in the May 2013 “Joint Declaration in Commemoration of the 60th Anniversary of the Alliance between the Republic of Korea and the United States of America”;

(3) the United States and the Republic of Korea continue to broaden and deepen the scope and level of alliance cooperation by strengthening the combined defense posture on the Korean Peninsula, enhancing mutual security based on the Republic of Korea-United States Mutual Defense Treaty, and promoting cooperation for regional and global security in the 21st century, recognizing the significance of 2015 as it marks the 70th anniversary of the end of World War II;

(4) the United States and the Republic of Korea share deep concerns that North Korea’s nu-
clear and ballistic missiles programs and its repeated 
provocations pose grave threats to peace and sta-
bility on the Korean Peninsula and Northeast Asia 
and recognize that both nations are determined to 
achieve the peaceful denuclearization of North 
Korea, and remain fully committed to continuing 
close cooperation on the full range of issues related 
to North Korea;

(5) the United States supports the vision of a 
Korean Peninsula free of nuclear weapons, free from 
the fear of war, and peacefully reunited on the basis 
of democratic and free market principles, as articu-
lated in President Park’s Dresden address; and

(6) the United States and the Republic of 
Korea share the future interests of both nations in 
securing peace and stability on the Korean Penin-
sula and in Northeast Asia.

SEC. 1256. REQUIREMENT TO SUBMIT DEPARTMENT OF DE-
FENSE POLICY REGARDING FOREIGN DIS-
CLOSURE OR TECHNOLOGY RELEASE OF 
AEGIS ASHORE CAPABILITY TO ALLIES.

(a) SENSE OF CONGRESS.—It is the sense of Con-
gress that a decision by the Government of Japan to pur-
chase Aegis Ashore for its self-defense, given that it al-
ready possesses sea-based Aegis weapons system-equipped
naval vessels, could create a significant opportunity for
promoting interoperability and integration of air- and mis-
sile defense capability with close allies, could provide for
force multiplication benefits, and could potentially allevi-
ate force posture requirements on multi-mission assets.

(b) Requirement to Submit Policy.—Not later
than 30 days after the date of the enactment of this Act,
the Secretary of Defense shall submit to the appropriate
congressional committees a copy of the Department of De-
fense policy regarding foreign disclosure or technology re-
lease of Aegis Ashore capability to allies, including Japan,
that possess sea-based Aegis weapons system-equipped
naval vessels.

(e) Definition.—In this section, the term “appro-
priate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the
Senate and the Committee on Foreign Affairs of the
House of Representatives.

SEC. 1257. REQUIREMENT TO INVITE THE MILITARY
FORCES OF TAIWAN TO PARTICIPATE IN
RIMPAC EXERCISES.

(a) In General.—The Secretary of Defense shall in-
vite the military forces of Taiwan to participate in any
maritime exercise known as the Rim of the Pacific Exer-
cise if the Secretary has invited the military forces of the
People’s Republic of China to participate in such maritime
exercise.

(b) EFFECTIVE DATE.—This section takes effect on
the date of the enactment of this Act and applies with
respect to any maritime exercise described in subsection
(a) that begins on or after such date of enactment.

Subtitle G—Other Matters

SEC. 1261. NON-CONVENTIONAL ASSISTED RECOVERY CA-
PABILITIES.

(a) EXTENSION.—Subsection (h) of section 943 of
the Duncan Hunter National Defense Authorization Act
4579), as most recently amended by section 1261 of the
(Public Law 113–291; 128 Stat. 3579), is further amend-
ed by striking “2016” and inserting “2017”.

(b) REVISION TO ANNUAL LIMITATION ON FUNDS.—
Subsection (a) of such section is amended—

(1) by striking “Upon” and inserting the fol-
lowing:

“(1) IN GENERAL.—Upon”;

(2) by striking “an amount” and all that fol-
lows through “may be” and inserting “amounts ap-
propriated or otherwise made available for the De-
partment of Defense for operation and maintenance
may be’’; and

(3) by adding at the end the following new
paragraph:

“(2) ANNUAL LIMIT.—The total amount made
available for support of non-conventional assisted re-
covery activities under this subsection in any fiscal
year may not exceed $25,000,000.’’.

SEC. 1262. AMENDMENT TO THE ANNUAL REPORT UNDER
ARMS CONTROL AND DISARMAMENT ACT.

Subsection (e) of section 403 of the Arms Control
and Disarmament Act (22 U.S.C. 2593a) is amended to
read as follows:

“(e) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than June 15 of
each year described in paragraph (2), the Director
of National Intelligence shall submit to the appro-
priate congressional committees a report that con-
tains a detailed assessment, consistent with the pro-
vision of classified information and intelligence
sources and methods, of the adherence of other na-
tions to obligations undertaken in all arms control,
nonproliferation, and disarmament agreements or
commitments to which the United States is a party,
including information of cases in which any such na-
tion has behaved inconsistently with respect to its obligations undertaken in such agreements or commitments.

“(2) COVERED YEAR.—A year described in this paragraph is a year in which the President fails to submit the report required by subsection (a) by not later than April 15 of such year.

“(3) FORM.—The report required by this subsection shall be submitted in unclassified form, but may contain a classified annex if necessary.”.

SEC. 1263. PERMANENT AUTHORITY FOR 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 of the National Defense Authorization Act of Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2023), is further amended by striking “for each of fiscal years 2013, 2014, and 2015 pursuant to section 301” and inserting “for any fiscal year”.
SEC. 1264. EXTENSION OF AUTHORIZATION TO CONDUCT
ACTIVITIES TO ENHANCE THE CAPABILITY
OF FOREIGN COUNTRIES TO RESPOND TO IN-
CIDENTS INVOLVING WEAPONS OF MASS DE-
STRUCTION.

Section 1204(h) of the National Defense Authoriza-
tion 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,
2020”.

SEC. 1265. LIMITATION ON AVAILABILITY OF FUNDS FOR
RESEARCH, DEVELOPMENT, TEST, AND EVAL-
UATION, AIR FORCE, FOR ARMS CONTROL IM-
PLEMENTATION.

(a) IN GENERAL.—Not more than 50 percent of the
funds authorized to be appropriated by this Act or other-
wise made available for fiscal year 2016 for research, de-
velopment, test, and evaluation, Air Force, for arms con-
trol implementation (PE 0305145F) may be obligated or
expended until the Secretary of Defense, in coordination
with the Secretary of State, submits to the appropriate
committees of Congress a report on the following:

(1) A description of any meetings of the Open
Skies Consultative Commission during the prior
year.
(2) A description of any agreements entered into during such meetings of the Open Skies Consultative Commission.

(3) A description of any future year proposals for modifications to the aircraft or sensors of any State Party to the Open Skies Treaty that will be subject to the Open Skies Treaty.

(b) Definitions.—In this section:

(1) Appropriate committees of Congress.—The term “appropriate committees of Congress” means—

(A) the congressional defense committees;

and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.


SEC. 1266. MODIFICATION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) Authority.—Subsection (a) of section 1208 of the Ronald W. Reagan National Defense Authorization
Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as most recently amended by section 1208(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), is further amended by striking “$75,000,000” and inserting “$100,000,000”.

(b) Annual Report.—Subsection (f)(1) of such section 1208, as most recently amended by section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2512), is further amended by striking “120 days” and inserting “30 days and not later than 180 days”.

(c) Effective Date.—The amendments made by subsections (a) and (b) take effect on the date of the enactment of this Act and apply with respect to each fiscal year that begins on or after such date of enactment.

SEC. 1267. UNITED STATES-ISRAEL ANTI-TUNNEL DEFENSE COOPERATION.

(a) Findings and Sense of Congress.—

(1) Findings.—Congress finds the following:

(A) Tunnels have been used for centuries around the world as a means of avoiding detection or circumventing defenses.

(B) Tunnels can be used for criminal purposes, such as smuggling drugs, weapons, or
humans, or for terrorist or military purposes, such as launching surprise attacks or detonating explosives underneath infrastructure.

(C) Tunnels have been a growing threat on the southern border of the United States for more than 11 years, and the Department of Homeland Security has been working to address this threat.

(D) The conflict in Gaza in 2014 showed that terrorists are now actively using tunnels as a means of attack, and news reports indicate that tunnels are being used in Syria as well.

(E) Terrorist organizations are quick to adopt successful tactics, and it is only a matter of time before other terrorist organizations begin using tunnels.

(F) The facilities of the United States, and those of the allies of the United States, could be under threat very quickly if tunnel threats continue to proliferate.

(G) Hamas, Hezbollah, and the Palestinian Islamic Jihad are United States-designated terrorist organizations.

(H) Designated Palestinian terrorist organizations have killed hundreds of Israelis and
dozens of Americans in rocket attacks and suicide bombings.

(I) Hamas has used underground tunnels to Israel and Egypt to smuggle weapons, money, and supplies into Gaza and to send members of Hamas out of Gaza for training and to bring trainers in to Gaza to teach Hamas how to manufacture rockets and build better tunnels. Tunnels in Gaza have also been used as underground rocket launching sites, weapons caches, bunkers, transportation networks and command and control centers.

(J) In 2006, Hamas kidnapped Israeli soldier Gilad Shalit through a tunnel and held him for five years.

(K) The Israel Defense Forces discovered 32 tunnels during the conflict with Hamas in the summer of 2014, 14 of which crossed into Israel.

(L) Hamas intentionally uses civilians as human shields by placing its underground tunnel network in densely populated areas and schools, hospitals, and mosques.

(M) Hamas’s placement of explosive material in its vast network of tunnels in Gaza has
caused civilian casualties through secondary
and tertiary explosions.

(N) While the unemployment rate in Gaza
is at 38 percent, it is estimated that Hamas
spends $3,000,000 per tunnel.

(O) United Nations Secretary-General Ban
Ki-moon said he was “shocked by the tunnels
used for the infiltration of terrorists”.

(P) Hamas has claimed to be rebuilding
tunnels in Gaza after the war with Israel in the
summer of 2014.

(Q) Hezbollah has used underground tun-
nels in southern Lebanon to move Hezbollah
fighters and to launch attacks.

(R) The Palestinian Islamic Jihad claims
to be digging new tunnels on the Gaza border.
Israel has a right to defend itself from the vio-
ence of Palestinian terrorist groups, including
the violence that is facilitated through terrorist
tunnel networks.

(S) The United States is working coopera-
tively with the Government of Israel to develop
technologies to detect and neutralize tunnels
penetrating the territory of Israel.
(2) Sense of Congress.—It is the sense of Congress that—

(A) it is in the best interests of the United States to develop technology to detect and counter tunnels, and the best way to do this is to partner with other affected countries; and

(B) Israel is facing serious threats posed by tunnels and should be the first partner of the United States in addressing this significant challenge.

(b) Assistance to Israel to Establish an Anti-Tunneling Defense System.—

(1) In general.—The President, upon request of the Government of Israel, is authorized to carry out research, development, and test activities on a joint basis with Israel to establish an anti-tunneling defense system to detect, map, and neutralize underground tunnels into and directed at the territory of Israel.

(2) Certification.—None of the funds authorized to be appropriated to carry out this section may be obligated or expended to carry out subsection (a) until the President certifies to Congress the following:
(A) The President has finalized a memorandum of understanding or other formal agreement between the United States and Israel regarding sharing of research and development costs for the system described in paragraph (1).

(B) The understanding or agreement—

(i) requires sharing of costs of projects, including the cost of claims and in-kind support, between the United States and Israel on an equitable basis unless the President determines, on a case-by-case basis, the Government of Israel is unable to contribute on an equitable basis;

(ii) requires the designation of payment of non-recurring engineering costs in connection with the establishment of a capacity for co-production in the United States;

(iii) establishes a framework to negotiate the rights to any intellectual property developed under the cooperative research and development projects; and

(iv) requires the United States Government to receive quarterly reports on expenditure of funds by the Government of
Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(3) ASSISTANCE.—The President, upon request of the Government of Israel, is authorized to provide assistance to Israel for the procurement, maintenance, and sustainment of an anti-tunneling system described in paragraph (1).

(e) ASSISTANCE TO OTHER ALLIES TO ESTABLISH AN ANTI-TUNNELING DEFENSE SYSTEM.—In addition to the memorandum of understanding or other formal agreement described in subsection (b), the President is authorized to seek to enter into a similar memorandum of understanding or other formal agreement with any other ally of the United States upon request of the government of such ally.

(d) DESIGNATION OF LEAD DEVELOPMENT AGENCY.—The Secretary of Defense, with the concurrence of the Secretary of State, shall designate a military department or other element of the Department of Defense to carry out subsections (b) and (e) as the lead agency of the Federal Government for developing technology to detect and counter tunnels.

(e) REPORTING.—
(1) INITIAL REPORT.—The President shall submit to Congress a report that contains a copy of the memorandum of understanding or other formal agreement between the United States and Israel as described in subsection (b)(2)(A) or similar agreement described in subsection (c).

(2) QUARTERLY REPORTS.—The President shall submit to Congress a quarterly report that contains a copy of the most-recent quarterly report provided by the Government of Israel to the Department of Defense pursuant to subsection (b)(2)(B)(iv).

(3) COMPREHENSIVE REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the following:

(A) Instances of tunnels being used to attack installations of the United States or allies of the United States.

(B) Trends or developments in tunnel attacks throughout the world.

(C) Key technologies used and challenges faced by potential adversaries of the United States with respect to using tunnels.
(D) The capabilities of the Department of Defense for defending fixed or forward locations from tunnel attacks.

(E) Partnerships entered into with allies of the United States under this section, and potential opportunities for increased partnerships with other allies with respect to researching tunnel detection technologies and the opportunities for co-development or co-production.

(F) The plans, including with respect to funding, of the Secretary for countering threats posed by tunnels.

SEC. 1268. EFFORTS OF THE DEPARTMENT OF DEFENSE TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.

(a) FINDINGS AND STATEMENT OF POLICY.—

(1) FINDINGS.—Congress finds the following:

(A) Gender-based violence reaches every corner of the world, affecting millions of people every year and one in three women in her lifetime. This epidemic not only undermines the safety, dignity, and human rights of the individual, family and community, it affects public health, economic stability, and security of nations, which in turn has a direct impact upon
United States foreign policy, defense interests, democracy, governance, and peace-building efforts.

(B) With one of the largest international footprints in the United States government, the Department of Defense is an integral part of combating the epidemic of gender-based violence, especially in conflict regions.

(C) Section 7061 of the Joint Explanatory Statement of the Committee of Conference accompanying the Consolidated Appropriations Act, 2012 directed the Secretary of State and the Administrator of the United States Agency for International Development to develop and submit to Congress a multi-year strategy to prevent and respond to gender-based violence.

(D) Executive Order No. 13623 of August 10, 2012 (77 Fed. Reg. 49345) established the United States Strategy to Prevent and Respond to Gender-Based Violence Globally, which required the Department of Defense to participate in an Interagency Working Group co-chaired by the Department of State and the United States Agency for International Development to implement the Strategy.

(F) Executive Order No. 13623 requires within 3 years of August 12, 2012, that the Interagency Working Group shall complete a final evaluation of the Strategy and within 180 days of completing its final evaluation, the Interagency Working Group shall update or revise the Strategy to take into account the information learned and the progress made during and through the implementation of the Strategy.

(2) STATEMENT OF POLICY.—It is in the national security interest of the United States to—

(A) prevent gender-based violence which will promote regional and global stability and advance sustainable peace and security;
(B) have a multi-year strategy in place that will effectively prevent and respond to gender-based violence globally; and

(C) ensure that existing laws and regulations relating to the Department of Defense are fully implemented to prevent gender-based violence globally.

(b) REQUIREMENT TO CONTINUE IMPLEMENTATION OF A UNITED STATES GLOBAL STRATEGY ON GENDER-BASED VIOLENCE PREVENTION AND RESPONSE.—The Secretary of Defense shall ensure that the Department of Defense—

(1) continues to implement the United States Strategy to Prevent and Respond to Gender-Based Violence Globally, as appropriate; and

(2) pursuant to the intent laid out in Executive Order No. 13623, continues to participate in any Interagency Working Group described in subsection (a)(1)(D) or in interagency collaborative efforts to develop or update a United States Strategy to Prevent and Respond to Gender-Based Violence Globally, as appropriate.

(e) DEPARTMENT OF DEFENSE GENDER-BASED TRAINING.—The Secretary of Defense is authorized to—
(1) provide training for the United States Armed Forces, Department of Defense personnel, and contractors and military observers on preventing and responding to violence against women and girls globally in conflict, post-conflict, and humanitarian relief settings; and

(2) utilize the Department of Defense’s operational capabilities to train professional foreign military, police forces, and judicial officials on preventing and responding to violence against women and girls globally.

(d) Report.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the specified congressional committees a report on efforts to prevent and respond to gender-based violence globally made under a United States strategy.

(2) Content.—The report required under paragraph (1) shall—

(A) describe the efforts of the Department of Defense in the Interagency Working Group described in subsection (a)(1)(D) to implement the international gender-based violence preven-
tion and response strategy, funding allocations, programming, and associated outcomes; and

(B) provide an assessment of human and financial resources necessary to fulfill the purposes and duties of such strategy.

(3) Public Availability.—The report required under paragraph (1) shall be made publicly accessible in a timely manner.

(4) Definition.—In this subsection, the term “specified congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1269. COMBATING CRIME THROUGH INTELLIGENCE CAPABILITIES.

The Secretary of Defense is authorized to deploy assets, personnel, and resources to United States Southern Command, in coordination with the Joint Interagency Task Force South, to combat the following by supplying sufficient intelligence, surveillance, and reconnaissance capabilities:

(1) Transnational criminal organizations.
(2) Drug trafficking.

(3) Bulk shipments of narcotics or currency.

(4) Narco-terrorism and terrorist financing.

(5) Human trafficking.

(6) The presence and influence of Iran, Russia, and China in the Western Hemisphere.

(7) The national security threat posed by the presence and influence of the Islamic State of Iraq and the Levant (ISIL), Hezbollah, or any other foreign terrorist organization in the Western Hemisphere.

SEC. 1270. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) In general.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended to fund a Secretariat or any other international organization established to support the implementation of the Arms Trade Treaty, to sustain domestic prosecutions based on any charge related to the Treaty, or to implement the Treaty until the Senate approves a resolution of ratification for the Treaty and implementing legislation for the Treaty has been enacted into law.
(b) Rule of Construction.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards.

SEC. 1271. ASSESSMENT OF THE MILITARY CAPABILITY OF THE REPUBLIC OF CYPRUS.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees an assessment of the military capability of the Republic of Cyprus to defend against threats to its national security, including threats posed by hostile foreign governments and international terrorist groups.

(b) Matters to Be Included.—The assessment required under subsection (a) shall include the following:

(1) An analysis of the effect on the national security of Cyprus of the United States policy to deny applications for licenses and other approvals for the export of defense articles and defense services to the armed forces of Cyprus.

(2) An analysis of the extent to which such United States policy is consistent with overall
United States security and policy objectives in the region.

(3) An assessment of the potential impact of lifting such United States policy.

c) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1272. SENSE OF CONGRESS ON THE DEFENSE RELATIONSHIP BETWEEN THE UNITED STATES AND THE REPUBLIC OF INDIA.

(a) FINDINGS.—Congress finds the following:

(1) The United States has an upgraded, strategic-plus relationship with India based on regional cooperation, space science cooperation, and defense cooperation.

(2) The defense relationship between the United States and the Republic of India is strengthened by the common commitment of both countries to democracy.

(3) The United States and the Republic of India share a common and long-standing commitment to civilian control of the military.
(4) The United States and the Republic of India have increasingly worked together on defense cooperation across a range of activities, exercises, initiatives, and research.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to expand defense cooperation with the Republic of India;

(2) welcome the role of the Republic of India in providing security and stability in the Indo-Pacific region and beyond;

(3) work cooperatively with the Republic of India on matters relating to our common defense;

(4) vigorously support the implementation of the United States-India Defense Framework Agreement; and

(3) support the India Defense Trade and Technology Initiative.

SEC. 1273. SENSE OF CONGRESS ON EVACUATION OF UNITED STATES CITIZENS AND NATIONALS FROM YEMEN.

(a) FINDINGS.—Congress finds the following:

(1) The ongoing conflict in Yemen, including airstrikes conducted by Saudi Arabia and a no-fly zone imposed over Yemen by Saudi Arabia, has
made it difficult for Yemeni-Americans to depart Yemen.

(2) United States citizen Jamal al-Labani of Hayward, California, was killed in Yemen after the closure of the United States Embassy while attempting to bring his pregnant wife and 2-year-daughter back to the United States.

(3) Over 550 Yemeni-Americans have registered as being unable to leave Yemen after the closure of the United States Embassy in Yemen in February 2015.

(4) In 2006, the Department of Defense helped the Department of State remove 15,000 Americans from Lebanon during Hezbollah’s war against Israel.

(5) Many other nations, including China, Ethiopia, India, and Russia are evacuating or have evacuated their citizens from Yemen.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should exercise all available authorities as expeditiously as possible to evacuate United States citizens and nationals from Yemen.
SEC. 1274. REPORT ON IMPACT OF ANY SIGNIFICANT REDUCTION IN UNITED STATES TROOP LEVELS OR MATERIEL IN EUROPE ON NATO’S ABILITY TO CREDIBLY ADDRESS EXTERNAL THREATS TO ANY NATO MEMBER STATE.

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

(1) in order to demonstrate United States commitment to North Atlantic Treaty Organization (NATO) allies, especially those NATO allies under pressure on the Eastern flank of the Alliance, and to enhance the United States deterrent presence and resolve to countering threats to NATO’s collective security, United States Armed Forces stationed and deployed in Europe should be increased in number and combat power; and

(2) the “current and foreseeable security environment”, as referenced in paragraph 12 of Section IV on Political-Military Matters of the Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation (NATO-Russia Founding Act), has changed significantly since the signing of such Act in 1997 and thus such Act should not be read, interpreted, or implemented so as to constrain or in any way limit additional permanent stationing of substantial combat forces any-
where on the territory of any NATO member State in furtherance of NATO’s core mission of collective defense and other missions.

(b) Report.—

(1) In general.—In order to ensure that the United States contribution to NATO’s core mission of collective defense remains robust and ready to meet any future challenges, the Secretary of Defense shall submit to the appropriate congressional committees a report on the impact of any significant reduction in United States troop levels or materiel in Europe on NATO’s ability to credibly deter, resist, and, if necessary, repel external threats to any NATO member State.

(2) Deadline.—The report required under paragraph (1) shall be submitted not later than 30 days prior to the date on which any significant reduction described in paragraph (1) is scheduled to take place.

(3) Form.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary to protect the national security interests of the United States.
(4) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1275. REPORT ON VIOLENCE AND CARTEL ACTIVITY IN MEXICO.

The Secretary of Defense shall submit to the congressional defense committees a report on violence and cartel activity in Mexico and the impact of such on United States national security.

SEC. 1276. REPORT ON ACTIONS TO ENSURE QATAR IS PREVENTING TERRORIST LEADERS AND FINANCIERS FROM OPERATING IN ITS COUNTRY.

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

(1) Qatar is an important partner in the region and has played a significant role in fighting ISIS;

(2) Qatar has provided significant enablers to the United States in its wars in Iraq and Afghanistan by hosting United States forces;
(3) Qatar has unfortunately allowed the leaders of Hamas, a United States-designated foreign terrorist organization, to operate freely in its country;

(4) Qatar has also allowed United States-designated terrorist financiers to operate in its country; and

(5) the United States should do everything in its power to encourage Qatar to crack down on terrorist leaders and financiers who are operating in its country.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report on actions taken by the United States Government to ensure that Qatar is preventing terrorist leaders and financiers from operating in its country.

SEC. 1277. UNITED STATES SUPPORT FOR JORDAN.

(a) FINDINGS.—Congress finds the following:

(1) The Hashemite Kingdom of Jordan remains a steadfast partner and the armed forces of Jordan are among the United States’ strongest military partners.

(2) Jordan’s civil and military leadership continue to provide a positive example of professionalism and moderation.
(3) The Colorado National Guard’s relationship with the Jordanian military provides a significant benefit to both the United States and Jordan.

(4) The armed forces of Jordan fought alongside United States forces in Afghanistan and are currently flying combat sorties as part of the counter-ISIL Coalition.

(5) Jordan continues to provide critical basing support for Operation Inherent Resolve missions.

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

(1) Jordan is one of our most important allies in the region and the United States should support Jordan’s military efforts to the greatest extent possible, including by providing military equipment and training; and

(2) the President should make every effort to ensure rapid responses to any military requests for assistance from Jordan.

SEC. 1278. REPORT ON UNITED STATES EFFORTS TO COMBAT BOKO HARAM AND SUPPORT REGIONAL ALLIES AND OTHER PARTNERS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) combating Boko Haram is in the national security interest of the United States;

(2) the United States should support regional partners, including the African Union-authorized Multinational Joint Task Force, through training and advice and the provision of key enablers to strengthen operations against Boko Haram; and

(3) United States support for these regional efforts should be integrated into a comprehensive strategy to support security and stability in the region.

(b) Report Required.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on the following:

(A) An assessment of the threat of Boko Haram to United States national security interests.

(B) A description of United States efforts to combat Boko Haram, including the authorities to carry out such efforts and the roles and missions of the Department of Defense and Department of State.
(C) An assessment of the capabilities, shortfalls, and progress made by United States-supported regional partners, including the African Union-authorized Multinational Joint Task Force, to combat Boko Haram.

(D) A description of military equipment, supplies, training, and other defense articles and services, including by type, quantity, and prioritization of such items, required to combat Boko Haram effectively and the gaps within regional allies to engage in the mission to combat Boko Haram.

(E) A description of military equipment, supplies, training, and other defense articles and services, including by type, quantity, and actual or estimated delivery date, that the United States Government has provided, is providing, and plans to provide to regional allies and other partners to combat Boko Haram.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified in form, but may contain a classified annex.

(3) DEFINITION.—In this subsection, the term "appropriate congressional committees" means—
(A) the congressional defense committees;

and

(B) the Committee on Foreign Relations of
the Senate and the Committee on Foreign Af-
fairs of the House of Representatives.

SEC. 1279. SENSE OF CONGRESS ON UNITED STATES SUP-
PORT FOR TUNISIA.

It is the sense of Congress that it is a national secu-

rity priority of the United States to support the Republic
of Tunisia and to cooperate with Tunisia by providing as-
sistance to combat the growing terrorist threat from the
Islamic State of Iraq and the Levant (ISIL) or other ter-
rorist organizations.

SEC. 1280. SENSE OF CONGRESS ON FUTURE OF NATO AND
ENLARGEMENT INITIATIVES.

(a) STATEMENT OF POLICY.—Congress declares

that—

(1) the North Atlantic Treaty Organization
(NATO) has been the cornerstone of transatlantic
security cooperation and an enduring instrument for
promoting stability in Europe and around the world
for over 65 years;

(2) the incorporation of the Czech Republic, Po-
land, Hungary, Bulgaria, Estonia, Latvia, Lith-
uania, Romania, Slovakia, Slovenia, Albania, and
Croatia has been essential to the success of NATO in this modern era;

(3) these countries have over time added to and strengthened the list of key European allies of the United States;

(4) since joining NATO, these member states have remained committed to the collective defense of the Alliance and have demonstrated their will and ability to contribute to transatlantic solidarity and assume increasingly more responsibility for international peace and security;

(5) since joining the Alliance, these NATO members states have contributed to numerous NATO-led peace, security, and stability operations, including participation in the International Security Assistance Force’s (ISAF) mission in Afghanistan;

(6) these NATO member states have become reliable partners and supporters of aspiring members and the United States recognizes their continued efforts to aid in further enlargement initiatives;

(7) at the 2014 Summit in Wales, NATO declared that “The Open Door Policy under Article 10 of the Washington Treaty is one of the Alliance’s great successes.”; and
(8) at the 2014 Summit in Wales, NATO declared that “NATO’s door will remain open to all European democracies which share the values of our Alliance, which are willing and able to assume the responsibilities and obligations of membership, which are in a position to further the principles of the Treaty, and whose inclusion will contribute to the security of the North Atlantic area.”.

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

(1) the United States should—

(A) continue to work with aspirant countries to prepare such countries for entry into NATO;

(B) seek NATO membership for Montenegro;

(C) continue supporting a Membership Action Plan (MAP) for Georgia;

(D) encourage the leaders of Macedonia and Greece to find a mutually agreeable solution to the name dispute between the two countries;

(E) seek a Dayton II agreement to resolve the constitutional issues of Bosnia and Herzegovina;
(F) work with the Republic of Kosovo to prepare the country for entrance into the Partnership for Peace (PfP) program;

(G) take a leading role in working with NATO member states to identify, through consensus, the current and future security threats facing the Alliance; and

(H) take a leading role to work with NATO allies to ensure the Alliance maintains the required capabilities, including the gains in interoperability from combat in Afghanistan, necessary to meet the security threats to the Alliance;

(2) NATO member states should review defense spending to ensure sufficient funding is obligated to meet NATO responsibilities; and

(3) the United States should remain committed to maintaining a military presence in Europe as a means of promoting allied interoperability and providing visible assurance to NATO allies in the region.
TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) Fiscal Year 2016 Cooperative Threat Reduction Funds Defined.—In this title, the term “fiscal year 2016 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 1504 and made available by the funding table in section 4303 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 1504 and made available by the funding table in section 4303 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 1504 and made available by the funding table in section 4303 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, $264,618,000.
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 INTERDICATION 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.

SEC. 1407. NATIONAL SEA-BASED DETERRENCE FUND.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National Sea-Based Deterrence Fund, as specified in the funding table in section 4501.
Subtitle B—National Defense
Stockpile

SEC. 1411. EXTENSION OF DATE FOR COMPLETION OF DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS.


Subtitle C—Working-Capital Funds

SEC. 1421. LIMITATION ON FURLOUGH OF DEPARTMENT OF DEFENSE EMPLOYEES PAID THROUGH WORKING-CAPITAL FUNDS.

Section 2208 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(s) FURLOUGH OF EMPLOYEES.—(1) Except as provided under paragraph (2), the Secretary of Defense or the Secretary of a military department may not furlough any employee of the Department of Defense whose salary is funded by a working-capital fund unless the Secretary determines that—

“(A) the working-capital fund is insolvent; or
“(B) there are insufficient funds in the working-capital fund to pay the labor costs of the employee.

“(2) The Secretary of Defense or the Secretary of a military department may waive the restriction under paragraph (1) if the Secretary determines such a waiver is in the interest of the national security of the United States.

“(3) If the Secretary furloughs any employee referred to in paragraph (1), the Secretary shall submit to Congress, by no later than 30 days before initiating the furlough, notice of the furlough that includes a certification that, as a result of the proposed furlough, none of the work performed by any employee of the Department of Defense will be shifted to any Department of Defense civilian employee, contractor, or member of the Armed Forces.

“(4) In this subsection, the term ‘furlough’ means the placement, for nondisciplinary reasons, of an employee in a temporary status in which the employee has no duties and is not paid, but does not include administrative leave or an excused absence.”.
SEC. 1422. WORKING-CAPITAL FUND RESERVE ACCOUNT FOR PETROLEUM MARKET PRICE FLUCTUATIONS.

Section 2208 of title 10, United States Code, as amended by section 1421, is further amended by adding at the end the following new subsection:

“(t) Market Fluctuation Account.—(1) From amounts available for Working Capital Fund, Defense, the Secretary shall reserve up to $1,000,000,000, to remain available without fiscal year limitation, for petroleum market price fluctuations. Such amounts may only be disbursed if the Secretary determines such a disbursement is necessary to absorb volatile market changes in fuel prices without affecting the standard price charged for fuel.

“(2) A budget request for the anticipated costs of fuel may not take into account the availability of funds reserved under paragraph (1).”.

Subtitle D—Other Matters
SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) Authority for Transfer of Funds.—Of the funds authorized to be appropriated for section 1406 and
available for the Defense Health Program for operation
and maintenance, $120,387,000 may be transferred by the
Secretary of Defense to the Joint Department of Defense–
Department of Veterans Affairs Medical Facility Demo-
stration Fund established by subsection (a)(1) of sec-
tion 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 au-
thorized and appropriated specifically for the purpose of
such a transfer.
(b) USE OF TRANSFERRED FUNDS.—For the pur-
poses of subsection (b) of such section 1704, facility oper-
ations 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 des-
ignated as a combined Federal medical facility under an
operational agreement covered by section 706 of the Dun-
can Hunter National Defense Authorization Act for Fiscal
SEC. 1432. 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.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

(a) IN GENERAL.—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2016 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and

(2) pursuant to section 1504, for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4303.

(b) SUPPORT OF BASE BUDGET REQUIREMENTS; TREATMENT.—Funds identified in subsection (a)(2) are being authorized to be appropriated in support of base budget requirements as requested by the President for fis-
cal year 2016 pursuant to section 1105(a) of title 31, United States Code. The Director of the Office of Management and Budget shall apportion the funds identified in such subsection to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled “Criteria for War/Overseas Contingency Operations Funding Requests” transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 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. 1503. 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. 1504. OPERATION AND MAINTENANCE.

(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 operation and maintenance, as specified in—

(1) the funding table in section 4302, or

(2) the funding table in section 4303.

(b) Condition on Use of Funds for Iraq and Syria Train and Equip Programs.—Amounts authorized to be appropriated by this section for the Syria and Iraq Train and Equip programs, as specified in the funding table in section 4302, may not be provided to any recipient that the Secretary of Defense has reported, pursuant to a quarterly progress report submitted pursuant to section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), as having misused provided training and equipment.

