

In the House of Representatives, U. S.,

November 5, 2015.

Resolved, That the bill from the Senate (S. 1356) entitled “An Act to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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

2 *This Act may be cited as the “National Defense Au-*
3 *thorization Act for Fiscal Year 2016”.*

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

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

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

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

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

14 *(4) Division D—Funding Tables.*

- 1 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 2 *this Act is as follows:*

- Sec. 1. Short title.*
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
Sec. 4. Budgetary effects of this Act.
Sec. 5. Explanatory statement.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

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- Sec. 101. Authorization of appropriations.*

Subtitle B—Army Programs

- Sec. 111. Prioritization of upgraded UH-60 Blackhawk helicopters within Army National Guard.*
Sec. 112. Roadmap for replacement of A/MH-6 Mission Enhanced Little Bird aircraft to meet special operations requirements.
Sec. 113. Report on options to accelerate replacement of UH-60A Blackhawk helicopters of Army National Guard.
Sec. 114. Sense of Congress on tactical wheeled vehicle protection kits.

Subtitle C—Navy Programs

- Sec. 121. Modification of CVN-78 class aircraft carrier program.*
Sec. 122. Amendment to cost limitation baseline for CVN-78 class aircraft carrier program.
Sec. 123. Extension and modification of limitation on availability of funds for Littoral Combat Ship.
Sec. 124. Modification to multiyear procurement authority for Arleigh Burke class destroyers and associated systems.
Sec. 125. Procurement of additional Arleigh Burke class destroyer.
Sec. 126. Refueling and complex overhaul of the U.S.S. George Washington.
Sec. 127. Fleet Replenishment Oiler Program.
Sec. 128. Limitation on availability of funds for U.S.S. John F. Kennedy (CVN-79).
Sec. 129. Limitation on availability of funds for U.S.S. Enterprise (CVN-80).
Sec. 130. Limitation on availability of funds for Littoral Combat Ship.
Sec. 131. Reporting requirement for Ohio-class replacement submarine program.

Subtitle D—Air Force Programs

- Sec. 141. Backup inventory status of A-10 aircraft.*
Sec. 142. Prohibition on availability of funds for retirement of A-10 aircraft.
Sec. 143. Prohibition on availability of funds for retirement of EC-130H Compass Call aircraft.
Sec. 144. Prohibition on availability of funds for retirement of Joint Surveillance Target Attack Radar System, EC-130H Compass Call, and Airborne Warning and Control System aircraft.
Sec. 145. Limitation on availability of funds for F-35A aircraft procurement.
Sec. 146. Prohibition on availability of funds for retirement of KC-10 aircraft.

- Sec. 147. Limitation on availability of funds for transfer of C-130 aircraft.*
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Sec. 151. Inventory requirement for fighter aircraft of the Air Force.
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- Sec. 161. Limitation on availability of funds for Joint Battle Command–Platform.*
Sec. 162. Report on Army and Marine Corps modernization plan for small arms.
Sec. 163. Study on use of different types of enhanced 5.56mm ammunition by the Army and the Marine Corps.

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- Sec. 201. Authorization of appropriations.*

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- Sec. 211. Centers for Science, Technology, and Engineering Partnership.*
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Sec. 213. Expansion of education partnerships to support technology transfer and transition.
Sec. 214. Improvement to coordination and communication of defense research activities.
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Sec. 216. Reauthorization of defense research and development rapid innovation program.
Sec. 217. Science and technology activities to support business systems information technology acquisition programs.
Sec. 218. Department of Defense technology offset program to build and maintain the military technological superiority of the United States.
Sec. 219. Limitation on availability of funds for F-15 infrared search and track capability development.
Sec. 220. Limitation on availability of funds for development of the shallow water combat submersible.
Sec. 221. Limitation on availability of funds for the advanced development and manufacturing facility under the medical countermeasure program.
Sec. 222. Limitation on availability of funds for distributed common ground system of the Army.
Sec. 223. Limitation on availability of funds for distributed common ground system of the United States Special Operations Command.
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- Sec. 232. Demonstration of Persistent Close Air Support capabilities.*
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- Sec. 235. Report on Tactical Combat Training System Increment II.*
- Sec. 236. Report on technology readiness levels of the technologies and capabilities critical to the long-range strike bomber aircraft.*
- Sec. 237. Assessment of air-land mobile tactical communications and data network requirements and capabilities.*
- Sec. 238. Study of field failures involving counterfeit electronic parts.*
- Sec. 239. Airborne data link plan.*
- Sec. 240. Plan for advanced weapons technology war games.*
- Sec. 241. Independent assessment of F135 engine program.*
- Sec. 242. Comptroller General review of autonomic logistics information system for F-35 Lightning II aircraft.*
- Sec. 243. Sense of Congress regarding facilitation of a high quality technical workforce.*

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- Sec. 315. Exclusions from definition of “chemical substance” under Toxic Substances Control Act.*

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Sec. 502. Equitable treatment of junior officers excluded from an all-fully-qualified-officers list because of administrative error.

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Sec. 504. Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force.

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- Sec. 514. Temporary authority to use Air Force reserve component personnel to provide training and instruction regarding pilot training.*
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- Sec. 522. Temporary authority to develop and provide additional recruitment incentives.*
- Sec. 523. Expansion of authority to conduct pilot programs on career flexibility to enhance retention of members of the Armed Forces.*
- Sec. 524. Modification of notice and wait requirements for change in ground combat exclusion policy for female members of the Armed Forces.*
- Sec. 525. Role of Secretary of Defense in development of gender-neutral occupational standards.*
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- Sec. 532. Department of Defense civilian employee access to Special Victims' Counsel.*
- Sec. 533. Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various Government proceedings.*
- Sec. 534. Timely notification to victims of sex-related offenses of the availability of assistance from Special Victims' Counsel.*
- Sec. 535. Additional improvements to Special Victims' Counsel program.*
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- Sec. 554. Modification of requirement for in-resident instruction for courses of instruction offered as part of Phase II joint professional military education.*
- Sec. 555. Termination of program of educational assistance for reserve component members supporting contingency operations and other operations.*
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1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

5 SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

6 *The budgetary effects of this Act, for the purposes of*
 7 *complying with the Statutory Pay-As-You-Go Act of 2010,*
 8 *shall be determined by reference to the latest statement titled*
 9 *“Budgetary Effects of PAYGO Legislation” for this Act,*
 10 *jointly submitted for printing in the Congressional Record*
 11 *by the Chairmen of the House and Senate Budget Commit-*
 12 *tees, provided that such statement has been submitted prior*
 13 *to the vote on passage in the House acting first on the con-*
 14 *ference report or amendment between the Houses.*

15 SEC. 5. EXPLANATORY STATEMENT.

16 *The explanatory statement regarding this Act, printed*
 17 *in the House section of the Congressional Record on or*

1 *about November 5, 2015, by the Chairman of the Committee*
 2 *on Armed Services of the House of Representatives and the*
 3 *Chairman of the Committee on Armed Services of the Sen-*
 4 *ate, shall have the same effect with respect to the implemen-*
 5 *tation of this Act as if it were a joint explanatory statement*
 6 *of a committee of conference.*

7 ***DIVISION A—DEPARTMENT OF***
 8 ***DEFENSE AUTHORIZATIONS***
 9 ***TITLE I—PROCUREMENT***

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

- Sec. 111. Prioritization of upgraded UH-60 Blackhawk helicopters within Army National Guard.*
Sec. 112. Roadmap for replacement of A/MH-6 Mission Enhanced Little Bird aircraft to meet special operations requirements.
Sec. 113. Report on options to accelerate replacement of UH-60A Blackhawk helicopters of Army National Guard.
Sec. 114. Sense of Congress on tactical wheeled vehicle protection kits.

Subtitle C—Navy Programs

- Sec. 121. Modification of CVN-78 class aircraft carrier program.*
Sec. 122. Amendment to cost limitation baseline for CVN-78 class aircraft carrier program.
Sec. 123. Extension and modification of limitation on availability of funds for Littoral Combat Ship.
Sec. 124. Modification to multiyear procurement authority for Arleigh Burke class destroyers and associated systems.
Sec. 125. Procurement of additional Arleigh Burke class destroyer.
Sec. 126. Refueling and complex overhaul of the U.S.S. George Washington.
Sec. 127. Fleet Replenishment Oiler Program.
Sec. 128. Limitation on availability of funds for U.S.S. John F. Kennedy (CVN-79).
Sec. 129. Limitation on availability of funds for U.S.S. Enterprise (CVN-80).
Sec. 130. Limitation on availability of funds for Littoral Combat Ship.
Sec. 131. Reporting requirement for Ohio-class replacement submarine program.

Subtitle D—Air Force Programs

- Sec. 141. Backup inventory status of A-10 aircraft.*
Sec. 142. Prohibition on availability of funds for retirement of A-10 aircraft.

- Sec. 143. *Prohibition on availability of funds for retirement of EC-130H Compass Call aircraft.*
- Sec. 144. *Prohibition on availability of funds for retirement of Joint Surveillance Target Attack Radar System, EC-130H Compass Call, and Airborne Warning and Control System aircraft.*
- Sec. 145. *Limitation on availability of funds for F-35A aircraft procurement.*
- Sec. 146. *Prohibition on availability of funds for retirement of KC-10 aircraft.*
- Sec. 147. *Limitation on availability of funds for transfer of C-130 aircraft.*
- Sec. 148. *Limitation on availability of funds for executive communications upgrades for C-20 and C-37 aircraft.*
- Sec. 149. *Limitation on availability of funds for T-1A Jayhawk aircraft.*
- Sec. 150. *Notification of retirement of B-1, B-2, and B-52 bomber aircraft.*
- Sec. 151. *Inventory requirement for fighter aircraft of the Air Force.*
- Sec. 152. *Sense of Congress regarding the OCONUS basing of F-35A aircraft.*

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

- Sec. 161. *Limitation on availability of funds for Joint Battle Command-Platform.*
- Sec. 162. *Report on Army and Marine Corps modernization plan for small arms.*
- Sec. 163. *Study on use of different types of enhanced 5.56mm ammunition by the Army and the Marine Corps.*

1 ***Subtitle A—Authorization of***
 2 ***Appropriations***

3 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

4 *Funds are hereby authorized to be appropriated for fis-*
 5 *cal year 2016 for procurement for the Army, the Navy and*
 6 *the Marine Corps, the Air Force, and Defense-wide activi-*
 7 *ties, as specified in the funding table in section 4101.*

8 ***Subtitle B—Army Programs***

9 ***SEC. 111. PRIORITIZATION OF UPGRADED UH-60***
 10 ***BLACKHAWK HELICOPTERS WITHIN ARMY NA-***
 11 ***TIONAL GUARD.***

12 *(a) PRIORITIZATION OF UPGRADES.—Not later than*
 13 *180 days after the date of the enactment of this Act, the*
 14 *Chief of the National Guard Bureau shall issue guidance*
 15 *regarding the fielding of upgraded UH-60 Blackhawk heli-*

1 *copters to units of the Army National Guard. Such guid-*
2 *ance shall prioritize for such fielding the units of the Army*
3 *National Guard with assigned UH–60 helicopters that have*
4 *the most flight hours and the highest annual usage rates*
5 *within the UH–60 fleet of the Army National Guard, con-*
6 *sistent with the force generation unit readiness require-*
7 *ments of the Army.*

8 (b) *REPORT.*—*Not later than 30 days after the date*
9 *on which the Chief of the National Guard Bureau issues*
10 *the guidance under subsection (a), the Chief shall submit*
11 *to the congressional defense committees a report that details*
12 *such guidance.*

13 **SEC. 112. ROADMAP FOR REPLACEMENT OF A/MH–6 MISSION**
14 **ENHANCED LITTLE BIRD AIRCRAFT TO MEET**
15 **SPECIAL OPERATIONS REQUIREMENTS.**

16 (a) *ROADMAP.*—*Not later than 90 days after the date*
17 *of the enactment of this Act, the Secretary of Defense shall*
18 *submit to the congressional defense committees a roadmap*
19 *for replacing A/MH–6 Mission Enhanced Little Bird air-*
20 *craft to meet the rotary-wing, light attack, reconnaissance*
21 *requirements particular to special operations.*

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

24 (1) *An updated schedule and display of pro-*
25 *grammed A/MH–6 Block 3.0 modernization and up-*

1 *grades, showing usable life of the fleet, and the antici-*
2 *ipated service life extensions of all A/MH-6 platforms.*

3 *(2) A description of current and anticipated ro-*
4 *tary-wing, light attack, reconnaissance requirements*
5 *and platforms particular to special operations, in-*
6 *cluding key performance parameters of anticipated*
7 *platforms.*

8 *(3) The feasibility of service-common platforms*
9 *satisfying future rotary-wing, light attack, reconnais-*
10 *sance requirements particular to special operations.*

11 *(4) The feasibility of commercially available*
12 *platforms satisfying future rotary-wing, light attack,*
13 *reconnaissance requirements particular to special op-*
14 *erations.*

15 *(5) The anticipated funding requirements for the*
16 *special operation forces major force program for the*
17 *development and procurement of an A/MH-6 replace-*
18 *ment platform if the service-common platforms de-*
19 *scribed in paragraph (3) are not available or if com-*
20 *mercially available platforms described in paragraph*
21 *(4) are leveraged.*

22 *(6) A description of efforts as of the date of the*
23 *roadmap to coordinate with the military departments*
24 *on a service-common platform to satisfy replacement*
25 *platform requirements.*

1 (7) *Any other matters the Secretary considers*
2 *appropriate.*

3 **SEC. 113. REPORT ON OPTIONS TO ACCELERATE REPLACE-**
4 **MENT OF UH-60A BLACKHAWK HELICOPTERS**
5 **OF ARMY NATIONAL GUARD.**

6 *Not later than March 1, 2016, the Secretary of the*
7 *Army shall submit to the congressional defense committees*
8 *a report containing detailed options for the potential accel-*
9 *eration of the replacement of all UH-60A helicopters of the*
10 *Army National Guard by not later than September 30,*
11 *2020. The report shall include the following:*

12 (1) *The additional funding and quantities re-*
13 *quired, listed by each of fiscal years 2017 through*
14 *2020, for H-60M production, UH-60A-to-L RECAP,*
15 *and UH-60L-to-V RECAP that is necessary to*
16 *achieve such replacement of all UH-60A helicopters*
17 *by September 30, 2020.*

18 (2) *Any industrial base limitations that may af-*
19 *fect such acceleration, including with respect to the*
20 *production schedules for the other variants of the*
21 *UH-60 helicopter.*

22 (3) *The potential effects of such acceleration on*
23 *the planned replacement of all UH-60A helicopters of*
24 *the regular components of the Armed Forces by Sep-*
25 *tember 30, 2025.*

1 (4) *Identification of any additional funding or*
2 *resources required to train members of the National*
3 *Guard to operate and maintain UH-60M aircraft in*
4 *order to achieve such replacement of all UH-60A heli-*
5 *copters by September 30, 2020.*

6 (5) *Any other matters the Secretary determines*
7 *appropriate.*

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

10 *It is the sense of Congress that—*

11 (1) *members of the Army face an increasingly*
12 *complex and evolving threat environment that re-*
13 *quires advanced and effective technology to protect*
14 *soldiers while allowing the soldiers to effectively carry*
15 *out the mission of the Army;*

16 (2) *the heavy tactical vehicle protection kits pro-*
17 *gram provides the Army with improved and nec-*
18 *essary ballistic protection for the heavy tactical vehi-*
19 *cle fleet;*

20 (3) *a secure heavy tactical vehicle fleet provides*
21 *the Army with greater logistical tractability and of-*
22 *fers soldiers the necessary flexibility to tailor armor*
23 *levels based on threat levels and mission requirements;*
24 *and*

1 (4) as Congress provides for a modern and secure
 2 Army, it is necessary to provide the appropriate
 3 funding levels to meet the tactical wheeled vehicle pro-
 4 tection kits acquisition objectives of the Army.