SEC. 1505. 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. 1506. 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. 1507. 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. 1508. 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. 1509. 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.
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).

(2) Effect of Transfer.—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) Limitations.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $3,500,000,000.

(4) Exception.—In the case of the authorization of appropriations contained in section 1504 that is provided for the purpose specified in section
1501(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorization.

(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—European Reassurance Initiative and Related Matters

SEC. 1531. STATEMENT OF POLICY REGARDING EUROPEAN REASSURANCE INITIATIVE.

(a) Findings.—Congress makes the following findings:

(1) In February 2015, Lieutenant General James Clapper (retired), Director of National Intelligence, testified to the Committee on Armed Services of the Senate that “Russian dominance over the former Soviet space is Russia’s highest foreign policy goal”.

(2) Russia, under the direction of President Vladimir Putin, has demonstrated its intent to ex-
pand its sphere of influence beyond its borders and
limit Western influence in the region.

(3) The Russian military is aggressively pos-
tured on the Ukrainian boarder and continues its
buildup of military personnel and material. These
aggressive and unwarranted actions serve to intimi-
date, with a show of force, the Ukrainian people as
well as the other nations in the region including
Georgia, the Baltic States, and the Balkan States.

(4) In December 2014, Congress enacted the
Ukraine Freedom Support Act of 2014 (Public Law
113–272), which gives the President the authority to
expand assistance to Ukraine, increase economic
sanctions on Russia, and provide equipment to
counter offensive weapons.

(5) In February 2015, the Atlantic Council, the
Brookings Institute, and the Chicago Council on
Global Affairs published a report entitled “Pre-
serving Ukraine’s Independence, Resisting Russian
Aggression: What the United States and NATO
Must Do” advocating for increased United States
assistance to Ukraine with nonlethal and lethal de-
fensive equipment.

(6) Despite Russia signing the February 2015
Minsk Agreement, it has continued to violate the
terms of the agreement, as noted by Assistant Sec-

retary of State for European and Eurasian Affairs,

Victoria Nuland, at the German Marshall Fund

Brussels Forum in March 2015: “We’ve seen month

on month, more lethal weaponry of a higher cal-

iber...poured into Ukraine by the separatist Russian

allies...the number one thing is for Russia to stop

sending arms over the border so we can have real

politics.”

(7) The military of the Russian Federation con-

tinues to increase their show of force globally, in-

cluding frequent international military flights, fre-

quent snap exercises of thousands of Russian troops,

increased global naval presence, and the threat of

the use of nuclear weapons in defense of the annex-

ation of Crimea in March 2014.

(8) The Government of the Russian Federation

continues to exert and increase undue influence on

the free will of sovereign nations and people with in-

timidation tactics, covert operations, cyber warfare,

and other unconventional methods.

(9) In testimony to the Committee on Armed

Services of the House of Representatives in Feb-

uary 2015, Commander of European Command,

General Philip Breedlove, United States Air Force,
stated that “Russia has employed ‘hybrid warfare’...to illegally seize Crimea, foment separatist fever in several sovereign nations, and maintain frozen conflicts within its so-called ‘sphere of influence’ or ‘near abroad’”.

(10) The use of unconventional methods of warfare by Russia presents challenges to the United States and its partners and allies in addressing the threat.

(11) An enhanced United States military presence and readiness posture and the provision of security assistance in Europe are key elements to deterring further Russian aggression and reassuring United States allies and partners.


(13) The European Reassurance Initiative expands United States military presence in Europe, through—

(A) bolstered and continual United States military presence;
(B) bilateral and multilateral exercises
with partners and allies;
(C) improved infrastructure;
(D) increased prepositioning of United
States equipment throughout Europe; and
(E) building partnership capacity for allies
and partners.

(14) The European Reassurance Initiative has
served as a valuable tool in strengthening the part-
tnerships with the North Atlantic Treaty Organiza-
tion (NATO) as well as partnerships with non-mem-
ber allies in the region.

(15) As a result of the NATO 2014 Summit in
Wales, NATO has initiated a Readiness Action Plan
to increase partner nation funding and resourcing to
combat Russian aggression. NATO’s efforts with the
Readiness Action Plan and United States investment
in regional security through the European Reassur-
ance Initiative will serve to continue and reinforce
the strength and fortitude of the alliance against ne-
farious actors.

(16) The President’s Budget Request for fiscal
year 2016 includes $789.3 million to continue the
European Reassurance Initiative focus on increased
United States military troop rotations in support of
Operation Atlantic Resolve, maintaining and further expanding increasing regional exercises, and building partnership capacity.

(b) Statement of Policy.—It is the policy of the United States to continue and expand its efforts in Europe to reassure United States allies and partners and deter further aggression and intimidation by the Russian Government, in order to enhance security and stability in the region. This policy shall include—

1. continued use of conventional methods, including increased United States military presence in Europe, exercises and training with allies and partners, increasing infrastructure, prepositioning of United States military equipment in Europe, and building partnership capacity;

2. increased emphasis on countering unconventional warfare methods in areas such as cyber warfare, economic warfare, information operations, and intelligence operations, including increased efforts in the development of strategy, operational concepts, capabilities, and technologies; and

3. increased security assistance to allies and partners in Europe, including the provision of both non-lethal equipment and lethal equipment of a defensive nature to Ukraine.
SEC. 1532. ASSISTANCE AND SUSTAINMENT TO THE MILITARY AND NATIONAL SECURITY FORCES OF UKRAINE.

(a) Authority to Provide Assistance.—The Secretary of Defense is authorized, with the concurrence of the Secretary of State, to provide assistance, including training, equipment, lethal weapons of a defensive nature, logistics support, supplies and services, and sustainment to the military and national security forces of Ukraine, through September 30, 2016, to assist the government of Ukraine for the following purposes:

(1) Securing its sovereign territory against foreign aggressors.

(2) Protecting and defending the Ukrainian people from attacks posed by Russian-backed separatists.

(3) Promoting the conditions for a negotiated settlement to end the conflict.

(b) Notice Before Provision of Assistance.—Of the funds authorized to be appropriated to carry out this section, not more than 10 percent of such funds may be obligated or expended until not later than 15 days after the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees a report in unclassified form with a classified annex as appropriate that contains a description of the
plan for providing such assistance, including a description
of the types of training and equipment to be provided, the
estimated number and role of United States Armed Forces
personnel involved, the potential or actual locations of any
training, and any other relevant details.

(e) QUARTERLY REPORTS.—Not later than 105 days
after the date on which the Secretary of Defense submits
the report required in subsection (b), and every 90 days
thereafter, the Secretary of Defense, in coordination with
the Secretary of State, shall provide to the appropriate
congressional committees a report on the activities carried
out under this section. Such report shall include a descrip-
tion of the following:

(1) Updates or changes to the plan required
under subsection (b).

(2) A description of the forces provided with
training, equipment, or other assistance under this
section during the preceding 90-day period.

(3) A description of the equipment provided
under this section during the preceding 90-day pe-
period, including a detailed breakout of any lethal as-
stance provided.

(4) A statement of the amount of funds ex-
pended during the preceding 90-day period.
(d) Vetting.—The Secretary of Defense, in coordination with the Secretary of State, shall ensure that all assistance provided under this section is carried out in full accordance with the provisions of section 2249e of title 10, United States Code.

(e) Definition.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

(f) Funding.—Of the amounts authorized to be appropriated for fiscal year 2016 by this title for overseas contingency operations, $200,000,000 shall be available to carry out this section.

(g) Authority To Accept Contributions.—The Secretary of Defense may accept and retain contributions, including in-kind contributions, from foreign governments, to provide assistance authorized under subsection (a). Any funds so accepted by the Secretary may be credited to the account from which funds are made available to provide assistance authorized under subsection (a) and may re-
main available to provide assistance authorized under sub-
section (a) until September 30, 2016.

(h) Rule of Construction.—Nothing in this sec-
tion shall be construed to constitute a specific statutory
authorization for the introduction of United States Armed
Forces into hostilities or into situations in which hostilities
are clearly indicated by the circumstances.

(i) Relationship to Existing Authorities.—As-
sistance provided under the authority of subsection (a)
shall be subject to the non-transfer and end-use provisions
of the Arms Export Control Act (22 U.S.C. 2751 et seq.)
and the Foreign Assistance Act of 1961 (22 U.S.C. 2151
et seq.).

Subtitle D—Limitations, Reports,
and Other Matters

Sec. 1541. Continuation of Existing Limitation on
Use of Afghanistan Security Forces
Fund.

(a) In General.—Funds available to the Depart-
ment of Defense for the Afghanistan Security Forces
Fund for fiscal year 2016 shall be subject to the condi-
tions 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

(b) Promotion of Recruitment and Retention of Women.—

(1) In general.—Of the amounts authorized to be appropriated in this Act for fiscal year 2016 for the Afghanistan Security Forces Fund, there are authorized to be appropriated $50,000,000 to be used for the recruitment and retention of women in the Afghanistan National Security Forces, including modification of facilities of the Ministry of the Interior and Ministry of Defense to accommodate female service members and police.

(2) Rule of construction.—Nothing in this subsection shall be construed to modify the distribution of funds for programs and activities supported using the Afghanistan Security Forces Fund, but rather shall ensure attention to recruitment and retention of women within each program and activity.

(c) Inventory and Plan Required.—

(1) Inventory.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the specified congressional committees an inventory of the facilities and services
of the Afghan Ministry of Defense and the Ministry of the Interior that are lacking in adequate re-
sources for Afghan female service members and po-
lice, including resources relating to training, im-
provement to buildings, transportation, security equipment, and new construction.

(2) PLAN.—Not later than 60 days after the submission of the inventory required under para-
graph (1), the Secretary of Defense, with the con-
currence of the Secretary of State, shall submit to the specified committees a plan to address the short-
comings of those facilities and services that the Sec-
retaries consider to be most significant. In devel-
oping the plan, the Secretaries shall, to the extent possible, utilize amounts authorized to be appro-
priated under subsection (b) to promote the recruit-
ment and retention of Afghan female service mem-
bers and police. The Secretaries shall also identify any additional funding shortcomings that would be required to fully address the identified shortcomings of those facilities and services.

(3) UPDATES.—The Secretary of Defense, with the concurrence of the Secretary of State, shall sub-
mit to the specified congressional committees up-
dates to the inventory required under paragraph (1)
and plan required under paragraph (2) at the same
time the President submits the budget under section
1105(a) of title 31, United States Code, for each fis-
cal year each year through fiscal year 2020.

(4) DEFINITION.—In this subsection, the term
“specified congressional committees” means—

(A) the congressional defense committees;

and

(B) the Committee on Foreign Relations of
the Senate and the Committee on Foreign Af-
fairs of the House of Representatives.

SEC. 1542. 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
(Public Law 110–417; 122 Stat. 4649), but as modified
by section 1533(b) of the National Defense Authorization
3615), shall apply to the funds made available for fiscal
year 2016—
(1) to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund; or

(2) to the Director of the successor defense agency to the Joint Improvised Explosive Device Defeat Organization.


(c) Repeal of Timeline Requirement for Consolidation of Funding Sources for Rapid Acquisition Organizations.—Paragraph (3) of section 1533(b) of the National Defense Authorization Act For Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3615) is amended to read as follows:

“(3) Plan Implementation.—The plan required by this subsection shall include a timeline for implementation of the consolidation and alignment decisions contained in the plan.”.
(d) **Repeal of Prohibition on Use of Funds.**—Subsection (d) of section 1533 of the National Defense Authorization Act For Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3616) is repealed.

(e) **Technical Correction.**—Section 1533(a) of the National Defense Authorization Act For Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3615) is amended by striking “as amended by subsection (b)” and inserting “as modified by subsection (b)”.

**SEC. 1543. Comptroller General Report on Use of Funds Provided for Overseas Contingency Operations.**

The Comptroller General of the United States shall submit to Congress a report on how funds authorized to be appropriated for overseas contingency operations were ultimately used.

**Title XVI—Strategic Programs, Cyber, and Intelligence Matters**

Subtitle A—Space Activities

**Sec. 1601. Major Force Program and Budget for National Security Space Programs.**

(a) **Findings.**—Congress finds the following:
(1) National security space capabilities are a key element of the national defense of the United States.

(2) Because of increasing foreign threats, the national security space advantage of the United States is facing the most challenging environment it has ever faced.

(3) To modernize and fully address the growing threat to the national security space advantage of the United States, further action is necessary to strengthen national security space leadership, management, and organization.

(4) Congress and independent expert commissions have previously stated the importance of establishing a major force program for space with separate authorities, as one of the elements to strengthen national security space.

(b) BUDGET MATTERS.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

“§239. National security space programs: major force program and budget assessment

“(a) ESTABLISHMENT OF MAJOR FORCE PROGRAM.—The Secretary of Defense shall establish a unified
major force program for national security space programs
pursuant to section 222(b) of this title to prioritize na-
tional security space activities in accordance with the re-
quirements of the Department of Defense and national se-
curity.

“(b) BUDGET ASSESSMENT.—(1) The Secretary shall
include with the defense budget materials for each of fiscal
years 2017 through 2020 a report on the budget for na-
tional security space programs of the Department of De-
fense.

“(2) Each report on the budget for national security
space programs of the Department of Defense under para-
graph (1) shall include the following:

“(A) An overview of the budget, including—

“(i) a comparison between that budget, the
previous budget, the most recent and prior fu-
ture-years defense program submitted to Con-
gress under section 221 of this title, and the
amounts appropriated for such programs during
the previous fiscal year; and

“(ii) the specific identification, as a budg-
etary line item, for the funding under such pro-
grams.

“(B) An assessment of the budget, including
significant changes, priorities, challenges, and risks.
“(C) Any additional matters the Secretary determines appropriate.

“(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(2) The term ‘defense budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.”.

(2) 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 to carry out the unified major force program designation required by section 239(a) of title 10, United States Code, as added by paragraph (1), including any recommendations for legislative action the Secretary determines appropriate.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter 9 is amended
by inserting after the item relating to section 238
the following new item:

“239. National security space programs: major force program and budget as-
seSSment.”.

SEC. 1602. MODIFICATION TO DEVELOPMENT OF SPACE
SCIENCE AND TECHNOLOGY STRATEGY.

Section 2272 of title 10, United States Code, is
amended to read as follows:

“§ 2272. Space science and technology strategy: co-
ordination

“The Secretary of Defense and the Director of Na-
tional Intelligence shall jointly develop and implement a
space science and technology strategy and shall review
and, as appropriate, revise the strategy biennially. Func-
tions of the Secretary under this section shall be carried
out jointly by the Assistant Secretary of Defense for Re-
search and Engineering and the official of the Department
of Defense designated as the Department of Defense Ex-
cutive Agent for Space.”.

SEC. 1603. ROCKET PROPULSION SYSTEM DEVELOPMENT
PROGRAM.

(a) STREAMLINED ACQUISITION.—Section 1604 of
the National Defense Authorization Act for Fiscal Year
2015 (Public Law 113–291) is amended—

(1) by redesignating subsection (c) as sub-
section (d); and
(2) by inserting after subsection (b) the following new subsection:

“(c) STREAMLINED ACQUISITION.—In developing the rocket propulsion system required under subsection (a), the Secretary shall—

“(1) use a streamlined acquisition approach, including tailored documentation and review processes, that enables the effective, efficient, and expedient transition from the use of non-allied space launch engines to a domestic alternative for national security space launches; and

“(2) prior to establishing such acquisition approach, establish well-defined requirements with a clear acquisition strategy.”.

(b) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the rocket propulsion system required by section 1604 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), the Secretary of Defense may obligate or expend such funds only for the development of such system, and the necessary interfaces to the launch vehicle, to replace non-allied space launch engines by 2019 as required by such section.
(c) BRIEFING.—Not later than 60 days after the date
of the enactment of this Act, the Secretary of Defense
shall provide to the Committees on Armed Services of the
House of Representatives and the Senate (and make avail-
able to any other congressional defense committee) a brief-
ing on the streamlined acquisition approach, requirements,
and acquisition strategy required under subsection (c) of
section 1604 of the National Defense Authorization Act
for Fiscal Year 2015 (Public Law 113–291), as inserted
by subsection (a).

SEC. 1604. MODIFICATION TO PROHIBITION ON CON-
TRACTING WITH RUSSIAN SUPPLIERS OF
ROCKET ENGINES FOR THE EVOLVED EX-
PENDABLE LAUNCH VEHICLE PROGRAM.

Section 1608 of the National Defense Authorization
3626; 10 U.S.C. 2271 note) is amended to read as follows:

“SEC. 1608. PROHIBITION ON CONTRACTING WITH RUSSIAN
SUPPLIERS OF ROCKET ENGINES FOR THE
EVOLED EXPENDABLE LAUNCH VEHICLE
PROGRAM.

“(a) Prohibitions.—
“(1) Award or renewal of contract.—Ex-
cept as provided by subsections (b) and (c), begin-
ing on the date of the enactment of this Act, the
Secretary of Defense may not award or renew a contract for the procurement of property or services for space launch activities under the evolved expendable launch vehicle program if such contract carries out such space launch activities using rocket engines designed or manufactured in the Russian Federation.

“(2) Modification of certain contract.—Except as provided by subsection (b), beginning on the date of the enactment of this Act, the Secretary may not modify the contract specified in subsection (c)(1)(A) if such modification increases the number of cores procured under such contract to a total of more than 35.

“(b) Waiver.—The Secretary may waive one or both of the prohibitions under paragraphs (1) and (2) of subsection (a) with respect to a contract for the procurement of property or services for space launch activities if the Secretary determines, and certifies to the congressional defense committees not later than 30 days before the waiver takes effect, that—

“(1) the waiver is necessary for the national security interests of the United States; and

“(2) the space launch services and capabilities covered by the contract could not be obtained at a fair and reasonable price without the use of rocket engines designed or manufactured in the Russian Federation.
engines designed or manufactured in the Russian Federation.

“(c) Exception.—

“(1) In general.—The prohibition in subsection (a)(1) shall not apply to either—

“(A) the placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013; or

“(B) subject to paragraph (2), a contract awarded for the procurement of property or services for space launch activities that includes the use of rocket engines designed or manufactured in the Russian Federation if, prior to February 1, 2014, the contractor had fully paid for such rocket engines or had entered into a contract to procure such rocket engines.

“(2) Certification.—The Secretary may not award or renew a contract for the procurement of property or services for space launch activities described in paragraph (1)(B) unless the Secretary, upon the advice of the General Counsel of the Department of Defense, certifies to the congressional defense committees that the offeror has provided to the Secretary sufficient documentation to conclu-
sively demonstrate that the offeror meets the re-
quirements of such paragraph.”.

SEC. 1605. DELEGATION OF AUTHORITY REGARDING PUR-
CHASE OF GLOBAL POSITIONING SYSTEM
USER EQUIPMENT.

Section 913 of the Ike Skelton National Defense Au-
 thorization Act for Fiscal Year 2011 (10 U.S.C. 2281
note) is amended by adding at the end the following new
subsection:

“(d) LIMITATION ON DELEGATION OF WAIVER Au-
THORITY.—The Secretary of Defense may not delegate the
authority to make a waiver under subsection (c) to an offi-
cial below the level of the Under Secretary of Defense for
Acquisition, Technology, and Logistics.”.

SEC. 1606. ACQUISITION STRATEGY FOR EVOLVED EXPEND-
ABLE LAUNCH VEHICLE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Con-
gress that—

(1) the Secretary of the Air Force needs to de-
velop an updated phased acquisition strategy and
contracting plan for the evolved expendable launch
vehicle program;

(2) beyond the contractual requirements as of
the date of the enactment of this Act, in recognition
of the emerging competitive environment, the acqui-
sition strategy and contracting plan should eliminate
the currently structured evolved expendable launch
vehicle launch capability arrangement;

(3) in further recognition of the emerging com-
petitive environment, the Secretary should acquire
launch services in a manner consistent with a full
and open competition;

(4) the Secretary should be consistent and fair
with evolved expendable launch vehicle providers re-
garding the requirement for certified cost and pric-
ing data, selection of contract types, and the appro-
priate audits to protect the taxpayer; and

(5) the Secretary should—

(A) consider various contracting ap-
proaches, including launch capability arrange-
ments with multiple certified providers, to meet
the objectives identified in the acquisition strat-
egy developed under subsection (d); and

(B) continue to provide the necessary sta-
ility in budgeting and acquisition of capabili-
ties as well as the flexibility to the Federal Gov-
ernment to appropriately manage the launch
manifest in case of delays in the delivery of sat-
ellites or other changes to mission require-
ments.
(b) Treatment of Certain Arrangement.—

(1) Discontinuation.—The Secretary of the Air Force shall discontinue the evolved expendable launch vehicle launch capability arrangement, as structured as of the date of the enactment of this Act, by the later of—

(A) the date on which the Secretary determines that the obligations of the contracts relating to such arrangement, as of the date of the enactment of this Act, have been met; or

(B) December 31, 2020.

(2) Waiver.—The Secretary may waive paragraph (1) if the Secretary—

(A) determines that such waiver is necessary for the national security interests of the United States;

(B) notifies the congressional defense committees of such waiver; and

(C) a period of 90 days has elapsed following the date of such notification.

(c) Consistent Standards.—In accordance with section 2306a of title 10, United States Code, the Secretary shall—

(1) apply consistent and appropriate standards to certified evolved expendable launch vehicle pro-
viders with respect to certified cost and pricing data;
and
(2) conduct the appropriate audits.

(d) ACQUISITION STRATEGY.—In accordance with
subsections (b) and (c) and section 2273 of title 10,
United States Code, the Secretary shall develop and carry
out a ten-year phased acquisition strategy, including near
and long term, for the evolved expendable launch vehicle
program.

(e) ELEMENTS.—The acquisition strategy under sub-
section (d) for the evolved expendable launch vehicle pro-
gram shall establish a contracting plan for such program
that uses competitive procedures (as defined in section
2302 of title 10, United States Code) and ensures that
a contract awarded for launch services, capability, or in-
frastructure—

(1) provides the necessary—

(A) stability in budgeting and acquisition
of capabilities; and

(B) flexibility to the Federal Government;

and

(2) specifically takes into account the effect
of—

(A) all contracts entered into by the Fed-
eral Government with, and any assistance pro-
vided by the Federal Government to, certified evolved expendable launch vehicle providers, in-
cluding the evolved expendable launch vehicle launch capability;

(B) the requirements of the Department of Defense, including with respect to launch capa-
bilities and pricing data, that are met by such providers;

(C) the cost of integrating a satellite onto a launch vehicle; and

(D) any other matters the Secretary con-
siders appropriate.

(f) COMPETITION.—In awarding any contract for launch services in a national security space mission pursu-
ant to a competitive acquisition, the evaluation shall ac-
count for the value of the evolved expendable launch vehi-
cle launch capability arrangement per contract line item numbers in the bid price of the offeror as appropriate per launch.

(g) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Rep-
resentatives, and the Select Committee on Intelligence of
the Senate a report on the acquisition strategy developed under subsection (d).

SEC. 1607. PROCUREMENT OF WIDEBAND SATELLITE COMMUNICATIONS.

(a) ACQUISITION AGENT.—Except as provided by subsection (b)(1), not later than September 30, 2016, the Secretary of Defense shall designate a single senior official of the Department of Defense to procure wideband satellite communications necessary to meet the requirements of the Department of Defense for such communications, including with respect to military and commercial satellite communications.

(b) EXCEPTION.—

(1) IN GENERAL.—Notwithstanding subsection (a), an official described in paragraph (2) may carry out the procurement of commercial wideband satellite communications if the official determines that such procurement is required to meet an urgent need.

(2) OFFICIAL DESCRIBED.—An official described in this paragraph is any of the following:

(A) A Secretary of a military department.

(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics.
(C) The Chief Information Office of the Department of Defense.

(D) A commander of a combatant command.

(3) Annual reports.—Not later than March 1, 2017, and each year thereafter through 2021, the Secretary of Defense shall submit to the congressional defense committees a report on procurement carried out under paragraph (1) during the year prior to the submission of the report, including—

(A) a brief description of the urgent need fulfilled by each such procurement;

(B) the date and length of the contract of each such procurement; and

(C) the value of each such contract.

(e) 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 the Secretary to meet the requirements of the Department of Defense for satellite communications, including with respect to—

(1) the roles and responsibilities of officials of the Department; and

(2) carrying out subsections (a) and (b).
SEC. 1608. LIMITATION ON AVAILABILITY OF FUNDS FOR WEATHER SATELLITE FOLLOW-ON SYSTEM.

(a) Limitation.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on system may be obligated or expended until the date on which—

(1) the Secretary of Defense provides to the congressional defense committees a briefing on the plan developed under subsection (b); and

(2) the Chairman of the Joint Chiefs of Staff certifies to the congressional defense committees that such plan will—

(A) meet the requirements of the Department of Defense for cloud characterization and theater weather imagery; and

(B) not negatively affect the commanders of the combatant commands.

(b) Plan Required.—The Secretary shall develop a plan to address the requirements of the Department of Defense for cloud characterization and theater weather imagery.
SEC. 1609. MODIFICATION OF PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1605 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “may develop” and all that follows through “funds by the Secretary” and inserting “shall develop and carry out a pilot program”; and

(B) by adding at the end the following new paragraph:

“(4) METHODS.—In carrying out the pilot program under paragraph (1), the Secretary may use a variety of methods authorized by law to effectively and efficiently acquire commercial satellite communications services, including by carrying out multiple pathfinder activities under the pilot program.”; and

(2) in subsection (d)—

(A) in the heading, by striking “REPORTS.—” and inserting “REPORTS AND BRIEFINGS.—”;

(B) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by striking “90 days” and inserting “270 days”;

(ii) in subparagraph (A), by striking “; or” and inserting “; and”; and

(iii) by amending subparagraph (B) to read as follows:

“(B) a description of the appropriate metrics established by the Secretary to meet the goals of the pilot program.”;

(C) by redesignating paragraph (2) as paragraph (3);

(D) by inserting after paragraph (1) the following new paragraph (2):

“(2) At the same time as the President submits to Congress the budget pursuant to section 1105 of title 31, for each of fiscal years 2017 through 2020, the Secretary shall provide to the congressional defense committees a briefing on the pilot program.”.

(E) in paragraph (3) (as redesignated by subparagraph (C))—

(i) in subparagraph (A), by striking “expanding the use of working capital funds to effectively and efficiently acquire” and inserting “the pilot program and
whether the pilot program effectively and
efficiently acquires”; and

(ii) subparagraph (B)(ii), by striking
“working capital funds as described in sub-
paragraph (A)” and inserting “the pilot
program”.

SEC. 1610. PROHIBITION ON RELIANCE ON CHINA AND RUS-
SIA FOR SPACE-BASED WEATHER DATA.

(a) Prohibition.—The Secretary of Defense shall
ensure that the Department of Defense does not rely on,
or in the future plan to rely on, space-based weather data
provided by the Government of China, the Government of
Russia, or an entity owned or controlled by the Govern-
ment of China or the Government of Russia for national
security purposes.

(b) Certification.—Not later than 90 days after
the date of the enactment of this Act, the Secretary shall
submit to the congressional defense committees a certifi-
cation that the Secretary is in compliance with the prohibi-
tion under subsection (a).

SEC. 1611. EVALUATION OF EXPLOITATION OF SPACE-
BASED INFRARED SYSTEM AGAINST ADDI-
TIONAL THREATS.

(a) Evaluation.—The Under Secretary of Defense
for Acquisition, Technology, and Logistics, in cooperation
with the Secretary of the Navy, the Secretary of the Air
Force, and the Director of National Intelligence, shall con-
duct an evaluation of the space-based infrared system to
detect, track, and target, or to develop the capability to
detect, track and target, the full range of threats to the
United States, deployed members of the Armed Forces,
and the allies of the United States.

(b) SUBMISSION.—Not later than December 31, 2016, the Under Secretary shall submit to the congres-
sional defense committees, the Permanent Select Com-
mittee on Intelligence of the House of Representatives,
and the Select Committee on Intelligence of the Senate
the evaluation under subsection (a).

SEC. 1612. PLAN ON FULL INTEGRATION AND EXPLOI-
TATION OF OVERHEAD PERSISTENT INFRA-
RED CAPABILITY.

(a) PLAN.—Not later than 120 days after the date
of the enactment of this Act, the Commander of the
United States Strategic Command and the Director of
Cost Assessment and Program Evaluation shall jointly
submit to the appropriate congressional committees a plan
for the integration of overhead persistent infrared capa-
tilities to support the missions specified in subsection
(b)(1).
(b) Elements.—The plan under subsection (a) shall—

(1) ensure that all overhead persistent infrared capabilities of the United States, including such capabilities that are planned to be developed, are integrated to allow for such capabilities to be exploited to support the requirements of the missions of the Department of Defense relating to—

(A) battle damage assessment;

(B) battlespace assessment;

(C) technical intelligence;

(D) strategic missile warning;

(E) tactical missile warning;

(F) missile defense tracking, fire control, and kill assessment; and

(G) collection of weather data; and

(2) establish clear benchmarks by which to establish acquisition plans, manning, and budget requirements.

e) Annual Determination.—The Secretary of Defense shall include, together with, or not later than 30 days after, the budget justification materials submitted to Congress in support of the budget of the Department of Defense for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United
States Code), a written determination of how the plan under subsection (a) is being implemented.

(d) **Appropriate Congressional Committees Defined.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

**SEC. 1613. Options for Rapid Space Reconstitution.**

(a) **Sense of Congress.**—It is the sense of Congress that—

(1) the United States Strategic Command has identified needs to rapidly reconstitute or replenish critical space capabilities;

(2) in accordance with section 915 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 826), the Department of Defense Executive Agent for Space is currently conducting a study and developing a plan regarding responsive launch in accordance with warfighter requirements; and

(3) rapid launch should avoid the creation of new Department of Defense-owned and operated infrastructure.
(b) **EVALUATION.**—The Secretary of Defense shall evaluate options for the use of current assets of the Department of Defense for the purpose of rapid reconstitution of critical space-based warfighter enabling capabilities.

(c) **BRIEFING.**—Not later than March 31, 2016, the Secretary shall provide to the congressional defense committees a briefing on the evaluation conducted under subsection (b), including development timelines, a test plan, and technology readiness levels of key systems and technologies.

**SEC. 1614. SENSE OF CONGRESS ON SPACE DEFENSE.**

It is the sense of Congress that, as outlined in the National Space Policy of 2010, the United States should employ a variety of measures to help assure the use of space for all responsible parties, and, consistent with the inherent right of self-defense, deter others from interference and attack, defend the space systems of the United States and contribute to the defense of allied space systems, and, if deterrence fails, defeat efforts to attack them.

**SEC. 1615. SENSE OF CONGRESS ON MISSILE DEFENSE SENSORS IN SPACE.**

(a) **FINDINGS.**—Congress finds the following:
(1) The Missile Defense Agency has run a successful space sensor program with the space tracking and surveillance system.

(2) The Missile Defense Agency is now executing a promising and ground-breaking space sensor system called space-based kill assessment.

(3) The future missile defense architecture will require significantly improved sensors in space to provide tracking, discrimination, and more.

(b) Sense of Congress.—It is the sense of Congress that a robust multi-mission space sensor network will be vital to ensuring a strong missile defense system.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

Sec. 1621. Executive agent for open-source intelligence tools.

(a) Executive agent.—Subchapter I of chapter 21 of title 10, United States Code, as amended by section 1082, is further amended by adding at the end the following new section:

“§ 430b. Executive agent for open-source intelligence tools

“(a) Designation.—Not later than April 1, 2016, the Secretary of Defense shall designate a senior official of the Department of Defense to serve as the executive
agent for the Department for open-source intelligence tools.

“(b) Roles, Responsibilities, and Authorities.—(1) Not later than July 1, 2016, in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

“(2) The roles and responsibilities of the executive agent designated under subsection (a) shall include the following:

“(A) Developing and maintaining a comprehensive list of open-source intelligence tools and technical standards.

“(B) Establishing priorities for the integration of open-source intelligence tools into the intelligence enterprise, and other command and control systems as needed.

“(C) Certifying all open-source intelligence tools with respect to compliance 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) Performing such other assessments or analyses as the Secretary considers appropriate.
“(c) Support Within Department of Defense.—In accordance with Directive 5101.1, the Secretary shall ensure that the military departments, Defense Agencies, and other components of the Department of Defense provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

“(d) Definitions.—In this section:


“(2) The term ‘executive agent’ has the meaning given the term ‘DoD Executive Agent’ in Directive 5101.1.

“(3) The term ‘open-source intelligence tools’ means tools regarding relevant information derived from the systematic collection, processing, and analysis of publicly available information in response to known or anticipated intelligence requirements.”.

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 430a, as added by section 1082, the following new item:

“430h. Executive agent for open-source intelligence tools.”.
SEC. 1622. WAIVER AND CONGRESSIONAL NOTIFICATION REQUIREMENTS RELATED TO FACILITIES FOR INTELLIGENCE COLLECTION OR FOR SPECIAL OPERATIONS ABROAD.

(a) Addition of Congressional Notification Requirement.—Section 2682(c) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The Secretary of Defense”; and

(2) by adding at the end the following new paragraph:

“(2) Not later than 48 hours after using the waiver authority under paragraph (1) for any facility for intelligence collection conducted under the authorities of the Department of Defense or special operations activity, the Secretary of Defense shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives written notification of the use of the authority, including the justification for the waiver and the estimated cost of the project for which the waiver applies.”.

(b) Codification of Sunset Provision.—

(1) Codification.—Section 2682(e) of title 10, United States Code, is further amended by in-
serting after paragraph (2), as added by subsection (a)(2), the following new paragraph:

“(3) The waiver authority provided by paragraph (1) expires December 31, 2017.”.

(2) CONFORMING REPEAL.—Subsection (b) of section 926 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1541; 10 U.S.C. 2682 note) is repealed.

SEC. 1623. PROHIBITION ON NATIONAL INTELLIGENCE PROGRAM CONSOLIDATION.

(a) PROHIBITION.—No amounts authorized to be appropriated or otherwise made available to 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 execute—

(1) the separation of the National Intelligence Program budget from the Department of Defense budget;

(2) the consolidation of the National Intelligence Program budget within the Department of Defense budget; or

(3) the establishment of a new appropriations account or appropriations account structure for the National Intelligence Program budget.

(b) DEFINITIONS.—In this section:
(1) NATIONAL INTELLIGENCE PROGRAM.—The term “National Intelligence Program” has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) NATIONAL INTELLIGENCE PROGRAM BUDGET.—The term “National Intelligence Program budget” means the portions of the Department of Defense budget designated as part of the National Intelligence Program.

SEC. 1624. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Army, for the distributed common ground system of the Army, 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 under 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 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) Validation 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 In-
telligence Information Enterprise, and the Joint
Information Environment.

(E) Identification of each component of In-
crement 2 of the distributed common ground
system of the Army that the Secretary deter-
mines may be acquired through competitive
means.

(F) An acquisition plan that prioritizes the
acquisition of commercial software components,
including a data integration layer, in time to
meet the projected deployment schedule for In-
crement 2 of the distributed common ground
system of the Army.

(G) A review of the timetable for the dis-
tributed common ground system program of the
Army in order to determine whether there is a
practical, executable acquisition strategy, in-
cluding the use of operational capability dem-
onstrations, that could lead to an initial oper-
at ing capability of Increment 2 of the distrib-
uted common ground system of the Army prior
to fiscal year 2017.

(e) Appropriate Congressional Committees De-
fined.—In this section, the term “appropriate congres-
sional committees” means—
(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1625. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 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—

(1) conducts a review of the program planning for the elements of the distributed common ground system special operations forces program, including the initiative known as “DCGS-Lite”; and

(2) submits to the appropriate congressional committees the report under subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Commander shall submit to the appropriate congressional committees a
report on the review of the distributed common ground system conducted under subsection (a)(1).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) 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.

(B) 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.

(C) A cost analysis of each such commercial software that compares performance with projected cost.

(D) Validation 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 the distributed common ground system special operations forces program that the Commander determines may be acquired through competitive means.

(F) 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.

(G) An acquisition plan that uses commercial software components in order to lead to initial operating capability prior to fiscal year 2017.

SEC. 1626. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense for the Office of the Under Secretary of Defense for Intelligence, not more than 75 percent may be obligated or expended for such Office until the Secretary of Defense identifies the intelligence gaps and establishes the written policy required by section 922

SEC. 1627. CLARIFICATION OF ANNUAL BRIEFING ON THE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE REQUIREMENTS OF THE COMBATANT COMMANDS.

Paragraph (1)(A) of section 1626 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3635) is amended by striking “each of the” and inserting “the United States Special Operations Command and each of the other”.

SEC. 1628. DEPARTMENT OF DEFENSE INTELLIGENCE NEEDS.

(a) Report.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional defense committees and the congressional intelligence committees a report on how the Director ensures that the National Intelligence Program budgets for the elements of the intelligence community that are within the Department of Defense are adequate to satisfy the national intelligence needs of the Department as required under section 102A(p) of the National Security Act of 1947 (50 U.S.C. 3024(p)). Such report shall include a description of how the Director incorporates the needs of the Chairman of
the Joint Chiefs of Staff and the commanders of the uni-
ified and specified commands into the metrics used to
evaluate the performance of the elements of the intel-
ligence community that are within the Department of De-
fense in conducting intelligence activities funded under the
National Intelligence Program.

(b) DEFINITIONS.—In this section, the terms “con-
gressional intelligence committees”, “intelligence commu-
nity”, and “National Intelligence Program” have the
meanings given such terms in section 3 of the National

SEC. 1629. REPORT ON MANAGEMENT OF CERTAIN PRO-
GRAMS OF DEFENSE INTELLIGENCE ELE-
MENTS.

(a) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Under Secretary of De-
fense for Intelligence shall submit to the appropriate con-
gressional committees a report on the management of
science and technology research and development pro-
grams and foreign materiel exploitation programs of De-
fense intelligence elements.

(b) MATTERS INCLUDED.—The report under sub-
section (a) shall include the following:

(1) An assessment of the management of each
Defense intelligence element that is responsible for
work relating to the programs described in subsection (a), including with respect to the policies, procedures, and organizational structures of such element relating to the management and coordination of such work across such elements.

(2) Recommendations to improve the coordination and organization of such elements.

(3) Identification of options for realigning such elements within the Department of Defense to better meet the needs of the Department and reduce unnecessary overhead.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Select Committee on Intelligence of the Senate.

(2) The term “Defense intelligence element” has the meaning given that term in section 429(e) of title 10, United States Code.
SEC. 1630. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF INTELLIGENCE INPUT TO THE DEFENSE ACQUISITION PROCESS.

(a) Review.—The Comptroller General of the United States shall carry out a comprehensive review of the processes and procedures for the integration of intelligence into the defense acquisition process, consistent with the provision of classified information, and intelligence sources and methods.

(b) Requirements.—The review required by subsection (a) shall—

(1) identify processes and procedures for the integration of intelligence into the decision process, including with respect to the staffing and training of Defense intelligence personnel assigned to program offices, for the acquisition of weapon systems from initial requirements through the milestones process and upon final delivery; and

(2) include a review of processes and procedures for—

(A) the integration of intelligence on foreign capabilities into the acquisition process from initial requirement through deployment;

(B) identifying opportunities for weapons systems to collect intelligence, without regard to whether that is the primary mission of such
systems, and the plans for exploiting the collection of such intelligence; and

(C) assessing the requirements weapon systems will place on the Defense Intelligence Enterprise once the weapons systems are deployed.

(e) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, a report containing the results of the review required by subsection (a).

Subtitle C—Cyberspace-Related Matters

SEC. 1641. CODIFICATION AND ADDITION OF LIABILITY PROTECTIONS RELATING TO REPORTING ON CYBER INCIDENTS OR PENETRATIONS OF NETWORKS AND INFORMATION SYSTEMS OF CERTAIN CONTRACTORS.

(a) Codification and Amendment.—Section 941 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1889; 10 U.S.C. 2224 note) is transferred to chapter 19 of title 10, United
States Code, inserted so as to appear after section 392, redesignated as section 393, and amended—

(1) by amending the section heading to read as follows:

“§ 393. Reporting on penetrations of networks and information systems of certain contractors”;

(2) by striking paragraph (3) of subsection (c) and inserting the following new paragraph (3):

“(3) DISSEMINATION OF INFORMATION.—The procedures established pursuant to subsection (a) shall limit the dissemination of information obtained or derived through such procedures to entities—

“(A) with missions that may be affected by such information;

“(B) that may be called upon to assist in the diagnosis, detection, or mitigation of cyber incidents;

“(C) that conduct counterintelligence or law enforcement investigations; or

“(D) for national security purposes, including cyber situational awareness and defense purposes.”; and

(3) by striking subsection (d) and inserting the following new subsection (d):
“(d) Protection From Liability of Cleared Defense Contractors.—(1) No cause of action shall lie or be maintained in any court against any cleared defense contractor, and such action shall be promptly dismissed, for compliance with this section that is conducted in accordance with the procedures established pursuant to subsection (a).

“(2)(A) Nothing in this section shall be construed—

“(i) to require dismissal of a cause of action against a cleared defense contractor that has engaged in willful misconduct in the course of complying with the procedures established pursuant to subsection (a); or

“(ii) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

“(B) In any action claiming that paragraph (1) does not apply due to willful misconduct described in subparagraph (A), the plaintiff shall have the burden of proving by clear and convincing evidence the willful misconduct by each cleared defense contractor subject to such claim and that such willful misconduct proximately caused injury to the plaintiff.

“(C) In this subsection, the term ‘willful misconduct’ means an act or omission that is taken—
“(i) intentionally to achieve a wrongful purpose;
“(ii) knowingly without legal or factual justification; and
“(iii) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit.”.

(b) ADDITION OF LIABILITY PROTECTIONS FOR REPORTING ON CYBER INCIDENTS.—Section 391 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):

“(d) PROTECTION FROM LIABILITY OF OPERATIONALLY CRITICAL CONTRACTORS.—(1) No cause of action shall lie or be maintained in any court against any operationally critical contractor, and such action shall be promptly dismissed, for compliance with this section that is conducted in accordance with procedures established pursuant to subsection (b).

“(2)(A) Nothing in this section shall be construed—
“(i) to require dismissal of a cause of action against an operationally critical contractor that has engaged in willful misconduct in the course of com-
plying with the procedures established pursuant to subsection (b); or

“(ii) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

“(B) In any action claiming that paragraph (1) does not apply due to willful misconduct described in subparagraph (A), the plaintiff shall have the burden of proving by clear and convincing evidence the willful misconduct by each operationally critical contractor subject to such claim and that such willful misconduct proximately caused injury to the plaintiff.

“(C) In this subsection, the term ‘willful misconduct’ means an act or omission that is taken—

“(i) intentionally to achieve a wrongful purpose;

“(ii) knowingly without legal or factual justification; and

“(iii) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit.”.

(c) Conforming and Technical Amendments.—

(1) Section 391 of title 10, United States Code, is amended in subsection (a) by striking “with section 941 of the National Defense Authorization Act
for Fiscal Year 2013 (10 U.S.C. 2224 note)” and inserting “and section 393 of this title”.

(2) The table of sections at the beginning of chapter 19 of such title is amended—

(A) by amending the item relating to section 391 to read as follows:

“391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.”; and

(B) by adding at the end the following new item:

“393. Reporting on penetrations of networks and information systems of certain contractors.”.

Subtitle D—Nuclear Forces

SEC. 1651. ORGANIZATION OF NUCLEAR DETERRENCE FUNCTIONS OF THE AIR FORCE.

(a) OVERSIGHT OF NUCLEAR DETERRENCE MISSION.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Air Force shall be responsible for overseeing the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.

(b) DEPUTY CHIEF OF STAFF.—Not later than March 1, 2016, the Chief of Staff shall designate a Deputy Chief of Staff to carry out the following duties:
(1) Provide direction, guidance, integration, and advocacy regarding the nuclear deterrence mission of the Air Force.

(2) Conduct monitoring and oversight activities regarding the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.

(3) Conduct periodic comprehensive assessments of all aspects of the nuclear deterrence mission of the Air Force and provide such assessments to the Secretary of the Air Force and the Chief of Staff of the Air Force.

(c) ROLE OF MAJOR COMMAND.—

(1) CONSOLIDATION.—Not later than March 30, 2016, the Secretary of the Air Force shall consolidate, to the extent the Secretary determines appropriate, under a major command commanded by a single general officer the responsibility, authority, accountability, and resources for carrying out the nuclear deterrence mission of the Air Force.

(2) FUNCTIONS.—The major command described in paragraph (1) shall be responsible, to the extent the Secretary determines appropriate, for carrying out all elements and activities relating to the nuclear deterrence mission of the Air Force. Such
elements include nuclear weapons, nuclear weapon delivery systems, and the nuclear command, control, and communication system. Such activities include the following:

(A) Planning and execution of modernization programs.

(B) Procurement and acquisition.

(C) Research, development, test, and evaluation.

(D) Sustainment.

(E) Operations.

(F) Training.

(G) Safety and security.

(H) Research, education, and applied science relating to nuclear deterrence and assurance.

(I) Such other functions of the nuclear deterrence mission as the Secretary determines appropriate.

(d) REPORT.—Not later than January 1, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report on the plans of the Secretary and the resources required to implement this section.
SEC. 1652. ASSESSMENT OF THREATS TO NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

Section 171a of title 10, United States Code, is amended—

(1) by redesignating subsections (f), (g), and (h), as subsections (g), (h), and (i), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

“(f) COLLECTION OF ASSESSMENTS ON CERTAIN THREATS.—The Council shall collect and assess (consistent with the provision of classified information, and intelligence sources and methods) all reports and assessments otherwise conducted by the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) regarding foreign threats, including cyber threats, to the command, control, and communications system for the national leadership of the United States and the vulnerabilities of such system to such threats.”; and

(3) in subsection (e), by adding at the end the following new paragraph:

“(5) An assessment of the threats and vulnerabilities described in the reports and assessments collected under subsection (f) during the pe-
period covered by the report, including any plans to
address such threats and vulnerabilities.”.

SEC. 1653. PROCUREMENT AUTHORITY FOR CERTAIN
PARTS OF INTERCONTINENTAL BALLISTIC
MISSILE FUZES.

(a) AVAILABILITY OF FUNDS.—Notwithstanding sec-
tion 1502(a) of title 31, United States Code, of the
amount authorized to be appropriated for fiscal year 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 cov-
ered parts pursuant to contracts entered into under sec-
tion 1645(a) of the National Defense Authorization Act
for Fiscal Year 2015 (Public Law 113–291).

(b) COVERED PARTS DEFINED.—In this section, the
term “covered parts” means commercially available off
the-shelf items as defined in section 104 of title 41, United
States Code.

SEC. 1654. ANNUAL BRIEFING ON THE COSTS OF FORWARD-
DEPLOYING NUCLEAR WEAPONS IN EUROPE.

(a) IN GENERAL.—Not later than 30 days after the
date on which the President submits to Congress the
budget for each of fiscal years 2017 through 2021 under
section 1105 of title 31, United States Code, the Secretary
of Defense shall provide to the congressional defense com-
mittees a briefing on the costs of forward-deploying nu-
clear weapons in Europe.

(b) ELEMENTS.—Each briefing required under para-
graph (1) shall include the following:

(1) The contributions of the United States, in-
cluding with respect to sustainment (operations and
maintenance) and manpower, to support forward-de-
ployed nuclear weapons in Europe, during the fiscal
year following the date of the briefing and the period
covered by the future-years defense program sub-
mitted to Congress under section 221 of title 10,
United States Code, for that fiscal year.

(2) Recent or planned contributions of the
United States for security enhancements relating to
such forward-deployed nuclear weapons.

(3) Any other contributions, including burden-
share costs by the United States, for other security
enhancements and upgrades relating to such for-
ward-deployed nuclear weapons, including infrastruc-
ture upgrades at weapons storage sites in Europe.

SEC. 1655. SENSE OF CONGRESS ON IMPORTANCE OF CO-
OPERATION AND COLLABORATION BETWEEN
UNITED STATES AND UNITED KINGDOM ON
NUCLEAR ISSUES.

It is the sense of Congress that—
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(1) cooperation and collaboration under the
1958 Mutual Defense Agreement and the 1963 Po-
laris Sales Agreement are fundamental elements of
the security of the United States and the United
Kingdom as well as international stability;
(2) the recent renewal of the Mutual Defense
Agreement and the continued work under the Pola-
ris Sales Agreement underscore the enduring and
long-term value of the agreements to both countries;
and
(3) the vital efforts performed under the pur-
view of both the Mutual Defense Agreement and the
Polaris Sales Agreement are critical to sustaining
and enhancing the capabilities and knowledge base
of both countries regarding nuclear deterrence, nu-
clear nonproliferation and counterproliferation, and
naval nuclear propulsion.

SEC. 1656. SENSE OF CONGRESS ON ORGANIZATION OF
NAVY FOR NUCLEAR DETERRENCE MISSION.
(a) FINDINGS.—Congress finds the following:
(1) The safety, security, reliability, and credi-
bility of the nuclear deterrent of the United States
is a vital national security priority.
(2) Nuclear weapons require special consider-
ation because of the political and military impor-
tance of the weapons, the destructive power of the
weapons, and the potential consequences of an acci-
dent or unauthorized act involving the weapons.

(3) The assured safety, security, and control of
nuclear weapons and related systems are of para-
mount importance.

(b) SENSE OF CONGRESS.—It is the sense of Con-
gress that—

(1) the Navy has repeatedly demonstrated the
commitment and prioritization of the Navy to the
nuclear deterrence mission of the Navy;

(2) the emphasis of the Navy on ensuring a
safe, secure, reliable, and credible sea-based nuclear
deterrent force has been matched by an equal em-
phasis on ensuring the assured safety, security, and
control of nuclear weapons and related systems
ashore; and

(3) the Navy is commended for the actions the
Navy has taken subsequent to the 2014 Nuclear En-
terprise Review to ensure continued focus on the nu-
clear deterrent mission by all ranks within the Navy,
including the clarification and assignment of specific
responsibilities and authorities within the Navy con-
tained in OPNAV Instruction 8120.1 and SECNAV
Instruction 8120.1B.
SEC. 1657. PROHIBITION ON DE-ALERTING INTERCONTINENTAL BALLISTIC MISSILES.

(a) Sense of Congress.—It is the Sense of Congress that—

(1) the responsiveness and alert levels of intercontinental ballistic missiles are a unique feature of the ground-based leg of the United States nuclear triad;

(2) such responsiveness and alert levels are critical to providing robust nuclear deterrence and assurance; and

(3) any action to reduce the responsiveness and alert levels of United States intercontinental ballistic missiles would be contrary to longstanding United States policy, and deeply harmful to national security and strategic stability in a crisis.

(b) In General.—

(1) Prohibition.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 shall be obligated or expended for reducing, or preparing to reduce, the responsiveness or alert level of United States intercontinental ballistic missiles.

(2) Clarification relating to maintenance, safety, security, etc.—Paragraph (1) shall not apply to any of the following activities:
(A) Maintenance or sustainment of intercontinental ballistic missiles.

(B) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1658. SENSE OF CONGRESS ON PLAN FOR IMPLEMENTATION OF NUCLEAR ENTERPRISE REVIEWS.

It is the sense of Congress that the Secretary of Defense should submit to Congress a plan on how the Secretary plans to implement the full recommendations of the two nuclear enterprise reviews, conducted and then validated by the Air Force, one of which was conducted by Assistant Secretary Madelyn Creedon and Rear Admiral Peter Fanta and one of which was conducted by General Walsh and Admiral Harvey. The plan submitted under this section should include a timeline for when each recommendation shall be implemented and how the additional manpower recommendations shall be allocated.

SEC. 1659. REPORT ON THE NUMBER OF PLANNED NUCLEAR-ARMED CRUISE MISSILES.

Not later than 120 days after the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the justification of the number of planned nuclear-armed cruise missiles, known as the Long Range Standoff Weapon, to the U.S. arsenal. The report shall include—
(1) the rationale for procuring the expected number of cruise missiles;

(2) how the number of planned missiles aligns with U.S. nuclear employment strategy;

(3) an estimate of the annual and total cost for research, development, test, and evaluation and procurement for the total number of planned cruise missiles; and

(4) an estimate of the proportional annual cost of the cruise missiles as compared to the annual cost of nuclear triad and annual defense spending.

Subtitle E—Missile Defense Programs

SEC. 1661. PROHIBITIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO RUSSIAN FEDERATION.

(a) Prohibitions.—

(1) In general.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

“§130g. Prohibitions on providing certain missile defense information to Russian Federation

“(a) Certain ‘Hit-to-kill’ Technology and Telemetry Data.—None of the funds authorized to be appropriated or otherwise made available for any fiscal year
for the Department of Defense may be used to provide
the Russian Federation with ‘hit-to-kill’ technology and te-
lemetry data for missile defense interceptors or target ve-
vehicles.

“(b) Other Sensitive Missile Defense Inform-
ation.—None of the funds authorized to be appro-
 priated or otherwise made available for any fiscal year for
the Department of Defense may be used to provide the
 Russian Federation with—

“(1) information relating to velocity at burnout
of missile defense interceptors or targets of the
United States; or

“(2) classified or otherwise controlled missile
defense information.

“(c) One-Time Waiver.—The President, without
delegation, may waive the prohibition in subsection (a) or
(b) once if—

“(1) such one-time waiver is used only to pro-
vide, in a single instance, the Russian Federation
with information regarding ballistic missile early
warning; and

“(2) the Chairman of the Joint Chiefs of Staff,
the Commander of the United States Strategic Com-
mand, and the Commander of the United States Eu-
 ropean Command, jointly certify to the President
and the congressional defense committees that the provision of such information pursuant to such waiver is required because of a failure of the early warning system of the Russian Federation.

“(d) SUNSET.—The prohibitions in subsection (a) and (b) shall expire on January 1, 2031.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130f the following new item:

“130g. Prohibitions on providing certain missile defense information to Russian Federation.”.


(1) by striking subsection (c); and

(1) in the heading, by striking “AND LIMITATIONS” and all that follows through “FEDERATION”.
SEC. 1662. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF CHINA INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended to integrate a missile defense system of the People’s Republic of China into any missile defense system of the United States.

SEC. 1663. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF RUSSIAN FEDERATION INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES AND NATO.

None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2031 for the Department of Defense or for contributions of the United States to the North Atlantic Treaty Organization may be obligated or expended to integrate a missile defense system of the Russian Federation into any missile defense system of the United States or NATO.

SEC. 1664. LIMITATION ON AVAILABILITY OF FUNDS FOR LONG-RANGE DISCRIMINATING RADAR.

(a) Sense of the Congress.—It is the sense of the Congress that—
(1) the long-range discriminating radar will be a critically important addition to the ballistic missile defense system;

(2) such radar will offer needed capability to respond to emerging ballistic missile threats involving countermeasures and decoys; and

(3) the Department of Defense should take all appropriate steps to ensure that such radar is operational in 2020.

(b) LIMITATION.—No funds authorized to be appropriated may be obligated or expended for military construction for the long-range discriminating radar (other than for planning and design) until—

(1) the Director of Cost Assessment and Program Evaluation submits to the congressional defense committees the cost assessment conducted under subsection (c)(1);

(2) the Commander of the United States Strategic Command and the Commander of the United States Northern Command jointly certify to the congressional defense committees that the site for the long-range discriminating radar proposed by the Director of the Missile Defense Agency—

(A) best supports missile defense and space situational awareness; and
(B) based on the cost assessment conducted under subsection (c)(1), is the most cost-effective option; and

(3) a period of 60 days elapses following the date of such certification.

(c) COST ASSESSMENT.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall conduct a cost assessment providing the costs of the complete ground-based radar and other sensor configurations required to provide the same or comparable missile defense tracking and discrimination data as the long-range discriminating radar sites under consideration by the Director of the Missile Defense Agency.

(2) SUBMISSION.—Not later than 60 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees, the Director of the Missile Defense Agency, the Commander of the United States Strategic Command, and the Commander of the United States Northern Command the cost assessment conducted under paragraph (1).
SEC. 1665. LIMITATIONS ON AVAILABILITY OF FUNDS FOR PATRIOT LOWER TIER AIR AND MISSILE DEFENSE CAPABILITY OF THE ARMY.

(a) LIMITATION.—Except as provided by subsection (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for any program described in subsection (b) may be obligated or expended unless—

(1) the Secretary of the Army certifies to the congressional defense committees that the analysis of alternatives regarding the Patriot lower tier air and missile defense capability of the Army has been submitted to such committees;

(2) a period of 60 days has elapsed following the date on which the Secretary makes the certification under paragraph (1); and

(3) the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to such committees that such obligation or expenditure of funds on such programs is consistent with the findings of the analysis of alternatives described in paragraph (1) to modernize the Patriot lower tier air and missile defense capability of the Army.

(b) PROGRAM DESCRIBED.—A program described in this subsection are the following components and capabilities of the Patriot air and missile defense system:
(1) Radar capability development, radar improvements, the digital sidelobe canceller, or the radar digital processor of the lower tier air and missile defense program of the Army.

(2) The enhanced launcher electronic system.

(c) W AIVER.—The Under Secretary of Defense for Acquisition, Technology, and Logistics may waive the limitations in subsection (a) if the Under Secretary—

(1) determines that such waiver—

(A) is caused by the delay of the analysis of alternatives described in paragraph (1) of such subsection; and

(B) is necessary to avoid an unacceptable risk to mission performance;

(2) notifies the congressional defense committees of such waiver; and

(3) pursuant to such waiver, obligates or expends funds only in amounts necessary to avoid such unacceptable risk to mission performance.

SEC. 1666. INTEGRATION AND INTEROPERABILITY OF AIR AND MISSILE DEFENSE CAPABILITIES OF THE UNITED STATES.

(a) INTEROPERABILITY OF MISSILE DEFENSE SYSTEMS.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the
Joint Chiefs of Staff, acting through the Missile Defense Executive Board, shall ensure the interoperability and integration of the covered air and missile defense capabilities of the United States with such capabilities of allies of the United States, including by carrying out operational testing.

(b) Annual Demonstration.—

(1) Requirement.—Except as provided by paragraph (2), the Director of the Missile Defense Agency and the Secretary of the Army shall jointly ensure that not less than one intercept or flight test is carried out each year that demonstrates the interoperability and integration of the covered air and missile defense capability of the United States.

(2) Waiver.—The Director and the Secretary may waive the requirement in paragraph (1) with respect to an intercept or flight test carried out during the year covered by the waiver if the Under Secretary of Defense for Acquisition, Technology, and Logistics—

(A) determines that such waiver is necessary for such year; and

(B) submits to the congressional defense committees notification of such waiver, including an explanation for how such waiver will not
negatively affect demonstrating the interoperability and integration of the covered air and missile defense capability of the United States.

(c) DEFINITIONS.—In this section, the term “covered air and missile defense capabilities” means Patriot air and missile defense batteries and associated interceptors and systems, Aegis ships and associated ballistic missile interceptors (including Aegis Ashore capability), AN/TPY–2 radars, and terminal high altitude area defense batteries and interceptors.

SEC. 1667. INTEGRATION OF ALLIED MISSILE DEFENSE CAPABILITIES.

(a) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, each covered commander shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff an assessment on opportunities for the integration and interoperability of covered air and missile defense capabilities of the United States with such capabilities of allies of the United States located in the area of responsibility of the commander, particularly with respect to such allies who acquired such capabilities through foreign military sales by the United States. Each assessment shall include an as-
essment of the key technology, security, command and control, and policy requirements necessary to achieve such an integrated and interoperable air and missile defense capability in a manner that ensures burden sharing and furthers the force multiplication goals of the United States.

(2) Submission.—Not later than 30 days after the date on which a covered commander submits to the Secretary and the Chairman an assessment under paragraph (1), the Secretary shall submit to the congressional defense committees a report containing such assessment, without change.

(b) Integration, Interoperability, and Command-and-Control.—The Secretary and the Chairman, in coordination with the Secretary of the Army, the Chief of Staff of the Army, the Secretary of the Navy, and the Chief of Naval Operations, shall carry out the planning, risk assessments, policy development, and concepts of operations necessary for each covered commander to ensure that the integration, interoperability, and command-and-control of air and missile defense capabilities described in subsection (a)(1) occur by not later than December 31, 2017.

(c) Quarterly Briefings.—Not later than 270 days after the date of the enactment of this Act, and each
90-day period thereafter through December 31, 2017, the 
Secretary of Defense and the Chairman of the Joint 
Chiefs of Staff shall jointly provide to the congressional 
defense committees a briefing that describes the progress 
made by the Secretary, the Chairman, and the covered 
commanders with respect to carrying out subsection (b), 
including an identification of each required action that has 
not been taken as of the date of the report.

(d) DEFINITIONS.—In this section:

(1) The term “covered air and missile defense 
capabilities” means Patriot air and missile defense 
batteries and associated interceptors and systems, 
Aegis ships and associated ballistic missile intercep-
tors (including Aegis Ashore capability), AN/TPY–2 
raddars, and terminal high altitude area defense bat-
teries and interceptors.

(2) The term “covered commander” means the 
following:

(A) The Commander of the United States 
European Command.

(B) The Commander of the United States 
Central Command.

(C) The Commander of the United States 
Pacific Command.
SEC. 1668. MISSILE DEFENSE CAPABILITY IN EUROPE.

(a) AEGIS ASHORE SITES.—

(1) POLAND.—The Secretary of Defense, in coordination with the Secretary of State, shall ensure that the Aegis Ashore site to be deployed in the Republic of Poland has anti-air warfare capability upon such site achieving full operating capability.

(2) ROMANIA.—The Secretary of Defense, in coordination with the Secretary of State, shall develop and implement a plan to provide anti-air warfare capability to the Aegis Ashore site deployed in the Republic of Romania by not later than December 31, 2018.

(3) EVALUATION OF CERTAIN MISSILES.—The Secretary shall evaluate the feasibility, benefit, and cost of using the evolved sea sparrow missile or the standard missile 2 in providing the anti-air warfare capability described in paragraphs (1) and (2).

(b) CAPABILITIES IN EUROPEAN COMMAND AREA OF RESPONSIBILITY.—

(1) ROTATIONAL DEPLOYMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that a terminal high altitude area defense battery is available for rotational deployment to the area of responsibility of the United States European Com-
mand unless the Secretary notifies the congressional
defense committees that such battery is needed in
the area of responsibility of another combatant com-
mand.

(2) PRE-POSITIONING SITES.—The Secretary of
Defense shall examine potential sites in the area of
responsibility of the United States European Com-
mand to pre-position a terminal high altitude area
defense battery.

(3) STUDIES.—

(A) Not later than 90 days after the date
of the enactment of this Act, the Secretary shall
conduct studies to evaluate—

(i) not fewer than three sites in the
area of responsibility of the United States
European Command for the deployment of
a terminal high altitude area defense bat-
tery in the event that the deployment of
such a battery is determined to be nec-
essary; and

(ii) not fewer than three sites in such
area for the deployment of a Patriot air
and missile defense battery in the event
that such a deployment is determined to be
necessary.
(B) In evaluating sites under clauses (i) and (ii) of subparagraph (A), the Secretary shall determine which sites are best for defending—

(i) the Armed Forces of the United States; and

(ii) the member states of the North Atlantic Treaty Organization.

(4) AGREEMENTS.—If the Secretary of Defense determines that a deployment described in clause (i) or (ii) of paragraph (3)(A) is necessary and the appropriate host nation requests such a deployment, the President shall seek to enter into the necessary agreements with the host nation to carry out such deployment.

SEC. 1669. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.

(a) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by section 101 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 radars for the Iron Dome short-range rocket defense system as specified in the funding table in section 4101, including for co-production of
such radars 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, subject to an amended agreement for coproduction for radar components. In negotiations by the Missile Defense Agency and the Missile Defense Organization of the Government of Israel regarding such production, the goal of the United States is to maximize opportunities for co-production of the radars described subsection (a) in the United States by industry of the United States.

(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 appropriate congressional 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.

(c) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1670. ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND POTENTIAL CO-PRODUCTION.

(a) Availability of Funds for Certain Programs.—

(1) In general.—Subject to subsections (b) and (c), of the funds authorized to be appropriated by section 101 for procurement, Defense-wide, and available for the Missile Defense Agency, as specified in the funding table in section 4101—
(A) not more than $150,000,000 may be provided to the Government of Israel to procure the David’s Sling weapon system; and

(B) not more than $15,000,000 may be provided to the Government of Israel to procure the Arrow 3 upper tier development program.

(2) PROCUREMENT AND CO-PRODUCTION.—The use of funds under subparagraphs (A) and (B) of paragraph (1) shall—

(A) be carried out only with respect to procurement activities; and

(B) include the co-production of parts and components in the United States by United States industry.

(b) CONDITION ON USE OF FUNDS.—The Director of the Missile Defense Agency may not carry out subparagraphs (A) or (B) of subsection (a)(1) unless—

(1) the Director and the Under Secretary of Defense for Acquisition, Technology, and Logistics jointly certify to the appropriate congressional committees that—

(A) the knowledge points and production readiness agreements of the research, development, test, and evaluation agreements that inform a production decision for the David’s Sling
weapon system or the Arrow 3 upper tier development program, respectively, have been successfully completed;

(B) such subparagraphs shall be carried out with the Government of Israel matching funds in an amount equal to the amount of funds provided by the United States or in an amount that meets best efforts, as mutually agreed by the United States and Israel; and

(C) the United States and the Government of Israel have entered into a bilateral agreement that—

(i) establishes the terms of co-production of parts and components described in subsection (a)(2) pursuant to the teaming agreements previously entered into regarding the co-development of such weapon system and development program in a manner that minimizes non-recurring engineering and facilitization expenses;

(ii) establishes complete transparency on the requirement of Israel for the number of interceptors and batteries of such weapon system and development program that will be procured;
(iii) allows the Director and Under Secretary to establish technical milestones for co-production and procurement of the such weapon system and development program; and

(iv) establishes joint approval processes for third-party sales of such weapon system and development program; and

(2) a period of 90 days has elapsed following the date of such certification.

(c) WAIVER.—The Director may waive the requirements of subsection (b) to carry out subparagraphs (A) or (B) of subsection (a)(1) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has sufficient data from the Government of Israel to demonstrate the following:

(1) Such subparagraphs will be carried out solely for funding procurement of long-lead components in accordance with a production plan, including a funding profile detailing Israeli contributions for production of either David’s Sling or Arrow 3.

(2) Such long-lead components have completed the research and development technology development phase.
(3) The long-lead procurement will be conducted in a manner that maximizes co-production in the United States without incurring additional non-recurring engineering activity or cost.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 1671. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-OBJECT KILL VEHICLE FOR MISSILE DEFENSE OF THE UNITED STATES HOME-**

**LAND.**

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

(1) the ballistic missile defense of the United States homeland is the highest priority of the Missile Defense Agency;

(2) the Missile Defense Agency is appropriately prioritizing the design, development, and deployment of the redesigned kill vehicle; and
(3) the multiple-object kill vehicle is critical 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 multiple-object kill vehicle for the ground-based mid-course defense system using best acquisition practices.