5 **Subtitle C—Navy Programs**

6 **SEC. 121. MODIFICATION OF CVN-78 CLASS AIRCRAFT CAR-** 7 **RIER PROGRAM.**

8 (a) *REPORTS ON DESIGN AND ENGINEERING*
 9 *CHANGES.*—Subsection (f) of section 122 of the John War-
 10 ner National Defense Authorization Act for Fiscal Year
 11 2007 (Public Law 109–364; 120 Stat. 2104), as added by
 12 section 121(c) of the National Defense Authorization Act for
 13 Fiscal Year 2014 (Public Law 113–66; 127 Stat. 692), is
 14 amended by adding at the end the following new paragraph:

15 “(3) *CVN-78 CLASS AIRCRAFT CARRIERS*
 16 *CHANGE ORDERS.*—

17 “(A) As part of each report required under
 18 paragraph (1), the Secretary shall include a de-
 19 scription of new design and engineering changes
 20 to CVN-78 class aircraft carriers if applicable.

21 “(B) The additional reporting requirement
 22 in subparagraph (A) shall include, with respect
 23 to CVN-78 class aircraft carriers in each report-
 24 ing period—

1 “(i) any design or engineering change
2 with an associated cost greater than
3 \$5,000,000;

4 “(ii) any program or ship cost in-
5 creases for each design or engineering
6 change identified in subparagraph (A); and

7 “(iii) any cost reduction achieved.

8 “(C) The Secretary and the Chief of Naval
9 Operations, without delegation, shall jointly cer-
10 tify the design and engineering changes included
11 in each report under paragraph (1), as required
12 by subparagraph (A) of this paragraph. Each
13 certification shall include a determination that
14 each such change—

15 “(i) serves the national security inter-
16 ests of the United States; and

17 “(ii) cannot be deferred to a future
18 ship because of operational necessity, safety,
19 or substantial cost reduction that still meets
20 threshold requirements.”.

21 (b) CONFORMING AMENDMENTS.—Such subsection is
22 further amended—

23 (1) by striking the heading and inserting the fol-
24 lowing new heading: “REQUIREMENTS FOR CVN-78
25 CLASS AIRCRAFT CARRIERS”; and

1 (2) in paragraph (1), by striking the heading
2 and inserting the following new heading: “CVN–79
3 QUARTERLY COST ESTIMATE”.

4 **SEC. 122. AMENDMENT TO COST LIMITATION BASELINE FOR**
5 **CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.**

6 (a) *COST LIMITATION*.—Section 122(a)(2) of the John
7 Warner National Defense Authorization Act for Fiscal Year
8 2007 (Public Law 109–364; 120 Stat. 2104), as amended
9 by section 121(a) of the National Defense Authorization Act
10 for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 691),
11 is further amended by striking “\$11,498,000,000” and in-
12 serting “\$11,398,000,000”.

13 (b) *FACTOR FOR ADJUSTMENT*.—Subsection (b) of such
14 section 122, as amended by section 121(b)(1) of the Na-
15 tional Defense Authorization Act for Fiscal Year 2014, is
16 amended by adding at the end the following new paragraph:

17 “(8) With respect to the aircraft carrier des-
18 ignated as CVN–79, the amounts of increases not ex-
19 ceeding \$100,000,000 if the Chief of Naval Operations
20 determines that achieving the amount set forth in sub-
21 section (a)(2) (as amended by section 122(a) of the
22 National Defense Authorization Act for Fiscal Year
23 2016) would result in unacceptable reductions to the
24 operational capability of the ship.”.

1 **SEC. 123. EXTENSION AND MODIFICATION OF LIMITATION**
2 **ON AVAILABILITY OF FUNDS FOR LITTORAL**
3 **COMBAT SHIP.**

4 *Section 124(a) of the National Defense Authorization*
5 *Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat.*
6 *693), as amended by section 123 of the Carl Levin and*
7 *Howard P. “Buck” McKeon National Defense Authoriza-*
8 *tion Act for Fiscal Year 2015 (Public Law 113–291; 128*
9 *Stat. 3314), is further amended—*

10 *(1) by striking “this Act, the Carl Levin and*
11 *Howard P. ‘Buck’ McKeon National Defense Author-*
12 *ization Act for Fiscal Year 2015, or otherwise made*
13 *available for fiscal years 2014 or 2015” and inserting*
14 *“this Act, the National Defense Authorization Act for*
15 *Fiscal Year 2016, or otherwise made available for fis-*
16 *cal years 2014, 2015, or 2016”; and*

17 *(2) by adding at the end the following new para-*
18 *graphs:*

19 *“(6) A Littoral Combat Ship seaframe acquisi-*
20 *tion strategy for the Littoral Combat Ships des-*
21 *ignated as LCS 25 through LCS 32, including up-*
22 *grades to be installed on these ships that were identi-*
23 *fied for the upgraded Littoral Combat Ship, which is*
24 *proposed to commence with LCS 33.*

1 “(7) *A Littoral Combat Ship mission module ac-*
 2 *quisition strategy to reach the total acquisition quan-*
 3 *tity of each mission module.*

4 “(8) *A cost and schedule plan to outfit Flight 0*
 5 *and Flight 0+ Littoral Combat Ships with capabili-*
 6 *ties identified for the upgraded Littoral Combat Ship.*

7 “(9) *A current Test and Evaluation Master Plan*
 8 *for the Littoral Combat Ship Mission Modules, ap-*
 9 *proved by the Director of Operational Test and Eval-*
 10 *uation, which includes the performance levels expected*
 11 *to be demonstrated during developmental testing for*
 12 *each component and mission module prior to com-*
 13 *mencing the associated operational test phase.”.*

14 **SEC. 124. MODIFICATION TO MULTIYEAR PROCUREMENT**

15 **AUTHORITY FOR ARLEIGH BURKE CLASS DE-**
 16 **STROYERS AND ASSOCIATED SYSTEMS.**

17 *Section 123(a) of the National Defense Authorization*
 18 *Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*
 19 *1655) is amended by inserting “or Flight III” after “Flight*
 20 *IIA”.*

21 **SEC. 125. PROCUREMENT OF ADDITIONAL ARLEIGH BURKE**
 22 **CLASS DESTROYER.**

23 *(a) PROCUREMENT AUTHORITY.—*

24 *(1) ADDITIONAL DESTROYER.—The Secretary of*
 25 *the Navy may procure one Arleigh Burke class de-*

1 *stroyer, in addition to any other procurement of such*
2 *ships otherwise authorized by law, to be procured ei-*
3 *ther—*

4 *(A) as an addition to the contract covering*
5 *the 10 Arleigh Burke class destroyers authorized*
6 *to be procured under section 123 of the National*
7 *Defense Authorization Act for Fiscal Year 2013*
8 *(Public Law 112–239; 126 Stat. 1655); or*

9 *(B) under a separate contract in fiscal year*
10 *2018.*

11 *(2) INCREMENTAL FUNDING.—The Secretary*
12 *may employ incremental funding for the procurement*
13 *authorized under paragraph (1).*

14 *(b) CONDITION ON OUT-YEAR CONTRACT PAYMENTS.—*
15 *A contract entered into under subsection (a) shall provide*
16 *that any obligation of the United States to make a payment*
17 *under such contract for any fiscal year after fiscal year*
18 *2016 is subject to the availability of appropriations for that*
19 *purpose for such fiscal year.*

20 **SEC. 126. REFUELING AND COMPLEX OVERHAUL OF THE**
21 **U.S.S. GEORGE WASHINGTON.**

22 *(a) REFUELING AND COMPLEX OVERHAUL.—The Sec-*
23 *retary of the Navy may carry out the nuclear refueling and*
24 *complex overhaul of the U.S.S. George Washington (CVN–*
25 *73).*

1 **(b) USE OF INCREMENTAL FUNDING.**—*With respect to*
2 *any contract entered into under subsection (a) for the nu-*
3 *clear refueling and complex overhaul of the U.S.S. George*
4 *Washington, the Secretary may use incremental funding for*
5 *a period not to exceed six years after advance procurement*
6 *funds for such nuclear refueling and complex overhaul effort*
7 *are first obligated.*

8 **(c) CONDITION FOR OUT-YEAR CONTRACT PAY-**
9 **MENTS.**—*Any contract entered into under subsection (a)*
10 *shall provide that any obligation of the United States to*
11 *make a payment under the contract for a fiscal year after*
12 *fiscal year 2016 is subject to the availability of appropria-*
13 *tions for that purpose for that later fiscal year.*

14 **SEC. 127. FLEET REPLENISHMENT OILER PROGRAM.**

15 **(a) CONTRACT AUTHORITY.**—*The Secretary of the*
16 *Navy may enter into one or more contracts to procure up*
17 *to six Fleet Replenishment Oilers. Such procurements may*
18 *also include advance procurement for economic order quan-*
19 *tity and long lead time materials, beginning with the lead*
20 *ship, commencing not earlier than fiscal year 2016.*

21 **(b) LIABILITY.**—*Any contract entered into under sub-*
22 *section (a) shall provide that any obligation of the United*
23 *States to make a payment under the contract is subject to*
24 *the availability of appropriations for that purpose, and*
25 *that total liability to the Government for termination of*

1 *any contract entered into shall be limited to the total*
2 *amount of funding obligated at the time of termination.*

3 **SEC. 128. LIMITATION ON AVAILABILITY OF FUNDS FOR**
4 **U.S.S. JOHN F. KENNEDY (CVN-79).**

5 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
6 *priated by this Act or otherwise made available for fiscal*
7 *year 2016 for procurement for the U.S.S. John F. Kennedy*
8 *(CVN-79), \$100,000,000 may not be obligated or expended*
9 *until the date on which the Secretary of the Navy submits*
10 *to the congressional defense committees the certification*
11 *under subsection (b)(1) or the notification under paragraph*
12 *(2) of such subsection, as the case may be, and the reports*
13 *under subsections (c) and (d).*

14 (b) *CERTIFICATION REGARDING FULL SHIP SHOCK*
15 *TRIALS.*—

16 (1) *IN GENERAL.*—*Except as provided by para-*
17 *graph (2), not later than 90 days after the date of the*
18 *enactment of this Act, the Secretary of the Navy shall*
19 *submit to the congressional defense committees a cer-*
20 *tification that the Navy will conduct full ship shock*
21 *trials on the U.S.S. Gerald R. Ford (CVN-78) prior*
22 *to the first deployment of such ship.*

23 (2) *WAIVER.*—*The Secretary of Defense may*
24 *wave the certification required under paragraph (1)*

1 *if the Secretary submits to the congressional defense*
2 *committees a notification of such waiver, including—*

3 *(A) the rationale of the Secretary for*
4 *issuing such waiver;*

5 *(B) a certification that the Secretary has*
6 *analyzed and accepts the operational risk of the*
7 *U.S.S. Gerald R. Ford deploying without having*
8 *conducted full ship shock trials; and*

9 *(C) a certification that full ship shock trials*
10 *will be completed on the U.S.S. Gerald R. Ford*
11 *after the first deployment of such ship and prior*
12 *to the first major maintenance availability of*
13 *such ship.*

14 *(c) REPORT ON COSTS RELATING TO CVN-79 AND*
15 *CVN-80.—*

16 *(1) IN GENERAL.—Not later than 90 days after*
17 *the date of the enactment of this Act, the Secretary of*
18 *the Navy shall submit to the congressional defense*
19 *committees a report that evaluates cost issues related*
20 *to the U.S.S. John F. Kennedy (CVN-79) and the*
21 *U.S.S. Enterprise (CVN-80).*

22 *(2) ELEMENTS.—The report under paragraph*
23 *(1) shall include the following:*

24 *(A) Options to achieve ship end cost of no*
25 *more than \$10,000,000,000.*

1 (B) Options to freeze the design of CVN-79
2 for CVN-80, with exceptions only for changes
3 due to full ship shock trials or other significant
4 test and evaluation results.

5 (C) Options to reduce the plans cost for
6 CVN-80 to less than 50 percent of the CVN-79
7 plans cost.

8 (D) Options to transition all non-nuclear
9 Government-furnished equipment, including
10 launch and arresting equipment, to contractor-
11 furnished equipment.

12 (E) Options to build the ships at the most
13 economic pace, such as four years between ships.

14 (F) A business case analysis for the Enter-
15 prise Air Search Radar modification to CVN-79
16 and CVN-80.

17 (G) A business case analysis for the two-
18 phase CVN-79 delivery proposal and impact on
19 fleet deployments.

20 (d) REPORT ON FUTURE DEVELOPMENT.—

21 (1) IN GENERAL.—Not later than April 1, 2016,
22 the Secretary of the Navy shall submit to the congres-
23 sional defense committees a report on potential re-
24 quirements, capabilities, and alternatives for the fu-
25 ture development of aircraft carriers that would re-

1 *place or supplement the CVN-78 class aircraft car-*
2 *rier.*

3 (2) *ELEMENTS.—The report under paragraph*
4 *(1) shall include the following:*

5 (A) *A description of fleet, sea-based tactical*
6 *aviation capability requirements for a range of*
7 *operational scenarios beginning in the 2025*
8 *timeframe.*

9 (B) *A description of alternative aircraft*
10 *carrier designs that meet the requirements de-*
11 *scribed under subparagraph (A).*

12 (C) *A description of nuclear and non-nu-*
13 *clear propulsion options.*

14 (D) *A description of tonnage options rang-*
15 *ing from less than 20,000 tons to greater than*
16 *100,000 tons.*

17 (E) *Requirements for unmanned systems*
18 *integration from inception.*

19 (F) *Developmental, procurement, and*
20 *lifecycle cost assessment of alternatives.*

21 (G) *A notional acquisition strategy for the*
22 *development and construction of alternatives.*

23 (H) *A description of shipbuilding industrial*
24 *base considerations and a plan to ensure oppor-*
25 *tunity for competition among alternatives.*

1 (I) *A description of funding and timing*
2 *considerations related to developing the Annual*
3 *Long-Range Plan for Construction of Naval Ves-*
4 *sels required under section 231 of title 10,*
5 *United States Code.*

6 **SEC. 129. LIMITATION ON AVAILABILITY OF FUNDS FOR**
7 **U.S.S. ENTERPRISE (CVN-80).**

8 (a) *LIMITATION.—Of the funds authorized to be appro-*
9 *priated by this Act or otherwise made available for fiscal*
10 *year 2016 for advance procurement for the U.S.S. Enter-*
11 *prise (CVN-80), \$191,400,000 may not be obligated or ex-*
12 *pended until the date on which the Secretary of the Navy*
13 *submits to the congressional defense committees the certifi-*
14 *cation under subsection (b) and the report under subsection*
15 *(c).*

16 (b) *CERTIFICATION REGARDING CVN-80 DESIGN.—*
17 *Not later than 90 days after the date of the enactment of*
18 *this Act, the Secretary of the Navy shall submit to the con-*
19 *gressional defense committees a certification that the design*
20 *of the U.S.S. Enterprise (CVN-80) will repeat the design*
21 *of CVN-79, with modifications only for significant test and*
22 *evaluation results or significant cost reduction initiatives*
23 *that still meet threshold requirements.*

24 (c) *REPORT.—*

1 (1) *IN GENERAL.*—Not later than 90 days after
2 the date of the enactment of this Act, the Secretary of
3 the Navy shall submit to the congressional defense
4 committees a report that details the costs of the plans
5 related to the U.S.S. *Enterprise* (CVN–80).

6 (2) *ELEMENTS.*—The report under paragraph
7 (1) shall include the following elements, reported by
8 total cost and cost by fiscal year, with a detailed de-
9 scription and a justification for why each cost is re-
10 curring and attributable to the U.S.S. *Enterprise*
11 (CVN–80):

12 (A) *Overall plans.*

13 (B) *Propulsion plant detail design.*

14 (C) *Platform detail design.*

15 (D) *Lead yard services and hull planning*
16 *yard.*

17 (E) *Platform detail design (Steam and*
18 *Electric Plant Planning Yard).*

19 (F) *Other.*

20 **SEC. 130. LIMITATION ON AVAILABILITY OF FUNDS FOR LIT-**
21 **TORAL COMBAT SHIP.**

22 *Of the funds authorized to be appropriated by this Act*
23 *or otherwise made available for fiscal year 2016 for research*
24 *and development, design, construction, procurement, or ad-*
25 *vanced procurement of materials for the Littoral Combat*

1 *Ships designated as LCS 33 or subsequent, not more than*
2 *50 percent may be obligated or expended until Secretary*
3 *of the Navy submits to the Committees on Armed Services*
4 *of the Senate and the House of Representatives each of the*
5 *following:*

6 (1) *A capabilities based assessment, or equivalent*
7 *report, to assess capability gaps and associated capa-*
8 *bility requirements and risks for the upgraded Lit-*
9 *toral Combat Ship, which is proposed to commence*
10 *with LCS 33. Such assessment shall conform with the*
11 *Joint Capabilities Integration and Development Sys-*
12 *tem, including Chairman of the Joint Chiefs of Staff*
13 *Instruction 3170.01H.*

14 (2) *A certification that the Joint Requirements*
15 *Oversight Council has validated an updated Capabili-*
16 *ties Development Document for the upgraded Littoral*
17 *Combat Ship.*

18 (3) *A report describing the upgraded Littoral*
19 *Combat Ship modernization, which shall, at a min-*
20 *imum, include the following elements:*

21 (A) *A description of capabilities that the*
22 *Littoral Combat Ship program delivers, and a*
23 *description of how these relate to the characteris-*
24 *tics of the future joint force identified in the*
25 *Capstone Concept for Joint Operations, concept*

1 *of operations, and integrated architecture docu-*
2 *ments.*

3 *(B) A summary of analyses and studies*
4 *conducted on Littoral Combat Ship moderniza-*
5 *tion.*

6 *(C) A concept of operations for Littoral*
7 *Combat Ship at the operational level and tac-*
8 *tical level describing how they integrate and syn-*
9 *chronize with joint and combined forces to*
10 *achieve the Joint Force Commander's intent.*

11 *(D) A description of threat systems of po-*
12 *tential adversaries that are projected or assessed*
13 *to reach initial operational capability within 15*
14 *years against which the lethality and surviv-*
15 *ability of the Littoral Combat Ship should be de-*
16 *termined.*

17 *(E) A plan and timeline for Littoral Com-*
18 *bat Ship modernization program execution.*

19 *(F) A description of system capabilities re-*
20 *quired for Littoral Combat Ship modernization,*
21 *including key performance parameters and key*
22 *system attributes.*

23 *(G) A plan for family of systems or systems*
24 *of systems synchronization.*

1 (H) *A plan for information technology and*
2 *national security systems supportability.*

3 (I) *A plan for intelligence supportability.*

4 (J) *A plan for electromagnetic environ-*
5 *mental effects and spectrum supportability.*

6 (K) *A description of assets required to*
7 *achieve initial operational capability of a Lit-*
8 *toral Combat Ship modernization increment.*

9 (L) *A schedule and initial operational ca-*
10 *pability and full operational capability defini-*
11 *tions.*

12 (M) *A description of doctrine, organization,*
13 *training, materiel, leadership, education, per-*
14 *sonnel, facilities, and policy considerations.*

15 (N) *A description of other system attributes.*

16 (4) *A plan for future periodic combat systems*
17 *upgrades, which are necessary to ensure relevant ca-*
18 *pability throughout the Littoral Combat Ship or*
19 *Frigate class service lives, using the process described*
20 *in paragraph (3).*

21 **SEC. 131. REPORTING REQUIREMENT FOR OHIO-CLASS RE-**
22 **PLACEMENT SUBMARINE PROGRAM.**

23 *If the budget of the President submitted to Congress*
24 *under section 1105(a) of title 31, United States Code, for*
25 *a fiscal year includes a request for funds for the Ohio-class*

1 *replacement submarine program, the Secretary of Defense*
 2 *shall include in the budget justification materials submitted*
 3 *to Congress in support of the Department of Defense budget*
 4 *for such fiscal year a report that includes the following ele-*
 5 *ments regarding such program (described in terms of both*
 6 *fiscal year 2010 dollars and current fiscal year dollars as*
 7 *of the date of the report):*

8 (1) *Lead ship end cost (with plans).*

9 (2) *Lead ship end cost (less plans).*

10 (3) *Lead ship non-recurring engineering cost.*

11 (4) *Average follow-on ship cost.*

12 (5) *Average operations and sustainment cost per*
 13 *hull per year.*

14 (6) *The average follow-on ship affordability tar-*
 15 *get as determined by the Under Secretary of Defense*
 16 *for Acquisition, Technology, and Logistics.*

17 (7) *The operations and sustainment cost per hull*
 18 *per year affordability target as determined by the*
 19 *Under Secretary of Defense for Acquisition, Tech-*
 20 *nology, and Logistics.*

21 ***Subtitle D—Air Force Programs***

22 ***SEC. 141. BACKUP INVENTORY STATUS OF A-10 AIRCRAFT.***

23 (a) *MAXIMUM NUMBER.*—*In carrying out section*
 24 *133(b)(2)(A) of the Carl Levin and Howard P. “Buck”*
 25 *McKeon National Defense Authorization Act for Fiscal Year*

1 2015 (Public Law 113–291; 128 Stat. 3316), the Secretary
2 of the Air Force may not move more than 18 A–10 aircraft
3 in the active component to backup flying status pursuant
4 to an authorization made by the Secretary of Defense under
5 such section.

6 (b) CONFORMING AMENDMENT.—Such section
7 133(b)(2)(A) is amended by striking “36” and inserting
8 “18”.

9 **SEC. 142. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
10 **RETIREMENT OF A–10 AIRCRAFT.**

11 (a) PROHIBITION ON AVAILABILITY OF FUNDS FOR
12 RETIREMENT.—Except as provided by section 141, none of
13 the funds authorized to be appropriated by this Act or other-
14 wise made available for fiscal year 2016 for the Air Force
15 may be obligated or expended to retire, prepare to retire,
16 or place in storage or on backup aircraft inventory status
17 any A–10 aircraft.

18 (b) ADDITIONAL LIMITATIONS ON RETIREMENT.—

19 (1) IN GENERAL.—Except as provided by section
20 141, and in addition to the limitation in subsection
21 (a), during the period before December 31, 2016, the
22 Secretary of the Air Force may not retire, prepare to
23 retire, or place in storage or on backup flying status
24 any A–10 aircraft.

1 (2) *MINIMUM INVENTORY REQUIREMENT.*—*The*
2 *Secretary of the Air Force shall ensure the Air Force*
3 *maintains a minimum of 171 A–10 aircraft des-*
4 *ignated as primary mission aircraft inventory.*

5 (c) *PROHIBITION ON AVAILABILITY OF FUNDS FOR*
6 *SIGNIFICANT REDUCTIONS IN MANNING LEVELS.*—*None of*
7 *the funds authorized to be appropriated by this Act or other-*
8 *wise made available for fiscal year 2016 for the Air Force*
9 *may be obligated or expended to make significant reduc-*
10 *tions to manning levels with respect to any A–10 aircraft*
11 *squadrons or divisions.*

12 (d) *ADDITIONAL LIMITATION ON SIGNIFICANT REDUC-*
13 *TIONS IN MANNING LEVELS.*—*In addition to the limitation*
14 *in subsection (c), during the period before December 31,*
15 *2016, the Secretary of the Air Force may not make signifi-*
16 *cant reductions to manning levels with respect to any A–*
17 *10 aircraft squadrons or divisions.*

18 (e) *STUDY ON REPLACEMENT CAPABILITY REQUIRE-*
19 *MENTS OR MISSION PLATFORM FOR THE A–10 AIR-*
20 *CRAFT.*—

21 (1) *INDEPENDENT ASSESSMENT REQUIRED.*—

22 (A) *IN GENERAL.*—*The Secretary of the Air*
23 *Force shall commission an appropriate entity*
24 *outside the Department of Defense to conduct an*
25 *assessment of the required capabilities or mission*

1 platform to replace the A-10 aircraft. This as-
2 sessment would represent preparatory work to
3 inform an analysis of alternatives.

4 (B) *ELEMENTS.*—The assessment required
5 under subparagraph (A) shall include each of the
6 following:

7 (i) *Future needs analysis for the cur-*
8 *rent A-10 aircraft mission set to include*
9 *troops-in-contact/close air support, air*
10 *interdiction, strike control and reconnais-*
11 *sance, and combat search and rescue sup-*
12 *port in both contested and uncontested bat-*
13 *tle environments. At a minimum, the needs*
14 *analysis should specifically address the fol-*
15 *lowing areas:*

16 (I) *The ability to safely and effec-*
17 *tively conduct troops-in-contact/danger*
18 *close missions or missions in close*
19 *proximity to civilians in the presence*
20 *of the air defenses found with enemy*
21 *ground maneuver units.*

22 (II) *The ability to effectively tar-*
23 *get and destroy moving, camouflaged,*
24 *or dug-in troops, artillery, armor, and*
25 *armored personnel carriers.*

1 (III) *The ability to engage, target,*
2 *and destroy tanks and armored per-*
3 *sonnel carriers, including with respect*
4 *to the carrying capacity of armor-*
5 *piercing weaponry, including mounted*
6 *cannons and missiles.*

7 (IV) *The ability to remain within*
8 *visual range of friendly forces and tar-*
9 *gets to facilitate responsiveness to*
10 *ground forces and minimize re-attack*
11 *times.*

12 (V) *The ability to safely conduct*
13 *close air support beneath low cloud*
14 *ceilings and in reduced visibilities at*
15 *low airspeeds in the presence of the air*
16 *defenses found with enemy ground ma-*
17 *neuver units.*

18 (VI) *The capability to enable the*
19 *pilot and aircraft to survive attacks*
20 *stemming from small arms, machine*
21 *guns, man-portable air-defense systems,*
22 *and lower caliber anti-aircraft artil-*
23 *lery organic or attached to enemy*
24 *ground forces and maneuver units.*

1 (VII) *The ability to communicate*
2 *effectively with ground forces and*
3 *downed pilots, including in commu-*
4 *nications jamming or satellite-denied*
5 *environments.*

6 (VIII) *The ability to execute the*
7 *missions described in subclauses (I),*
8 *(II), (III), and (IV) in a GPS- or sat-*
9 *ellite-denied environment with or with-*
10 *out sensors.*

11 (IX) *The ability to deliver mul-*
12 *tiple lethal firing passes and sustain*
13 *long loiter endurance to support*
14 *friendly forces throughout extended*
15 *ground engagements.*

16 (X) *The ability to operate from*
17 *unprepared dirt, grass, and narrow*
18 *road runways and to generate high*
19 *sortie rates under these austere condi-*
20 *tions.*

21 (ii) *Identification and assessment of*
22 *gaps in the ability of existing and pro-*
23 *grammed mission platforms in providing*
24 *required capabilities to conduct missions*

1 *specified in clause (i) in both contested and*
2 *uncontested battle environments.*

3 *(iii) Assessment of operational effec-*
4 *tiveness of existing and programmed mis-*
5 *sion platforms to conduct missions specified*
6 *in clause (i) in both contested and*
7 *uncontested battle environments.*

8 *(iv) Assessment of probability of likeli-*
9 *hood of conducting missions requiring*
10 *troops-in-contact/close air support oper-*
11 *ations specified in clause (i) in contested*
12 *environments as compared to uncontested*
13 *environments.*

14 *(v) Any other matters the independent*
15 *entity or the Secretary of the Air Force de-*
16 *termines to be appropriate.*

17 (2) *REPORT.—*

18 (A) *IN GENERAL.—Not later than Sep-*
19 *tember 30, 2016, the Secretary of the Air Force*
20 *shall submit to the congressional defense commit-*
21 *tees a report that includes the assessment re-*
22 *quired under paragraph (1).*

23 (B) *FORM.—The report required under sub-*
24 *paragraph (A) may be submitted in classified*
25 *form, but shall also contain an unclassified exec-*

1 *utive summary and may contain an unclassified*
2 *annex.*

3 (3) *NONDUPLICATION OF EFFORT.*—*If any infor-*
4 *mation required under paragraph (1) has been in-*
5 *cluded in another report or notification previously*
6 *submitted to the congressional defense committees by*
7 *law, the Secretary of the Air Force may provide a list*
8 *of such reports and notifications at the time of sub-*
9 *mitting the report required under paragraph (2) in-*
10 *stead of including such information in such report.*

11 **SEC. 143. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
12 **RETIREMENT OF EC-130H COMPASS CALL AIR-**
13 **CRAFT.**

14 (a) *PROHIBITION ON AVAILABILITY OF FUNDS FOR*
15 *RETIREMENT.*—*None of the funds authorized to be appro-*
16 *priated by this Act or otherwise made available for fiscal*
17 *year 2016 for the Air Force may be obligated or expended*
18 *to retire, prepare to retire, or place in storage or on backup*
19 *aircraft inventory status any EC-130H Compass Call air-*
20 *craft.*

21 (b) *ADDITIONAL PROHIBITION ON RETIREMENT.*—*In*
22 *addition to the prohibition in subsection (a), during the pe-*
23 *riod preceding December 31, 2016, the Secretary of the Air*
24 *Force may not retire, prepare to retire, or place in storage*

1 *or on backup flying status any EC-130H Compass Call*
2 *aircraft.*

3 *(c) REPORT ON RETIREMENT OF EC-130H COMPASS*
4 *CALL AIRCRAFT.—Not later than September 30, 2016, the*
5 *Secretary of the Air Force shall submit to the congressional*
6 *defense committees a report that includes, at a minimum,*
7 *the following:*

8 *(1) The rationale for the retirement of existing*
9 *EC-130H Compass Call aircraft, including an oper-*
10 *ational analysis of the impact of such retirements on*
11 *the warfighting requirements of the combatant com-*
12 *manders.*

13 *(2) Future needs analysis for the current EC-*
14 *130H Compass Call aircraft electronic warfare mis-*
15 *sion set to include suppression of sophisticated enemy*
16 *air defense systems, advanced radar jamming, avoid-*
17 *ing radar detection, communications, sensing, sat-*
18 *ellite navigation, command and control, and battle-*
19 *field awareness.*

20 *(3) A review of operating concepts for airborne*
21 *electronic attack.*

22 *(4) An assessment of upgrades to the electronic*
23 *warfare systems of EC-130H Compass Call aircraft,*
24 *the costs of such upgrades, and expected upgrades*

1 *through 2025, and the expected service life of EC-*
2 *130H Compass Call aircraft.*

3 (5) *A review of the global proliferation of more*
4 *sophisticated air defenses and advanced commercial*
5 *digital electronic devices which counter the airborne*
6 *electronic attack capabilities of the United States by*
7 *state and non-state actors.*

8 (6) *An assessment of the ability of the current*
9 *EC-130H Compass Call fleet to meet tasking require-*
10 *ments of the combatant commanders.*

11 (7) *A plan for how the Air Force will recapiti-*
12 *talize the capability requirement of the EC-130H*
13 *Compass Call mission in the future, whether through*
14 *a replacement program or by integrating such capa-*
15 *bilities onto an existing platform.*

16 (8) *If the plan under paragraph (7) includes in-*
17 *tegrating such capabilities onto an existing platform,*
18 *an analysis that verifies that such platform has the*
19 *space, weight, cooling, and power necessary to sup-*
20 *port the integration of the EC-130H Compass Call*
21 *capability.*

22 (9) *Such other matters relating to the required*
23 *mission capabilities and transition of the EC-130H*
24 *Compass Call fleet as the Secretary considers appro-*
25 *priate.*

1 (d) *FORM.*—The report under subsection (c) may be
2 submitted in classified form, but shall also contain an un-
3 classified executive summary and may contain an unclassi-
4 fied annex.