(2) DEPLOYMENT.—The Director shall—

(A) conduct rigorous flight testing of the multiple-object kill vehicle developed under paragraph (1) by not later than 2020; and

(B) recognizing the primacy of developing the redesigned kill vehicle, produce and deploy the multiple-object kill vehicle as early as practicable after the date on which the Director carries out paragraph (1).

(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.

(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.

(e) REPORT ON FUNDING PROFILE.—Not later than 30 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report on the funding profile of the multiple-object kill vehicle program under subsection (b).

SEC. 1672. BOOST PHASE DEFENSE SYSTEM.

(a) IN GENERAL.—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 a boost phase defense system by fiscal year 2022;
(2) ensure that development and fielding of a boost phase missile defense layer to the ballistic missile defense system supports multiple war fighter missile defense requirements, including, specifically, protection of the United States homeland and allies of the United States against 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; and

(4) encourage collaboration among the military departments and the Defense Advanced Research Projects Agency with respect to high energy laser efforts carried out in support of the Missile Defense Agency.

(b) Research and Development of Boost Phase Missile Defense.—

(1) Senior level advisory group.—The Director of the Missile Defense Agency shall establish a senior level advisory group (consisting of individuals with expertise in industry, science, and Department of Defense program management) to recommend to the Director promising technologies, in-
cluding such technologies recommended by industry, that the Director can evaluate for use as a boost phase missile defense layer.

(2) **BRIEFING.**—Not later than May 1, 2016, the Director shall provide to the congressional defense committees a briefing on—

(A) the recommendations of the senior level advisory group under paragraph (1);

(B) a plan for developing one or more programs of record for boost phase missile defense systems; and

(C) the views of the Director regarding such recommendations and plan.

**SEC. 1673. EAST COAST HOMEPORT OF SEA-BASED X-BAND RADAR.**

(a) **HOMEPORT.**—Subject to subsection (b), not later than December 31, 2020, the Secretary of the Navy shall—

(1) reassign the homeport of the sea-based X-band radar to a homeport on the East Coast of the United States; and

(2) ensure that such vessel has an at-sea capability of not less than 120 days per year.

(b) **CERTIFICATION.**—The Secretary may not carry out subsection (a) until the date on which the Director
of the Missile Defense Agency certifies to the congres-
sional defense committees that Hawaii will have adequate
missile defense coverage prior to the reassignment of the
homeport of the sea-based X-band radar as described in
such subsection.

(c) Required Studies and Evaluations.—Not
later than 60 days after the date of the enactment of this
Act, the Director shall commence any siting studies, envi-
ronmental impact assessments or statements, homeport
agreements for sea-based X-band radar support, evalua-
tions of any needed pier modifications, and evaluations of
any communications capabilities or other requirements to
carry out the homeport reassignment under subsection
(a)(1).

SEC. 1674. PLAN FOR MEDIUM RANGE BALLISTIC MISSILE
DEFENSE SENSOR ALTERNATIVES FOR EN-
HANCED DEFENSE OF HAWAII.

(a) Sense of Congress.—It is the sense of Con-
gress that—

(1) expanding persistent midcourse and ter-

minal ballistic missile defense system discrimination
capability is critically important to the defense of
the Nation;
(2) such discrimination capability is needed to respond to emerging ballistic missile threats involving countermeasures and decoys; and

(3) the Department of Defense should take all appropriate steps to ensure Hawaii has adequate missile defense coverage.

(b) EVALUATION AND PLAN.—

(1) EVALUATION.—The Director of the Missile Defense Agency shall conduct an evaluation of potential options for fielding a medium range ballistic missile defense sensor for the defense of Hawaii, including—

(A) the use of the Aegis Ashore Missile Defense Test Complex land-based system at the Pacific Missile Range Facility in Hawaii;

(B) the use of existing sensor assets in the region; and

(C) other options the Director determines appropriate.

(2) SUBMITTAL OF PLAN.—Not later than 60 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a plan for the missile defense of Hawaii, which shall include—
(A) a summary of the findings of the evaluation conducted under paragraph (1);

(B) estimated acquisition and operating costs for each sensor option; and

(C) a timeline for deployment of the sensor.

SEC. 1675. RESEARCH AND DEVELOPMENT OF NON-TERRESTRIAL MISSILE DEFENSE LAYER.

(a) In General.—Not later than 30 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall commence the concept definition, design, research, development, and engineering evaluation of a space-based ballistic missile intercept and defeat layer to the ballistic missile defense system that—

(1) shall provide increased access to ballistic missile targets, independent of adversary country size and threat trajectory;

(2) may provide a boost-phase layer for missile defense; and

(3) may provide additional defensive options against direct ascent anti-satellite weapons and hypersonic glide vehicles and maneuvering re-entry vehicles.

(b) Elements.—The activities carried out under subsection (a) shall include, at a minimum the following:
(1) Initiate formal steps for potential integration into the architecture of the ballistic missile defense system.

(2) Mature planning for early proof of concept component demonstrations.

(3) Draft operation concepts in the context of a multi-layer architecture.

(4) Identification of proof of concept vendor sources for demo components and subassemblies.

(5) The development of a multiyear technology and risk reduction investment plan.

(6) Commence development of proof of concept master program phasing schedule.

(7) Identification of proof of concept long lead items.

(8) Mature options for an acquisition strategy.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report that includes—

(1) the findings of the concept development required by subsection (a);

(2) a plan for developing one or more programs of record for a non-terrestrial missile defense layer,
including estimates of the appropriate identifiable costs of each such potential program of record; and

(3) the views of the Director regarding such findings and plan.

(d) BRIEFING.—Not later the March 31, 2016, the Director shall provide to the congressional defense committees an interim briefing on the plan described in subsection (c)(2).

SEC. 1676. AEGIS ASHORE CAPABILITY DEVELOPMENT.

(a) EVALUATION.—

(1) IN GENERAL.—The Director of the Missile Defense Agency, in coordination with the Chief of Naval Operations and the Chief of Staff of the Army, shall evaluate the role, feasibility, cost, and cost benefit of additional Aegis Ashore sites and upgrades to current ballistic missile defense system sensors to offset capacity demands on current Aegis ships, Aegis Ashore sites, and Patriot and Terminal High Altitude Area Defense capability and to meet the requirements of the combatant commanders.

(2) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall—
(A) review the evaluation conducted under paragraph (1); and

(B) submit to the congressional defense committees such evaluation and the results of such review.

(b) IDENTIFICATION OF FMS OBSTACLES.—

(1) IN GENERAL.—The Under Secretary of Defense for Policy and the Secretary of State shall jointly identify any obstacles to foreign military sales of Aegis Ashore or co-financing of additional Aegis Ashore sites. Such evaluation shall include, with appropriate coordination with other agencies and departments of the Federal Government as appropriate, the feasibility of host nation manning or dual manning with the United States and such host nation.

(2) SUBMISSION.—

(A) Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall provide to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate an interim briefing on the identification of obstacles under paragraph (1).
(B) Not later than one year after the date of the enactment of this Act, the Under Secretary shall submit to such committees a report on such identification.

(c) Negotiations.—

(1) In general.—The President shall seek to enter into host nation agreements for Aegis Ashore sites and co-financing and co-development opportunities as appropriate if the sites meet the requirements of the combatant commanders.

(2) Submission.—Not later than one year after the date of the enactment of this Act, the President shall transmit to the congressional defense, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate the status of efforts to seek to enter into agreements described in paragraph (1).

SEC. 1677. BRIEFSIONS ON PROCUREMENT AND PLANNING OF LEFT-OF-LAUNCH CAPABILITY.

(a) Briefing on Current Capability.—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall provide to the appropriate congressional committees a briefing on the military requirement for left-of-launch capability and any current gaps in meeting such requirement.
(b) Briefing on Joint Review and Plan to Develop and Procure Capabilities.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly provide to the appropriate congressional committees a briefing on the plan of the Secretary and the Director to develop and procure the left-of-launch capabilities as described in the briefing under subsection (a).

(c) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1678. DESIGNATION OF PREFERRED LOCATION OF ADDITIONAL MISSILE DEFENSE SITE IN THE UNITED STATES.

Not later than 30 days after the date on which the Secretary of Defense publishes the draft environmental impact statements pursuant to section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1678), the Director of the Missile Defense Agency, in consultation with the Commander of the United States Northern Command, shall designate the
preferred location in the United States for the potential future deployment of a missile defense site.

SEC. 1679. REPORT RELATING TO THE COSTS ASSOCIATED WITH EXTENDING THE LIFE OF THE MINUTEMAN III INTERCONTINENTAL BALLISTIC MISSILE.

Not later than 90 days after the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report examining the costs associated with extending the life of the Minuteman III intercontinental ballistic missile compared to the costs associated with procuring a new ground based strategic deterrent.

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 and title XXIX for military construction projects, land acquisition,
family housing projects and facilities, and contributions to
the North Atlantic Treaty Organization Security Invest-
ment 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 author-
ing funds for military construction for fiscal year
2019.
(b) EXCEPTION.—Subsection (a) shall not apply to
authorizations for military construction projects, land ac-
quisition, family housing projects and facilities, and con-
tributions to the North Atlantic Treaty Organization Se-
curity Investment Program (and authorizations of appro-
priations 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 author-
ing funds for fiscal year 2019 for military con-
struction projects, land acquisition, family housing
projects and facilities, or contributions to the North
Atlantic Treaty Organization Security Investment
Program.
SEC. 2003. EFFECTIVE DATE.
Titles XXI through XXVII and title XXIX shall take
effect on the later of—
(1) October 1, 2015; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Greely</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>California</td>
<td>Concord</td>
<td>$98,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$5,800,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$90,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>United States Military Academy</td>
<td></td>
<td>$70,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$69,400,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Corpus Christi</td>
<td>$85,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Lee</td>
<td>$33,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the
Army may acquire real property and carry out the military construction project for the installation outside the United States, and in the amount, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Grafenwoehr</td>
<td>$51,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) Construction and Acquisition.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Camp Rudder</td>
<td>Family Housing New Construction</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Rock Island</td>
<td>Family Housing New Construction</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Walker</td>
<td>Family Housing New Construction</td>
<td>$61,000,000</td>
</tr>
</tbody>
</table>

(b) Planning and Design.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and
engineering services and construction design activities with 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 total amount authorized to be appro-
priated under subsection (a), as specified in the funding table in section 4601.

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) and extended by section 2107 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3673), 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) as follows:

**Army: Extension of 2012 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>Land Acquisition</td>
<td>$5,100,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>Land Acquisition</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Road and Infrastructure Improvements</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

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**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District of Columbia</td>
<td>Fort McNair</td>
<td>Vehicle Storage Building, Installation</td>
<td>$7,191,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>Unmanned Aerial Vehicle Complex</td>
<td>$12,184,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>Aerial Gunnery Range</td>
<td>$41,945,000</td>
</tr>
</tbody>
</table>
Army: Extension of 2013 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas</td>
<td>JB San Antonio</td>
<td>Barracks</td>
<td>$20,971,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Secure Admin/Operations Facility</td>
<td>$93,876,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Camp Ederle</td>
<td>Barracks</td>
<td>$35,952,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Sagami</td>
<td>Vehicle Maintenance Shop</td>
<td>$17,976,000</td>
</tr>
</tbody>
</table>

SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECTS.

(a) BRUSSELS.—The Secretary of the Army may carry out a military construction project to construct a multi-sport athletic field and track and perimeter road and fencing and acquire approximately 5 acres of land adjacent to the existing Sterrebeek Dependent School site to allow relocation of Army functions to the site in support of the European Infrastructure Consolidation effort, in the amount of $6,000,000.

(b) RHINE ORDNANCE BARRACKS.—

(1) 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.

(2) USE OF HOST-NATION PAYMENT-IN-KIND FUNDS.—The Secretary may use available host-nat-
tion payment-in-kind funding for the project described in paragraph (1).

**TITLE XXII—NAVY MILITARY CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **Inside the United States.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>$50,635,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$44,540,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$4,856,000</td>
</tr>
<tr>
<td></td>
<td>Lemoore</td>
<td>$71,830,000</td>
</tr>
<tr>
<td></td>
<td>Point Mugu</td>
<td>$22,427,000</td>
</tr>
<tr>
<td></td>
<td>San Diego</td>
<td>$37,366,000</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms</td>
<td>$9,160,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Jacksonville</td>
<td>$16,751,000</td>
</tr>
<tr>
<td></td>
<td>Mayport</td>
<td>$16,159,000</td>
</tr>
<tr>
<td></td>
<td>Pensacola</td>
<td>$18,347,000</td>
</tr>
<tr>
<td></td>
<td>Whiting Field</td>
<td>$10,421,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Albany</td>
<td>$7,851,000</td>
</tr>
<tr>
<td></td>
<td>Kings Bay</td>
<td>$8,099,000</td>
</tr>
<tr>
<td></td>
<td>Townsend</td>
<td>$48,279,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$181,768,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Barking Sands</td>
<td>$30,623,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$14,881,000</td>
</tr>
<tr>
<td></td>
<td>Kaneohe Bay</td>
<td>$106,618,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Patuxent River</td>
<td>$40,935,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$54,849,000</td>
</tr>
<tr>
<td></td>
<td>Cherry Point</td>
<td>$34,426,000</td>
</tr>
<tr>
<td></td>
<td>New River</td>
<td>$8,230,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Parris Island</td>
<td>$27,075,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck</td>
<td>$23,066,000</td>
</tr>
</tbody>
</table>
Navy: Inside the United States—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Norfolk</td>
<td>..............................................................</td>
<td>$126,677,000</td>
</tr>
<tr>
<td>Portsmouth</td>
<td>............................................................</td>
<td>$45,513,000</td>
</tr>
<tr>
<td>Quantico</td>
<td>..............................................................</td>
<td>$58,199,000</td>
</tr>
<tr>
<td>Bangor</td>
<td>..............................................................</td>
<td>$34,177,000</td>
</tr>
<tr>
<td>Bremerton</td>
<td>..............................................................</td>
<td>$22,680,000</td>
</tr>
<tr>
<td>Indian Island</td>
<td>..........................................................</td>
<td>$4,472,000</td>
</tr>
</tbody>
</table>

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

Navy: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Camp Butler .................</td>
<td>$11,697,000</td>
</tr>
<tr>
<td>Iwakuni</td>
<td>..............................................................</td>
<td>$17,923,000</td>
</tr>
<tr>
<td>Kadena AB</td>
<td>...........................................................</td>
<td>$23,310,000</td>
</tr>
<tr>
<td>Yokosuka</td>
<td>..............................................................</td>
<td>$13,846,000</td>
</tr>
</tbody>
</table>

SEC. 2202. FAMILY HOUSING.

(a) Construction and Acquisition.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation or location,
in the number of units, and in the amount set forth in
the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Wallops Island</td>
<td>Family Housing New Construction</td>
<td>$438,000</td>
</tr>
</tbody>
</table>

(b) **PLANNING AND DESIGN.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,588,000.

**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 construc-
tion, 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 author-
ized by section 2853 of title 10, United States Code, and
any other cost variation authorized by law, the total cost
of all projects carried out under section 2201 of this Act
may not exceed the total amount authorized to be appro-
piated under subsection (a), as specified in the funding
table in section 4601.

SEC. 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 sub-
section (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 (di-
vision 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 con-
struction 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**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>Infantry Squad Defense Range</td>
<td>$29,187,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Jacksonville</td>
<td>P-8A Hangar Upgrades</td>
<td>$6,085,00</td>
</tr>
<tr>
<td>Georgia</td>
<td>Kings Bay</td>
<td>Crab Island Security Enclave</td>
<td>$52,913,000</td>
</tr>
</tbody>
</table>

**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**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>Comm. Information Systems Ops Complex</td>
<td>$78,897,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>Bachelor Quarters</td>
<td>$76,063,00</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms</td>
<td>Land Expansion</td>
<td></td>
</tr>
<tr>
<td>Greece</td>
<td>Souda Bay</td>
<td>Intermodal Access Road</td>
<td>$4,630,00</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Beaufort</td>
<td>Recycling/Hazardous Waste Facility</td>
<td>$3,743,00</td>
</tr>
</tbody>
</table>
Navy: Extension of 2013 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Quantico</td>
<td>Infrastructure—Widen Russell Road</td>
<td>$14,826,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Various Worldwide Locations</td>
<td>BAMS Operational Facilities</td>
<td>$34,048,000</td>
</tr>
</tbody>
</table>

SEC. 2207. TOWNSEND BOMBING RANGE EXPANSION, PHASE 2.

(a) Conveyance Authority.—With respect to the authorization contained in section 2201(a) for expansion of Townsend Bombing Range to support Marine Corps Air Station, Beaufort, Georgia, the Secretary of the Navy may convey, without consideration, to McIntosh County and Long County, Georgia (in this section referred to as the “County”), all right, title, and interest of the United States in and to two fire and emergency response stations to be constructed as part of the land acquisition.

(b) Use of Conveyed Property.—

(1) Provision of Secondary Fire and Emergency Support.—As a condition for the construction and conveyance under subsection (a) of the fire and emergency response stations, each County shall enter into a mutual support agreement with the Secretary of the Navy to provide secondary fire and emergency support for the Townsend Bombing Range. Each County shall agree to equip, staff, and
operate the fire and emergency response station conveyed to that County in accordance with the terms of the agreement.

(2) Subsequent Payment of Consideration.—If the Secretary of the Navy determines that a fire and emergency response station conveyed to a County under subsection (a) is ever put to a primary use other than as a fire and emergency response station, that County shall pay, at the election of the Secretary, an amount equal to the then current fair market value of the fire and emergency response station, as determined by the Secretary.

(e) Environmental and Zoning Requirements.—Each County shall be responsible for meeting any environmental requirements associated with the County-owned land, including any permits, or other local zoning processes, in preparation for the construction of the fire and emergency response station on the land.

(d) Description of Property.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) Conveyance Agreement.—The conveyance of real property under subsection (a) shall be accomplished using a quit claim deed or other legal instrument and upon
terms and conditions mutually satisfactory to the Secretary of the Navy and the County, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$71,400,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$16,900,000</td>
</tr>
<tr>
<td></td>
<td>Luke Air Force Base</td>
<td>$56,700,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force Academy</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Cape Canaveral Air Force Station</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Eglin Air Force Base</td>
<td>$8,700,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field</td>
<td>$14,200,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$50,800,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Mc-Connell Air Force Base</td>
<td>$4,300,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whiteman Air Force Base</td>
<td>$29,500,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malstrom Air Force Base</td>
<td>$19,700,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$68,950,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td></td>
<td>Holloman Air Force Base</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>$12,800,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Seymour Johnson Air Force Base</td>
<td>$17,100,000</td>
</tr>
</tbody>
</table>
Air Force: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$28,400,000</td>
</tr>
<tr>
<td></td>
<td>Tinker Air Force Base</td>
<td>$49,900,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$23,800,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$106,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$38,400,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$95,000,000</td>
</tr>
<tr>
<td>CONUS</td>
<td>Classified Location</td>
<td>$77,130,000</td>
</tr>
</tbody>
</table>

(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 the military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenland</td>
<td>Thule Air Base</td>
<td>$41,965,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Yokota Air Base</td>
<td>$8,461,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Croughton Royal Air Force</td>
<td>$130,615,000</td>
</tr>
</tbody>
</table>

SEC. 2302. FAMILY HOUSING.

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

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 Authoriza-
tion Act for Fiscal Year 2010 (division B of Public Law
111–84; 123 Stat. 2636) for Hickam Air Force Base, Ha-
waii, for construction of a ground control tower at the in-
stallation, the Secretary of the Air Force may install com-
munications cabling.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT
CERTAIN FISCAL YEAR 2014 PROJECT.

(a) Authorization.—In the case of the authoriza-
tion contained in the table in section 2301(b) of the Mili-
tary Construction Authorization Act for Fiscal Year 2014
(division B of Public Law 113–66; 127 Stat. 993) for
Royal Air Force Lakenheath, United Kingdom, for con-
struction of a Guardian Angel Operations Facility at the
installation, the Secretary of the Air Force may construct
the facility at an unspecified location within the United
States European Command’s area of responsibility.

(b) Notice and Wait Requirement.—Before the
Secretary of the Air Force commences construction of the
Guardian Angel Operations Facility at an alternative location, as authorized by subsection (a)—

(1) the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a description of the project, including the rational for selection of the project location; and

(2) a period of 14 days has expired following the date on which the report is received by the committees or, if over sooner, a period of 7 days has expired following the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

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) and extended by section 2305 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3680), 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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Sigonella Naval Air Station</td>
<td>UAS SATCOM Relay Pads and Facility</td>
<td>$15,000,000</td>
</tr>
</tbody>
</table>

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
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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portugal</td>
<td>Lajes Field</td>
<td>Sanitary Sewer Lift/Pump Station</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>

SEC. 2310. LIMITATION ON PROJECT AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

(a) Project Conditioned on Submission of Report.—No amounts may be expended for the construction of the Joint Intelligence Analysis Complex Consolidation, Phase 2, at Royal Air Force Croughton, United Kingdom, as authorized by section 2301(b) until the Secretary of the Air Force, in coordination with the Director of the Defense Intelligence Agency, submits a report to the congressional defense committees that provides—

(1) a summary of the alternatives considered to support continuity of operations of critical communications and intelligence capabilities located at, and to be consolidated to, Royal Air Force Croughton, United Kingdom; and
(2) a list of critical communications and intelligence capabilities that were considered under continuity of operations planning.

(b) LIMITATION ON RELATED REALIGNMENT ACTIONS.—On and after the date of the enactment of this Act, no additional action to realign forces at Lajes Air Force Base, Azores, shall be taken until the Secretary of Defense certifies to the congressional defense committees that the Secretary of Defense has determined, based on an analysis of United States operational requirements, not including the requirements of any other organization or country, that Lajes Air Force Base is not an optimal location for the Joint Intelligence Analysis Complex, or any of the critical communications or intelligence capabilities considered pursuant to subsection (a)(2). The certification shall include a discussion of the basis for the Secretary’s determination.

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 con-
struction 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**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$46,787,000</td>
</tr>
<tr>
<td></td>
<td>Maxwell Air Force Base</td>
<td>$32,968,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Fort Huachuca</td>
<td>$8,384,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$10,181,000</td>
</tr>
<tr>
<td></td>
<td>Fresno Yosemite International Airport</td>
<td>$10,700,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$8,243,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$21,600,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Hurlburt Field</td>
<td>$17,989,000</td>
</tr>
<tr>
<td></td>
<td>MacDill Air Force Base</td>
<td>$39,142,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Moody Air Force Base</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kaneohe Bay</td>
<td>$122,071,000</td>
</tr>
<tr>
<td></td>
<td>Schofield Barracks</td>
<td>$107,563,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$12,553,000</td>
</tr>
<tr>
<td></td>
<td>Fort Knox</td>
<td>$23,279,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$722,817,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$39,900,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$45,111,000</td>
</tr>
<tr>
<td>New York</td>
<td>United States Military Academy</td>
<td>$55,778,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$69,006,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$185,674,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$6,623,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Klamath Falls International Airport</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Philadelphia</td>
<td>$49,700,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$26,157,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$61,776,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Arlington National Cemetery</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Belvoir</td>
<td>$9,500,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Langley-Eustis</td>
<td>$28,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek-Story</td>
<td>$23,916,000</td>
</tr>
</tbody>
</table>

(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 table:

**Defense Agencies: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Garmisch</td>
<td>$14,676,000</td>
</tr>
<tr>
<td></td>
<td>Grafenwoehr</td>
<td>$38,138,000</td>
</tr>
<tr>
<td></td>
<td>Spangdahlem Air Base</td>
<td>$39,571,000</td>
</tr>
<tr>
<td></td>
<td>Stuttgart-Patch Barracks</td>
<td>$49,413,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$37,485,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Rota</td>
<td>$13,737,000</td>
</tr>
</tbody>
</table>

**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 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, in the amount set forth in the table:

**Energy Conservation Projects: Inside the United States**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Edwards AFB</td>
<td>$4,550,000</td>
</tr>
<tr>
<td></td>
<td>Fort Hunter Liggett</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Schriever AFB</td>
<td>$4,400,000</td>
</tr>
<tr>
<td></td>
<td>NSA Washington/Naval Research Lab</td>
<td>$10,990,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$13,780,000</td>
</tr>
<tr>
<td></td>
<td>MCRB Kaneohe Bay</td>
<td>$5,740,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mountain Home AFB</td>
<td>$9,122,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malstrom AFB</td>
<td>$4,260,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Pentagon/Arlington</td>
<td>$4,528,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$14,770,000</td>
</tr>
</tbody>
</table>

(b) **Outside the United States.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conserva-
tion 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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Samoa</td>
<td>Wake Island</td>
<td>$5,331,000</td>
</tr>
<tr>
<td>Bahamas</td>
<td>Ascension Aux Airfield St Helena</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Naval Base Guam</td>
<td>$5,330,000</td>
</tr>
<tr>
<td>Japan</td>
<td>CFA Yokoska</td>
<td>$13,940,000</td>
</tr>
</tbody>
</table>

(c) LIMITATION ON SET-ASIDE OF FACILITIES RESTORATION AND MODERNIZATION PROGRAM FUNDS FOR ENERGY PROJECTS.—Amounts appropriated pursuant to the authorization of appropriation in Section 301 for operation and maintenance and made available for facilities restoration and modernization may not be set-aside for the exclusive purpose of funding energy projects on military installations. Installation energy projects must compete in the normal process of determining installation requirements.

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 total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

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. 1632), 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 authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672) and extended 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:

<table>
<thead>
<tr>
<th>Defense Agencies: Extension of 2012 Project Authorizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Virginia</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

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. 1617), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (126 Stat. 1627) and extended 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:

<table>
<thead>
<tr>
<th>Defense Agencies: Extension of 2013 Project Authorizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Virginia</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
909

2118), the authorizations set forth in the table in subsection (b), as provided in section 2401(a) 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**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Navel Base Coronado</td>
<td>SOF Support Activity Operations Facility</td>
<td>$9,327,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Pikes Peak</td>
<td>High Altitude Medical Research Center</td>
<td>$3,600,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl</td>
<td>SOF SDVT-1 Waterfront</td>
<td>$22,384,000</td>
</tr>
<tr>
<td></td>
<td>Harbor-Hickam</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Def Distribution</td>
<td>Replace Reservoir</td>
<td>$4,300,000</td>
</tr>
<tr>
<td></td>
<td>Depot New Cumberland</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9 **SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.**

(a) **Modification.**—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 the installation, the Secretary of Defense may construct a 102,000-square foot medical clinic at the installation in the amount of $80,000,000 using appropria-
tions available for the project pursuant to the authoriza-

tion of appropriations in section 2403 of such Act (127
Stat. 998).

(b) Duration of Authority.—Notwithstanding
section 2002 of the Military Construction Authorization
Act for Fiscal Year 2014 (division B of Public Law 113–
66; 127 Stat. 985), the authorization set forth in sub-
section (a) shall remain in effect until October 1, 2018,
or the date of enactment of an Act authorizing funds for
military construction for fiscal year 2019, whichever is
later.

TITLE XXV—NORTH ATLANTIC
TREATY ORGANIZATION SE-
CURITY INVESTMENT PRO-
GRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND
ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for
the North Atlantic Treaty Organization Security Invest-
ment 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 pur-
pose in section 2502 and the amount collected from the
North Atlantic Treaty Organization as a result of con-
struction 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(a) 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:
SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Miramar</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>MacDill Air Force Base</td>
<td>$55,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Orangeburg</td>
<td>$4,200,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Conneaut Lake</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>North Hyde Park</td>
<td>$7,900,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$29,000,000</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>Navy Reserve and Marine Corps Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>Nevada</td>
</tr>
<tr>
<td>New York</td>
</tr>
<tr>
<td>Virginia</td>
</tr>
</tbody>
</table>

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

<table>
<thead>
<tr>
<th>Air National Guard</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>Alabama</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Colorado</td>
</tr>
<tr>
<td>Georgia</td>
</tr>
<tr>
<td>Iowa</td>
</tr>
<tr>
<td>Kansas</td>
</tr>
<tr>
<td>Louisiana</td>
</tr>
<tr>
<td>Maine</td>
</tr>
<tr>
<td>New Hampshire</td>
</tr>
<tr>
<td>New Jersey</td>
</tr>
<tr>
<td>New York</td>
</tr>
<tr>
<td>North Carolina</td>
</tr>
<tr>
<td>North Dakota</td>
</tr>
<tr>
<td>Oklahoma</td>
</tr>
<tr>
<td>Oregon</td>
</tr>
<tr>
<td>West Virginia</td>
</tr>
</tbody>
</table>
SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March Air Force Base</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Patrick Air Force Base</td>
<td>$3,400,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Youngstown</td>
<td>$9,400,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$9,900,000</td>
</tr>
</tbody>
</table>

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

(a) Authorization of Appropriations.—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.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations author-
ized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under sections 2601 through 2605 of this Act may not exceed the sum of the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

Subtitle B—Other 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. 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), 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas</td>
<td>Kansas City</td>
<td>Army Reserve Center</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Attleboro</td>
<td>Army Reserve Center</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

SEC. 2613. 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 Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>Reserve Training Facility</td>
<td>$5,379,000</td>
</tr>
<tr>
<td>California</td>
<td>Tustin</td>
<td>Army Reserve Center</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Fort Des Moines</td>
<td>Joint Reserve Center</td>
<td>$19,162,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>New Orleans</td>
<td>Transient Quarters</td>
<td>$7,187,000</td>
</tr>
<tr>
<td>New York</td>
<td>Camp Smith (Stormville)</td>
<td>Combined Support Maintenance Shop</td>
<td>$24,000,000</td>
</tr>
</tbody>
</table>

**TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

**SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 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 this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. REVISION OF CONGRESSIONAL NOTIFICATION THRESHOLDS FOR RESERVE FACILITY EXPENDITURES AND CONTRIBUTIONS TO REFLECT CONGRESSIONAL NOTIFICATION THRESHOLDS FOR MINOR CONSTRUCTION AND REPAIR PROJECTS.

Section 18233a of title 10, United States Code, is amended—
(1) in subsection (a), by striking “in an amount in excess of $750,000” and inserting “in excess of the amount specified in section 2805(b)(1) of this title”; and

(2) in subsection (b)(3), by striking “section 2811(e) of this title) that costs less than $7,500,000” and inserting “subsection (e) of section 2811 of this title) that costs less than the amount specified in subsection (d) of such section”.

SEC. 2802. AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FROM KUWAIT FOR CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND KUWAIT MILITARY FORCES.

(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. Authority to accept and use contributions for construction, maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait military forces

“(a) Authority to Accept and Use Contributions.—The Secretary of Defense, with the concurrence
of the Secretary of State, may accept cash contributions
from the government of Kuwait for the purpose of paying
costs in connection with construction (including military
construction not otherwise authorized by law), mainte-
nance, and repair projects in Kuwait that are mutually
beneficial to the Department of Defense and Kuwait mili-
tary forces.

“(b) Deposit and Availability.—Contributions
accepted under subsection (a) shall be deposited in an ac-
count established in the Treasury and shall be available
to the Secretary of Defense, in such amounts as may be
provided in advance in appropriation Acts, until expended
for a purpose specified in subsection (a).

“(c) Determination of Mutually Beneficial.—
A construction, maintenance, or repair project is mutually
beneficial for purposes of subsection (a) if—

“(1) the project is in support of a bilateral
United States and Kuwait defense cooperation
agreement; or

“(2) the Secretary of Defense determines, with
the concurrence of the Secretary of State, that the
United States may derive a benefit from the project,
including—

“(A) access to and use of facilities of Ku-
“(B) ability or capacity for future posture; and

“(C) increased interoperability between United States armed forces and Kuwait military forces.

“(d) LIMITATION ON ANNUAL OBLIGATIONS.—The maximum amount that the Secretary of Defense, with the concurrence of the Secretary of State, may obligate in any fiscal year under this section is $50,000,000.

“(e) NOTICE AND WAIT.—When a decision is made to carry out a construction, maintenance, or repair project using contributions accepted under subsection (a) and the estimated cost of the project will exceed the thresholds prescribed by section 2805 of this title, the Secretary of Defense shall notify in writing the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives of that decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the notification is received by the committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.
“(f) Expiration of Authority.—The authority to carry out construction, maintenance, and repair projects under this section expires on September 30, 2020.”.

(b) Clerical Amendment.—The table of sections at the beginning of subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new item:

“2350n. Authority to accept and use contributions for construction, maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait military forces.”.

SEC. 2803. DEFENSE LABORATORY MODERNIZATION PILOT PROGRAM.

(a) Program Authorized.—The Secretary of Defense may carry out, using amounts authorized to be appropriated to the Department of Defense for Research, Development, Test, and Evaluation, such military construction projects as are authorized in a Military Construction Authorization Act at—

(1) any Department of Defense Science and Technology Reinvention Laboratory (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); and

(2) Department of Defense Federally Funded Research and Development Centers that function primarily as research laboratories located on a mili-
tary installation on facilities owned by the Government.