5 (e) *NONDUPLICATION OF EFFORT.*—If any informa-
6 tion required in the report under subsection (c) has been
7 included in another report or notification previously sub-
8 mitted to the congressional defense committees by law, the
9 Secretary of the Air Force may provide a list of such reports
10 and notifications at the time of submitting the report re-
11 quired under subsection (c) instead of including such infor-
12 mation in such report.

13 **SEC. 144. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
14 **RETIREMENT OF JOINT SURVEILLANCE TAR-**
15 **GET ATTACK RADAR SYSTEM, EC-130H COM-**
16 **PASS CALL, AND AIRBORNE WARNING AND**
17 **CONTROL SYSTEM AIRCRAFT.**

18 (a) *PROHIBITION.*—Except as provided by subsection
19 (b), none of the funds authorized to be appropriated by this
20 Act or otherwise made available for fiscal years 2016 or
21 2017 for the Air Force may be obligated or expended to re-
22 tire, or prepare to retire, any covered aircraft.

23 (b) *EXCEPTION.*—The prohibition in subsection (a)
24 shall not apply to individual covered aircraft that the Sec-
25 retary of the Air Force determines, on a case-by-case basis,

1 *to be non-operational because of mishaps, other damage, or*
2 *being uneconomical to repair.*

3 (c) *COVERED AIRCRAFT.*—*In this section, the term*
4 *“covered aircraft” means the following:*

5 (1) *Joint Surveillance Target Attack Radar Sys-*
6 *tem aircraft.*

7 (2) *EC-130H Compass Call aircraft.*

8 (3) *Airborne Warning and Control System air-*
9 *craft.*

10 **SEC. 145. LIMITATION ON AVAILABILITY OF FUNDS FOR F-**
11 **35A AIRCRAFT PROCUREMENT.**

12 *Of the funds authorized to be appropriated by this Act*
13 *or otherwise made available for fiscal year 2016 for aircraft*
14 *procurement, Air Force, not more than \$4,285,000,000 may*
15 *be obligated for the procurement of F-35A aircraft until*
16 *the Secretary of the Air Force certifies to the congressional*
17 *defense committees that F-35A aircraft delivered during fis-*
18 *cal year 2018 will have full combat capability, as deter-*
19 *mined as of the date of the enactment of this Act, with Block*
20 *3F hardware, software, and weapons carriage.*

21 **SEC. 146. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
22 **RETIREMENT OF KC-10 AIRCRAFT.**

23 (a) *PROHIBITION.*—*Except as provided by subsection*
24 *(b), none of the funds authorized to be appropriated by this*
25 *Act or otherwise made available for fiscal years 2016 or*

1 2017 for the Air Force may be obligated or expended to re-
2 tire, or prepare to retire, any KC-10 aircraft.

3 (b) *EXCEPTION.*—The prohibition in subsection (a)
4 shall not apply to individual KC-10 aircraft that the Sec-
5 retary of the Air Force determines, on a case-by-case basis,
6 to be non-operational because of mishaps, other damage, or
7 being uneconomical to repair.

8 **SEC. 147. LIMITATION ON AVAILABILITY OF FUNDS FOR**
9 **TRANSFER OF C-130 AIRCRAFT.**

10 None of the funds authorized to be appropriated by this
11 Act or otherwise made available for fiscal year 2016 for the
12 Air Force may be obligated or expended to transfer from
13 one facility of the Department of Defense to another any
14 C-130H aircraft, initiate any C-130 manpower authoriza-
15 tion adjustments, retire or prepare to retire any C-130H
16 aircraft, or close any C-130H unit until a period of 90
17 days elapses following the date on which the Secretary of
18 the Air Force, the Secretary of the Army, the Chief of Staff
19 of the Air Force, and the Chief of Staff of the Army, in
20 consultation with the commanders of the XVIII Airborne
21 Corps, the 82nd Airborne Division, and the United States
22 Army Special Operations Command, jointly certify to the
23 Committees on Armed Services of the Senate and the House
24 of Representatives that—

1 (1) *the Secretary of the Air Force will maintain*
2 *dedicated C-130 wings to support the daily training*
3 *and contingency requirements of the XVIII Airborne*
4 *Corps, the 82nd Airborne Division, and the United*
5 *States Army Special Operations Command at man-*
6 *ning levels required to support and operate the num-*
7 *ber of aircraft that existed as part of regular and re-*
8 *serve Air Force operations in support of such units as*
9 *of September 30, 2014; or*

10 (2) *the failure to maintain such dedicated C-130*
11 *wings will not adversely affect the daily training re-*
12 *quirement of such airborne and special operations*
13 *units.*

14 **SEC. 148. LIMITATION ON AVAILABILITY OF FUNDS FOR EX-**
15 **ECUTIVE COMMUNICATIONS UPGRADES FOR**
16 **C-20 AND C-37 AIRCRAFT.**

17 (a) *LIMITATION.*—*Except as provided by subsection*
18 *(b), none of the funds authorized to be appropriated by this*
19 *Act or otherwise made available for fiscal year 2016 for the*
20 *Air Force may be obligated or expended to upgrade the exec-*
21 *utive communications of C-20 and C-37 aircraft until the*
22 *date on which the Secretary of the Air Force certifies in*
23 *writing to the congressional defense committees that such*
24 *upgrades do not—*

1 (1) *cause such aircraft to exceed any weight lim-*
2 *itation; or*

3 (2) *reduce the operational capability of such air-*
4 *craft.*

5 (b) *WAIVER.—The Secretary may waive the limitation*
6 *in subsection (a) if the Secretary—*

7 (1) *determines that such waiver is necessary for*
8 *the national security interests of the United States;*
9 *and*

10 (2) *notifies the congressional defense committees*
11 *of such waiver.*

12 **SEC. 149. LIMITATION ON AVAILABILITY OF FUNDS FOR T-**
13 **1A JAYHAWK AIRCRAFT.**

14 *Of the funds authorized to be appropriated by this Act*
15 *or otherwise made available for fiscal year 2016 for aircraft*
16 *procurement, Air Force, for avionics modification to the T-*
17 *1A Jayhawk aircraft, not more than 85 percent may be ob-*
18 *ligated or expended until a period of 30 days has elapsed*
19 *following the date on which the Secretary of the Air Force*
20 *submits to the congressional defense committees the report*
21 *required under section 142 of the Carl Levin and Howard*
22 *P. “Buck” McKeon National Defense Authorization Act for*
23 *Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3320).*

1 **SEC. 150. NOTIFICATION OF RETIREMENT OF B-1, B-2, AND**
2 **B-52 BOMBER AIRCRAFT.**

3 (a) *NOTIFICATION.*—*Except as provided by subsection*
4 *(b), during the period preceding the date on which the long-*
5 *range strike bomber aircraft achieves initial operational ca-*
6 *pability, the Secretary of the Air Force may not retire or*
7 *prepare to retire covered aircraft during a fiscal year unless*
8 *the Secretary includes in the defense budget materials for*
9 *that fiscal year a notification of the proposed retirement,*
10 *including the rationale for the retirement, the effects of the*
11 *retirement, and how the Secretary will mitigate any risks*
12 *relating to the retirement.*

13 (b) *EXCEPTION.*—*The notification requirement in sub-*
14 *section (a) shall not apply to individual covered aircraft*
15 *that the Secretary determines, on a case-by-case basis, to*
16 *be non-operational because of mishaps, other damage, or*
17 *being uneconomical to repair.*

18 (c) *DEFINITIONS.*—*In this section:*

19 (1) *The term “covered aircraft” means B-1, B-*
20 *2, and B-52 bomber aircraft.*

21 (2) *The term “defense budget materials” has the*
22 *meaning given that term in section 231(f) of title 10,*
23 *United States Code.*

1 **SEC. 151. INVENTORY REQUIREMENT FOR FIGHTER AIR-**
2 **CRAFT OF THE AIR FORCE.**

3 (a) *INVENTORY REQUIREMENT.*—During the two-year
4 period beginning on October 1, 2015, the Secretary of the
5 Air Force shall maintain a total aircraft inventory of fight-
6 er aircraft of not less than 1,900 aircraft, and a total pri-
7 mary mission aircraft inventory (combat-coded) of not less
8 than 1,100 fighter aircraft.

9 (b) *BUDGET INFORMATION REGARDING RETIREMENT*
10 *OF FIGHTER AIRCRAFT.*—

11 (1) *REPORT.*—If the Secretary proposes to retire
12 fighter aircraft in a fiscal year, the Secretary shall
13 include in the materials submitted in support of the
14 budget of the President for that fiscal year (as sub-
15 mitted to Congress under section 1105(a) of title 31,
16 United States Code) a report setting forth the fol-
17 lowing:

18 (A) *The rationale and appropriate sup-*
19 *porting analysis for the proposed retirement.*

20 (B) *An assessment of the implications of*
21 *such retirement for the Air Force, the Air Na-*
22 *tional Guard, and the Air Force Reserve for the*
23 *force mix ratio of fighter aircraft.*

24 (C) *Such other matters relating to the pro-*
25 *posed retirement as the Secretary considers ap-*
26 *propriate.*

1 (2) *EXCEPTION.*—*Paragraph (1) shall not apply*
2 *to individual fighter aircraft that the Secretary deter-*
3 *mines, on a case-by-case basis, to be non-operational*
4 *because of mishaps, other damage, or being uneco-*
5 *nomical to repair.*

6 (c) *DEFINITIONS.*—*In this section:*

7 (1) *The term “fighter aircraft” means an air-*
8 *craft that is designated by a basic mission design se-*
9 *ries of A-10, F-15, F-16, F-22, or F-35.*

10 (2) *The term “primary mission aircraft inven-*
11 *tory” means aircraft assigned to meet the primary*
12 *aircraft authorization to a unit for the performance*
13 *of its wartime mission.*

14 **SEC. 152. SENSE OF CONGRESS REGARDING THE OCONUS**
15 **BASING OF F-35A AIRCRAFT.**

16 (a) *FINDING.*—*Congress finds that the Department of*
17 *Defense is continuing its process of permanently stationing*
18 *the F-35 aircraft at installations in the continental United*
19 *States and forward-basing such aircraft outside the conti-*
20 *ental United States.*

21 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
22 *that the Secretary of the Air Force, in the strategic basing*
23 *process for the F-35A aircraft, should continue to consider*
24 *the benefits derived from sites that—*

1 (1) are capable of hosting fighter-based bilateral
2 and multilateral training opportunities with inter-
3 national partners;

4 (2) have sufficient airspace and range capabili-
5 ties and capacity to meet the training requirements;

6 (3) have existing facilities to support personnel,
7 operations, and logistics associated with the flying
8 mission;

9 (4) have limited encroachment that would ad-
10 versely impact training or operations; and

11 (5) minimize the overall construction and oper-
12 ational costs.

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

15 ***SEC. 161. LIMITATION ON AVAILABILITY OF FUNDS FOR***
16 ***JOINT BATTLE COMMAND-PLATFORM.***

17 (a) *LIMITATION.*—Of the funds authorized to be appro-
18 priated by this Act or otherwise made available for fiscal
19 year 2016 for joint battle command–platform equipment,
20 not more than 75 percent may be obligated or expended
21 until a period of 30 days has elapsed following the date
22 on which the Assistant Secretary of the Army for Acquisi-
23 tion, Technology, and Logistics submits to the congressional
24 defense committees the report under subsection (b).

1 (b) *REPORT.*—Not later than March 1, 2016, the As-
2 sistant Secretary of the Army for Acquisition, Technology,
3 and Logistics shall submit to the congressional defense com-
4 mittees a report that provides a detailed test and evaluation
5 plan to address the effectiveness, suitability, and surviv-
6 ability shortfalls of the joint battle command–platform
7 identified by the Director of Operational Test and Evalua-
8 tion in the fiscal year 2014 report of the Director submitted
9 to Congress.

10 **SEC. 162. REPORT ON ARMY AND MARINE CORPS MOD-**
11 **ERNIZATION PLAN FOR SMALL ARMS.**

12 (a) *REPORT REQUIRED.*—Not later than one year
13 after the date of the enactment of this Act, the Secretary
14 of the Army and the Secretary of the Navy shall jointly
15 submit to the Committees on Armed Services of the Senate
16 and the House of Representatives a report on the plan of
17 the Army and the Marine Corps to modernize small arms
18 for the Army and the Marine Corps during the 15-year pe-
19 riod beginning on the date of such plan, including the mech-
20 anisms to be used to promote competition among suppliers
21 of small arms and small arms parts in achieving the plan.

22 (b) *SMALL ARMS.*—The small arms covered by the
23 plan under subsection (a) shall include the following:

24 (1) *Pistols.*

25 (2) *Carbines.*

1 (3) *Rifles and automatic rifles.*

2 (4) *Light machine guns.*

3 (5) *Such other small arms as the Secretaries con-*
4 *sider appropriate for purposes of the report required*
5 *by subsection (a).*

6 (c) *NON-STANDARD SMALL ARMS.—In addition to the*
7 *arms specified in subsection (b), the plan under subsection*
8 *(a) shall also address non-standard small arms not cur-*
9 *rently in the small arms inventory of the Army or the Ma-*
10 *rine Corps.*

11 **SEC. 163. STUDY ON USE OF DIFFERENT TYPES OF EN-**
12 **HANCED 5.56MM AMMUNITION BY THE ARMY**
13 **AND THE MARINE CORPS.**

14 (a) *USE OF DIFFERENT TYPES OF ENHANCED 5.56MM*
15 *AMMUNITION.—*

16 (1) *STUDY.—Not later than 30 days after the*
17 *date of the enactment of this Act, the Secretary of De-*
18 *fense shall seek to enter into a contract with a feder-*
19 *ally funded research and development center to con-*
20 *duct a study on the use of different types of enhanced*
21 *5.56mm ammunition by the Army and the Marine*
22 *Corps.*

23 (2) *SUBMISSION.—Not later than 90 days after*
24 *the date on which the contract is entered into under*
25 *paragraph (1), the federally funded research and de-*

1 *velopment center conducting the study under such*
2 *paragraph shall submit to the Secretary the study, in-*
3 *cluding any findings and recommendations of the fed-*
4 *erally funded research and development center.*

5 *(b) REPORT.—*

6 *(1) IN GENERAL.—Not later than 30 days after*
7 *the date on which the Secretary receives the study*
8 *under subsection (a)(2), the Secretary shall submit to*
9 *the congressional defense committees a report on the*
10 *study.*

11 *(2) MATTERS INCLUDED.—The report under*
12 *paragraph (1) shall include the following:*

13 *(A) The study, including any findings and*
14 *recommendations of the federally funded research*
15 *and development center that conducted the study.*

16 *(B) An explanation of the reasons for the*
17 *Army and the Marine Corps to use in combat*
18 *two different types of enhanced 5.56mm ammu-*
19 *nition.*

20 *(C) An explanation of the appropriateness,*
21 *effectiveness, and suitability issues that may*
22 *arise from the use of such different types of am-*
23 *munition.*

1 (D) *An explanation of any additional costs*
 2 *that have resulted from the use of such different*
 3 *types of ammunition.*

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

8 (F) *If there are no plans described in sub-*
 9 *paragraph (E), an analysis of the potential bene-*
 10 *fits of a transition described in such subpara-*
 11 *graph, including the timeline for such a transi-*
 12 *tion to occur.*

13 (G) *Any findings, recommendations, com-*
 14 *ments, or plans that the Secretary determines*
 15 *appropriate.*

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

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Centers for Science, Technology, and Engineering Partnership.

Sec. 212. Expansion of eligibility for financial assistance under Department of Defense Science, Mathematics, and Research for Transformation Program to include citizens of countries participating in the Technical Cooperation Program.

Sec. 213. Expansion of education partnerships to support technology transfer and transition.

Sec. 214. Improvement to coordination and communication of defense research activities.

Sec. 215. Reauthorization of Global Research Watch program.

- Sec. 216. Reauthorization of defense research and development rapid innovation program.*
- Sec. 217. Science and technology activities to support business systems information technology acquisition programs.*
- Sec. 218. Department of Defense technology offset program to build and maintain the military technological superiority of the United States.*
- Sec. 219. Limitation on availability of funds for F-15 infrared search and track capability development.*
- Sec. 220. Limitation on availability of funds for development of the shallow water combat submersible.*
- Sec. 221. Limitation on availability of funds for the advanced development and manufacturing facility under the medical countermeasure program.*
- Sec. 222. Limitation on availability of funds for distributed common ground system of the Army.*
- Sec. 223. Limitation on availability of funds for distributed common ground system of the United States Special Operations Command.*
- Sec. 224. Limitation on availability of funds for Integrated Personnel and Pay System of the Army.*

Subtitle C—Reports and Other Matters

- Sec. 231. Streamlining the Joint Federated Assurance Center.*
- Sec. 232. Demonstration of Persistent Close Air Support capabilities.*
- Sec. 233. Strategies for engagement with Historically Black Colleges and Universities and Minority-serving Institutions of Higher Education.*
- Sec. 234. Report on commercial-off-the-shelf wide-area surveillance systems for Army tactical unmanned aerial systems.*
- Sec. 235. Report on Tactical Combat Training System Increment II.*
- Sec. 236. Report on technology readiness levels of the technologies and capabilities critical to the long-range strike bomber aircraft.*
- Sec. 237. Assessment of air-land mobile tactical communications and data network requirements and capabilities.*
- Sec. 238. Study of field failures involving counterfeit electronic parts.*
- Sec. 239. Airborne data link plan.*
- Sec. 240. Plan for advanced weapons technology war games.*
- Sec. 241. Independent assessment of F135 engine program.*
- Sec. 242. Comptroller General review of autonomic logistics information system for F-35 Lightning II aircraft.*
- Sec. 243. Sense of Congress regarding facilitation of a high quality technical workforce.*

1 ***Subtitle A—Authorization of***
 2 ***Appropriations***

3 ***SEC. 201. AUTHORIZATION OF APPROPRIATIONS.***

4 *Funds are hereby authorized to be appropriated for fis-*
 5 *cal year 2016 for the use of the Department of Defense for*

1 *research, development, test, and evaluation as specified in*
 2 *the funding table in section 4201.*

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

5 ***SEC. 211. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGI-***
 6 ***NEERING PARTNERSHIP.***

7 *(a) IN GENERAL.—Chapter 139 of title 10, United*
 8 *States Code, is amended by inserting after section 2367 the*
 9 *following new section:*

10 ***“§2368. Centers for Science, Technology, and Engi-***
 11 ***neering Partnership***

12 *“(a) DESIGNATION.—(1) The Secretary of Defense, in*
 13 *coordination with the Secretaries of the military depart-*
 14 *ments, shall designate each science and technology reinven-*
 15 *tion laboratory as a Center for Science, Technology, and*
 16 *Engineering Partnership (in this section referred to as*
 17 *‘Centers’) in the recognized core competencies of the des-*
 18 *ignee.*

19 *“(2) The Secretary of Defense shall establish a policy*
 20 *to encourage the Secretary of each military department to*
 21 *reengineer management and business processes and adopt*
 22 *best-business and personnel practices at the Centers of the*
 23 *Secretary concerned in connection with the capability re-*
 24 *quirements of the Centers, so as to serve as recognized lead-*

1 *ers in such capabilities throughout the Department of De-*
2 *fense and in the national technology and industrial base.*

3 “(3) *The Secretary of Defense, acting through the di-*
4 *rectors of the Centers, may conduct one or more pilot pro-*
5 *grams, consistent with applicable requirements of law, to*
6 *test any practices referred to in paragraph (2) that the Di-*
7 *rectors determine could—*

8 “(A) *improve the efficiency and effectiveness of*
9 *operations at Centers;*

10 “(B) *improve the support provided by the Cen-*
11 *ters for the elements of the Department of Defense who*
12 *use the services of the Centers; and*

13 “(C) *enhance capabilities by reducing the cost*
14 *and improving the performance and efficiency of exe-*
15 *cuting laboratory missions.*

16 “(b) *PUBLIC-PRIVATE PARTNERSHIPS.—(1) To achieve*
17 *one or more objectives set forth in paragraph (2), the Sec-*
18 *retary may authorize and establish incentives for the Direc-*
19 *tor of a Center to enter into public-private cooperative ar-*
20 *rangements (in this section referred to as a ‘public-private*
21 *partnership’) to provide for any of the following:*

22 “(A) *For employees of the Center, academia, pri-*
23 *vate industry, State and local governments, or other*
24 *entities outside the Department of Defense to perform*
25 *(under contract, subcontract, or otherwise) work re-*

1 *lated to the capabilities of the Center, including any*
2 *work that—*

3 *“(i) involves one or more capabilities of the*
4 *Center; and*

5 *“(ii) may be applicable to both the Depart-*
6 *ment and commercial entities.*

7 *“(B) For private industry or other entities out-*
8 *side the Department of Defense to use for either Gov-*
9 *ernment or commercial purposes any capabilities of*
10 *the Center that are not fully used for Department of*
11 *Defense activities for any period determined to be*
12 *consistent with the needs of the Department of De-*
13 *fense.*

14 *“(2) The objectives for exercising the authority pro-*
15 *vided in paragraph (1) are as follows:*

16 *“(A) To maximize the use of the capacity of a*
17 *Center.*

18 *“(B) To reduce or eliminate the cost of owner-*
19 *ship of a Center by the Department of Defense.*

20 *“(C) To reduce the cost of science, technology,*
21 *and engineering activities of the Department of De-*
22 *fense.*

23 *“(D) To leverage private sector investment in—*

24 *“(i) such efforts as research and equipment*
25 *recapitalization for a Center; and*

1 “(ii) the promotion of the undertaking of
2 commercial business ventures based on the capa-
3 bilities of a Center, as determined by the director
4 of the Center.

5 “(E) To foster cooperation and technology trans-
6 fer between the armed forces, academia, private in-
7 dustry, and State and local governments.

8 “(F) To increase access by a Center to a skilled
9 technical workforce that can contribute to the effective
10 and efficient execution of the missions of the Depart-
11 ment of Defense.

12 “(G) To increase the ability of a Center to access
13 and use non-Department of Defense methods to de-
14 velop and innovate and access capabilities that con-
15 tribute to the effective and efficient execution of the
16 missions of the Department of Defense.

17 “(3)(A) Public-private partnerships entered into under
18 paragraph (1) may be used for purposes relating to tech-
19 nology transfer and other authorities described in subpara-
20 graph (B).

21 “(B) The authorities described in this subparagraph
22 are provisions of law that provide for cooperation and part-
23 nership by the Department of Defense with academia, pri-
24 vate industry, and State and local governments, including
25 the following:

1 “(i) Sections 3371 through 3375 of title 5.

2 “(ii) Sections 2194, 2358, 2371, 2511, 2539b,
3 and 2563 of this title.

4 “(iii) Section 209 of title 35.

5 “(iv) Sections 8, 12, and 23 of the Stevenson-
6 Wylder Technology Innovation Act of 1980 (15 U.S.C.
7 3706, 3710a, and 3715).

8 “(c) *PRIVATE SECTOR USE OF EXCESS CAPACITY.*—
9 *Any capability of a Center made available to the private*
10 *sector may be used to perform research and testing activities*
11 *in order to make more efficient and economical use of Gov-*
12 *ernment-owned capabilities and encourage the creation and*
13 *preservation of jobs to ensure the availability of a workforce*
14 *with the necessary research and technical skills to meet the*
15 *needs of the armed forces.*

16 “(d) *CREDITING OF AMOUNTS FOR PERFORMANCE.*—
17 *Amounts received by a Center for work performed under*
18 *a public-private partnership may—*

19 “(1) *be credited to the appropriation or fund, in-*
20 *cluding a working-capital or revolving fund, that in-*
21 *currs the cost of performing the work; or*

22 “(2) *be used by the Director of the Center as the*
23 *Director considers appropriate and consistent with*
24 *section 219 of the Duncan Hunter National Defense*

1 *Authorization Act for Fiscal Year 2009 (Public Law*
2 *110-417; 10 U.S.C. 2358 note).*

3 “(e) *AVAILABILITY OF EXCESS CAPACITIES TO PRI-*
4 *VATE-SECTOR PARTNERS.—Capacities of a Center may be*
5 *made available for use by a private-sector entity under this*
6 *section only if—*

7 “(1) *the use of the capacities will not have a sig-*
8 *nificant adverse effect on the performance of the Cen-*
9 *ter or the ability of the Center to achieve the mission*
10 *of the Center, as determined by the Director of the*
11 *Center; and*

12 “(2) *the private-sector entity agrees—*

13 “(A) *to reimburse the Department of De-*
14 *fense when required in accordance with the guid-*
15 *ance of the Department for the direct and indi-*
16 *rect costs (including any rental costs) that are*
17 *attributable to the use of the capabilities by the*
18 *private-sector entity, as determined by the Sec-*
19 *retary of the military departments; and*

20 “(B) *to hold harmless and indemnify the*
21 *United States from—*

22 “(i) *any claim for damages or injury*
23 *to any person or property arising out of the*
24 *use of the capabilities, except under the cir-*

1 *cumstances described in section 2563(c)(3)*
2 *of this title; and*

3 “*(ii) any liability or claim for dam-*
4 *ages or injury to any person or property*
5 *arising out of a decision by the Secretary to*
6 *suspend or terminate that use of capabili-*
7 *ties during a war or national emergency.*

8 “(f) *CONSTRUCTION OF PROVISION.—Nothing in this*
9 *section may be construed to authorize a change, otherwise*
10 *prohibited by law, from the performance of work at a Center*
11 *by personnel of the Department of Defense to performance*
12 *by a contractor.*

13 “(g) *DEFINITIONS.—In this section:*

14 “(1) *The term ‘capabilities’, with respect to a*
15 *Center for Science, Technology, and Engineering*
16 *Partnership, means the facilities, equipment, per-*
17 *sonnel, intellectual property, and other assets that*
18 *support the core competencies of the Center.*

19 “(2) *The term ‘national technology and indus-*
20 *trial base’ has the meaning given that term in section*
21 *2500 of this title.*

22 “(3) *The term ‘science and technology reinven-*
23 *tion laboratory’ means a science and technology re-*
24 *invention laboratory designated under section 1105 of*
25 *the National Defense Authorization Act for Fiscal*

1 *this section to more than five individuals described in para-*
 2 *graph (2) per year.*

3 “(2) *An individual described in this paragraph is an*
 4 *individual who—*

5 “(A) *has not previously been awarded a scholar-*
 6 *ship or fellowship under the program under this sec-*
 7 *tion;*

8 “(B) *is not a citizen of the United States; and*

9 “(C) *is a citizen of a country the government of*
 10 *which is a party to The Technical Cooperation Pro-*
 11 *gram (TTCP) memorandum of understanding of Oc-*
 12 *tober 24, 1995.”.*

13 **SEC. 213. EXPANSION OF EDUCATION PARTNERSHIPS TO**
 14 **SUPPORT TECHNOLOGY TRANSFER AND**
 15 **TRANSITION.**

16 *Section 2194 of title 10, United States Code, is amend-*
 17 *ed—*

18 (1) *in subsection (a), by inserting “business, law,*
 19 *technology transfer or transition” after “mathe-*
 20 *matics,”; and*

21 (2) *in subsection (b)—*

22 (A) *by redesignating paragraphs (4)*
 23 *through (6) as paragraphs (5) through (7), re-*
 24 *spectively;*

1 (B) by inserting after paragraph (3) the fol-
 2 lowing new paragraph (4):

3 “(4) providing in the defense laboratory sab-
 4 batical opportunities for faculty and internship op-
 5 portunities for students;” and

6 (C) in paragraphs (5) and (6), as redesign-
 7 ated by subparagraph (A), by striking “re-
 8 search projects” both places it appears and in-
 9 serting “projects, including research and tech-
 10 nology transfer or transition projects”.