(b) Scope of Project Authority.—Authority provided by law to carry out a military construction project under this section includes authority for—

(1) surveys, site preparation, and advanced planning and design;

(2) acquisition, conversion, rehabilitation, and installation of facilities;

(3) acquisition and installation of equipment and appurtenances integral to the project; acquisition and installation of supporting facilities (including utilities) and appurtenances incident to the project; and

(4) planning, supervision, administration, and overhead expenses incident to the project.

(c) Submission of Project Requests.—The Secretary of Defense shall include military construction projects proposed to be carried out under this section in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget for a fiscal year submitted under 1105 of title 31, United States Code.
(d) **PROJECTS DESCRIBED.**—The authority provided by this section shall be used for military construction projects that—

1. will support research and development activities at laboratories described in subsection (a)(1) of more than one military department or Defense Agency and centers described in subsection (a)(2);
2. 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
3. are endorsed for funding by more than one military department or Defense Agency.

(e) **FUNDING LIMITATION.**—The maximum amount that may be obligated in any fiscal year under the authority provided by this section is $150,000,000.

(f) **TERMINATION OF AUTHORITY.**—The authority provided by this section shall terminate on October 1, 2020.

**SEC. 2804. SPECIAL AUTHORITY FOR MINOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT PROGRAM FACILITIES.**

Section 2805 of title 10, United States Code, is amended—
(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) CHILD DEVELOPMENT PROGRAM FacILITIES.—

(1) Using such amounts as may be appropriated to the Secretary concerned in advance for operation and maintenance to carry out this subsection, the Secretary concerned may carry out an unspecified minor military construction project that—

“A) has an approved cost equal to or less than $15,000,000, notwithstanding subsections (a) and (c); and

“(B) creates, expands, or modifies a child development program facility serving children under 13 years of age.

“(2) The approval and congressional notification requirements of subsection (b) shall apply to an unspecified minor military construction project carried out pursuant to paragraph (1), except that, paragraph (1) of subsection (b) shall be applied by substituting ‘$7,500,000’ for ‘$1,000,000’.

“(3) The authority to commence an unspecified minor military construction project pursuant to paragraph (1) expires September 30, 2018.”.
SEC. 2805. SENSE OF CONGRESS REGARDING BASE HOUSING PROJECTS.

It is the sense of Congress that the Department of Defense should take into consideration, when prioritizing base housing projects, commuting times for base personnel and land available for development on the base.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. ENHANCEMENT OF AUTHORITY TO ACCEPT CONDITIONAL GIFTS OF REAL PROPERTY ON BEHALF OF MILITARY SERVICE ACADEMIES.

Section 2601 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (f), (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) ACCEPTANCE OF REAL PROPERTY GIFTS; NAMING RIGHTS.—(1) The Secretary concerned may accept a gift under subsection (a) or (b) consisting of the provision, acquisition, enhancement, or construction of real property offered to the United States Military Academy, the Naval Academy, the Air Force Academy, or the Coast Guard Academy even though the gift will be subject to the condi-
tion that the real property, or a portion thereof, bear a
specified name.

“(2) A gift may not be accepted under paragraph (1) if—

“(A) the acceptance of the gift or the imposition of the naming-rights condition would reflect unfavorably upon the United States, as provided in subsection (d)(2); or

“(B) the real property to be subject to the condition, or portion thereof, has been named by an act of Congress.

“(3) The Secretaries concerned shall issue uniform regulations governing the circumstances under which gifts conditioned on naming rights may be accepted, appropriate naming conventions, and suitable display standards.”.

SEC. 2812. CONSULTATION REQUIREMENT IN CONNECTION WITH DEPARTMENT OF DEFENSE MAJOR LAND ACQUISITIONS.

Section 2664(a) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “No military depart-ment”;

(2) by inserting after the first sentence the follow-
“(2) If the real property acquisition is a major land acquisition inside a State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or any territory or possession of the United States, the Secretary concerned shall consult with the chief executive officer of the State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or the territory or possession in which the land is located to determine options for completing the real property acquisition.”;

(3) by striking “The foregoing limitation” and inserting the following:

“(3) The limitations imposed by paragraphs (1) and (2); and

(4) by adding at the end the following new paragraph:

“(4) In this subsection, the term ‘major land acquisition’ means any land acquisition not covered by the authority to acquire low-cost interests in land under section 2663(c) of this title.”.
SEC. 2813. ADDITIONAL MASTER PLAN REPORTING REQUIREMENTS RELATED TO MAIN OPERATING BASES, FORWARD OPERATING SITES, AND COOPERATIVE SECURITY LOCATIONS OF CENTRAL COMMAND AND AFRICA COMMAND AREAS OF RESPONSIBILITY.

Section 2687a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) In the case of each report under paragraph (1) submitted during fiscal years 2016 through 2020, the report also shall address or include the following with respect to each main operating base, forward operating site, or cooperative security location within the Area of Responsibility of the Central Command or Africa Command:

“(A) The strategic goal and operational requirements supported by the base, site, or location, and the basis for any infrastructure improvements to the base, site, or location.

“(B) The estimated steady-state population of the base, site, or location, including the number of military personnel, Department of Defense civilian personnel, and non-Department of Defense personnel, including contractors.

“(C) A prioritized list of all anticipated near-term, mid-term, and long-term infrastructure
projects for the base, site, or location, an estimated
total cost to complete each project, and expected
start and completion dates.

“(D) A discussion of the medical services and
support services, including capacities of com-
missaries, exchanges, or other support services, nec-
cessary to support the steady-state population of the
base, site, or location, including any necessary in-
vestments in facilities to provide these services.

“(E) Current estimated costs, including United
States appropriated funds and host-nation contribu-
tions, addressing all costs associated with con-
structing, sustaining, repairing, or modernizing the
infrastructure necessary to support the United
States military posture at the base, site, or location.

“(F) A long-term funding plan for the base,
site, or location, identifying the military department
or Defense Agency to be responsible for providing
funding for the base, site, or location and the
sources of funds for construction of new facilities,
sustainment and restoration of existing facilities,
and operations and maintenance costs.

“(G) A summary of the terms of agreements
with the host nation, including access agreements,
status-of-forces agreements, or other implementing
agreements, and their specific terms (such as time-
frame and cost) and limitations on United States
presence and operations.

“(II) A comparison and explanation of any
changes made from the report submitted in the pre-
vious year regarding the items required by the pre-
ceeding subparagraphs.”.

SEC. 2814. FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY AND ASSESSMENT OF INFRASTRUCTURE NECESSARY TO SUPPORT THE FORCE STRUCTURE.

(a) Preparation and Submission of Force-structure Plans and Infrastructure Inventory.—As part of the budget justification documents sub-
mited to Congress in support of the budget for the De-
partment of Defense for fiscal year 2017, the Secretary
of Defense shall submit to Congress the following:

(1) A force-structure plan for each of the Army,
Navy, Air Force, and Marine Corps based on an as-
essment by the Secretary of the probable threats to
United States national security during the 20-year
period beginning with fiscal year 2017, and the end-
strength levels and major military force units (in-
cluding land force divisions, carrier and other major
combatant vessels, air wings, and other comparable
(2) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(b) RELATIONSHIP OF PLANS AND INVENTORY.—

Using the force-structure plans and infrastructure inventory prepared under subsection (a), the Secretary of Defense shall prepare (and include as part of the submission of such plans and inventory) the following:

(1) A description of the infrastructure necessary to support the force structure described in each force-structure plan.

(2) A discussion of categories of excess infrastructure and infrastructure capacity, and the Secretary’s objective for the reduction of such excess capacity.

(3) An assessment of the value of retaining certain excess infrastructure to accommodate contingency, mobilization, or surge requirements.

(e) SPECIAL CONSIDERATIONS.—In determining the level of necessary versus excess infrastructure under sub-
section (b), the Secretary of Defense shall consider the fol-
lowing:

(1) The anticipated continuing need for and
availability of military installations outside the
United States, taking into account current restric-
tions on the use of military installations outside the
United States and the potential for future prohibi-
tions or restrictions on the use of such military in-
stallations.

(2) Any efficiencies that may be gained from
joint tenancy by more than one branch of the Armed
Forces at a military installation or the reorganiza-
tion or association of two or more military installa-
tions as a single military installation.

(d) COMPTROLLER GENERAL EVALUATION.—

(1) EVALUATION REQUIRED.—The Comptroller
General of the United States shall prepare an eval-
uation of the force-structure plans and infrastruc-
ture inventory prepared under subsection (a), includ-
ing an evaluation of the accuracy and analytical suf-
ficiency of the plans and inventory.

(2) SUBMISSION.—The Comptroller General
shall submit the evaluation to Congress not later
than 60 days after the date on which the force-
structure plans and infrastructure inventory are sub-
mitted to Congress.

SEC. 2815. ARSENAL INSTALLATION REUTILIZATION AU-
THORITY.

(a) In General.—Section 2667 of Title 10, United
States Code, is amended—

(1) by redesignating subsections (h), (i), and (j)
as subsections (i), (j), and (k), respectively; and

(2) by inserting after subsection (g) the fol-
lowing new subsection:

“(h) ARSENAL INSTALLATION REUTILIZATION Au-
thority.—(1) In the case of a military manufacturing
arsenal, the Secretary concerned may authorize leases and
contracts for a term of up to 25 years, notwithstanding
subsection (b)(1), if the Secretary determines that a lease
or contract of that duration will promote the national de-
fense or be in the public interest for the purpose of—

“(A) helping to maintain the viability of the
military manufacturing arsenal and any military in-
stallations on which it is located;

“(B) eliminating, or at least reducing, the cost
of Government ownership of the military manufac-
turing arsenal, including the costs of operations and
maintenance, the costs of environmental remedi-
ation, and other costs; and
“(C) leveraging private investment at the military manufacturing arsenal through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the preceding purposes.

“(2)(A) The Secretary concerned may delegate the authority provided by this subsection to the commander of the military manufacturing arsenal or, if part of a larger military installation, the installation commander.

“(B) The delegated authority does not include the authority to enter into a lease or contract under this section to carry out any activity covered by section 4544(b) of this title related to—

“(i) the sale of articles manufactured by a military manufacturing arsenal;

“(ii) the sale of services performed by a military manufacturing arsenal; or

“(iii) the performance of manufacturing work at the military manufacturing arsenal.

“(3) In this subsection, the term ‘military manufacturing arsenal’ means a Government-owned, Government-operated defense plant of the Department of the Defense that manufactures weapons, weapon components, or both.”.
(b) Cross References.—(1) Section 2662(b)(3)(E) of title 10, United States Code, is amended by striking “2667(h)(2)” and inserting “2667(i)(2)”.

(2) Section 6981(a)(2) of such title is amended by striking “2667(h)(2)” and inserting “2667(i)(2)”.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

SEC. 2821. RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

(a) Restriction.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer, cooperative agreement, or supplemental funding unless such grant, transfer, cooperative agreement, or supplemental funding will be used—

(1) to carry out a public infrastructure project—
(A) that was included in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1017); and

(B) for which amounts have been appropriated or made available to be expended by the Department of Defense before the date of the enactment of this Act; or

(2) to perform planning and design work in connection with a public infrastructure project described in paragraph (1).

(b) Public Infrastructure Defined.—In this section, the term “public infrastructure” means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(c) Repeal of Superseded Law.—Subsection (b) of section 2821 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3701) is repealed.
SEC. 2822. ANNUAL REPORT ON GOVERNMENT OF JAPAN

CONTRIBUTIONS TOWARD REALIGNMENT OF

MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

(a) Report Required.—Not later than the date of
the submission of the budget of the President for each
of fiscal years 2017 through 2026 under section 1105 of
title 31, United States Code, the Secretary of Defense
shall submit to the congressional defense committees a re-
port that specifies each of the following:

(1) The total amount contributed by the Gov-
ernment of Japan during the most recently con-
cluded Japanese fiscal year under section 2350k of
title 10, United States Code, for deposit in the Sup-
port for United States Relocation to Guam Account.

(2) The anticipated contributions to be made by
the Government of Japan under such section during
the current and next Japanese fiscal years.

(3) The projects carried out on Guam or the
Commonwealth of the Northern Mariana Islands
during the previous fiscal year using amounts in the
Support for United States Relocation to Guam Ac-
count.

(4) The anticipated projects that will be carried
out on Guam or the Commonwealth of the Northern
Mariana Islands during the fiscal year covered by
the budget submission using amounts in such Ac-
count.

(b) REPEAL OF SUPERSEDED REPORTING REQUIRE-
MENT.—Subsection (e) of section 2824 of the Military
Construction Authorization Act for Fiscal Year 2009 (di-
vision B of Public Law 110–417; 10 U.S.C. 2687 note)
is repealed.

Subtitle D—Land Conveyances

SEC. 2831. LAND EXCHANGE AUTHORITY, MARE ISLAND
ARMY RESERVE CENTER, VALLEJO, CALI-
FORNIA.

(a) EXCHANGE AUTHORIZED.—Subject to subsection
(b), the Secretary of the Army may carry out a real prop-
erty exchange with Touro University California (in this
section referred to as the “University”), under which the
Secretary will convey all right, title, and interest of the
United States in and to a parcel of real property, including
any improvements thereon, consisting of approximately
3.42 acres of the former Mare Island Naval Shipyard on
Azuar Drive in the City of Vallejo, California, and admin-
istered by the Secretary as part of the 63rd Regional Sup-
port Command, for the purpose of permitting the Univer-
sity to use the parcel for educational and administrative
purposes.
(b) Conveyance Authority Conditional.—The conveyance authority provided by subsection (a) shall take effect only if the real property exchange process initiated by the Secretary of the Army in a notice of availability (DACW05–8–15–512) issued on January 28, 2015, and involving the real property described in subsection (a) is terminated unsuccessfully.

(c) Conveyance Process.—The Secretary shall carry out the real property exchange authorized by subsection (a) using the authority available to the Secretary under section 18240 of title 10, United States Code.

(d) Facilities to Be Acquired.—In exchange for the conveyance of the real property under subsection (a), the Secretary of the Army shall acquire, consistent with subsections (c) and (d) of section 18240 of title 10, United States Code, a facility, or addition to an existing facility, needed to rectify the parking shortage for the Mare Island Army Reserve Center.

(e) Payment of Costs of Conveyance.—

(1) Payment Required.—The Secretary of the Army shall require the University to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under sub-
section (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the University in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the University.

(2) Treatment of amounts received.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) Description of property.—The exact acreage and legal description of the property to be conveyed under subsection (a) and acquired under subsection (d) shall be
determined by a survey satisfactory to the Secretary of the Army.

SEC. 2832. LAND EXCHANGE, NAVY OUTLYING LANDING FIELD, NAVAL AIR STATION, WHITING FIELD, FLORIDA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy (in this section referred to as the “Secretary”) may convey to Escambia County, Florida (in this section referred to as the “County”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, containing Navy Outlying Landing Field Site 8 in Escambia County associated with Naval Air Station, Whiting Field, Milton, Florida.

(b) LAND TO BE ACQUIRED.—In exchange for the property described in subsection (a), the County shall convey to the Secretary of the Navy land and improvements thereon in Santa Rosa County, Florida, that is acceptable to the Secretary and suitable for use as a Navy outlying landing field to replace Navy Outlying Landing Field Site 8.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to fund costs to be incurred by the Secretary, or to reimburse the
Secretary for such costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs for environmental documentation, other administrative costs related to the land exchange, and all costs associated with relocation of activities and facilities from Navy Outlying Landing Field Site 8 to the replacement location. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be exchanged
under this section shall be determined by surveys satisfactory to the Secretary of the Navy.

(e) CONVEYANCE AGREEMENT.—The exchange of real property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Navy and the County, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. RELEASE OF PROPERTY INTERESTS RETAINED IN CONNECTION WITH LAND CONVEYANCE, FORT BLISS MILITARY RESERVATION, TEXAS.

(a) Release of Retained Interests.—With respect to a parcel of real property in El Paso, Texas, consisting of approximately 20 acres and conveyed by deed for National Guard and military purposes by the United States to the State of Texas pursuant to section 708 of the Military Construction Authorization Act, 1972 (Public Law 92–145; 85 Stat. 412), the Secretary of the Army may release the rights reserved by the United States under subsections (d) and (e)(2) of such section and the reversionary interest retained by the United States under subsection (e)(1) of such section. The release of such rights and retained interests with respect to any portion of that parcel shall not be construed to alter the rights or inter-
estats retained by the United States with respect to the re-
mainder of the real property conveyed to the State under
such section.

(b) Condition of Release.—The release author-
ized by subsection (a) of rights and retained interests shall
be subject to the condition that—

(1) the State of Texas sell the parcel of real
property covered by the release for fair market
value; and

(2) all proceeds from the sale shall be used to
fund improvements or repairs for National Guard
and military purposes on the remainder of the prop-
erty conveyed under section 708 of the Military Con-
struction Authorization Act, 1972 (Public Law 92–
145; 85 Stat. 412) and retained by the State.

c) Instrument of Release and Description of
Property.—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 re-
lease of rights and retained interests under subsection (a).
The exact acreage and legal description of the property
for which rights and retained interests are released under
subsection (a) shall be determined by a survey satisfac-
tory to the Secretary of the Army.

d) Payment of Administrative Costs.—
(1) Payment Required.—The Secretary of the Army may require the State of Texas 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 retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) Treatment of Amounts Received.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release of retained interests 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 of retained interests. 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 retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, to include necessary munitions response actions by the State of Texas in accordance with subsection (e)(3) of section 708 of the Military Construction Authorization Act, 1972 (Public Law 92–145; 85 Stat. 412).

SEC. 2834. RELEASE OF PROPERTY INTERESTS RETAINED IN CONNECTION WITH LAND CONVEYANCE, CAMP VILLERE, LOUISIANA.

(a) RELEASE OF RETAINED INTERESTS.—With respect to a parcel of real property at Camp Villere, Louisiana, consisting of approximately 48.04 acres and conveyed by quit-claim deed for National Guard purposes by the United States to the State of Louisiana pursuant to section 616 of the Military Construction Authorization Act, 1975 (titles I through VI of Public Law 93–553; 88 Stat. 1768), the Secretary of the Army may release the terms and conditions imposed by the United States under subsection (b) of such section and the reversionary interest retained by the United States under subsection (c) of such section. The release of such terms and conditions and retained interests with respect to any portion of that parcel
shall not be construed to alter the rights or interests retained by the United States with respect to the remainder of the real property conveyed to the State under such section.

(b) CONDITION OF RELEASE.—The release authorized by subsection (a) of terms and conditions and retained interests shall be subject to the condition that the State of Louisiana—

(1) transfer the parcel of real property described in such subsection from the Louisiana Military Department to the Louisiana Agricultural Finance Authority for the purpose of permitting the Louisiana Agricultural Finance Authority to use the parcel for any purposes allowed by State law; and

(2) make available to the Louisiana Military Department real property to replace the transferred parcel that is suitable for use for National Guard training and operational support for emergency management and homeland defense activities.

(c) INSTRUMENT OF RELEASE AND DESCRIPTION OF PROPERTY.—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 terms and conditions and retained interests under subsection (a). The exact acreage and legal description of
the property described in such subsection shall be determined by a survey satisfactory to the Secretary of the Army.

(d) Payment of Administrative Costs.—

(1) Payment required.—The Secretary of the Army may require the State of Louisiana 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 retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) Treatment of amounts received.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release of retained interests 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 of retained interests. Amounts so credited shall be merged with amounts in such fund or account and shall be avail-
able 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 retained
interests under subsection (a) as the Secretary considers
appropriate to protect the interests of the United States.

SEC. 2835. LAND CONVEYANCE, CAMPION AIR FORCE
RADAR STATION, GALENA, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of
the Interior may convey, without consideration, to the
Town of Galena, Alaska (in this section referred to as the
“Town”), all right, title, and interest of the United States
in and to public land, including improvements thereon, at
the former Campion Air Force Station, Alaska, as further
described in subsection (b), for the purpose of permitting
the Town to use the conveyed land for public purposes.

(b) DESCRIPTION OF PROPERTY.—The property to
be conveyed under subsection (a) consists of approxi-
mately 1290 acres of the approximately 1613 acres of pub-
lic land withdrawn by the Secretary of the Interior under
Public Land Order 843 for use by the Secretary of the
Air Force as the former Campion Air Force Station. The
portions of the former Air Force Station that are not au-
authorized to be conveyed under subsection (a) are those portions that are subject to environmental land use restrictions or are currently undergoing environmental remediation by the Secretary of the Air Force.

(c) **Consultation.**—The Secretary of the Interior shall consult with the Secretary of the Air Force on the exact acreage and legal description of the public land to be conveyed under subsection (a) and conditions to be included in the conveyance that are necessary to protect human health and the environment.

(d) **Payment of Costs of Conveyance.**—

(1) **Payment Required.**—The Secretary of the Interior shall require the Town to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary of the Interior and by the Secretary of the Air Force, or to reimburse the appropriate Secretary for such costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary of Interior or Secretary of the Air Force incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out
the conveyance, the appropriate Secretary shall refund the excess amount to the Town.

(2) Treatment of amounts received.—

(A) Secretary of the Interior.—

Amounts received by the Secretary of the Interior as reimbursement under paragraph (1) shall be credited, at the option of the Secretary, to the appropriation, fund, or account from which the expenses were paid, or to an appropriate appropriation, fund, or account currently available to the Secretary for the purposes for which the expenses were paid. Amounts so credited shall be merged with funds in such appropriation, fund, or account and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(B) Secretary of the Air Force.—

Amounts received by the Secretary of the Air Force as reimbursement under paragraph (1) shall be credited, at the option of the Secretary, to the appropriation, fund, or account from which the expenses were paid, or to an appropriate appropriation, fund, or account currently available to the Secretary for the purposes for which the expenses were paid. Amounts so cred-
it shall be merged with funds in such appropriation, fund, or account and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(e) **Conveyance Agreement.**—The conveyance of public land under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Interior, after consulting with the Secretary of the Air Force, and the Town, including such additional terms and conditions as the Secretary of the Interior, after consulting with the Secretary of the Air Force, considers appropriate to protect the interests of the United States.

**Subtitle E—Military Land Withdrawals**

**SEC. 2841. WITHDRAWAL AND RESERVATION OF PUBLIC LAND, NAVAL AIR WEAPONS STATION CHINA LAKE, CALIFORNIA.**

(a) **Withdrawal and Reservation of Additional Public Land.**—Section 2971(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1044) is amended—

(1) by striking “The public land” and inserting the following:
“(1) INITIAL WITHDRAWAL.—The public land”;

and

(2) by adding at the end the following new paragraph:

“(2) ADDITIONAL WITHDRAWAL.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the public land (including interests in land) referred to in subsection (a) also includes the approximately 21,060 acres of public land in San Bernardino County, California, identified as ‘Proposed Navy Land’ on the map entitled ‘Proposed Navy Withdrawal’, dated March 10, 2015, and filed in accordance with section 2912.

“(B) EXCLUDED LANDS.—The withdrawal area referred to in subparagraph (A) specifically excludes section 36, township 29 south, range 43 east, San Bernardino meridian.

“(C) EXISTING RIGHTS AND ACCESS.—The withdrawal and reservation of public land pursuant to subparagraph (A) is subject to valid existing rights. The Secretary of the Navy shall ensure that the owners of the excluded private land identified in subparagraph (B) continue to have reasonable access to such land.”.
(b) Permanent Withdrawal or Transfer of Administrative Jurisdiction.—Section 2979 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1044) is amended by striking “on March 31, 2039.” and inserting the following: “only as follows:

“(1) If the Secretary of the Navy makes an election to terminate the withdrawal and reservation of the public land.

“(2) If the Secretary of the Interior, upon request by the Secretary of the Navy, transfers administrative jurisdiction over the public land to the Secretary of the Navy. A transfer under this paragraph may consist of a portion of the land, in which case the termination of the withdrawal and reservation applies only with respect to the land so transferred.”.

SEC. 2842. BUREAU OF LAND MANAGEMENT WITHDRAWN MILITARY LANDS EFFICIENCY AND SAVINGS.

(a) Elimination of Termination Date and Authorization for Transfer of Administrative Jurisdiction.—Subsection (a) of section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 892) is amended to read as follows:
“(a) Permanent Withdrawal and Reservation;

Effect of Transfer on Withdrawal.—The withdrawal and reservation of lands by section 3011 shall terminate only as follows:

“(1) Upon an election by the Secretary of the military department concerned to relinquish any or all of the land withdrawn and reserved by section 3011.

“(2) Upon a transfer by the Secretary of the Interior, under section 3016 and upon request by the Secretary of the military department concerned, of administrative jurisdiction over the land to the Secretary of the military department concerned. Such a transfer may consist of a portion of the land, in which case the termination of the withdrawal and reservation applies only with respect to the land so transferred.”.

(b) Transfer Process and Management and Use of Lands.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65) is further amended—

(1) by redesignating sections 3022 and 3023 as sections 3027 and 3028, respectively; and

(2) by striking sections 3016 through 3021 and inserting the following new sections:
“SEC. 3016. TRANSFER PROCESS.

“(a) TRANSFER AUTHORIZED.—The Secretary of the Interior shall, upon the request of the Secretary concerned, transfer to the Secretary concerned administrative jurisdiction over the land withdrawn and reserved by section 3011, or a portion of the land as the Secretary concerned may request.

“(b) VALID EXISTING RIGHTS.—The transfer of administrative jurisdiction under subsection (a) shall be subject to any valid existing rights.

“(c) TIME FOR CONVEYANCE.—The transfer of administrative jurisdiction under subsection (a) shall occur pursuant to a schedule agreed upon by the Secretary of the Interior and the Secretary concerned.

“(d) MAP AND LEGAL DESCRIPTION.—

“(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall publish in the Federal Register a legal description of the public land to be transferred under subsection (a).

“(2) SUBMISSION TO CONGRESS.—The Secretary of the Interior shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

“(A) a copy of the legal description prepared under paragraph (1); and
“(B) the map referred to in subsection (a).

“(3) Availability for public inspection.—
Copies of the legal description and map filed under paragraph (2) shall be available for public inspection in the appropriate offices of—

“(A) the Bureau of Land Management;

“(B) the commanding officer of the installation; and

“(C) the Secretary concerned.

“(4) Force of law.—The legal description and map filed under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

“(5) Reimbursement of costs.—Any transfer entered into pursuant to subsection (a) shall be made without reimbursement, except that the Secretary concerned shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under this subsection.
“SEC. 3017. ADMINISTRATION OF TRANSFERRED LAND.

“(a) Treatment and Use of Transferred Land.—Upon the transfer of administrative jurisdiction of land under section 3016—

“(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary concerned; and

“(2) the Secretary concerned shall administer the land for military purposes.

“(b) Withdrawal of Mineral Estate.—Subject to valid existing rights, land for which the administrative jurisdiction is transferred under section 3016 is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, for as long as the land is under the administrative jurisdiction of the Secretary concerned.

“(c) Integrated Natural Resources Management Plan.—Not later than one year after the transfer of land under section 3016, the Secretary concerned, in cooperation with the Secretary of the Interior, shall prepare an integrated natural resources management plan pursuant to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred land.
“(d) Relation to General Provisions.—Sections 3018 through 3026 do not apply to lands transferred under section 3016 or to the management of such land.

“(e) Transfers Between Armed Forces.—Nothing in this subtitle shall be construed as limiting the authority to transfer administrative jurisdiction over the land transferred under section 3016 to another armed force pursuant to section 2696 of title 10, United States Code, and the provisions of this section shall continue to apply to any such lands.

“SEC. 3018. GENERAL APPLICABILITY; DEFINITIONS.

“(a) Applicability.—Sections 3014 through 3028 apply to the lands withdrawn and reserved by section 3011 except—

“(1) to the B-16 Range referred to in section 3011(a)(3)(A), for which only section 3019 applies;

“(2) to the ‘Shoal Site’ referred to in section 3011(a)(3)(B), for which sections 3014 through 3028 apply only to the surface estate;

“(3) to the ‘Pahute Mesa’ area referred to in section 3011(b)(2); and

“(4) to the Desert National Wildlife Refuge referred to in section 3011(b)(5)—

“(A) except for section 3024(b); and
“(B) for which sections 3014 through 3028 shall only apply to the authorities and re-
responsibilities of the Secretary of the Air Force under section 3011(b)(5).

“(b) RULES OF CONSTRUCTION.—Nothing in this subtitle assigns management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

“(c) DEFINITIONS.—In this subtitle:

“(1) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

“(2) MANAGE; MANAGEMENT.—

“(A) INCLUSIONS.—The terms ‘manage’ and ‘management’ include the authority to exercise jurisdiction, custody, and control over the lands withdrawn and reserved by section 3011.

“(B) EXCLUSIONS.—Such terms do not in-
clude authority for disposal of the lands with-
drawn and reserved by section 3011.

“(3) SECRETARY CONCERNED.—The term ‘Sec-
retary concerned’ has the meaning given the term in section 101(a) of title 10, United States Code.
“SEC. 3019. ACCESS RESTRICTIONS.

“(a) Authority to impose restrictions.—If the Secretary concerned determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of land withdrawn and reserved by section 3011, the Secretary may take such action as the Secretary determines to be necessary to implement and maintain the closure.

“(b) Limitation.—Any closure under subsection (a) shall be limited to the minimum area and duration that the Secretary concerned determines are required for the purposes of the closure.

“(c) Consultation required.—

“(1) In general.—Subject to paragraph (3), before a closure is implemented under this section, the Secretary concerned shall consult with the Secretary of the Interior.

“(2) Indian tribe.—Subject to paragraph (3), if a closure proposed under this section may affect access to or use of sacred sites or resources considered to be important by an Indian tribe, the Secretary concerned shall consult, at the earliest practicable date, with the affected Indian tribe.

“(3) Limitation.—No consultation shall be required under paragraph (1) or (2)—
“(A) if the closure is provided for in an integrated natural resources management plan, an installation cultural resources management plan, or a land use management plan; or

“(B) in the case of an emergency, as determined by the Secretary concerned.

“(d) NOTICE.—Immediately preceding and during any closure implemented under subsection (a), the Secretary concerned shall post appropriate warning notices and take other appropriate actions to notify the public of the closure.

“SEC. 3020. CHANGES IN USE.

“(a) OTHER USES AUTHORIZED.—In addition to the purposes described in section 3011, the Secretary concerned may authorize the use of land withdrawn and reserved by section 3011 for defense-related purposes.

“(b) NOTICE TO SECRETARY OF THE INTERIOR.—

“(1) IN GENERAL.—The Secretary concerned shall promptly notify the Secretary of the Interior if the land withdrawn and reserved by section 3011 is used for additional defense-related purposes.

“(2) REQUIREMENTS.—A notification under paragraph (1) shall specify—

“(A) each additional use;
“(B) the planned duration of each additional use; and

“(C) the extent to which each additional use would require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nondefense-related uses of the withdrawn and reserved land or portions of withdrawn and reserved land.

“SEC. 3021. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.

“(a) Required Activities.—Consistent with any applicable land management plan, the Secretary concerned shall take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the land withdrawn and reserved by section 3011, including fires that occur on other land that spread from the withdrawn and reserved land.

“(b) Cooperation of Secretary of the Interior.—

“(1) In general.—At the request of the Secretary concerned, the Secretary of the Interior shall provide assistance in the suppression of fires under subsection (a). The Secretary concerned shall reimburse the Secretary of the Interior for the costs in-
curred by the Secretary of the Interior in providing such assistance.

“(2) Transfer of Funds.—Notwithstanding section 2215 of title 10, United States Code, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to be used to reimburse the costs of the Department of the Interior in providing assistance under this subsection.

“SEC. 3022. ONGOING DECONTAMINATION.

“(a) Program of Decontamination Required.—During the period of a withdrawal and reservation of land by section 3011, the Secretary concerned shall maintain, to the extent funds are available to carry out this subsection, a program of decontamination of contamination caused by defense-related uses on the withdrawn land. The decontamination program shall be carried out consistent with applicable Federal and State law.

“(b) Annual Report.—The Secretary of Defense shall include in the annual report required by section 2711 of title 10, United States Code, a description of decontamination activities conducted under subsection (a).

“SEC. 3023. WATER RIGHTS.

“(a) No Reservation of Water Rights.—Nothing in this subtitle—
“(1) establishes a reservation in favor of the United States with respect to any water or water right on the land withdrawn and reserved by section 3011; or

“(2) authorizes the appropriation of water on the land withdrawn and reserved by section 3011, except in accordance with applicable State law.

“(b) Effect on Previously Acquired or Reserved Water Rights.—

“(1) In general.—Nothing in this section affects any water rights acquired or reserved by the United States before October 5, 1999, on the land withdrawn and reserved by section 3011.

“(2) Authority of Secretary concerned.—The Secretary concerned may exercise any water rights described in paragraph (1).

“SEC. 3024. HUNTING, FISHING, AND TRAPPING.

“(a) In general.—Section 2671 of title 10, United States Code, shall apply to all hunting, fishing, and trapping on the land—

“(1) that is withdrawn and reserved by section 3011; and

“(2) for which management of the land has been assigned to the Secretary concerned.

“SEC. 3025. RELINQUISHMENT.

“(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation made by section 3011, the Secretary concerned decides to relinquish any or all of the land withdrawn and reserved by section 3011, the Secretary concerned shall submit to the Secretary of the Interior notice of the intention to relinquish the land.

“(b) DETERMINATION OF CONTAMINATION.—The Secretary concerned shall include in the notice submitted under subsection (a) a written determination concerning whether and to what extent the land that is to be relinquished is contaminated with explosive materials or toxic or hazardous substances.

“(c) PUBLIC NOTICE.—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish the land under this section, including
the determination concerning the contaminated state of
the land.