11 **SEC. 214. IMPROVEMENT TO COORDINATION AND COMMU-**
 12 **NICATION OF DEFENSE RESEARCH ACTIVI-**
 13 **TIES.**

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

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

18 “(a) *COORDINATION OF DEPARTMENT OF DEFENSE*
 19 *RESEARCH, DEVELOPMENT, AND TECHNOLOGICAL DATA.*—
 20 *The Secretary of Defense shall promote, monitor, and evalu-*
 21 *ate programs for the communication and exchange of re-*
 22 *search, development, and technological data—*

23 “(1) among the Defense research facilities, com-
 24 batant commands, and other organizations that are
 25 involved in developing for the Department of Defense

1 *the technological requirements for new items for use*
2 *by combat forces;*

3 “(2) among Defense research facilities and other
4 offices, agencies, and bureaus in the Department that
5 are engaged in related technological matters;

6 “(3) among other research facilities and other de-
7 partments or agencies of the Federal Government that
8 are engaged in research, development, and techno-
9 logical matters;

10 “(4) among private commercial, research institu-
11 tion, and university entities engaged in research, de-
12 velopment, and technological matters potentially rel-
13 evant to defense on a voluntary basis;

14 “(5) to the extent practicable, to achieve full
15 awareness of scientific and technological advancement
16 and innovation wherever it may occur, whether fund-
17 ed by the Department of Defense, another element of
18 the Federal Government, or other entities; and

19 “(6) through development and distribution of
20 clear technical communications to the public, mili-
21 tary operators, acquisition organizations, and civil-
22 ian and military decision-makers that conveys suc-
23 cesses of research and engineering activities supported
24 by the Department and the contributions of such ac-
25 tivities to support national needs.”;

1 (2) *in subsection (b)—*

2 (A) *by striking paragraph (3) and inserting*
3 *the following new paragraph:*

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

11 (B) *in paragraph (4), by striking “; and”*
12 *and inserting a semicolon;*

13 (C) *in paragraph (5), by striking the period*
14 *at the end and inserting “; and”; and*

15 (D) *by adding at the end the following new*
16 *paragraph:*

17 “*(6) that, in light of Defense research facilities*
18 *being funded by the public, Defense research facilities*
19 *are broadly authorized and encouraged to support na-*
20 *tional technological development goals and support*
21 *technological missions of other departments and agen-*
22 *cies of the Federal Government, when such support is*
23 *determined by the Secretary of Defense to be in the*
24 *best interests of the Federal Government.”.*

1 (1) *in subsection (d), by striking “2015” and in-*
2 *serting “2023”; and*

3 (2) *in subsection (g), by striking “September 30,*
4 *2015” and inserting “September 30, 2023”.*

5 ***(b) MODIFICATION OF GUIDELINES FOR OPERATION OF***
6 ***PROGRAM.—Subsection (b) of such section is amended—***

7 (1) *by amending paragraph (1) to read as fol-*
8 *lows:*

9 “*(1) The issuance of an annual broad agency an-*
10 *nouncement or the use of any other competitive or*
11 *merit-based processes by the Department of Defense*
12 *for candidate proposals in support of defense acquisi-*
13 *tion programs as described in subsection (a).”;*

14 (2) *in paragraph (3), by striking the second sen-*
15 *tence;*

16 (3) *in paragraph (4)—*

17 (A) *in the first sentence, by striking “be*
18 *funded under the program for more than two*
19 *years” and inserting “receive more than a total*
20 *of two years of funding under the program”;* and

21 (B) *by striking the second sentence; and*

22 (4) *by adding at the end, the following new*
23 *paragraphs:*

24 “*(5) Mechanisms to facilitate transition of fol-*
25 *low-on or current projects carried out under the pro-*

1 *gram into defense acquisition programs, through the*
2 *use of the authorities of section 819 of the National*
3 *Defense Authorization Act for Fiscal Year 2010 (Pub-*
4 *lic Law 111–84; 10 U.S.C. 2302 note) or such other*
5 *authorities as may be appropriate to conduct further*
6 *testing, low rate production, or full rate production of*
7 *technologies developed under the program.*

8 *“(6) Projects are selected using merit-based selec-*
9 *tion procedures and the selection of projects is not*
10 *subject to undue influence by Congress or other Fed-*
11 *eral agencies.”.*

12 *(c) REPEAL OF REPORT REQUIREMENT.—Such section*
13 *is further amended—*

14 *(1) by striking subsection (f); and*

15 *(2) by redesignating subsection (g) as subsection*
16 *(f).*

17 **SEC. 217. SCIENCE AND TECHNOLOGY ACTIVITIES TO SUP-**
18 **PORT BUSINESS SYSTEMS INFORMATION**
19 **TECHNOLOGY ACQUISITION PROGRAMS.**

20 *(a) IN GENERAL.—The Secretary of Defense, acting*
21 *through the Under Secretary of Defense for Acquisition,*
22 *Technology, and Logistics, the Deputy Chief Management*
23 *Officer, and the Chief Information Officer, shall establish*
24 *a set of science, technology, and innovation activities to im-*
25 *prove the acquisition outcomes of major automated infor-*

1 *mation systems through improved performance and reduced*
2 *developmental and life cycle costs.*

3 (b) *EXECUTION OF ACTIVITIES.*—*The activities estab-*
4 *lished under subsection (a) shall be carried out by such*
5 *military departments and Defense Agencies as the Under*
6 *Secretary and the Deputy Chief Management Officer con-*
7 *sider appropriate.*

8 (c) *ACTIVITIES.*—

9 (1) *IN GENERAL.*—*The set of activities estab-*
10 *lished under subsection (a) may include the following:*

11 (A) *Development of capabilities in Depart-*
12 *ment of Defense laboratories, test centers, and*
13 *federally funded research and development cen-*
14 *ters to provide technical support for acquisition*
15 *program management and business process re-*
16 *engineering activities.*

17 (B) *Funding of intramural and extramural*
18 *research and development activities as described*
19 *in subsection (e).*

20 (2) *CURRENT ACTIVITIES.*—*The Secretary shall*
21 *identify the current activities described in subpara-*
22 *graphs (A) and (B) of paragraph (1) that are being*
23 *carried out as of the date of the enactment of this Act.*
24 *The Secretary shall consider such current activities in*

1 *determining the set of activities to establish pursuant*
2 *to subsection (a).*

3 *(d) GAP ANALYSIS.—In establishing the set of activi-*
4 *ties under subsection (a), not later than 270 days after the*
5 *date of the enactment of this Act, the Secretary, in coordina-*
6 *tion with the Secretaries of the military departments and*
7 *the heads of the Defense Agencies, shall conduct a gap anal-*
8 *ysis to identify activities that are not, as of such date, being*
9 *pursued in the current science and technology program of*
10 *the Department. The Secretary shall use such analysis in*
11 *determining—*

12 *(1) the set of activities to establish pursuant to*
13 *subsection (a) that carry out the purposes specified in*
14 *subsection (c)(1); and*

15 *(2) the proposed funding requirements and*
16 *timelines.*

17 *(e) FUNDING OF INTRAMURAL AND EXTRAMURAL RE-*
18 *SEARCH AND DEVELOPMENT.—*

19 *(1) IN GENERAL.—In carrying out the set of ac-*
20 *tivities required by subsection (a), the Secretary may*
21 *award grants or contracts to eligible entities to carry*
22 *out intramural or extramural research and develop-*
23 *ment in areas of interest described in paragraph (3).*

24 *(2) ELIGIBLE ENTITIES.—For purposes of this*
25 *subsection, an eligible entity includes the following:*

1 (A) *Entities in the defense industry.*

2 (B) *Institutions of higher education.*

3 (C) *Small businesses.*

4 (D) *Nontraditional defense contractors (as*
5 *defined in section 2302 of title 10, United States*
6 *Code).*

7 (E) *Federally funded research and develop-*
8 *ment centers, primarily for the purpose of im-*
9 *proving technical expertise to support acquisi-*
10 *tion efforts.*

11 (F) *Nonprofit research institutions.*

12 (G) *Government laboratories and test cen-*
13 *ters, primarily for the purpose of improving*
14 *technical expertise to support acquisition efforts.*

15 (3) *AREAS OF INTEREST.—The areas of interest*
16 *described in this paragraph are the following:*

17 (A) *Management innovation, including per-*
18 *sonnel and financial management policy innova-*
19 *tion.*

20 (B) *Business process re-engineering.*

21 (C) *Systems engineering of information*
22 *technology business systems.*

23 (D) *Cloud computing to support business*
24 *systems and business processes.*

1 (E) *Software development, including sys-*
2 *tems and techniques to limit unique interfaces*
3 *and simplify processes to customize commercial*
4 *software to meet the needs of the Department of*
5 *Defense.*

6 (F) *Hardware development, including sys-*
7 *tems and techniques to limit unique interfaces*
8 *and simplify processes to customize commercial*
9 *hardware to meet the needs of the Department of*
10 *Defense.*

11 (G) *Development of methodologies and tools*
12 *to support development and operational test of*
13 *large and complex business systems.*

14 (H) *Analysis tools to allow decision-makers*
15 *to make tradeoffs between requirements, costs,*
16 *technical risks, and schedule in major automated*
17 *information system acquisition programs.*

18 (I) *Information security in major auto-*
19 *mated information system systems.*

20 (J) *Innovative acquisition policies and*
21 *practices to streamline acquisition of informa-*
22 *tion technology systems.*

23 (K) *Such other areas as the Secretary con-*
24 *siders appropriate.*

25 (f) *PRIORITIES.—*

1 (1) *IN GENERAL.*—*In carrying out the set of ac-*
2 *tivities required by subsection (a), the Secretary shall*
3 *give priority to—*

4 (A) *projects that—*

5 (i) *address the innovation and tech-*
6 *nology needs of the Department of Defense;*
7 *and*

8 (ii) *support activities of initiatives,*
9 *programs, and offices identified by the*
10 *Under Secretary and Deputy Chief Manage-*
11 *ment Officer; and*

12 (B) *the projects and programs identified in*
13 *paragraph (2).*

14 (2) *PROJECTS AND PROGRAMS IDENTIFIED.*—*The*
15 *projects and programs identified in this paragraph*
16 *are the following:*

17 (A) *Major automated information system*
18 *programs.*

19 (B) *Projects and programs under the over-*
20 *sight of the Deputy Chief Management Officer.*

21 (C) *Projects and programs relating to de-*
22 *fense procurement acquisition policy.*

23 (D) *Projects and programs of the agencies*
24 *and field activities of the Office of the Secretary*
25 *of Defense that support business missions such as*

1 *finance, human resources, security, management,*
2 *logistics, and contract management.*

3 *(E) Military and civilian personnel policy*
4 *development for information technology work-*
5 *force.*

6 **SEC. 218. DEPARTMENT OF DEFENSE TECHNOLOGY OFFSET**
7 **PROGRAM TO BUILD AND MAINTAIN THE**
8 **MILITARY TECHNOLOGICAL SUPERIORITY OF**
9 **THE UNITED STATES.**

10 *(a) PROGRAM ESTABLISHED.—*

11 *(1) IN GENERAL.—The Secretary of Defense shall*
12 *establish a technology offset program to build and*
13 *maintain the military technological superiority of the*
14 *United States by—*

15 *(A) accelerating the fielding of offset tech-*
16 *nologies that would help counter technological*
17 *advantages of potential adversaries of the United*
18 *States, including directed energy, low-cost, high-*
19 *speed munitions, autonomous systems, undersea*
20 *warfare, cyber technology, and intelligence data*
21 *analytics, developed using research funding of*
22 *the Department of Defense and accelerating the*
23 *commercialization of such technologies; and*

24 *(B) developing and implementing new poli-*
25 *cies and acquisition and business practices.*

1 (2) *GUIDELINES.*—Not later than one year after
2 the date of the enactment of this Act, the Secretary
3 shall issue guidelines for the operation of the program
4 established under paragraph (1), including—

5 (A) *criteria for an application for funding*
6 *by a military department, Defense Agency, or a*
7 *combatant command;*

8 (B) *the purposes for which such a depart-*
9 *ment, agency, or command may apply for funds*
10 *and appropriate requirements for technology de-*
11 *velopment or commercialization to be supported*
12 *using program funds;*

13 (C) *the priorities, if any, to be provided to*
14 *field or commercialize offset technologies devel-*
15 *oped by certain types of research funding of the*
16 *Department; and*

17 (D) *criteria for evaluation of an applica-*
18 *tion for funding or changes to policies or acqui-*
19 *sition and business practices by such a depart-*
20 *ment, agency, or command for purposes of the*
21 *program.*

22 (b) *APPLICATIONS FOR FUNDING.*—

23 (1) *IN GENERAL.*—Under the program estab-
24 lished under subsection (a)(1), not less frequently than
25 annually, the Secretary shall solicit from the heads of

1 *the military departments, the Defense Agencies, and*
2 *the combatant commands applications for funding to*
3 *be used to enter into contracts, cooperative agree-*
4 *ments, or other transaction agreements entered into*
5 *pursuant to section 2371b of title 10, United States*
6 *Code, as added by section 815, with appropriate enti-*
7 *ties for the fielding or commercialization of tech-*
8 *nologies.*

9 (2) *TREATMENT PURSUANT TO CERTAIN CON-*
10 *GRESSIONAL RULES.—Nothing in this section shall be*
11 *interpreted to require any official of the Department*
12 *of Defense to provide funding under this section to*
13 *any Congressional earmark as defined pursuant to*
14 *clause 9 of rule XXI of the Rules of the House of Rep-*
15 *resentatives or any congressionally directed spending*
16 *item as defined pursuant to paragraph 5 of rule*
17 *XLIV of the Standing Rules of the Senate.*

18 (c) *FUNDING.—*

19 (1) *IN GENERAL.—Subject to the availability of*
20 *appropriations for such purpose, of the funds author-*
21 *ized to be appropriated by this Act or otherwise made*
22 *available for fiscal year 2016 for research, develop-*
23 *ment, test, and evaluation, Defense-wide, not more*
24 *than \$300,000,000 may be used for each such fiscal*

1 *year for the program established under subsection*
2 *(a)(1).*

3 (2) *AMOUNT FOR DIRECTED ENERGY.*—*Of the*
4 *funds specified in paragraph (1) for any of fiscal*
5 *years 2016 through 2020, not more than \$150,000,000*
6 *may be used for each such fiscal year for activities in*
7 *the field of directed energy.*

8 (d) *TRANSFER AUTHORITY.*—

9 (1) *IN GENERAL.*—*The Secretary may transfer*
10 *funds available for the program established under*
11 *subsection (a)(1) to the research, development, test,*
12 *and evaluation accounts of a military department,*
13 *Defense Agency, or a combatant command pursuant*
14 *to an application, or any part of an application, that*
15 *the Secretary determines would support the purposes*
16 *of the program.*

17 (2) *SUPPLEMENT NOT SUPPLANT.*—*The transfer*
18 *authority provided in paragraph (1) is in addition to*
19 *any other transfer authority available to the Sec-*
20 *retary of Defense.*

21 (e) *TERMINATION.*—

22 (1) *IN GENERAL.*—*The authority to carry out the*
23 *program under subsection (a)(1) shall terminate on*
24 *September 30, 2020.*

1 (2) *TRANSFER AFTER TERMINATION.*—Any
2 amounts made available for the program that remain
3 available for obligation on the date on which the pro-
4 gram terminates may be transferred under subsection
5 (d) during the 180-day period beginning on the date
6 of the termination of the program.

7 **SEC. 219. LIMITATION ON AVAILABILITY OF FUNDS FOR F-**
8 **15 INFRARED SEARCH AND TRACK CAPA-**
9 **BILITY DEVELOPMENT.**

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

18 (b) *REPORT.*—Not later than March 1, 2016, the Sec-
19 retary of Defense shall submit to the congressional defense
20 committees a report on the requirements and cost estimates
21 for the development and procurement of infrared search and
22 track capability for F/A-18 and F-15 aircraft of the Navy
23 and the Air Force. The report shall include the following:

24 (1) A comparison of the requirements between
25 the F/A-18 and F-15 aircraft infrared search and

1 *track development efforts of the Navy and the Air*
2 *Force.*

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

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

9 (4) *An explanation of any need for the Navy and*
10 *the Air Force to field different F/A–18 and F–15 air-*
11 *craft infrared search and track systems.*

12 (5) *Any other matters the Secretary determines*
13 *appropriate.*

14 **SEC. 220. LIMITATION ON AVAILABILITY OF FUNDS FOR DE-**
15 **VELOPMENT OF THE SHALLOW WATER COM-**
16 **BAT SUBMERSIBLE.**

17 (a) *LIMITATION.*—*Of the amounts authorized to be ap-*
18 *propriated by this Act or otherwise made available for fiscal*
19 *year 2016 for the development of the shallow water combat*
20 *submersible of the United States Special Operations Com-*
21 *mand, not more than 50 percent may be obligated or ex-*
22 *pendent until a period of 15 days elapses following the later*
23 *of the date on which—*

24 (1) *the Under Secretary of Defense for Acquisi-*
25 *tion, Technology, and Logistics designates a civilian*

1 *official to be responsible for oversight of and assist-*
2 *ance to the United States Special Operations Com-*
3 *mand for all undersea mobility programs; and*

4 *(2) the Under Secretary, in coordination with*
5 *the Assistant Secretary of Defense for Special Oper-*
6 *ations and Low-Intensity Conflict and the Com-*
7 *mander of the United States Special Operations Com-*
8 *mand, submits to the congressional defense committees*
9 *the report described in subsection (b).*

10 *(b) REPORT DESCRIBED.—The report described in this*
11 *subsection is a report on the shallow water combat submers-*
12 *ible program that includes the following:*

13 *(1) An analysis of the reasons for cost and sched-*
14 *ule overruns associated with the program, including*
15 *with respect to the performance of contractors and*
16 *subcontractors.*

17 *(2) A revised timeline for initial and full oper-*
18 *ational capability of the shallow water combat sub-*
19 *mersible.*

20 *(3) A description of the challenges associated*
21 *with the integration with dry deck shelter and other*
22 *diving technologies.*

23 *(4) The projected cost to meet the total unit ac-*
24 *quisition objective.*

1 (5) *A plan to prevent, identify, and mitigate*
2 *any additional cost and schedule overruns.*

3 (6) *A description of any opportunities to recover*
4 *cost or schedule overruns.*

5 (7) *A description of any lessons that the Under*
6 *Secretary may have learned from the shallow water*
7 *combat submersible program that could be applied to*
8 *future undersea mobility acquisition programs.*

9 (8) *Any other matters that the Under Secretary*
10 *considers appropriate.*

11 **SEC. 221. LIMITATION ON AVAILABILITY OF FUNDS FOR**
12 **THE ADVANCED DEVELOPMENT AND MANU-**
13 **FACTURING FACILITY UNDER THE MEDICAL**
14 **COUNTERMEASURE PROGRAM.**

15 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
16 *priated by this Act or otherwise made available for fiscal*
17 *year 2016 for research, development, test, and evaluation,*
18 *Defense-wide, for the advanced development and manufac-*
19 *turing facility, and the associated activities performed at*
20 *such facility, under the medical countermeasure program*
21 *of the chemical and biological defense program, not more*
22 *than 75 percent may be obligated or expended until a pe-*
23 *riod of 45 days elapses following the date on which the Sec-*
24 *retary of Defense submits to the congressional defense com-*
25 *mittees the report under subsection (b).*

1 **(b) REPORT.**—*The Secretary shall submit to the con-*
2 *gressional defense committees a report on the advanced de-*
3 *velopment and manufacturing facility under the medical*
4 *countermeasure program that includes the following:*

5 **(1)** *An overall description of the advanced devel-*
6 *opment and manufacturing facility, including vali-*
7 *dated Department of Defense requirements.*

8 **(2)** *Program goals, proposed metrics of perform-*
9 *ance, and anticipated procurement and operations*
10 *and maintenance costs during the period covered by*
11 *the current future years defense program under sec-*
12 *tion 221 of title 10, United States Code.*

13 **(3)** *The results of any analysis of alternatives*
14 *and efficiency reviews conducted by the Secretary that*
15 *justifies the manufacturing and privately financed*
16 *construction of an advanced manufacturing and de-*
17 *velopment facility rather than using other programs*
18 *and facilities of the Federal Government or industry*
19 *facilities for advanced development and manufac-*
20 *turing of medical countermeasures.*

21 **(4)** *An independent cost-benefit analysis that jus-*
22 *tifies the manufacturing and privately financed con-*
23 *struction of an advanced manufacturing and develop-*
24 *ment facility described in paragraph (3).*

1 (5) *If no independent cost-benefit analysis makes*
2 *the justification described in paragraph (4), an expla-*
3 *nation for why such manufacturing and privately fi-*
4 *nanced construction cannot be so justified.*

5 (6) *Any other matters the Secretary of Defense*
6 *determines appropriate.*

7 (c) *COMPTROLLER GENERAL REVIEW.*—*Not later than*
8 *60 days after the date on which the Secretary submits the*
9 *report under subsection (b), the Comptroller General of the*
10 *United States shall submit to the congressional defense com-*
11 *mittees a review of such report.*

12 **SEC. 222. LIMITATION ON AVAILABILITY OF FUNDS FOR**
13 **DISTRIBUTED COMMON GROUND SYSTEM OF**
14 **THE ARMY.**

15 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
16 *priated by this Act or otherwise made available for fiscal*
17 *year 2016 for research, development, test, and evaluation,*
18 *Army, for the distributed common ground system of the*
19 *Army, not more than 75 percent may be obligated or ex-*
20 *pendent until the Secretary of the Army—*

21 (1) *conducts a review of the program planning*
22 *for the distributed common ground system of the*
23 *Army; and*

24 (2) *submits to the appropriate congressional*
25 *committees the report required by subsection (b)(1).*

1 **(b) REPORT.**—

2 **(1) IN GENERAL.**—*The Secretary shall submit to*
3 *the appropriate congressional committees a report on*
4 *the review of the distributed common ground system*
5 *of the Army conducted under subsection (a)(1).*

6 **(2) MATTERS INCLUDED.**—*The report under*
7 *paragraph (1) shall include the following:*

8 **(A)** *A review of the segmentation of Incre-*
9 *ment 2 of the distributed common ground system*
10 *program of the Army into discrete software com-*
11 *ponents with the associated requirements of each*
12 *component.*

13 **(B)** *Identification of each component of In-*
14 *crement 2 of the distributed common ground sys-*
15 *tem of the Army for which commercial software*
16 *exists that is capable of fulfilling most or all of*
17 *the system requirements for each such compo-*
18 *nent.*

19 **(C)** *A cost analysis of each such commercial*
20 *software that compares performance with pro-*
21 *jected cost.*

22 **(D)** *Determination of the degree to which*
23 *commercial software solutions are compliant*
24 *with the standards required by the framework*
25 *and guidance for the Intelligence Community In-*

1 *formation Technology Enterprise, the Defense In-*
2 *telligence Information Enterprise, and the Joint*
3 *Information Environment.*

4 (E) *Identification of each component of In-*
5 *crement 2 of the distributed common ground sys-*
6 *tem of the Army that the Secretary determines*
7 *may be acquired through competitive means.*

8 (F) *An acquisition plan for Increment 2 of*
9 *the distributed common ground system of the*
10 *Army that prioritizes the acquisition of commer-*
11 *cial software components, including a data inte-*
12 *gration layer, in time to meet the projected de-*
13 *ployment schedule for Increment 2.*

14 (G) *A review of the timetable for the distrib-*
15 *uted common ground system program of the*
16 *Army in order to determine whether there is a*
17 *practical, executable acquisition strategy, includ-*
18 *ing the use of operational capability demonstra-*
19 *tions, that could lead to an initial operating ca-*
20 *pability of Increment 2 of the distributed com-*
21 *mon ground system of the Army prior to fiscal*
22 *year 2017.*

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

- 1 (1) *the congressional defense committees; and*
2 (2) *the Select Committee on Intelligence of the*
3 *Senate and the Permanent Select Committee on Intel-*
4 *ligence of the House of Representatives.*

5 **SEC. 223. LIMITATION ON AVAILABILITY OF FUNDS FOR**
6 **DISTRIBUTED COMMON GROUND SYSTEM OF**
7 **THE UNITED STATES SPECIAL OPERATIONS**
8 **COMMAND.**

9 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
10 *priated by this Act or otherwise made available for fiscal*
11 *year 2016 for research, development, test, and evaluation,*
12 *Defense-wide, for the United States Special Operations*
13 *Command for the distributed common ground system, not*
14 *more than 75 percent may be obligated or expended until*
15 *the Commander of the United States Special Operations*
16 *Command submits to the congressional defense committees*
17 *the report required by subsection (b).*

18 (b) *REPORT REQUIRED.*—*The Commander shall sub-*
19 *mit to the congressional defense committees and the Perma-*
20 *nent Select Committee on Intelligence of the House of Rep-*
21 *resentatives a report on the distributed common ground sys-*
22 *tem. Such report shall include the following:*

- 23 (1) *A review of the segmentation of the distrib-*
24 *uted common ground system special operations forces*

1 *program into discrete software components with the*
2 *associated requirements of each component.*

3 (2) *Identification of each component of the dis-*
4 *tributed common ground system special operations*
5 *forces program for which commercial software exists*
6 *that is capable of fulfilling most or all of the system*
7 *requirements for each such component.*

8 (3) *A cost analysis of each such commercial soft-*
9 *ware that compares performance with projected cost.*

10 (4) *A determination of the degree to which com-*
11 *mercial software solutions are compliant with the*
12 *standards required by the framework and guidance*
13 *for the Intelligence Community Information Tech-*
14 *nology Enterprise, the Defense Intelligence Informa-*
15 *tion Enterprise, and the Joint Information Environ-*
16 *ment.*

17 (5) *Identification of each component of the dis-*
18 *tributed common ground system special operations*
19 *forces program that the Commander determines may*
20 *be acquired through competitive means.*

21 (6) *An assessment of the extent to which elements*
22 *of the distributed common ground system special op-*
23 *erations forces program could be modified to increase*
24 *commercial acquisition opportunities.*

1 (7) *An acquisition plan that leads to full oper-*
2 *ational capability prior to fiscal year 2019.*

3 **SEC. 224. LIMITATION ON AVAILABILITY OF FUNDS FOR IN-**
4 **TEGRATED PERSONNEL AND PAY SYSTEM OF**
5 **THE ARMY.**

6 *Of the funds authorized to be appropriated by this Act*
7 *or otherwise made available for fiscal year 2016 for re-*
8 *search, development, test, and evaluation, Army, for the in-*
9 *tegrated personnel and pay system of the Army, not more*
10 *than 75 percent may be obligated or expended until the date*
11 *on which the Secretary of the Army submits to the congres-*
12 *sional defense committees a report that includes the fol-*
13 *lowing:*

14 (1) *Updated and validated information regard-*
15 *ing the performance of the current legacy personnel*
16 *and pay system of the Army for each high-level objec-*
17 *tive and business outcome described in the business*
18 *case for IPPS–A Increment II, dated December 2014,*
19 *including justifications for threshold and objective*
20 *values for the integrated personnel and pay system of*
21 *the Army.*

22 (2) *An explanation how the integrated personnel*
23 *and pay system of the Army will enable significant*
24 *change throughout the entire human resources enter-*
25 *prise.*

1 **SEC. 232. DEMONSTRATION OF PERSISTENT CLOSE AIR**
2 **SUPPORT CAPABILITIES.**

3 (a) *JOINT DEMONSTRATION REQUIRED.*—Subject to
4 the availability of funds, the Secretary of the Air Force,
5 the Secretary of the Army, and the Director of the Defense
6 Advanced Research Projects Agency may jointly conduct a
7 demonstration of the persistent close air support capability
8 during fiscal year 2016.

9 (b) *PARAMETERS OF DEMONSTRATION.*—

10 (1) *SELECTION AND EQUIPMENT OF AIRCRAFT.*—
11 If the demonstration under subsection (a) is con-
12 ducted, the Secretary of the Air Force shall select and
13 equip at least two aircraft for use in the demonstra-
14 tion that the Secretary otherwise intends to use for
15 close air support.

16 (2) *CLOSE AIR SUPPORT OPERATIONS.*—If the
17 demonstration under subsection (a) is conducted, the
18 demonstration shall include close air support oper-
19 ations that involve the following:

20 (A) *Multiple tactical radio networks rep-*
21 *resenting diverse ground force user communities.*

22 (B) *Two-way digital exchanges of situa-*
23 *tional awareness data, video, and calls for fire*
24 *between aircraft and ground users without modi-*
25 *fication to aircraft operational flight profiles.*

1 (C) *Real-time sharing of blue force, aircraft,*
2 *and target location data to reduce risks of frat-*
3 *ricide.*

4 (D) *Lightweight digital tools based on com-*
5 *mercial-off-the-shelf technology for pilots and*
6 *joint tactical air controllers.*

7 (E) *Operations in simple and complex oper-*
8 *ating environments.*

9 (c) *ASSESSMENT.—If the demonstration under sub-*
10 *section (a) is conducted, the Secretary of the Air Force, the*
11 *Secretary of the Army, and the Director of the Defense Ad-*
12 *vanced Research Projects Agency shall jointly—*

13 (1) *assess the effect of the capabilities dem-*
14 *onstrated as part of the demonstration required by*
15 *subsection (a) on—*

16 (A) *the time required to conduct close air*
17 *support operations;*

18 (B) *the effectiveness of blue force in achiev-*
19 *ing tactical objectives; and*

20 (C) *the risk of fratricide and collateral*
21 *damage;*

22 (2) *estimate the costs that would be incurred in*
23 *transitioning the technology used in the persistent*
24 *close air support capability to the Army and the Air*
25 *Force; and*

1 (3) provide to the congressional defense commit-
2 tees a briefing on the results of the demonstration, the
3 assessment under paragraph (1), and the cost esti-
4 mates under paragraph (2) by December 1, 2016.

5 **SEC. 233. STRATEGIES FOR ENGAGEMENT WITH HISTORI-**
6 **CALLY BLACK COLLEGES AND UNIVERSITIES**
7 **AND MINORITY-SERVING INSTITUTIONS OF**
8 **HIGHER EDUCATION.**

9 (a) *BASIC RESEARCH ENTITIES.*—

10 (1) *STRATEGY.*—The heads of each basic research
11 entity shall each develop a strategy for how to engage
12 with and support the development of scientific, tech-
13 nical, engineering, and mathematics capabilities of
14 covered educational institutions in carrying out sec-
15 tion 2362 of title 10, United States Code.

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

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

21 (B) *Metrics to enhance scientific, technical,*
22 *engineering, and mathematics capabilities at*
23 *covered educational institutions, including with*
24 *respect to measuring progress toward increasing*
25 *the success of such institutions to compete for*

1 broader research funding sources other than set-
2 aside funds.