“(d) Decontamination of Land to Be Relinquished.—

“(1) Decontamination Required.—The Sec-
retary concerned shall decontaminate land subject to
a notice of intention under subsection (a) to the ex-
tent that funds are appropriated for that purpose,
if—

“(A) the land subject to the notice of in-
tention is contaminated, as determined by the
Secretary concerned; and

“(B) the Secretary of the Interior, in con-
sultation with the Secretary concerned, deter-
mines that—

“(i) decontamination is practicable
and economically feasible, after taking into
consideration the potential future use and
value of the contaminated land; and

“(ii) on decontamination of the land,
the land could be opened to operation of
some or all of the public land laws, including the mining laws, the mineral leasing
laws, and the geothermal leasing laws.
“(2) ALTERNATIVES TO RELINQUISHMENT.—

The Secretary of the Interior shall not be required to accept the land proposed for relinquishment under subsection (a), if—

“(A) the Secretary of the Interior, after consultation with the Secretary concerned, determines that—

“(i) decontamination of the land is not practicable or economically feasible; or

“(ii) the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws; or

“(B) sufficient funds are not appropriated for the decontamination of the land.

“(3) STATUS OF CONTAMINATED LAND PROPOSED TO BE RELINQUISHED.—If, because of the contaminated state of the land, the Secretary of the Interior declines to accept land withdrawn and reserved by section 3011 that has been proposed for relinquishment—

“(A) the Secretary concerned shall take appropriate steps to warn the public of—

“(i) the contaminated state of the land; and
“(ii) any risks associated with entry onto the land;

“(B) the Secretary concerned shall submit to the Secretary of the Interior and Congress a report describing—

“(i) the status of the land; and

“(ii) any actions taken under this paragraph.

“(e) Revocation Authority.—

“(1) In general.—If the Secretary of the Interior determines that it is in the public interest to accept the land proposed for relinquishment under subsection (a), the Secretary of the Interior may order the revocation of a withdrawal and reservation made by section 3011.

“(2) Revocation order.—To carry out a revocation under paragraph (1), the Secretary of the Interior shall publish in the Federal Register a revocation order that—

“(A) terminates the withdrawal and reservation;

“(B) constitutes official acceptance of the land by the Secretary of the Interior; and

“(C) specifies the date on which the land will be opened to the operation of some or all
of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

“(f) Acceptance by Secretary of the Interior.—

“(1) In general.—Nothing in this section requires the Secretary of the Interior to accept the land proposed for relinquishment if the Secretary determines that the land is not suitable for return to the public domain.

“(2) Notice.—If the Secretary makes a determination that the land is not suitable for return to the public domain, the Secretary shall provide notice of the determination to Congress.

“SEC. 3026. EFFECT OF TERMINATION OF MILITARY USE.

“(a) Notice and Effect.—Upon a determination by the Secretary concerned that there is no longer a military need for all or portions of the land for which administrative jurisdiction was transferred under section 3016, the Secretary concerned shall notify the Secretary of the Interior of such determination. Subject to subsections (b), (c), and (d), the Secretary concerned shall transfer administrative jurisdiction over the land subject to such a notice back to the administrative jurisdiction of the Secretary of the Interior.
“(b) Contamination.—Before transmitting a notice under subsection (a), the Secretary concerned shall prepare a written determination concerning whether and to what extent the land to be transferred is contaminated with explosive materials or toxic or hazardous substances. A copy of the determination shall be transmitted with the notice. Copies of the notice and the determination shall be published in the Federal Register.

“(c) Decontamination.—The Secretary concerned shall decontaminate any contaminated land that is the subject of a notice under subsection (a) if—

“(1) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

“(A) decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

“(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws; and

“(2) funds are appropriated for such decontamination.

“(d) No Required Acceptance.—The Secretary of the Interior is not required to accept land proposed for transfer under subsection (a) if the Secretary of the Inte-
rior is unable to make the determinations under subsection (e)(1) or if Congress does not appropriate a sufficient amount of funds for the decontamination of the land.

“(e) ALTERNATIVE DISPOSAL.—If the Secretary of the Interior declines to accept land proposed for transfer under subsection (a), the Secretary concerned shall dispose of the land in accordance with property disposal procedures established by law.”

(e) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 3014 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 890) is amended by striking subsections (b), (d), and (f).

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is amended by striking the items relating to sections 3016 through 3023 and inserting the following new items:

Sec. 3016. Transfer process.
Sec. 3017. Administration of transferred land.
Sec. 3018. General applicability; definitions.
Sec. 3019. Access restrictions.
Sec. 3020. Changes in use.
Sec. 3021. Brush and range fire prevention and suppression.
Sec. 3022. Ongoing decontamination.
Sec. 3023. Water rights.
Sec. 3024. Hunting, fishing, and trapping.
Sec. 3025. Relinquishment.
Sec. 3026. Effect of termination of military use.
Sec. 3027. Use of mineral materials.
Sec. 3028. Immunity of United States.”.
Subtitle F—Military Memorials, Monuments, and Museums

SEC. 2851. RENAMING SITE OF THE DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK, OHIO.


SEC. 2852. EXTENSION OF AUTHORITY FOR ESTABLISHMENT OF COMMEMORATIVE WORK IN HONOR OF BRIGADIER GENERAL FRANCIS MARION.

Notwithstanding section 8903(e) of title 40, United States Code, the authority provided by section 331 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 122 Stat. 781; 40 U.S.C. 8903 note) shall continue to apply through May 8, 2018.

SEC. 2853. AMENDMENTS TO THE NATIONAL HISTORIC PRESERVATION ACT.

(a) Criteria and Regulations Relating to National Register, National Historic Landmarks, and World Heritage List.—Section 302103 of title 54, United States Code, is amended—

(1) in subparagraph (E), by striking “and”; and

(2) in subparagraph (F), by striking the period and inserting “; and”; and
(3) by adding at the end the following:

“(G) notifying the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the Senate if the property is owned by the Federal Government when the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.”.

(b) REGULATIONS.—Section 302107 of title 54, United States Code, is amended—

(1) in paragraph (2), by striking “and”;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(4) to allow for expedited removal of Federal property listed on the National Register of Historic Places if the managing agency of that Federal property submits to the Secretary a written request to remove the Federal property from the National Register of Historic Places for reasons of national security, such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes.”.
(c) **Objection to Inclusion or Designation for Reasons of National Security.**—Chapter 3021 of title 54, United States Code, is amended by adding at the end the following:

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§ 302109. Objection to inclusion or designation for reasons of national security

“If the head of the agency managing any Federal property objects to such inclusion or designation for reasons of national security, such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes, that Federal property shall be neither included on the National Register nor designated as a National Historic Landmark until the objection is withdrawn”.
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(d) **Conforming Amendment.**—The table of sections at the beginning of chapter 3021 of title 54, United States Code, is amended by adding at the end the following new item:

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“302109. Objection to inclusion or designation for reasons of national security.”.
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**Subtitle G—Other Matters**

**SEC. 2861. MODIFICATION OF DEPARTMENT OF DEFENSE GUIDANCE ON USE OF AIRFIELD PAVEMENT MARKINGS.**

The Secretary of Defense shall require such modifications of Unified Facilities Guide Specifications for pavement markings (UFGS 32 17 23.00 20 Pavement Mark-
ings, UFGS 32 17 24.00 10 Pavement Markings), Air
Force Engineering Technical Letter ETL 97–18 (Guide
Specification for Airfield and Roadway Marking), and any
other Department of Defense guidance on airfield pave-
ment markings as may be necessary to permit the use of
Type III category of retro-reflective beads to reflectorize
airfield markings. The Secretary shall develop appropriate
policy to ensure that the determination of the category of
retro-reflective beads used on an airfield is determined on
an installation-by-installation basis, taking into consider-
ation local conditions and the life-cycle maintenance costs
of the pavement markings.

SEC. 2862. PROTECTION AND RECOVERY OF GREATER SAGE
GROUSE.

(a) DEFINITIONS.—In this section:

(1) The term “Federal resource management
plan” means—

(A) a land use plan prepared by the Bu-
reau of Land Management for public lands pur-
suant to section 202 of the Federal Land Policy
and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan
prepared by the Forest Service for National
Forest System lands pursuant to section 6 of

(2) The term “Greater Sage Grouse” means a sage grouse of the species *Centrocercus urophasianus*.

(3) The term “State management plan” means a State-approved plan for the protection and recovery of the Greater Sage Grouse.

(b) PURPOSE.—The purpose of this section is—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive sage grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the Greater Sage Grouse.

c) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(1) DELAY REQUIRED.—Any finding by the Secretary of the Interior under clause (i), (ii), or (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) with respect to the Greater Sage Grouse made during the period beginning on September 30, 2015, and ending on the date of the enactment of this Act shall have no force or effect in law or in equity, and the Secretary
of the Interior may not make any such finding during the period beginning on the date of the enactment of this Act and ending on September 30, 2025.

(2) **Effect on other laws.**—The delay imposed by paragraph (1) is, and shall remain, effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(3) **Effect on conservation status.**—Until the date specified in paragraph (1), the conservation status of the Greater Sage Grouse shall remain warranted for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), but precluded by higher-priority listing actions pursuant to clause (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)).

(d) **Coordination of Federal land management and State conservation and management plans.**—

(1) **Prohibition on modification of Federal resource management plans.**—In order to foster coordination between a State management plan and Federal resource management plans that affect the Greater Sage Grouse, upon notification by the Governor of a State with a State management
plan, the Secretary of the Interior and the Secretary of Agriculture may not amend or otherwise modify any Federal resource management plan applicable to Federal lands in the State in a manner inconsistent with the State management plan for a period, to be specified by the Governor in the notification, of at least five years beginning on the date of the notification.

(2) RETROACTIVE EFFECT.—In the case of any State that provides notification under paragraph (1), if any amendment or modification of a Federal resource management plan applicable to Federal lands in the State was issued during the one-year period preceding the date of the notification and the amendment or modification altered management of the Greater Sage Grouse or its habitat, implementation and operation of the amendment or modification shall be stayed to the extent that the amendment or modification is inconsistent with the State management plan. The Federal resource management plan, as in effect immediately before the amendment or modification, shall apply instead with respect to management of the Greater Sage Grouse and its habitat, to the extent consistent with the State management plan.
(3) Determination of Inconsistency.—Any disagreement regarding whether an amendment or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(e) Relation to National Environmental Policy Act of 1969.—With regard to any Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the Greater Sage Grouse or its habitat under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall not have a preclusive effect on the approval or implementation of the Federal action in that State.

(f) Reporting Requirement.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2021, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the Secretaries’ implementation and effectiveness of systems to monitor the status of Greater Sage Grouse on Federal lands under their jurisdiction.
(g) **JUDICIAL REVIEW.**—Notwithstanding any other provision of statute or regulation, this section, including determinations made under subsection (d)(3), shall not be subject to judicial review.

**SEC. 2863. USE OF MILITARY OPERATIONS AREAS FOR NATIONAL SECURITY ACTIVITIES.**

The expansion or establishment of a national monument by the President under the authority of chapter 3203 of title 54, United States Code (commonly known as the Antiquities Act of 1906; 54 U.S.C. 320301 et seq.), after the date of the enactment of this Act on land located beneath or associated with a Military Operations Area (MOA) shall not be construed to prohibit or constrain any activities on or above the land conducted by the Department of Defense or other Federal agencies for national security purposes, including training and readiness activities.

**SEC. 2864. RENAMING OF THE CAPTAIN WILLIAM WYLIE GALT GREAT FALLS ARMED FORCES READINESS CENTER IN HONOR OF CAPTAIN JOHN E. MORAN, A RECIPIENT OF THE MEDAL OF HONOR.**

(a) **RENAMING.**—The Captain William Wylie Galt Great Falls Armed Forces Readiness Center in Great Falls, Montana, shall hereafter be known and designated

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as the “Captain John E. Moran and Captain William Wylie Galt Armed Forces Reserve Center”.

(b) REFERENCES.—Any reference in any law, map, regulation, map, document, paper, other record of the United States to the facility referred to in subsection (a) shall be considered to be a reference to the Captain John E. Moran and Captain William Wylie Galt Armed Forces Reserve Center.

SEC. 2865. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN AND OTHER CONSERVATION MEASURES.

(a) DEFINITIONS.—In this section:

(1) CANDIDATE CONSERVATION AGREEMENTS.—The terms “Candidate Conservation Agreement” and “Candidate and Conservation Agreement With Assurances” have the meaning given those terms in—

(A) the announcement of the Department of the Interior and the Department of Commerce entitled “Announcement of Final Policy for Candidate Conservation Agreements with Assurances” (64 Fed. Reg. 32726 (June 17, 1999)); and
(B) sections 17.22(d) and 17.32(d) of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act).


(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) PROHIBITION ON TREATMENT AS THREATENED OR ENDANGERED SPECIES.—

(1) IN GENERAL.—Notwithstanding any prior action by the Secretary, the lesser prairie chicken shall not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) before January 31, 2021.

(2) PROHIBITION ON PROPOSAL.—Beginning on January 31, 2021, the lesser prairie chicken may not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) unless the Secretary pub-
lishes a determination, based on the totality of the scientific evidence, that conservation (as that term is used in that Act) under the Range-Wide Plan and the agreements, programs, and efforts referred to in subsection (c) have not achieved the conservation goals established by the Range-Wide Plan.

(c) Monitoring of Progress of Conservation Programs.—The Secretary shall monitor and annually submit to Congress a report on progress in conservation of the lesser prairie chicken under the Range-Wide Plan and all related—

(1) Candidate Conservation Agreements and Candidate and Conservation Agreements With Assurances;

(2) other Federal conservation programs administered by the United States Fish and Wildlife Service, the Bureau of Land Management, and the Department of Agriculture;

(3) State conservation programs; and

(4) private conservation efforts.

SEC. 2866. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

Notwithstanding the final rule of the United States Fish and Wildlife Service entitled “Endangered and Threatened Wildlife and Plants; Determination of Endan-
gered Status for the American Burying Beetle” (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle shall not be listed as a threatened or endangered species under the Endangered Species Act (16 U.S.C. 1531 et seq.).

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

**SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECT.**

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

### Army: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo Bay</td>
<td>$76,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:
SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Bahrain Island</td>
<td>$37,700,000</td>
</tr>
<tr>
<td></td>
<td>Bahrain Island</td>
<td>$52,091,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Sigonella</td>
<td>$62,302,000</td>
</tr>
<tr>
<td></td>
<td>Sigonella</td>
<td>$40,641,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Redzikowo</td>
<td>$51,270,000</td>
</tr>
</tbody>
</table>

SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

<table>
<thead>
<tr>
<th>Installation</th>
<th>Defense Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Djibouti</td>
<td>Camp Lemonnier</td>
<td>$43,700,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Redzikowo</td>
<td>$169,153,000</td>
</tr>
</tbody>
</table>
SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

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 new plant projects for the National Nuclear
Security Administration as follows:

   Project 16–D–621, Substation Replacement at
   TA–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.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to
the Department of Energy for fiscal year 2016 for nuclear
energy as specified in the funding table in section 4701.
Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. AUTHORIZED PERSONNEL LEVELS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) Full-time Equivalent Personnel Levels.— Subsection (a) of section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended—

(1) in paragraph (1)—

(A) by striking “2015” and inserting “2016”; and

(B) by striking “1,690” and inserting “1,350”; and

(2) in paragraph (2)—

(A) by striking “2016” and inserting “2017”; and

(B) by striking “1,690” and inserting “1,350”.

(b) Counting Rule for Certain Positions.— Subsection (b)(3) of such section is amended by adding at the end the following new subparagraph:

“(E) Employees appointed under section 3241.”.
(c) Certain Contracting and Technical Positions.—Section 3241 of such Act (50 U.S.C. 2441) is amended by striking “600” and inserting “450”.

(d) Budget Information.—

(1) In General.—Such section 3241A is further amended—

(A) by redesignating subsection (e) as subsection (f); and

(B) by inserting after subsection (d) the following new subsection (e):

“(e) Budget Display.—In the budget justification materials submitted to Congress in support of each budget submitted by the President to Congress under section 1105 of title 31, United States Code, the Administrator shall include information regarding the number of employees of the Office of the Administrator, including the number of employees who are described in each of subparagraphs (A) through (E) of subsection (b)(3).”.

(2) Conforming Amendment.—Section 3251(b)(2) of such Act (50 U.S.C. 3251(b)(2)) is amended—

(A) by striking “testing, and” and inserting “testing,”; and

(B) by inserting before the period at the end the following: “, and the information re-
garding employees of the Administration re-
quired by section 3241A(e)”.

SEC. 3112. FULL-TIME EQUIVALENT CONTRACTOR PER-
SONNEL LEVELS.

Section 3241A of the National Nuclear Security Ad-
ministration Act (50 U.S.C. 2441a), as amended by sec-
tion 3111, is further amended by adding at the end the
following new subsections:

“(g) Full-time Equivalent Contractor Per-
sonnel Levels.—

“(1) Total number.—The total number of
full-time equivalent contractor employees working
under a service support contract of the Administra-
tion may not exceed the number that is 30 percent
of the number of employees of the Office of the Ad-
ministrator authorized under subsection (a)(1).

“(2) Excess.—The Administrator may not ex-
ceed the total number of full-time equivalent con-
tractor employees authorized under paragraph (1)
unless, during each fiscal year in which such total
number of contractor employees exceeds such au-
thorized number, the Administrator submits to the
congressional defense committees a report justifying
such excess.
“(g) ANNUAL REPORT.—Together with each budget submitted by the President to Congress under section 1105 of title 31, United States Code, the Administrator shall submit to the congressional defense committees a report containing the following information as of the date of the report:

“(1) The number of full-time equivalent employees of the Office of the Administrator, as counted under subsection (a).

“(2) The number of service support contracts of the Administration.

“(3) The number of full-time equivalent contractor employees working under each contract identified under paragraph (2).

“(4) The number of full-time equivalent contractor employees described in paragraph (2) that have been employed under such a contract for a period greater than two years.”.

SEC. 3113. IMPROVEMENT TO ACCOUNTABILITY OF DEPARTMENT OF ENERGY EMPLOYEES AND PROJECTS.

(a) NOTIFICATIONS.—

(1) 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. NOTIFICATION OF EMPLOYEE PRACTICES AF-
FECTING NATIONAL SECURITY.

“(a) ANNUAL NOTIFICATION.—At or about the time
that the President’s budget is submitted to Congress
under section 1105(a) of title 31, United States Code, the
Secretary and the Administrator shall jointly notify the
appropriate congressional committees of—

“(1) the number of covered employees whose se-
curity clearance was revoked during the year prior
to the year in which the notification is made; and

“(2) for each employee counted under para-
graph (1), the length of time such employee has
been employed at the Department or the Adminis-
tration, respectively, since such revocation.

“(b) NOTIFICATION TO CONGRESSIONAL COMMIT-
TEES.—Whenever the Secretary or the Administrator ter-
minates the employment of a covered employee or removes
and reassigns a covered employee for cause, the Secretary
or the Administrator, as the case may be, shall notify the
appropriate congressional committees of such termination
or reassignment by not later than 30 days after the date
of such termination or reassignment.

“(c) DEFINITIONS.—In this section:
“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘covered employee’ means—

“(A) an employee of the Administration; or

“(B) an employee of an element of the Department of Energy (other than the Administration) involved in nuclear security.”.

(2) Clerical Amendment.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 3244 the following new items:

“Sec. 3245. Notification of employee practices affecting national security.”.

(3) One-Time Certification.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security shall jointly submit to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate written certification that the Secretary
and the Administrator possess the authorities needed to terminate the employment of an employee for cause relating to improper program management (as defined in section 3246(e) of the National Nuclear Security Administration Act, as added by subsection (b)(1)).

(b) LIMITATION ON BONUSES.—

(1) IN GENERAL.—Such subtitle, as amended by subsection (a)(1), is further amended by adding at the end the following:

"SEC. 3246. LIMITATION ON BONUSES.

"(a) LIMITATION.—The Secretary or the Administrator may not pay to a covered employee a bonus during the one-year period beginning on the date on which the Secretary or the Administrator determines that the covered employee committed improper program management.

"(b) WAIVER.—The Secretary or the Administrator may waive the limitation in subsection (a) on a case-by-case basis if—

"(1) the Secretary or the Administrator notifies the appropriate congressional committees of such waiver; and

"(2) a period of 60 days elapses following such notification.

"(c) DEFINITIONS.—In this section:
“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees;

and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘bonus’ means a bonus or award paid under title 5, United States Code, including under chapters 45 or 53 of such title, or any other provision of law.

“(3) The term ‘covered employee’ has the meaning given that term in section 3245.

“(4) The term ‘covered project’ means—

“(A) a construction project of the Administration that is not covered under section 4703(d) of the Atomic Energy Defense Act (50 U.S.C. 2743(d));

“(D) a life extension program;

“(E) a defense nuclear nonproliferation project or program; or

“(F) an activity of the Office of the Administrator.
“(5) The term ‘improper program management’ means actions relating to the management of a covered project that significantly—

“(A) delays the project;
“(B) reduce the scope of the project;
“(C) increase the cost of the project; or
“(D) undermines health, safety, or security.”.

(2) Clerical Amendment.—The table of contents at the beginning of such Act, as amended by subsection (a), is amended by inserting after the item relating to section 3245 the following new items:

“Sec. 3246. Limitation on bonuses.”.

(c) Improvement to Program Management.—

(1) In General.—Subtitle A of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:

“SEC. 4715. COMPLETION OF PROJECTS ON TIME, ON BUDGET, WITHIN PLANNED SCOPE, AND WHILE PROTECTING HEALTH, SAFETY, AND SECURITY.

“(a) Sense of Congress.—It is the sense of Congress that the Administrator should use all contractual remedies available to the Administrator, including through
the withholding of all award fees, in cases in which the Administrator determines that a contractor of a covered project is responsible for significantly—

“(1) delaying the project;
“(2) reducing the scope of the project;
“(3) increasing the cost of the project; or
“(4) undermines health, safety, or security.

“(b) **Annual Certifications.**—In addition to the requirements under section 4713, at or about the time that the President’s budget is submitted to Congress under section 1105(a) of title 31, United States Code, the Administrator shall certify to the appropriate congressional committees that each covered project is being carried out on time, on budget, within the planned scope of the project, and while protecting health, safety, and security.

“(c) **Notifications of Deficiencies.**—Not later than 30 days after the date on which the Administrator makes each certification under subsection (b), the Administrator shall notify the appropriate congressional committees of the following:

“(1) Any covered project for which the Administrator could not make such a certification.

“(2) Except as provided by paragraph (3), with respect to a covered project for which the Adminis-
tractor could not make such a certification by reason
of the actions of a contractor that the Administrator
determines significantly delayed the project, reduced
the scope of the project, increased the cost of the
project, or undermined health, safety, or security—

“(A) an explanation as to whether termi-
nation of contract for the project is an appro-
priate remedy;

“(B) a description of the terms of the con-
tract regarding award fees and performance;

and

“(C) a description of how the Adminis-
trator plans to exercise contractual options.

“(3) In the case of a covered project described
in paragraph (2) for which the Administrator is not
able to submit the information described in subpara-
graphs (A) through (C) of such paragraph by reason
of a contract enforcement action, a notification of
such contract enforcement action and the date on
which the Administrator plans to submit the infor-
mation described in such subparagraphs.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional com-
mittees’ means—
“(A) the congressional defense committees;

and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘covered project’ means—

“(A) a construction project of the Administration that is not covered under section 4703(d);

“(B) a life extension program;

“(C) a defense nuclear nonproliferation project or program; or

“(D) an activity of the Office of the Administrator.”.

(3) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4714 the following new item:

“Sec. 4715. Completion of projects on time, on budget, within planned scope, and while protecting health, safety, and security.”.

SEC. 3114. COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

(a) ELEMENTS OF REPORTS.—Subsection (b) of 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 Au-
authorization Act for Fiscal Year 2014 (Public Law 113–
66; 127 Stat. 1062), is further amended—

(1) in paragraph (4), by striking ‘‘; and’’ and
inserting a semicolon;

(2) by redesignating paragraph (5) as para-
graph (7); and

(3) by inserting after paragraph (4) the fol-
lowing new paragraphs:

‘‘(5) the factors considered and processes used
by the Administrator to determine—

‘‘(A) whether to compete or extend the
contract; and

‘‘(B) which activities at the facility should
be covered under the contract rather than
under a different contract;

‘‘(6) with respect to the matters included under
paragraphs (1) through (5), a detailed description of
the analyses conducted by the Administrator to
reach the conclusions presented in the report, includ-
ing any assumptions, limitations, and uncertainties
relating to such conclusions; and’’.

(b) FISCAL YEARS COVERED.—Subsection (d) of
such section 3121 is amended by striking ‘‘2017’’ and in-
serting ‘‘2019’’.
(c) TECHNICAL AMENDMENTS.—Such section 3121 is further amended—

(1) in subsection (c), by striking “or (d)(2)”; and

(2) in subsection (d)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as so redesignated, by striking “subsections (a) and (d)(2)” and inserting “subsection (a)”.

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

(1) in the past decade, competition of the management and operating contracts for the national security laboratories has resulted in significant increases in fees paid to the contractors—funding that otherwise could be used to support program and mission activities of the National Nuclear Security Administration;

(2) competition of the management and operating contracts of the nuclear security enterprise is an important mechanism to help realize cost savings, seek efficiencies, improve performance, and hold contractors accountable;
(3) when the Administrator for Nuclear Security considers it appropriate to achieve these goals, the Administrator should conduct competition of these contracts while recognizing the unique nature of federally funded research and development centers; and

(4) the Administrator should ensure that fixed fees and performance-based fees contained in management and operating contracts are as low as possible to maintain a focus on national service while attracting high-quality contractors and achieving the goals of the competition.

SEC. 3115. NUCLEAR WEAPON DESIGN RESPONSIVENESS PROGRAM.

(a) Sense of Congress.—It is the sense of Congress that—

(1) a modern and responsive nuclear weapons infrastructure is only one component of a nuclear posture that is agile, flexible, and responsive to change; and

(2) to ensure the nuclear deterrent of the United States remains safe, secure, reliable, credible, and responsive, the United States must continually exercise all capabilities required to conceptualize,
study, design, develop, engineer, certify, produce,
and deploy nuclear weapons.

(b) Establishment of Program.—

(1) 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. NUCLEAR WEAPON DESIGN RESPONSIVENESS
PROGRAM.

“(a) Statement of Policy.—It is the policy of the
United States to sustain, enhance, and continually exer-
cise all capabilities required to conceptualize, study, de-
sign, develop, engineer, certify, produce, and deploy nu-
clear weapons to ensure the nuclear deterrent of the
United States remains safe, secure, reliable, credible, and
responsive.

“(b) Program Required.—The Secretary of En-
ergy, acting through the Administrator and in consulta-
tion with the Secretary of Defense, shall carry out a pro-
gram, along with the stockpile stewardship program under
section 4201 and the stockpile management program
under section 4204, to sustain, enhance, and continually
exercise all capabilities required to conceptualize, study,
design, develop, engineer, certify, produce, and deploy nu-
clear weapons.
“(c) OBJECTIVES.—The program under subsection (b) shall have the following objectives:

“(1) Correct deficiencies in, identify, sustain, enhance, and continually exercise all capabilities required to carry out all phases of the joint nuclear weapons life cycle process, with respect to both the nuclear security enterprise and relevant elements of the Department of Defense.

“(2) Identify, enhance, and transfer knowledge, skills, and direct experience with respect to all phases of the joint nuclear weapons life cycle process from one generation of nuclear weapon designers and engineers to the following generation.

“(3) Identify, sustain, and enhance the capabilities, infrastructure, tools, and technologies required for all phases of the joint nuclear weapons life cycle process.

“(4) Periodically demonstrate nuclear weapon design responsiveness throughout the range of capabilities required, including prototypes, flight testing, and development of plans for certification without the need for nuclear explosive testing.

“(5) Continually exercise processes for the integration and coordination of all relevant elements and processes of the Administration and the Department
of Defense required to ensure nuclear weapon design
responsiveness.

“(d) JOINT NUCLEAR WEAPONS LIFE CYCLE PRO-
CESS DEFINED.—In this section, the term ‘joint nuclear
weapons life cycle process’ means the process developed
and maintained by the Secretary of Defense and the Sec-
retary of Energy for the development, production, mainte-
nance, and retirement of nuclear weapons.”.

(2) CLERICAL AMENDMENT.—The table of con-
tensts for such Act is amended by inserting after the
item relating to section 4219 the following new item:

“Sec. 4220. Nuclear weapon design responsiveness program.”

(e) INCLUSION IN STOCKPILE STEWARDSHIP, MAN-
AGEMENT, AND INFRASTRUCTURE PLAN.—Section 4203
of such Act (50 U.S.C. 2523) is amended—

(1) in subsection (a), by inserting “design re-
 sponsiveness,” after “stockpile management,”;

(2) in subsection (c)—

(A) by redesignating paragraphs (5) and
(6) as paragraphs (6) and (7), respectively; and

(B) by inserting after paragraphs (4) the
following new paragraph (5):

“(5) A summary of the status, plans, and budg-
  ets for carrying out the nuclear weapons design re-
  sponsiveness program under section 4220.”;

(3) in subsection (d)(1)—
(A) in the matter preceding subparagraph (A), by striking “stewardship and management” and inserting “stewardship, stockpile management, and design responsiveness”;

(B) in subparagraph (K), by striking “; and” and inserting a semicolon;

(C) in subparagraph (L), by striking the period and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

“(M) the status, plans, activities, budgets, and schedules for carrying out the nuclear weapons design responsiveness program under section 4220; and

“(N) for each of the five fiscal years following the fiscal year in which the report is submitted, an identification of the funds needed to carry out the program required under section 4220.”; and

(4) in subsection (c)(1)(A)—

(A) in clause (i), by striking “; and” and inserting a semicolon;

(B) in clause (ii), by striking the period and inserting “; and”; and
(C) by adding at the end the following new clause:

“(iii) whether the plan supports the nuclear weapons design responsiveness program under section 4220 in a manner that meets the objectives of such program and an identification of any improvements that may be made to the plan to better carry out such program.”.

(d) REPORT BY STRATCOM.—Section 4205(e)(4) of such Act (50 U.S.C. 2525(e)(4)) is amended—

(1) in subparagraph (A), by striking “; and” and inserting a semicolon;

(2) in subparagraph (B), by striking the period and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(C) the views of the Commander on the nuclear weapons design responsiveness program under section 4220, the activities conducted under such program, and any suggestions to improve such program.”.

SEC. 3116. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) MIXED OXIDE FUEL FABRICATION FACILITY.—
(1) IN GENERAL.—Using funds described in paragraph (2), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(B) Funds authorized to be appropriated for a fiscal year prior to fiscal year 2016 for the National Nuclear Security Administration for the MOX facility for construction and project support activities that are unobligated as of the date of the enactment of this Act.

(b) UPDATED PERFORMANCE BASELINE.—The Secretary shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) for fiscal year 2017 an updated performance baseline for construction and project support activities relating
to the MOX facility conducted in accordance with Department of Energy Order 413.3B.

(c) DEFINITIONS.—In this section:

(1) The term “MOX facility” means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term “project support activities” means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3117. PROHIBITION ON AVAILABILITY OF FUNDS FOR FIXED SITE RADIOLOGICAL PORTAL MONITORS IN FOREIGN COUNTRIES.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 or any fiscal year thereafter for the National Nuclear Security Administration may be obligated or expended for the research and development, installation, or sustainment of fixed site radiological portal monitors or equipment for use in foreign countries.

(b) MOBILE RADIOLOGICAL INSPECTION EQUIPMENT.—The prohibition in subsection (a) may not be construed to apply to mobile radiological inspection equipment.
SEC. 3118. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROVISION OF DEFENSE NUCLEAR NON-PROLIFERATION ASSISTANCE TO RUSSIAN FEDERATION.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation activities may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation.

(b) WAIVER.—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a) if the Secretary—

(1) submits to the appropriate congressional committees a report containing—

    (A) notification that such a waiver is in the national security interest of the United States; and

    (B) justification for such a waiver; and

(2) a period of 15 days elapses following the date on which the Secretary submits such report.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.
(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3119. LIMITATION ON AUTHORIZATION OF PRODUCTION OF SPECIAL NUCLEAR MATERIAL OUTSIDE THE UNITED STATES BY FOREIGN COUNTRY WITH NUCLEAR NAVAL PROPULSION PROGRAM.

Section 57 of the Atomic Energy Act of 1954 (42 U.S.C. 2077) is amended by adding at the end the following new subsections:

“f.(1) In accordance with paragraph (2), the Secretary may not make an authorization under subsection b.(2) with respect to a covered foreign country with a nuclear naval propulsion program unless—

“(A) the Director of National Intelligence and the Chief of Naval Operations jointly submit to the appropriate congressional committees an assessment of the risks of diversion, and the likely consequences of such diversion, of the technology and material covered by such authorization;

“(B) following the date on which such assessment is submitted, and, to the extent practicable, concurrently during the process under which the Secretary evaluates such authorization, the Adminis-
trator for Nuclear Security certifies to the appropriate congressional committees that—

“(i) there is sufficient diversion control as part of the transfer under such authorization; and

“(ii) such transfer presents a minimal risk of diversion of such technology to a military program that would degrade the technical advantage of the United States; and

“(C) a period of 14 days has elapsed following the date of such certification.

“(2) The limitation in paragraph (1) shall apply as follows:

“(A) During the period preceding the date on which the Chief of Naval Operations first makes a determination under paragraph (3), with respect to technology and material covered by an authorization under subsection b.(2).

“(B) During the period beginning on the date on which the Chief first makes such determination, with respect to the critical civil nuclear technologies of the United States covered by a determination made under paragraph (3).

“(3) Not later than June 1, 2016, and quinquennially thereafter, the Chief of Naval Operations shall determine
the critical civil nuclear technologies of the United States that should be protected from diversion to a military program of a covered foreign country, including with respect to naval propulsion and weapons. The Chief shall notify the appropriate congressional committees of each such determination.

“(4) Not later than 30 days after the date on which the Director of National Intelligence determines that there is evidence to believe that critical civil nuclear technology of the United States has been diverted to a foreign country not covered by an authorization made pursuant to subsection b., including an agreement for cooperation made pursuant to section 123, the Director shall notify the appropriate congressional committees of such determination.

“(5) The Secretary shall annually notify the appropriate congressional committees that each covered foreign country is in compliance with its obligations under any authorization made pursuant to subsection b., including an agreement for cooperation made pursuant to section 123.

“(6) In this subsection:

“(A) The term ‘appropriate congressional committees’ means—
“(i) the congressional defense committees
(as defined in section 101(a)(16) of title 10,
United States Code);
“(ii) the Select Committee on Intelligence
of the Senate and the Permanent Select Com-
mittee on Intelligence of the House of Rep-
resentatives; and
“(iii) the Committee on Foreign Relations
of the Senate and the Committee on Foreign
Affairs of the House of Representatives.
“(B) The term ‘covered foreign country’ means
a foreign country that is a nuclear-weapon state, as
defined by Article IX (3) of the Treaty on the Non-
Proliferation of Nuclear Weapons, signed at Wash-
ington, London, and Moscow on July 1, 1968, but
does not include the United Kingdom or France.
“g.(1) The Secretary may not make an authorization
under subsection b.(2) with respect to a covered foreign
country if a foreign person of the covered foreign country
has been sanctioned under the Iran, North Korea, and
Syria Nonproliferation Act (Public Law 106-178; 50
U.S.C. 1701 note) during the five-year period preceding
the date of the transfer being sought unless the President
certifies to the appropriate congressional committees that
the covered foreign country is taking adequate measures
to prevent, or is making significant progress in preventing, transfers or acquisitions covered by section 2(a) of the Iran, North Korea, and Syria Nonproliferation Act.

“(2) The terms ‘appropriate congressional committees’ and ‘covered foreign country’ have the meanings given those terms in subsection f.(6).”.

SEC. 3120. LIMITATION ON AVAILABILITY OF FUNDS FOR DEVELOPMENT OF CERTAIN NUCLEAR NON-PROLIFERATION TECHNOLOGIES.

(a) LIMITATION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation for nonproliferation or arms control verification or monitoring technologies may be obligated or expended to develop such technologies beyond technology readiness level 5 unless, not later than 60 days after the date of the enactment of this Act, the Secretary of Energy submits to the appropriate congressional committees the following:

(1) Written certification that such technologies are being developed to fulfill the rights or obligations of the United States under—

(A) a current arms control or nonproliferation treaty or agreement requiring verification
or monitoring that has entered into force with
respect to the United States; or

(B) an arms control or nonproliferation
treaty or agreement that—

(i) will require verification or moni-
toring; and

(iii) the Secretary expects will enter
into force with respect to the United
States during the two-year period begin-
ning on the date of the certification.

(2) With respect to each technology developed
beyond technology readiness level 5 pursuant to this
subsection—

(A) an identification of the amount of such
funds made available for fiscal year 2016 for
defense nuclear nonproliferation that will be
used for such development; and

(B) how such development helps to fulfill
the rights or obligations of the United States as
described in subparagraphs (A) or (B) of para-
graph (1).

(b) WAIVER.—The Secretary may waive the limita-
tion in subsection (a) if—

(1) the Secretary—
(A) determines that the waiver is necessary in the national security interests of the United States; and

(B) submits to the appropriate congressional committees a written certification of such determination; and

(2) a period of 15 days elapses following the date on which the Secretary submits such certification.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) The term “technology readiness level 5” has the meaning given that term in the Department of Energy Guide 413.3–4A titled “Technology Readiness Assessment Guide” and approved on September 15, 2011.
SEC. 3121. LIMITATION ON AVAILABILITY OF FUNDS FOR UNILATERAL DISARMAMENT.

(a) Limitation on Maximum Amount for Dismantlement.—Of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 for the National Nuclear Security Administration, not more than $50,000,000 may be obligated or expended in each such fiscal year to carry out the nuclear weapons dismantlement and disposition activities of the Administration.

(b) Limitation on Unilateral Disarmament.—

(1) In general.—Except as provided by paragraph (2) and subsection (d), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 for the National Nuclear Security Administration may be obligated or expended to dismantle a nuclear weapon of the United States.

(2) Authorized Dismantlement.—The limitation in paragraph (1) shall not apply with respect to a nuclear weapon of the United States that meets at least one of the following criteria:

(A) The nuclear weapon was retired on or before September 30, 2008.

(B) The Administrator for Nuclear Security certifies in writing to the congressional de-
defense committees that the components of the nuclear weapon are directly required for the purposes of a current life extension program.

(C) The President certifies in writing to the congressional defense committees that the nuclear weapon is being dismantled pursuant to a nuclear arms reduction treaty or similar international agreement that—

(i) has entered into force after the date of the enactment of this Act; and

(ii) was approved—

(I) with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution after the date of the enactment of this Act; or

(II) by an Act of Congress, as described in section 303(b) of the Arms Control and Disarmament Act (22 U.S.C. 2573(b)).

(e) LIMITATION ON UNILATERAL DISARMAMENT OF CERTAIN CRUISE MISSILE WARHEADS.—Except as provided by subsection (d), and notwithstanding subsection (b)(2), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal
years 2016 through 2020 for the National Nuclear Security Administration may be obligated or expended to dismantle or dispose a W84 nuclear weapon.

(d) EXCEPTION.—The limitations in subsection (b) and (c) shall not apply to activities necessary to conduct maintenance or surveillance of the nuclear weapons stockpile or activities to ensure the safety or reliability of the nuclear weapons stockpile.

SEC. 3122. USE OF BEST PRACTICES FOR CAPITAL ASSET PROJECTS AND NUCLEAR WEAPON LIFE EXTENSION PROGRAMS.

(a) ANALYSES OF ALTERNATIVES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy, in coordination with the Administrator for Nuclear Security, shall ensure that analyses of alternatives are conducted (including through contractors, as appropriate) in accordance with best practices for capital asset projects and life extension programs of the National Nuclear Security Administration and capital asset projects relating to defense environmental management.

(b) COST ESTIMATES.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the Administrator, shall develop cost estimates in accordance with cost estimating best practices for capital asset projects and life extension programs of
the National Nuclear Security Administration and capital
asset projects relating to defense environmental manage-
ment.

(e) Revisions to Departmental Project Man-
age ment Order and Nuclear Weapon Life Exten-
sion Requirements.—As soon as practicable after the
date of the enactment of this Act, but not later than two
years after such date of enactment, the Secretary shall
revise—

(1) the capital asset project management order
of the Department of Energy to require the use of
best practices for preparing cost estimates and for
conducting analyses of alternatives for National Nu-
clear Security Administration and defense environ-
mental management capital asset projects; and

(2) the nuclear weapon life extension program
procedures of the Department to require the use of
use of best practices for preparing cost estimates
and conducting analyses of alternatives for National
Nuclear Security Administration life extension pro-
grams.
SEC. 3123. LIFE EXTENSION PROGRAMS COVERED BY SELECTED ACQUISITION REPORTS.

Section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537) is amended by adding at the end the following new subsection:

“(d) TREATMENT OF CERTAIN SYSTEMS.—For purposes of this section, an existing nuclear weapon system is deemed to be undergoing life extension if the expected total cost of the associated activities, including activities considered alterations, will exceed $1,000,000,000.”.

Subtitle C—Plans and Reports

SEC. 3131. ROOT CAUSE ANALYSES FOR CERTAIN COST OVERRUNS.

Section 4713(c) of the Atomic Energy Defense Act (50 U.S.C. 2753) is amended—

(1) in the heading, by inserting “AND ROOT CAUSE ANALYSES” after “PROJECTS”;

(2) in paragraph (1), by striking “and”;

(3) in paragraph (2)(C), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following paragraph:

“(3) submit to the congressional defense committees an assessment of the root cause or causes of the growth in the total cost of the project, including the contribution of any shortcomings in cost, sched-
ule, or performance of the program, including the role, if any, of—

“(A) unrealistic performance expectations;

“(B) unrealistic baseline estimates for cost or schedule;

“(C) immature technologies or excessive manufacturing or integration risk;

“(D) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;

“(E) changes in procurement quantities;

“(F) inadequate program funding or funding instability;

“(G) poor performance by personnel of the Federal Government or contractor personnel responsible for program management; or

“(H) any other matters.”.

SEC. 3132. EXTENSION AND MODIFICATION OF CERTAIN ANNUAL REPORTS ON NUCLEAR NON-PROLIFERATION.

Section 3122(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1710) is amended—

(1) in the matter preceding paragraph (1), by striking “2016” and inserting “2020”; and
(2) in paragraph (2), by inserting after “world,” the following: “including an identification of such uranium that is obligated by the United States,”; and

(3) by adding at the end the following new paragraph:

“(3) A list, by country and site, reflecting the total amount of separated plutonium around the world, including an identification of such plutonium that is obligated by the United States, and an assessment of the vulnerability of the plutonium to theft or diversion.”.

SEC. 3133. GOVERNANCE AND MANAGEMENT OF NUCLEAR SECURITY ENTERPRISE.

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

(1) correcting the longstanding problems with the governance and management of the nuclear security enterprise will require robust, personal, and long-term engagement by the President, the Secretary of Energy, the Administrator for Nuclear Security, and leaders from the appropriate congressional committees;

(2) recent and past studies of the governance and management of the nuclear security enterprise
have provided a list of reasonable, practical, and actionable steps that the Secretary and the Administrator should take to make the nuclear security enterprise more efficient and more effective; and

(3) lasting and effective change to the nuclear security enterprise will require personal engagement by senior leaders, a clear plan, and mechanisms for ensuring follow-through and accountability.

(b) IMPL e emulation Plan.—

(1) Implementation Action Team.—

(A) The Secretary and the Administrator shall jointly establish a team of senior officials from the Department of Energy and the National Nuclear Security Administration to develop and carry out an implementation plan to reform the governance and management of the nuclear security enterprise to improve the effectiveness and efficiency of the nuclear security enterprise. Such plan shall be developed and implemented in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.), the Atomic Energy Defense Act (50 U.S.C. 2501 et seq.), and any other provision of law.
(B) The team established under paragraph (1) shall be co-chaired by the Deputy Secretary of Energy and the Administrator.

(C) In developing and carrying out the implementation plan, the team shall consult with the implementation assessment panel established under subsection (e)(1).

(2) Elements.—The implementation plan developed under paragraph (1)(A) shall address all recommendations contained in the covered study (except such recommendations that require legislative action to carry out) by identifying specific actions, milestones, timelines, and responsible personnel to implement such plan.

(3) Submission.—Not later than January 30, 2016, the Secretary of Energy and the Administrator for Nuclear Security shall jointly submit to the appropriate congressional committees the implementation plan developed under paragraph (1)(A).

(c) Implementation Assessment Panel.—

(1) Agreement.—Not later than 60 days after the date of the enactment of this Act, the Administrator shall seek to enter into a joint agreement with the National Academy of Sciences and the National Academy of Public Administration to establish a
panel of external, independent experts to evaluate
the implementation plan developed under subsection
(b)(1)(A) and the implementation of such plan.

(2) DUTIES.—The panel established under
paragraph (1) shall—

(A) provide guidance to the Secretary and
the Administrator with respect to the imple-
mentation plan developed under subsection
(b)(1)(A), including how such plan compares or
contrasts with the covered study;

(B) track the implementation of such plan;

and

(C) assess the effectiveness of such plan.

(3) REPORTS.—

(A) Not later than March 1, 2016, the
panel established under paragraph (1) shall
submit to the appropriate congressional com-
mittees, the Secretary, and the Administrator
an initial assessment of the implementation
plan developed under subsection (b)(1)(A), in-
cluding with respect to the completeness of the
plan, how the plan aligns with the intent and
recommendations made by the covered study,
and the prospects for success for the plan.
(B) Beginning August 1, 2016, and semi-annually thereafter until September 30, 2018, the panel established under paragraph (1) shall submit to the appropriate congressional committees, the Secretary, and the Administrator a report on the efforts of the Secretary and the Administrator to implement the implementation plan developed under subsection (b)(1)(A).

(C) Not later than September 30, 2018, the panel established under paragraph (1) shall submit to the appropriate congressional committees, the Secretary, and the Administrator a final report on the efforts of the Secretary and the Administrator to implement the implementation plan developed under subsection (b)(1)(A), including an assessment of the effectiveness of the reform efforts under such plan and whether further action is needed.

(4) COOPERATION.—The Secretary and the Administrator shall provide to the panel established under paragraph (1) full and timely access to all information, personnel, and systems of the Department of Energy and the National Nuclear Security Administration that the panel determines necessary to carry out this subsection.
(d) DEFINITIONS.—In this section:

(1) The term “nuclear security enterprise” has the meaning given that term in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501).

(2) The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives.

(5) The term “covered study” means the following:


(B) Any other study not conducted by the Secretary or the Administrator that the Sec-
retary determines appropriate for purposes of this section.

(c) Rules of Construction.—Nothing in this section shall be construed to authorize any action—

(1) in contravention of section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410); or

(2) that would undermine or weaken health, safety, or security.

SEC. 3134. ASSESSMENTS ON NUCLEAR PROLIFERATION RISKS AND NUCLEAR NONPROLIFERATION OPPORTUNITIES.

(a) Reports.—Not later than March 1, 2016, and each year thereafter through 2020, the Director of National Intelligence shall submit to the appropriate congressional committees a report, consistent with the provision of classified information and intelligence sources and methods, containing—

(1) an assessment and prioritization of international nuclear proliferation risks and nuclear non-proliferation opportunities; and

(2) an assessment of the effectiveness of various means and programs for addressing such risks and opportunities.
(b) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 3135. INDEPENDENT REVIEW OF LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) Review.—

(1) In general.—The Administrator for Nuclear Security shall seek to enter into a contract with the JASON Defense Advisory Panel to conduct a review of the laboratory-directed research and development programs authorized under section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791). Such review shall include assessments of the following:

(A) Whether and how such programs support the mission of the National Nuclear Security Administration, including whether such
programs are carried out pursuant to the re-
quirements of section 4812(a) of such Act (50
U.S.C. 2792(a)) or other similar requirements
established by the Secretary of Energy or the
Administrator.

(B) Whether the science conducted under
such programs underpin the advancement of
scientific understanding necessary for nuclear
weapons, nuclear nonproliferation, and naval
nuclear propulsion programs.

(C) Whether the science conducted under
such programs help attract and retain highly
qualified technical personnel.

(D) The scientific and programmatic op-
portunities and challenges in such programs, in-
cluding recent significant accomplishments and
failures of such programs.

(E) How projects are selected for funding
under such programs.

(2) SUBMISSION.—Not later than November 1,
2016, the Administrator shall submit to the congres-
sional defense committees a report containing the re-
view of the JASON Defense Advisory Panel con-
ducted under paragraph (1).
(b) Comptroller General Briefing.—Not later than November 1, 2016, the Comptroller General of the United States shall provide to the congressional defense committees a briefing on the following:

(1) How funding limits for laboratory-directed research and development programs of the National Nuclear Security Administration compare to funding limits for other laboratories of the Department of Energy and laboratories and federally funded research and development centers of the Department of Defense.

(2) How many personnel are supported by laboratory-directed research and development programs, including—

(A) how many personnel receive 50 percent or more of their funding from such programs; and

(B) how many personnel devote more than 50 percent of their time to such programs for more than three years.

SEC. 3136. ESTABLISHMENT OF MICROLAB PILOT PROGRAM.

(a) In General.—The Secretary, in collaboration with the directors of national laboratories, may establish a microlab pilot program under which the Secretary estab-
lishes a microlab that is located in close proximity to a national laboratory and that is accessible to the public for the purposes of—

(1) enhancing collaboration with regional research groups, such as institutions of higher education and industry groups; and

(2) accelerating technology transfer from national laboratories to the marketplace.

(3) promoting regional workforce development through science, technology, engineering, and mathematics (STEM) instruction and training.

(b) CRITERIA.—In determining the placement of a microlab under subsection (a), the Secretary shall consider—

(1) the commitment of a national laboratory to establishing a microlab;

(2) the existence of a joint research institute or a new facility that—

(A) is not on the main site of a national laboratory;

(B) is in close proximity to a national laboratory; and

(C) has the capability to house a microlab;

(3) whether employees of a national laboratory and persons from academia, industry, and govern-
ment are available to be assigned to the microlab; and

(4) cost-sharing or in-kind contributions from State and local governments and private industry.

(c) TIMING.—If the Secretary, in collaboration with the directors of national laboratories, elects to establish a microlab pilot program under this section, the Secretary, in collaboration with the directors of national laboratories, shall—

(1) not later than 60 days after the date of enactment of this Act, begin the process of determining the placement of the microlab under subsection (a); and

(2) not later than 180 days after the date of enactment of this Act, implement the microlab pilot program under this section.

(d) INITIAL REPORT.—Not later than 60 days after the date of implementation of the microlab pilot program under subsection (a), the Secretary shall submit to the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report that pro-
vides an update on the implementation of the microlab pilot program under subsection (a).

(c) Progress Report.—Not later than 1 year after the date of implementation of the microlab pilot program under subsection (a), the Secretary shall submit to the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report on the microlab pilot program under subsection (a), including findings and recommendations of the Secretary.

(f) Definitions.—In this section:

(1) The term “microlab” means a small laboratory established by the Secretary under section 3.

(2) The term “national laboratory” means a national security laboratory, as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

(3) The term “Secretary” means the Secretary of Energy.
Subtitle D—Other Matters

SEC. 3141. TRANSFER, DECONTAMINATION, AND DECOMMISSIONING OF NONOPERATIONAL FACILITIES.

(a) Plan.—The Secretary of Energy shall establish and carry out a plan under which the Administrator for Nuclear Security shall transfer to the Assistant Secretary of Energy for Environmental Management the responsibility for decontaminating and decommissioning facilities of the National Nuclear Security Administration that the Secretary of Energy determines—

(1) are nonoperational as of the date of the enactment of this Act; and

(2) meet the requirements of the Office of Environmental Management for such transfer.

(b) Elements.—The plan under subsection (a) shall include—

(1) a schedule for transferring the facilities as described in such subsection by not later than three years after the date of the enactment of this Act;

(2) a prioritized list and schedule for decontaminating and decommissioning such facilities, including how such priority and schedule is treated in light of the other facility disposition priorities of the Office of Environmental Management; and
(3) a description of the estimated life cycle costs for all such facilities and how such information is factored into the prioritized list and schedule under paragraph (2).

(c) Submission.—Not later than February 15, 2016, the Secretary of Energy shall submit to the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives the plan under subsection (a), including any additional views of the Secretary regarding such plan.

SEC. 3142. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) Availability of Funds.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear non-proliferation for material management and minimization, not more than $5,000,000 shall be made available to the Deputy Administrator for Naval Reactors for initial planning and early research and development of an advanced naval nuclear fuel system based on low-enriched uranium, as specified in the funding table in section 4701.

(b) Determination of Continued Research and Development.—
(1) **DETERMINATION.**—At the same time that the President submits to Congress the budget for fiscal year 2017 under section 1105(a) of title 31, United States Code, the Secretary of Energy and the Secretary of the Navy shall jointly submit to the congressional defense committees the determination of the Secretaries as to whether the United States should continue to pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(2) **BUDGET REQUEST.**—If the Secretaries determine under paragraph (1) that research and development of an advanced naval nuclear fuel system based on low-enriched uranium should continue, the Secretaries shall ensure that the budget described in such paragraph includes amounts for defense nuclear nonproliferation for material management and minimization necessary to carry out the plan under subsection (c).

(c) **PLAN.**—Not later than 30 days after the date of the submission of the determination under subsection (b)(1), the Deputy Administrator for Naval Reactors shall submit to the congressional defense committees a plan for research and development of an advanced naval nuclear
fuel system based on low-enriched uranium to meet military requirements. Such plan shall include the following:

(1) Timelines.

(2) Costs (including an analysis of the cost of such research and development as compared to the cost of maintaining current naval nuclear reactor technology).

(3) Milestones, including an identification of decision points in which the Deputy Administrator shall determine whether further research and development of a low-enriched uranium naval nuclear fuel system is warranted.

(4) Identification of any benefits or risks for nuclear nonproliferation of such research and development and eventual deployment.

(5) Identification of any military benefits or risks of such research and development and eventual deployment.

(6) A discussion of potential security cost savings from using low-enriched uranium in future naval nuclear fuels, including for transporting and using low-enriched uranium fuel, and how such cost savings relate to the cost of fuel fabrication.

(7) The distinction between requirements for aircraft carriers from submarines.
(8) Any other matters the Deputy Administrator determines appropriate.

(d) MEMORANDUM OF UNDERSTANDING.—If the Secretaries determine under subsection (b)(1) that research and development of an advanced naval nuclear fuel system based on low-enriched uranium should continue, not later than 60 days after the date on which the Deputy Administrator submits the plan under subsection (c), the Deputy Administrator shall enter into a memorandum of understanding with the Deputy Administrator for Defense Nuclear Nonproliferation regarding such research and development, including with respect to how funding for such research and development will be requested for the “Defense Nuclear Nonproliferation” account for material management and minimization and provided to the “Naval Reactors” account to carry out the program.

SEC. 3143. PLUTONIUM PIT PRODUCTION CAPACITY.

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

(1) the requirement to create a modern, responsive nuclear infrastructure that includes the capability and capacity to produce, at minimum, 50 to 80 pits per year, is a national security priority;

(2) delaying creation of a modern, responsive nuclear infrastructure until the 2030s is an unac-
ceptable risk to the nuclear deterrent and the na-
tional security of the United States; and

(3) timelines for creating certain capacities for
production of plutonium pits and other nuclear
weapons components must be driven by the require-
ment to hedge against technical and geopolitical risk
and not solely by the needs of life extension pro-
grams.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than March 1,
2016, the Chairman of the Nuclear Weapons Coun-
cil established under section 179 of title 10, United
States Code, in consultation with the Administrator
for Nuclear Security and the Commander of the
United States Strategic Command, shall provide to
the congressional defense committees a briefing on
the annual plutonium pit production capacity of the
nuclear security enterprise (as defined in section
4002(6) of the Atomic Energy Defense Act (50
U.S.C. 2501)).

(2) ELEMENTS.—The briefing under paragraph
(1) shall describe the following:

(A) The pit production capacity require-
ment, including the numbers of pits produced
that are needed for nuclear weapons life extension programs.

(B) The annual pit production requirement, including the numbers of pits produced, to support a responsive nuclear weapons infrastructure to hedge against technical and geopolitical risk.

SEC. 3144. ANALYSIS OF ALTERNATIVES FOR MOBILE GUARDIAN TRANSPORTER PROGRAM.

(a) Submission of Analysis of Alternatives.—

Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees the analysis of alternatives conducted by the Administrator for the mobile guardian transporter program.

(b) Independent Assessment.—

(1) In general.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall seek to enter into a contract with a federally funded research and development center to conduct an independent assessment of the analysis of alternatives for the mobile guardian transporter program.

(2) Matters included.—The assessment under paragraph (1) of the analysis of alternatives
for the mobile guardian transporter program shall include an assessment of the following:

(A) The engineering, operations, logistics, cost, cost-benefit, policy, threat, safety, security, and risk analysis used to inform the analysis of alternatives.

(B) The options considered by the analysis of alternatives and whether such options represent a comprehensive set of options.

(C) The constraints and assumptions used to frame and bound the analysis of alternatives.

(3) SUBMISSION.—Not later than March 1, 2016, the Administrator shall submit to the congressional defense committees a report containing—

(A) the assessment conducted by the federally funded research and development center under paragraph (1), without change; and

(B) any views of the Administrator regarding such assessment or the mobile guardian transporter program.

(c) IDENTIFICATION IN BUDGET MATERIALS.—The Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget (as submitted with the budget of the President under section 1105(a) of title 31, United
States Code) for any fiscal year in which the mobile guard-
ian transporter program is carried out a separate, dedi-
cated program element for such program.

SEC. 3145. DEVELOPMENT OF STRATEGY ON RISKS TO NON-
PROLIFERATION CAUSED BY ADDITIVE MAN-
UFACTURING.

(a) Strategy.—The President shall develop and
pursue a strategy to address the risks to the goals and
policies of the United States regarding nuclear non-
proliferation that are caused by the increased use of addi-
tive manufacture technology (commonly referred to as
‘‘3D printing’’), including such technology that does not
originate in the United States.

(b) Briefings.—Not later than March 31, 2016,
and each 120-day period thereafter through January 1,
2019, the President shall provide to the appropriate con-
gressional committees a briefing on the strategy developed
under subsection (a).

(c) Pursuit of Strategy.—The President shall
pursue the strategy developed under subsection (a) at the

(d) Appropriate Congressional Committees
Defined.—In this section, the term ‘‘appropriate con-
gressional committees’’ means the following:

(1) The congressional defense committees.
(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There is 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.).

SEC. 3202. ADMINISTRATION OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) Provision of Information to Board Members.—Section 311(e) of the Atomic Energy Act of 1954 (42 U.S.C. 2286(e)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking “paragraph (5)” and inserting “paragraphs (5), (6), and (7)”;

(2) by adding at the end the following new paragraph:
“(6) In carrying out paragraph (5)(B), the Chairman may not withhold from any member of the Board any information that is made available to the Chairman regarding the Board’s functions, powers, and mission (including with respect to the management and evaluation of employees of the Board).”.

(b) Senior Employees.—

(1) Appointment and Removal.—Such section 311(c), as amended by subsection (a), is further amended by adding at the end the following new paragraph:

“(7)(A) The Chairman, subject to the approval of the Board, shall appoint the senior employees described in subparagraph (C).

“(B) The Chairman, subject to the approval of the Board, may remove a senior employee described in subparagraph (C).

“(C) The senior employees described in this subparagraph are the following senior employees of the Board:

“(i) The senior employee responsible for budgetary and general administration matters.

“(ii) The general counsel.

“(iii) The senior employee responsible for technical matters.”.
(2) CONFORMING AMENDMENT.—Section 313(b)(1)(A) of such Act (42 U.S.C. 2286b(b)(1)) is amended by striking “hire” and inserting “in accordance with section 311(c)(7), hire”.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $17,500,000 for fiscal year 2016 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2016.

Funds are hereby authorized to be appropriated for fiscal year 2016, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Adminis-
tration programs associated with maintaining national se-
curity aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the
United States Merchant Marine Academy,
$96,028,000, of which—

(A) $71,306,000 shall remain available
until expended for Academy operations;

(B) $24,722,000 shall remain available
until expended for capital asset management at
the Academy.

(2) For expenses necessary to support the State
maritime academies, $34,550,000, of which—

(A) $2,400,000 shall remain available until
expended for student incentive payments;

(B) $3,000,000 shall remain available until
expended for direct payments to such acad-
emies;

(C) $1,800,000 shall remain available until
expended for training ship fuel assistance pay-
ments;

(D) $22,000,000 shall remain available
until expended for maintenance and repair of
State maritime academy training vessels;
(E) $5,000,000 shall remain available until expended for the National Security Multi-Mission Vessel Design; and

(F) $350,000 shall remain available until expended for improving the monitoring of graduates’ service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, $54,059,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $8,000,000, to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,135,000, of which $3,135,000 shall remain available until expended for administrative expenses of the program.
SEC. 3502. SENSE OF CONGRESS REGARDING MARITIME SECURITY FLEET PROGRAM.

It is the sense of Congress that dedicated and enhanced support is necessary to stabilize and preserve the Maritime Security Fleet program, a program that provides the Department of Defense with on-demand access to world class, economical commercial sealift capacity, assures a United States-flag presence in international commerce, supports a pool of qualified United States merchant mariners needed to crew United States-flag vessels during times of war or national emergency, and serves as a critical component of our national security infrastructure.

SEC. 3503. UPDATE OF REFERENCES TO THE SECRETARY OF TRANSPORTATION REGARDING UNEMPLOYMENT INSURANCE AND VESSEL OPERATORS.

Sections 3305 and 3306(n) of the Internal Revenue Code of 1986 are each amended by striking “Secretary of Commerce” each place that it appears and inserting “Secretary of Transportation”.

SEC. 3504. RELIANCE ON CLASSIFICATION SOCIETY CERTIFICATION FOR PURPOSES OF ELIGIBILITY FOR CERTIFICATE OF INSPECTION.

Section 53102(c)(3)(A) of title 46, United States Code, is amended by striking “may” and inserting “shall”.

HR 1735 PCS
SEC. 3505. PAYMENT FOR MARITIME SECURITY FLEET VESSELS.

(a) Per-vessel Authorization.—Notwithstanding section 53106(a)(1)(C) of title 46, United States Code, and subject to the availability of appropriations, there is authorized to be paid to each contractor for an operating agreement (as those terms are used in that section) for fiscal year 2016, $3,500,000 for each vessel that is covered by the operating agreement.

(b) Repeal of Other Authorization.—Section 53111(3) of title 46, United States Code, is amended by striking “2016,”.

(c) Funding.—

(1) Funding Increase.—The amount authorized to be appropriated pursuant to section 3501(5) for expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, is hereby increased by $24,000,000.

(2) Funding Offset.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101, as specified in the corresponding funding table in section 4101 for Shipbuilding and Conversion, Navy, Auxiliaries, Craft and Prior Yr Program
Cost, Outfitting (Line 020) is hereby reduced by $24,000,000.

SEC. 3506. MELVILLE HALL OF UNITED STATES MERCHANT MARINE ACADEMY.

(a) Gift to the Merchant Marine Academy.—The Maritime Administrator may accept a gift of money from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) Covered Gifts.—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) Operation Contracts.—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available
facilities for, among other possible uses, official academy
functions, third-party catering functions, and industry
events and conferences.

(d) CONTRACT TERMS.—The contract described in
subsection (c) shall be for such period and on such terms
as the Maritime Administrator considers appropriate, in-
cluding a provision, mutually agreeable to the Maritime
Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation
through the term of the contract to maintain
Melville Hall in a condition that is as good as
or better than the condition Melville Hall was
in on the later of—

(i) the date that the renovation of
Melville Hall was completed; or

(ii) the date that the Foundation ac-
cepted Melville Hall after it was tendered
to the Foundation by the Maritime Admin-
istrator; and

(B) to deposit all proceeds from the oper-
ation of Melville Hall, after expenses necessary
for the operation and maintenance of Melville
Hall, into the account of the Regimental Affairs
Non-Appropriated Fund Instrumentality or suc-
cessor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) Definitions.—In this section:

(1) Contract.—The term “contract” includes any modification, extension, or renewal of the contract.

(2) Foundation.—In this section, the term “Foundation” means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) Rule of Construction.—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.
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 super-
sede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

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HR 1735 PCS
### PROCUREMENT OF AMMUNITION, ARMY

#### SMALL/MEDIUM CAL AMMUNITION

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#### TOTAL PROCUREMENT OF W&T&CV, ARMY

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1,206,073 2,035,690
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### PROCUREMENT OF AMMUNITION, ARMY

#### ARMY REQUEST – PROGRAM REDUCTION

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Army request – program reduction [–1,000]
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#### ARMY REQUEST – SCHEDULE DELAY

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Army request – schedule delay [–1,451]
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#### ARMY REQUEST – SCHEDULE DELAY

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Army request – schedule delay [–1,451]
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#### ARMY REQUEST – SCHEDULE DELAY

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Army request – schedule delay [–1,451]
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#### ARMY REQUEST – SCHEDULE DELAY

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Army request – schedule delay [–1,451]
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#### ARMY REQUEST – SCHEDULE DELAY

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Army request – schedule delay [–1,451]
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#### ARMY REQUEST – SCHEDULE DELAY

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Army request – schedule delay [–1,451]
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#### TOTAL PROCUREMENT OF AMMUNITION, ARMY

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### TOTAL PROCUREMENT OF AMMUNITION, ARMY

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### OTHER PROCUREMENT, ARMY

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### TOTAL PROCUREMENT OF AMMUNITION, ARMY

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HR 1735 PCS
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**SEC. 4101. PROCUREMENT**

**(In Thousands of Dollars)**

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**HR 1735 PCS**
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**TOTAL OTHER PROCUREMENT, ARMY** | 5,808,028 |

### AIRCRAFT PROCUREMENT, NAVY

#### COMBAT AIRCRAFT

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**TOTAL OTHER PROCUREMENT, ARMY** | 5,808,028 |

### OTHER AIRCRAFT

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**TOTAL OTHER PROCUREMENT, ARMY** | 5,808,028 |

### MODIFICATION OF AIRCRAFT

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**TOTAL OTHER PROCUREMENT, ARMY** | 5,808,028 |
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Program decrease: [–10,000]

**AIRCRAFT SUPPORT EQUIP & FACILITIES**

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**TOTAL AIRCRAFT PROCUREMENT, NAVY**

16,126,405 18,340,505

**WEAPONS PROCUREMENT, NAVY**

**MODIFICATION OF MISSILES**

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**MODIFICATION OF MISSILES**

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**SUPPORT EQUIPMENT & FACILITIES**

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**ORDNANCE SUPPORT EQUIPMENT**

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**TORPEDOES AND RELATED EQUIP**

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**MOD OF TORPEDOES AND RELATED EQUIP**

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**SUPPORT EQUIPMENT**

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**GUNS AND GUN MOUNTS**

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**MODIFICATION OF GUNS AND GUN MOUNTS**

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**SPARES AND REPAIR PARTS**

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HR 1735 PCS
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**TOTAL PROCUREMENT OF AMMUNITION**

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**TOTAL SHIPBUILDING & CONVERSION, NAVY**

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## SEC. 4101. PROCUREMENT

### (In Thousands of Dollars)

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**PROCUREMENT, MARINE CORPS**

**TRUCKED COMBAT VEHICLES**

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**ARTILLERY AND OTHER WEAPONS**

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**OTHER SUPPORT**

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**GUIDED MISSILES**

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**REPAIR AND TEST EQUIPMENT**

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**COMMAND AND CONTROL SYSTEM (NON-TEL)**

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

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

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**OTHER SUPPORT (NON-TEL)**

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**CLASSIFIED PROGRAMS**

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**TACTICAL VEHICLES**

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HR 1735 PCS
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**TOTAL PROCUREMENT, MARINE CORPS**: 1,131,418

**AIRCRAFT PROCUREMENT, AIR FORCE**

**TACTICAL FORCES**

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HR 1735 PCS
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**PROCUREMENT OF AMMUNITION, AIR FORCE**

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**OTHER PROCUREMENT, AIR FORCE**

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**SPCL COMM-ELECTRONICS PROJECTS**

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**SPACE PROGRAMS**

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Program decrease:

- 044 Space Based IR Sensor PGM Space | 90,190 | 90,190 |
- 045 X-band GPS Space | 2,029 | 2,029 |
- 046 UAV Integration Space | 5,095 | 5,095 |
- 047 AF Satellite Control Network Space | 76,673 | 76,673 |
- 048 Space Lift Range System Space | 113,275 | 113,275 |
- 049 MILSATCOM Space | 35,495 | 35,495 |
- 050 Space Mods Space | 23,415 | 23,415 |
- 051 Counterspace System | 49,865 | 49,865 |

**ORGANIZATION AND BASE**

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**MODIFICATIONS**

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**PERSONAL SAFETY & RESCUE EQUIP**

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**DEPOT PLANT-MTRLS HANDLING EQ**

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**BASE SUPPORT EQUIPMENT**

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**ADDITIONAL EQUIPMENT**

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**SPECIAL SUPPORT PROJECTS**

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**CLASSIFIED PROGRAMS**

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**SPARES AND REPAIR PARTS**

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**TOTAL OTHER PROCUREMENT, AIR FORCE**

18,272,438 18,295,338

**PROCUREMENT, DEFENSE-WIDE**

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**PERSONNEL ADMINISTRATION**

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**MAJOR EQUIPMENT, DLA**

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**MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY**

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**TOTAL PROCUREMENT, DEFENSE-WIDE**

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## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

### LINE ITEM

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### MISSILE PROCUREMENT, ARMY

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### PROCUREMENT OF W&TCV, ARMY

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### PROCUREMENT OF AMMUNITION, ARMY

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### OTHER PROCUREMENT, ARMY

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

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

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SUBTOTAL ADVANCED TECHNOLOGIES & PROTOTYPES: 492,878

SYSTEM DEVELOPMENT & DEMONSTRATION:

1079 SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

**Program Element**

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**RDT&E MANAGEMENT SUPPORT**

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**OPERATIONAL SYSTEMS DEVELOPMENT**

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

(In Thousands of Dollars)

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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **1,129,297** | **1,164,297**

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | **6,919,178** | **7,009,678**

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

**BASIC RESEARCH**

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**SUBTOTAL BASIC RESEARCH** | **586,928** | **604,928**

#### APPLIED RESEARCH

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**SUBTOTAL APPLIED RESEARCH** | **864,570** | **884,570**

#### ADVANCED TECHNOLOGY DEVELOPMENT

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**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **662,864** | **652,864**

#### ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES

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HR 1735 PCS
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**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**

5,024,626 3,720,933

**SYSTEM DEVELOPMENT & DEMONSTRATION**

5,024,626 3,720,933

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)**
1083
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

rfrederick on DSK6VPTVN1PROD with BILLS

Line

Program
Element

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FY 2016
Request

Item
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H–1 UPGRADES ....................................................................................
UH–1Y/AH–1Z Readiness Improvement Unfunded Requirement ..
ACOUSTIC SEARCH SENSORS ..........................................................
V–22A ......................................................................................................
AIR CREW SYSTEMS DEVELOPMENT ............................................
EA–18 ......................................................................................................
ELECTRONIC WARFARE DEVELOPMENT ....................................
EXECUTIVE HELO DEVELOPMENT ...............................................
NEXT GENERATION JAMMER (NGJ) ..............................................
JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) ...........
SURFACE COMBATANT COMBAT SYSTEM ENGINEERING ......
LPD–17 CLASS SYSTEMS INTEGRATION ......................................
SMALL DIAMETER BOMB (SDB) .....................................................
STANDARD MISSILE IMPROVEMENTS ..........................................
AIRBORNE MCM ...................................................................................
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WARFARE (EW) FOR AVIATION.
NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.
UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.
ADVANCED ABOVE WATER SENSORS ...........................................
SSN–688 AND TRIDENT MODERNIZATION ...................................
AIR CONTROL .......................................................................................
SHIPBOARD AVIATION SYSTEMS ...................................................
AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM .............
NEW DESIGN SSN ...............................................................................
SUBMARINE TACTICAL WARFARE SYSTEM ................................
Program increase .............................................................................
SHIP CONTRACT DESIGN/ LIVE FIRE T&E ..................................
NAVY TACTICAL COMPUTER RESOURCES ...................................
VIRGINIA PAYLOAD MODULE (VPM) .............................................
MINE DEVELOPMENT ........................................................................
LIGHTWEIGHT TORPEDO DEVELOPMENT ..................................
JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ......
PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.
JOINT STANDOFF WEAPON SYSTEMS ..........................................
SHIP SELF DEFENSE (DETECT & CONTROL) .............................
SHIP SELF DEFENSE (ENGAGE: HARD KILL) ............................
SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) ......................
INTELLIGENCE ENGINEERING ......................................................
MEDICAL DEVELOPMENT ................................................................
NAVIGATION/ID SYSTEM ...................................................................
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JOINT STRIKE FIGHTER (JSF)—EMD ...........................................
JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS.
Program delay ..................................................................................
JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—
NAVY.
Program delay ..................................................................................
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INFORMATION TECHNOLOGY DEVELOPMENT ..........................
CH–53K RDTE .......................................................................................
SHIP TO SHORE CONNECTOR (SSC) ..............................................
JOINT AIR-TO-GROUND MISSILE (JAGM) .....................................
MULTI-MISSION MARITIME AIRCRAFT (MMA) ............................
DDG–1000 ...............................................................................................
TACTICAL COMMAND SYSTEM—MIP .............................................
TACTICAL CRYPTOLOGIC SYSTEMS ..............................................
SPECIAL APPLICATIONS PROGRAM ...............................................
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MANAGEMENT SUPPORT
THREAT SIMULATOR DEVELOPMENT ..........................................
TARGET SYSTEMS DEVELOPMENT ...............................................
MAJOR T&E INVESTMENT ................................................................
JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION.
STUDIES AND ANALYSIS SUPPORT—NAVY .................................
CENTER FOR NAVAL ANALYSES ....................................................
NEXT GENERATION FIGHTER ........................................................
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STRATEGIC TECHNICAL SUPPORT ................................................

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272,149
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[25,000]
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23,695

23,695

134,708

134,708

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47,579

[–12,500]
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35,905
6,308,800

[–12,500]
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632,092
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25,898
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17,785
35,905
6,320,800

30,769
112,606
61,234
6,995

30,769
112,606
61,234
6,995

4,011
48,563
5,000
925
78,143
3,258

4,011
48,563
5,000
925
78,143
3,258

HR 1735 PCS
VerDate Sep 11 2014

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Frm 01083

Fmt 6652

Sfmt 6201

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

(In Thousands of Dollars)

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#### OPERATIONAL SYSTEMS DEVELOPMENT

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#### TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION

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

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**OPERATIONAL SYSTEMS DEVELOPMENT**

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

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### RESEARCH, DEVELOPMENT, TEST & EVALUATION

#### Basic Research

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**Unjustified growth**

- Efforts to counter-ISIL and Russian aggression: 
  - Authorization: 10,000

**Excessive program growth**

- Trusted Source Implementation for Field Programmable Gate Arrays Study: 
  - Authorization: 20,000
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**SYSTEM DEVELOPMENT AND DEMONSTRATION**

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**MANAGEMENT SUPPORT**

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

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**SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT** 4,538,910 4,518,510

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION** 18,329,861 18,577,081

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

#### (In Thousands of Dollars)

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**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** 1,500 1,500

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION** 1,500 1,500

**OPERATIONAL SYSTEM DEVELOPMENT**

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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** 35,747 35,747

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION** 35,747 35,747

**OPERATIONAL SYSTEMS DEVELOPMENT**

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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION** 17,100 17,100

**ADVANCED TECHNOLOGY DEVELOPMENT**

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**OPERATIONAL SYSTEM DEVELOPMENT**

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**SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT** 162,087 162,087

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION** 189,077 189,077

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HR 1735 PCS
### TITLE XLIII—OPERATION AND MAINTENANCE

### SEC. 4301. OPERATION AND MAINTENANCE.

#### SEC. 4301. OPERATION AND MAINTENANCE

<table>
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#### TOTAL RDT&E

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### SEC. 4301. OPERATION AND MAINTENANCE

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**ADMIN & SRVWD ACTIVITIES**

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**UNDISTRIBUTED**

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**TOTAL OPERATION & MAINTENANCE, ARMY RES**

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**ADMIN & SRVWD ACTIVITIES**

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**UNDISTRIBUTED**

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**TOTAL OPERATION & MAINTENANCE, ARNG**

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**OPERATION & MAINTENANCE, NAVY**

HR 1735 PCS
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HR 1735 PCS
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**SEC. 4301. OPERATION AND MAINTENANCE**  
**In Thousands of Dollars**

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**MISCELLANEOUS APPROPRIATIONS**

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## SEC. 4301. OPERATION AND MAINTENANCE

### (In Thousands of Dollars)

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

#### CONTINGENCY OPERATIONS.

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

### (In Thousands of Dollars)

<table>
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#### SUBTOTAL OPERATING FORCES

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### MOBILIZATION

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#### SUBTOTAL MOBILIZATION

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### ADMIN & SRVWIDE ACTIVITIES

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#### SUBTOTAL ADMIN & SRVWIDE ACTIVITIES

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#### TOTAL OPERATION & MAINTENANCE, ARMY

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### SEC. 4303. OPERATION AND MAINTENANCE, ARMY RES

#### OPERATING FORCES

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#### SUBTOTAL OPERATING FORCES

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### TOTAL OPERATION & MAINTENANCE, ARMY RES

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### SEC. 4304. OPERATION AND MAINTENANCE, ARNG

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### ADMIN & SRVWIDE ACTIVITIES

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#### SUBTOTAL ADMIN & SRVWIDE ACTIVITIES

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

**In Thousands of Dollars**

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**MOBILIZATION**

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HR 1735 PCS
### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

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

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**ADMIN & SRVWD ACTIVITIES**

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**TOTAL OPERATION & MAINTENANCE, ARMY RES** | **1,630,775** | **1,630,775** |

**OPERATION & MAINTENANCE, ARNG**

**OPERATING FORCES**

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**ADMIN & SRVWD ACTIVITIES**

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**TOTAL OPERATION & MAINTENANCE, ARNG** | **3,141,808** | **3,141,808** |

**OPERATION & MAINTENANCE, NAVY**

**OPERATING FORCES**

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**MOBILIZATION**

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**TRAINING AND RECRUITING**

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**TOTAL** | **5,476,520** | **5,476,520** |
## SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

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## ADMIN & SRVWD ACTIVITIES

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## TRAINING AND RECRUITING

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## ADMIN & SRVWD ACTIVITIES

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## OPERATION & MAINTENANCE, NAVY RES

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## OPERATION & MAINTENANCE, AIR FORCE

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<td><strong>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</strong></td>
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<td>MISSION SUPPORT OPERATIONS</td>
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<td>MILITARY MANPOWER AND PERS MGMT (ARPC)</td>
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<td>090</td>
<td>OTHER PERS SUPPORT (DISABILITY COM)</td>
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<td>DEFENSE PERSONNEL ACCOUNTING AGENCY</td>
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<td><strong>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</strong></td>
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<td>US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE</td>
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<td>COOPERATIVE THREAT REDUCTION</td>
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SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS

(In Thousands of Dollars)

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<th>Item</th>
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<th>House Authorized</th>
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1  
2  
3 SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL

(In Thousands of Dollars)

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<tr>
<th>Item</th>
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<td>Military Personnel Appropriations</td>
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<td>A–10 restoration: Military Personnel</td>
<td>[132,069]</td>
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<td>Basic Housing Allowance</td>
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<td>EC–130H Force Structure Restoration</td>
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<td>Financial Literacy Training</td>
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<td>Foreign Currency adjustments</td>
<td>[–480,500]</td>
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<td>National Guard State Partnership Program increase</td>
<td>[5,000]</td>
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<td>Prohibition on Per Diem Allowance Reduction</td>
<td>[12,000]</td>
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<td>Reversing the disestablishment of HSC–84 and HSC–85</td>
<td>[30,700]</td>
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<td>Unobligated balances</td>
<td>[–495,400]</td>
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<td>Medicare-Eligible Retiree Health Fund Contributions</td>
<td>6,243,449</td>
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4 SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

<table>
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<tr>
<th>Item</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>Military Personnel Appropriations</td>
<td>3,204,758</td>
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5  
6  
7  
8 SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS

(In Thousands of Dollars)

<table>
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<tr>
<th>Item</th>
<th>FY 2016 Request</th>
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<tbody>
<tr>
<td>WORKING CAPITAL FUND, ARMY</td>
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### SEC. 4501. OTHER AUTHORIZATIONS

**FY 2016 Request** | **House Authorized**
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**INDUSTRIAL OPERATIONS**
SUPPLY MANAGEMENT—ARMY ............................................. 50,432 55,432
   Pilot program for Continuous Technology Refreshment [5,000]
TOTAL WORKING CAPITAL FUND, ARMY ............................ 50,432 55,432

**WORKING CAPITAL FUND, NAVY**
SUPPLIES AND MATERIALS .................................................... 5,000
   Pilot program for Continuous Technology Refreshment [5,000]
TOTAL WORKING CAPITAL FUND, NAVY ............................ 5,000

**WORKING CAPITAL FUND, AIR FORCE**
SUPPLIES AND MATERIALS .................................................... 62,898 67,898
   Pilot program for Continuous Technology Refreshment [5,000]
TOTAL WORKING CAPITAL FUND, AIR FORCE ............................ 62,898 67,898

**WORKING CAPITAL FUND, DEFENSE-WIDE**
SUPPLY CHAIN MANAGEMENT—DEF
DEFENSE LOGISTICS AGENCY (DLA) ............................. 45,084 45,084
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE ............................ 45,084 45,084

**WORKING CAPITAL FUND, DECA**
COMMISSARY RESALE STOCKS
COMMISSARY OPERATIONS .................................................... 1,154,154 1,476,154
   Restoration of Proposed Efficiencies [183,000]
   Restoration of Savings from Legislative Proposals [139,000]
TOTAL WORKING CAPITAL FUND, DECA ............................ 1,154,154 1,476,154

**NATIONAL DEFENSE SEALIFT FUND**
MPF MLP
POST DELIVERY AND OUTFITTING ...................................... 15,456 689,646
   Transfer from SCN—TAO(X) [674,190]
NATIONAL DEF SEALIFT VESSEL
LG MED SFD RO/RO MAINTENANCE ..................................... 124,493 124,493
DOD MOBILIZATION ALTERATIONS ..................................... 8,243 8,243
TAH MAINTENANCE .......................................................... 27,784 27,784
RESEARCH AND DEVELOPMENT ......................................... 25,197 25,197
READY RESERVE FORCE .................................................... 272,991 272,991
TOTAL NATIONAL DEFENSE SEALIFT FUND ............................. 474,164 1,148,354

**NATIONAL SEA-BASED DETERRENCE FUND**
DEVELOPMENT ................................................................. 971,393
   Transfer from RDTE, Navy, line 050 [971,393]
PROPELSSION ................................................................. 419,300
   Transfer from RDTE, Navy, line 045 [419,300]
TOTAL NATIONAL SEA-BASED DETERRENCE FUND ............................. 1,390,693

**CHEM AGENTS & MUNITIONS DESTRUCTION**
OPERATION & MAINTENANCE ............................................ 139,098 139,098
RDT&E ............................................................... 579,342 579,342
PROCUREMENT ............................................................ 2,281 2,281
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION ............................. 720,721 720,721

**DRUG INTERD ICTION & CTR-DRUG ACTIVITIES, DEF**
DRUG INTERD ICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE ..................................... 739,009 789,009
   Plan Central America [50,000]
DRUG DEMAND REDUCTION PROGRAM .................................... 111,589 111,589

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### SEC. 4501. OTHER AUTHORIZATIONS

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<th>Item</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<tr>
<td>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</td>
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**OFFICE OF THE INSPECTOR GENERAL**

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<td>RDT&amp;E</td>
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<tr>
<td>PROCUREMENT</td>
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<td>Program decrease</td>
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**DEFENSE HEALTH PROGRAM**

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<th>Item</th>
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<td>PRIVATE SECTOR CARE</td>
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<td>CONSOLIDATED HEALTH SUPPORT</td>
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<tr>
<td>INFORMATION MANAGEMENT</td>
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<td>MANAGEMENT ACTIVITIES</td>
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<td>EDUCATION AND TRAINING</td>
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<td>BASE OPERATIONS/COMMUNICATIONS</td>
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<td>EXPLORATORY DEVELOPMENT</td>
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<td>ADVANCED DEVELOPMENT</td>
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<td>DEMONSTRATION/VALIDATION</td>
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<td>ENGINEERING DEVELOPMENT</td>
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<td>MANAGEMENT AND SUPPORT</td>
<td>41,567</td>
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<tr>
<td>CAPABILITIES ENHANCEMENT</td>
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<td>INITIAL OUTFITTING</td>
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<td>REPLACEMENT &amp; MODERNIZATION</td>
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<td>THEATER MEDICAL INFORMATION PROGRAM</td>
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<td>Foreign Currency adjustments</td>
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<tr>
<td>Unobligated balances</td>
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<td><strong>TOTAL DEFENSE HEALTH PROGRAM</strong></td>
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<td>31,735,328</td>
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**TOTAL OTHER AUTHORIZATIONS**

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<td>37,860,421</td>
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1 SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

2 TINGENCY OPERATIONS.

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<th>Item</th>
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<td>WORKING CAPITAL FUND, AIR FORCE SUPPLIES AND MATERIALS</td>
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<td>TRANSPORTATION OF FALLEN HEROES</td>
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<td><strong>TOTAL WORKING CAPITAL FUND, AIR FORCE</strong></td>
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<td>WORKING CAPITAL FUND, DEFENSE-WIDE SUPPLY CHAIN MANAGEMENT—DEF</td>
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<td>DEFENSE LOGISTICS AGENCY (DLA)</td>
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<td><strong>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE</strong></td>
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<th>Item</th>
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<td>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</td>
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### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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<th>FY 2016 Request</th>
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<td>DEFENSE HEALTH PROGRAM</td>
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<td>IN-HOUSE CARE</td>
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<td>PRIVATE SECTOR CARE</td>
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### TITLE XLVI—MILITARY CONSTRUCTION

### SEC. 4601. MILITARY CONSTRUCTION

(In Thousands of Dollars)

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<td>Army</td>
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<td>Rotary Wing Taxiway</td>
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<td>Command and Control Facility</td>
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<td>Vehicle Maintenance Shop</td>
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<td>Army</td>
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<td>NCO Academy Complex</td>
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<td>Army</td>
<td>Fort Sill</td>
<td>Reception Barracks Complex Ph2</td>
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<td>Training Support Facility</td>
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<td>Powertrain Facility (Infrastructure/Metal)</td>
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<td>Fort Lee</td>
<td>Training Support Facility</td>
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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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**Military Construction, Air National Guard Total** | | 123,538 | 123,538 |

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**Military Construction, Air Force Reserve Total** | | 46,821 | 46,821 |

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**Family Housing Construction, Army Total** | | 99,695 | 99,695 |

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**Family Housing Operation And Maintenance, Army Total** | | 393,511 | 393,511 |

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HR 1735 PCS
### SEC. 4601. MILITARY CONSTRUCTION

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**Family Housing Construction, Air Force Total** ........................................ 160,498 160,498

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**Family Housing Operation And Maintenance, Air Force Total** ........................ 331,232 331,232

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**Family Housing Construction, Navy And Marine Corps Total** ................................ 16,541 16,541

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**Family Housing Operation And Maintenance, Navy And Marine Corps Total** 353,036 353,036

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<td>DON–101: Various Locations</td>
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1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

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<td>Poland</td>
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<td>AF</td>
<td>Agadez</td>
<td>Construct Air Field and Base Camp</td>
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HR 1735 PCS
TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

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

<table>
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<td>Weapons Activities</td>
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<td>Directed stockpile work</td>
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<td>Life extension programs</td>
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<td>B61 Life extension program</td>
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<td>W76 Life extension program</td>
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<td>W80 Stockpile systems</td>
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<td>B83 Stockpile systems</td>
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<td>W88 Stockpile systems</td>
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<td><strong>Total, Stockpile systems</strong></td>
<td><strong>482,426</strong></td>
<td><strong>512,426</strong></td>
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</tbody>
</table>

**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         | 201,813          |
| Management, technology, and production     | 264,994         | 264,994          |
| **Total, Stockpile services**              | **939,293**     | **950,493**      |

**Nuclear material commodities**

| Uranium sustainment                        | 32,916          | 32,916           |
| Plutonium sustainment                      | 174,698         | 183,098          |
| Tritium sustainment                        | 107,345         | 107,345          |
| Domestic uranium enrichment                | 100,000         | 100,000          |
| **Total, Nuclear material commodities**   | **414,959**     | **423,359**      |

| **Total, Directed stockpile work**        | **3,187,259**   | **3,236,859**    |

**Research, development, test and evaluation (RDT&E)**

**Science**

| Advanced certification                     | 50,714          | 50,714           |
| Primary assessment technologies             | 98,500          | 120,100          |
| Dynamic materials properties                | 109,000         | 109,000          |
| Advanced radiography                        | 47,000          | 47,000           |
| Secondary assessment technologies           | 84,400          | 84,400           |
| **Total, Science**                          | **389,614**     | **411,214**      |

**Engineering**

| Enhanced surety                            | 50,821          | 51,921           |
| Weapon systems engineering assessment technology | 17,371         | 17,371           |
| Nuclear survivability                       | 17,371          | 17,371           |
| Enhanced surveillance                       | 38,724          | 38,724           |
| **Total, Engineering**                     | **131,377**     | **134,877**      |

**Inertial confinement fusion ignition and high yield**

| Ignition                                   | 73,334          | 67,334           |
| Support of other stockpile programs        | 22,843          | 22,843           |
| Diagnostics, cryogenes 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         | 322,823          |
| **Total, Inertial confinement fusion and high yield** | **502,450** | **485,450** |

| Advanced simulation and computing          | 623,006         | 617,006          |

**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**   | **1,778,603**    |

**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:**

- 11–D–801 TA–55 Reinvestment project Phase 2, LANL: 3,903

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

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<td>07–D–220-04 Transuranic liquid waste facility, LANL</td>
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<td>04–D–125 Chemistry and metalurgy replacement project, LANL</td>
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</tr>
<tr>
<td>15–D–613 Emergency Operations Center, Y–12</td>
<td>17,919</td>
<td>17,919</td>
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<tr>
<td><strong>Total, Construction</strong></td>
<td><strong>42,919</strong></td>
<td><strong>42,919</strong></td>
</tr>
<tr>
<td><strong>Total, Infrastructure and safety</strong></td>
<td><strong>1,466,134</strong></td>
<td><strong>1,640,134</strong></td>
</tr>
<tr>
<td><strong>Site stewardship</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nuclear materials integration</td>
<td>17,510</td>
<td>17,510</td>
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<tr>
<td>Minority serving institution partnerships program</td>
<td>19,085</td>
<td>19,085</td>
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<tr>
<td><strong>Total, Site stewardship</strong></td>
<td><strong>36,595</strong></td>
<td><strong>36,595</strong></td>
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<tr>
<td><strong>Defense nuclear security</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations and maintenance</td>
<td>619,891</td>
<td>613,891</td>
</tr>
<tr>
<td><strong>Construction:</strong></td>
<td></td>
<td></td>
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<tr>
<td>14–D–710 Device assembly facility argus installation project, NV</td>
<td>13,000</td>
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<tr>
<td><strong>Total, Defense nuclear security</strong></td>
<td><strong>632,891</strong></td>
<td><strong>644,891</strong></td>
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<tr>
<td><strong>Information technology and cybersecurity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>157,588</td>
<td>157,588</td>
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<tr>
<td><strong>Total, National security</strong></td>
<td><strong>283,875</strong></td>
<td><strong>283,875</strong></td>
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<tr>
<td><strong>Total, Weapons Activities</strong></td>
<td><strong>8,846,948</strong></td>
<td><strong>9,084,648</strong></td>
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</table>

### Defense Nuclear Nonproliferation

#### Defense Nuclear Nonproliferation Programs

**Defense Nuclear Nonproliferation R&D**

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Global material security</td>
<td>426,751</td>
<td>336,751</td>
</tr>
<tr>
<td>Material management and minimization</td>
<td>311,584</td>
<td>311,584</td>
</tr>
<tr>
<td>Nonproliferation and arms control</td>
<td>126,703</td>
<td>126,703</td>
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<tr>
<td>Defense Nuclear Nonproliferation R&amp;D</td>
<td>419,333</td>
<td>439,333</td>
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</table>

**Nonproliferation Construction:**

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td>99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS</td>
<td>345,000</td>
<td>345,000</td>
</tr>
<tr>
<td><strong>Total, Nonproliferation construction</strong></td>
<td><strong>345,000</strong></td>
<td><strong>345,000</strong></td>
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<tr>
<td><strong>Total, Defense Nuclear Nonproliferation Programs</strong></td>
<td><strong>1,629,371</strong></td>
<td><strong>1,579,371</strong></td>
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<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
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<tbody>
<tr>
<td>Legacy contractor pensions</td>
<td>94,617</td>
<td>94,617</td>
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<tr>
<td>Nuclear counterterrorism and incident response program</td>
<td>245,390</td>
<td>245,390</td>
</tr>
<tr>
<td>Use of prior-year balances</td>
<td>-18,076</td>
<td>-18,076</td>
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<tr>
<td><strong>Total, Defense Nuclear Nonproliferation</strong></td>
<td><strong>1,940,302</strong></td>
<td><strong>1,901,302</strong></td>
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</tbody>
</table>

HR 1735 PCS
### Naval Reactors

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td>Naval reactors operations and infrastructure</td>
<td>445,196</td>
<td>445,196</td>
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<tr>
<td>Naval reactors development</td>
<td>444,400</td>
<td>444,400</td>
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<tr>
<td>Ohio replacement reactor systems development</td>
<td>186,800</td>
<td>186,800</td>
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<tr>
<td>SSG Prototype refueling</td>
<td>133,000</td>
<td>133,000</td>
</tr>
<tr>
<td>Program direction</td>
<td>45,000</td>
<td>45,000</td>
</tr>
</tbody>
</table>

### Construction:

- 15–D–904 NRF Overpack Storage Expansion 3: 900
- 15–D–903 KL Fire System Upgrade: 600
- 15–D–902 KS Engineernon team trainer facility: 3,100
- 14–D–902 KL Materials characterization laboratory expansion, KAPL: 30,000
- 14–D–901 Spent fuel handling recapitalization project, NRF: 86,000
- 10–D–901 Security upgrades, KAPL: 500

**Total, Construction:** 121,100

**Total, Naval Reactors:** 1,375,496

### Federal Salaries And Expenses

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>Program direction</td>
<td>402,654</td>
<td>396,654</td>
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</table>

**Total, Office Of The Administrator:** 402,654

### Defense Environmental Cleanup

#### Closure sites:

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Closure sites administration</td>
<td>4,889</td>
<td>4,889</td>
</tr>
</tbody>
</table>

#### Hanford site:

**River corridor and other cleanup operations:** 186,957

**Central plateau remediation:**

- Central plateau remediation: 555,163
- Richland community and regulatory support: 14,701

**Construction:**


**Total, Hanford site:** 843,837

#### Idaho National Laboratory:

**Idaho cleanup and waste disposition:** 357,783

**Idaho community and regulatory support:** 3,000

**Total, Idaho National Laboratory:** 360,783

#### NNSA sites

- Lawrence Livermore National Laboratory: 1,366
- Nevada: 62,385
- Sandia National Laboratories: 2,500
- Los Alamos National Laboratory: 188,625

**Total, NNSA sites and Nevada off-sites:** 254,876

#### Oak Ridge Reservation:

**OR Nuclear facility D & D**

- OR Nuclear facility D & D: 75,958

**Construction:**

- 14–D–400 Outfall 200 Mercury Treatment Facility: 6,800

**Total, OR Nuclear facility D & D:** 82,758

**U233 Disposition Program:** 26,895

**OR cleanup and disposition:**

- OR cleanup and disposition: 60,500

**Total, OR cleanup and disposition:** 60,500

**OR reservation community and regulatory support:** 4,400

**Solid waste stabilization and disposition**

- Oak Ridge technology development: 2,800

**Total, Oak Ridge Reservation:** 177,353

#### Office of River Protection:

**Waste treatment and immobilization plant**

- 01–D–416 A-D/ORP-0060 / Major construction: 595,000

**Total:** 595,000

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HR 1735 PCS
### Defense-related activities

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>01–D–16E Pretreatment facility</em></td>
<td>95,000</td>
<td>95,000</td>
</tr>
<tr>
<td><strong>Total, Waste treatment and immobilization plant</strong></td>
<td>690,000</td>
<td>690,000</td>
</tr>
</tbody>
</table>

**Tank farm activities**

- Rad liquid tank waste stabilization and disposal: 649,000
- Construction: 15–D–409 Low Activity Waste Pretreatment System, Hanford: 75,000

**Total, Tank farm activities** 724,000

**Total, Office of River protection** 1,414,000

**Savannah River sites:**

- Savannah River risk management operations: 386,652
- SR community and regulatory support: 11,249

**Radioactive liquid tank waste:**

- Rad liquid tank waste stabilization and disposal: 581,878
- Construction: 15–D–402—Saltstone Disposal Unit #6: 34,642

**Total, Construction** 228,642

**Total, Radioactive liquid tank waste** 810,520

**Total, Savannah River site** 1,208,421

**Waste Isolation Pilot Plant**

- Waste isolation pilot plant: 212,600
- Construction: 15–D–411 Safety significant confinement ventilation system, WIPP: 23,218

**Total, Construction** 243,318

**Total, Waste Isolation Pilot Plant** 243,318

**Program direction** 281,951

**Program support** 14,979

** Safeguards and Security:**

- Oak Ridge Reservation: 17,228
- Paducah: 8,216
- Portsmouth: 8,492
- Richland/Hanford Site: 67,601
- Savannah River Site: 128,345
- Waste Isolation Pilot Project: 4,860
- West Valley: 1,891

**Total, Savannah River Site** 1,220,021

**Safeguards and Security:**

- Technology development: 14,519

**Subtotal, Defense environmental cleanup** 5,055,550

**Uranium enrichment D&D fund contribution** 471,797

**Total, Defense Environmental Cleanup** 5,527,347

### Other Defense Activities

- Specialized security activities: 221,855

**Environment, health, safety and security**

- Environment, health, safety and security: 120,693
- Program direction: 63,105

**Total, Environment, Health, safety and security** 183,798

**Enterprise assessments**

- Enterprise assessments: 24,068
- Program direction: 49,466

**Total, Enterprise assessments** 73,534

**Office of Legacy Management**

- Legacy management: 154,080
- Program direction: 13,100

**Total, Office of Legacy Management** 167,180

**Defense-related activities**

HR 1735 PCS
<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense related administrative support</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief financial officer</td>
<td>35,758</td>
<td>35,758</td>
</tr>
<tr>
<td>Chief information officer</td>
<td>83,800</td>
<td>83,800</td>
</tr>
<tr>
<td>Management</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td><strong>Total, Defense related administrative support</strong></td>
<td><strong>122,558</strong></td>
<td><strong>122,558</strong></td>
</tr>
<tr>
<td>Office of hearings and appeals</td>
<td>5,500</td>
<td>5,500</td>
</tr>
<tr>
<td><strong>Subtotal, Other defense activities</strong></td>
<td><strong>774,425</strong></td>
<td><strong>778,625</strong></td>
</tr>
<tr>
<td><strong>Total, Other Defense Activities</strong></td>
<td><strong>774,425</strong></td>
<td><strong>778,625</strong></td>
</tr>
</tbody>
</table>

Passed the House of Representatives May 15, 2015.

Attest: KAREN L. HAAS,

*Clerk.*
AN ACT

H. R. 1735

To authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.