3 (C) *Promotion of mentoring opportunities*
4 *between covered educational institutions and*
5 *other research institutions.*

6 (D) *Regular assessment of activities that*
7 *are used to develop, maintain, and grow sci-*
8 *entific, technical, engineering, and mathematics*
9 *capabilities.*

10 (E) *Inclusion of faculty of covered edu-*
11 *cational institutions into program reviews, peer*
12 *reviews, and other similar activities.*

13 (F) *Targeting of undergraduate, graduate,*
14 *and postgraduate students at covered educational*
15 *institutions for inclusion into research or intern-*
16 *ship opportunities within the military depart-*
17 *ment.*

18 (b) *OFFICE OF THE SECRETARY.—The Secretary of*
19 *Defense shall develop and implement a strategy for how to*
20 *engage with and support the development of scientific, tech-*
21 *nical, engineering, and mathematics capabilities of covered*
22 *educational institutions pursuant to the strategies devel-*
23 *oped under subsection (a).*

24 (c) *SUBMISSION.—*

1 (1) *BASIC RESEARCH ENTITIES.*—Not later than
2 180 days after the date of the enactment of this Act,
3 the heads of each basic research entity shall each sub-
4 mit to the congressional defense committees the strat-
5 egy developed by the head under subsection (a)(1).

6 (2) *OFFICE OF THE SECRETARY.*—Not later than
7 one year after the date of the enactment of this Act,
8 the Secretary of Defense shall submit to the congres-
9 sional defense committees the strategy developed under
10 subsection (b).

11 (d) *COVERED INSTITUTION DEFINED.*—In this section:

12 (1) The term “basic research entity” means an
13 entity of the Department of Defense that executes re-
14 search, development, test, and evaluation budget ac-
15 tivity 1 funding, as described in the Department of
16 Defense Financial Management Regulation.

17 (2) The term “covered educational institution”
18 has the meaning given that term in section 2362(e)
19 of title 10, United States Code.

20 **SEC. 234. REPORT ON COMMERCIAL-OFF-THE-SHELF WIDE-**
21 **AREA SURVEILLANCE SYSTEMS FOR ARMY**
22 **TACTICAL UNMANNED AERIAL SYSTEMS.**

23 (a) *REPORT.*—Not later than 180 days after the date
24 of the enactment of this Act, the Secretary of the Army shall
25 submit to the congressional defense committees a report that

1 *contains the findings of a market survey and assessment*
2 *of commercial-off-the-shelf wide-area surveillance sensors*
3 *operationally suitable for insertion into the tactical un-*
4 *manned aerial systems of the Army.*

5 (b) *ELEMENTS.—The market survey and assessment*
6 *contained in the report under subsection (a) shall include—*

7 (1) *specific details regarding the capabilities of*
8 *current and commercial-off-the-shelf wide-area sur-*
9 *veillance sensors that are, or could be, used on tactical*
10 *unmanned aerial systems of the Army, including—*

11 (A) *daytime and nighttime monitoring cov-*
12 *erage;*

13 (B) *video resolution outputs;*

14 (C) *bandwidth requirements;*

15 (D) *activity-based intelligence and forensic*
16 *capabilities;*

17 (E) *simultaneous region of interest moni-*
18 *toring capability;*

19 (F) *interoperability with other sensors and*
20 *subsystems currently used on such tactical un-*
21 *manned aerial systems;*

22 (G) *sensor weight;*

23 (H) *sensor cost;*

24 (I) *frame rates;*

25 (J) *on-board processing capabilities; and*

1 (K) any other factors the Secretary con-
2 siders relevant;

3 (2) an assessment of the effect on such tactical
4 unmanned aerial systems due to the insertion of com-
5 mercial-off-the-shelf wide-area surveillance sensors;
6 and

7 (3) recommendations on the advisability and fea-
8 sibility to upgrade or enhance wide-area surveillance
9 sensors of such tactical unmanned aerial systems, as
10 considered appropriate by the Secretary.

11 (c) *FORM.*—The report under subsection (a) may con-
12 tain a classified annex.

13 **SEC. 235. REPORT ON TACTICAL COMBAT TRAINING SYSTEM**

14 **INCREMENT II.**

15 (a) *REPORT.*—Not later than January 29, 2016, the
16 Secretary of the Navy and the Secretary of the Air Force
17 shall submit to the congressional defense committees a re-
18 port on the baseline and alternatives to the Tactical Air
19 Combat Training System (TCTS) Increment II of the
20 Navy.

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

23 (1) An explanation of the rationale for a new
24 start TCTS II program as compared to an incre-
25 mental upgrade to the existing TCTS system.

1 (2) *An estimate of total cost to develop, procure,*
2 *and replace the existing Department of the Navy*
3 *TCTS architecture with an encrypted TCTS II com-*
4 *pared to upgrades to existing TCTS.*

5 (3) *A cost estimate and schedule comparison of*
6 *achieving encryption requirements into the existing*
7 *TCTS program as compared to TCTS II.*

8 (4) *A review of joint Department of the Air*
9 *Force and the Department of the Navy investment in*
10 *live-virtual-constructive advanced air combat train-*
11 *ing and planned timeline for inclusion into TCTS II*
12 *architecture.*

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

17 (6) *A cost estimate for coalition partners to*
18 *achieve TCTS II interoperability within the Depart-*
19 *ment of Defense.*

20 (7) *An assessment of risks posed by non-inter-*
21 *operable TCTS systems within the Department of the*
22 *Navy and the Department of the Air Force.*

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

1 (9) *An explanation of key performance param-*
2 *eters for the TCTS II program.*

3 (10) *Any other information the Secretary of the*
4 *Navy and Secretary of the Air Force determine is ap-*
5 *propriate to include.*

6 **SEC. 236. REPORT ON TECHNOLOGY READINESS LEVELS OF**
7 **THE TECHNOLOGIES AND CAPABILITIES**
8 **CRITICAL TO THE LONG-RANGE STRIKE**
9 **BOMBER AIRCRAFT.**

10 (a) *REPORT REQUIRED.*—*Not later than 180 days*
11 *after the date of the enactment of this Act, the Secretary*
12 *of Defense shall submit to the congressional defense commit-*
13 *tees a report on the technology readiness levels of the tech-*
14 *nologies and capabilities critical to the long-range strike*
15 *bomber aircraft.*

16 (b) *REVIEW BY COMPTROLLER GENERAL OF THE*
17 *UNITED STATES.*—*Not later than 60 days after the report*
18 *of the Secretary is submitted under subsection (a), the*
19 *Comptroller General of the United States shall review the*
20 *report and submit to the congressional defense committees*
21 *an assessment of the matters contained in the report.*

1 **SEC. 237. ASSESSMENT OF AIR-LAND MOBILE TACTICAL**
2 **COMMUNICATIONS AND DATA NETWORK RE-**
3 **QUIREMENTS AND CAPABILITIES.**

4 (a) *ASSESSMENT REQUIRED.*—*The Director of Cost*
5 *Assessment and Program Evaluation shall seek to enter into*
6 *a contract with a federally funded research and develop-*
7 *ment center to conduct a comprehensive assessment of cur-*
8 *rent and future requirements and capabilities of the Army*
9 *with respect to air-land ad hoc, mobile tactical communica-*
10 *tions and data networks, including the technological feasi-*
11 *bility, suitability, and survivability of such networks.*

12 (b) *ELEMENTS.*—*The assessment under subsection (a)*
13 *shall include the following:*

14 (1) *Concepts, capabilities, and capacities of cur-*
15 *rent or future communications and data network sys-*
16 *tems to meet the requirements of current or future*
17 *tactical operations effectively, efficiently, and*
18 *affordably.*

19 (2) *Software requirements and capabilities, par-*
20 *ticularly with respect to communications and data*
21 *network waveforms.*

22 (3) *Hardware requirements and capabilities,*
23 *particularly with respect to receiver and transmission*
24 *technology, tactical communications, and data radios*
25 *at all levels and on all platforms, all associated tech-*

1 nologies, and their integration, compatibility, and
2 interoperability.

3 (4) *Any other matters relevant or necessary for*
4 *a comprehensive assessment of tactical networks or*
5 *networking in the Warfighter Information Network-*
6 *Tactical (Increments 1 and 2).*

7 (c) *INDEPENDENT ENTITY.—The Director shall select*
8 *a federally funded research and development center with di-*
9 *rect, long-standing, and demonstrated experience and exper-*
10 *tise in program test and evaluation of concepts, require-*
11 *ments, and technologies for joint tactical communications*
12 *and data networking to perform the assessment under sub-*
13 *section (a).*

14 (d) *REPORT REQUIRED.—Not later than April 30,*
15 *2016, the Secretary of Defense shall submit to the congress-*
16 *sional defense commitments a report including the findings*
17 *and recommendations of the assessment conducted under*
18 *subsection (a), together with the separate comments of the*
19 *Secretary of Defense and the Secretary of the Army.*

20 **SEC. 238. STUDY OF FIELD FAILURES INVOLVING COUNTER-**
21 **FEIT ELECTRONIC PARTS.**

22 (a) *IN GENERAL.—The Secretary of Defense shall con-*
23 *duct a hardware assurance study to assess the presence,*
24 *scope, and effect on Department of Defense operations of*

1 counterfeit electronic parts that have passed through the
2 supply chain of the Department and into fielded systems.

3 (b) *MATTERS INCLUDED.*—The study under subsection
4 (a) shall include the following:

5 (1) *The technical analysis conducted under para-*
6 *graph (1) of subsection (c).*

7 (2) *The report on the technical assessment sub-*
8 *mitted under paragraph (3)(B) of subsection (c).*

9 (3) *Recommendations for such legislative and*
10 *administrative action, including budget requirements,*
11 *as the Secretary considers necessary to conduct sam-*
12 *pling and technical hardware analyses of counterfeit*
13 *parts in identified areas of high concern.*

14 (c) *EXECUTION AND TECHNICAL ANALYSIS.*—

15 (1) *IN GENERAL.*—The Secretary shall direct the
16 executive agent for printed circuit board technology
17 designated under section 256(a) of the Duncan Hun-
18 ter National Defense Authorization Act for Fiscal
19 Year 2009 (Public Law 110–417; 10 U.S.C. 2501
20 note) to coordinate the execution of the study under
21 subsection (a) using capabilities of the Department in
22 effect on the day before the date of the enactment of
23 this Act to conduct a technical analysis on a sample
24 of failed electronic parts in fielded systems.

1 (2) *ELEMENTS.*—*The technical analysis required*
2 *by paragraph (1) shall include the following:*

3 (A) *The selection of a representative sample*
4 *of electronic component types, including digital,*
5 *mixed-signal, and analog integrated circuits.*

6 (B) *An assessment of the presence of coun-*
7 *terfeit parts, including causes and attributes of*
8 *failures of any identified counterfeit part.*

9 (C) *For components found to have counter-*
10 *feit parts, an assessment of the effect of the coun-*
11 *terfeit part in the failure mechanism.*

12 (D) *For cases with counterfeit parts con-*
13 *tributing to the failure, a determination of the*
14 *failure attributes, factors, and effects on sub-*
15 *system and system level reliability, readiness,*
16 *and performance.*

17 (3) *TECHNICAL ASSESSMENT.*—*For any parts*
18 *assessed under paragraph (2) that demonstrate un-*
19 *usual or suspicious failure mechanisms, the federation*
20 *established under section 937(a)(1) of the National*
21 *Defense Authorization Act for Fiscal Year 2014 (Pub-*
22 *lic Law 113–66; 10 U.S.C. 2224 note) shall—*

23 (A) *conduct a technical assessment for indi-*
24 *cations of malicious tampering; and*

1 (B) submit to the executive agent described
2 in paragraph (1) a report on the findings of the
3 federation with respect to the technical assess-
4 ment.

5 (d) *REPORT.*—

6 (1) *IN GENERAL.*—Not later than 540 days after
7 the date of the enactment of this Act, the Secretary
8 shall submit to the congressional defense committees a
9 report on the study carried out under subsection (a).

10 (2) *CONTENTS.*—The report required by para-
11 graph (1) shall include the following:

12 (A) The findings of the Secretary with re-
13 spect to the study conducted under subsection
14 (a).

15 (B) The recommendations developed under
16 subsection (b)(3).

17 **SEC. 239. AIRBORNE DATA LINK PLAN.**

18 (a) *PLAN REQUIRED.*—The Under Secretary of De-
19 fense for Acquisition, Technology, and Logistics and the
20 Vice Chairman of the Joint Chiefs of Staff shall jointly,
21 in consultation with the Secretary of the Navy and the Sec-
22 retary of the Air Force, develop a plan—

23 (1) to provide objective survivable communica-
24 tions gateways to enable—

1 (A) *the secure dissemination of national*
2 *and tactical intelligence information to fourth-*
3 *generation fighter aircraft and supporting air-*
4 *borne platforms and to low-observable pene-*
5 *trating platforms such as the F-22 and F-35*
6 *aircraft; and*

7 (B) *the secure reception and dissemination*
8 *of sensor data from low-observable penetrating*
9 *aircraft, such as the F-22 and F-35 aircraft;*

10 (2) *to provide secure data sharing between the*
11 *fifth-generation fighter aircraft of the Navy, the Air*
12 *Force, and the Marine Corps, with minimal changes*
13 *to the outer surfaces of the aircraft and to aircraft*
14 *operational flight programs; and*

15 (3) *to enable secure data sharing between fifth-*
16 *generation and fourth-generation aircraft in jamming*
17 *environments.*

18 (b) *ADDITIONAL PLAN REQUIREMENTS.—The plan*
19 *under subsection (a) shall include non-proprietary and*
20 *open systems approaches that are compatible with the rapid*
21 *capabilities office open mission systems initiative of the Air*
22 *Force and the future airborne capability environment ini-*
23 *tiative of the Navy.*

24 (c) *BRIEFING.—Not later than February 15, 2016, the*
25 *Under Secretary and the Vice Chairman shall jointly pro-*

1 *vide to the Committee on Armed Services of the House of*
2 *Representatives and the Committee on Armed Services of*
3 *the Senate a briefing on the plan under subsection (a).*

4 **SEC. 240. PLAN FOR ADVANCED WEAPONS TECHNOLOGY**
5 **WAR GAMES.**

6 (a) *PLAN REQUIRED.*—*The Secretary of Defense, in co-*
7 *ordination with the Chairman of the Joint Chiefs of Staff,*
8 *shall develop and implement a plan for integrating ad-*
9 *vanced weapons and offset technologies into exercises car-*
10 *ried out individually and jointly by the military depart-*
11 *ments to improve the development and experimentation of*
12 *various concepts for employment by the Armed Forces.*

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

15 (1) *Identification of specific exercises to be car-*
16 *ried out individually or jointly by the military de-*
17 *partments under the plan.*

18 (2) *Identification of emerging advanced weapons*
19 *and offset technologies based on joint and individual*
20 *recommendations of the military departments, includ-*
21 *ing with respect to directed-energy weapons,*
22 *hypersonic strike systems, autonomous systems, or*
23 *other technologies as determined by the Secretary.*

1 (3) *A schedule for integrating either prototype*
2 *capabilities or table-top exercises into relevant exer-*
3 *cises.*

4 (4) *A method for capturing lessons learned and*
5 *providing feedback both to the developers of the ad-*
6 *vanced weapons and offset technology and the mili-*
7 *tary departments.*

8 (c) *SUBMISSION.*—*Not later than one year after the*
9 *date of the enactment of this Act, the Secretary shall submit*
10 *to the Committees on Armed Services of the House of Rep-*
11 *resentatives and the Senate a report containing the plan*
12 *under subsection (a) and a status update on the implemen-*
13 *tation of such plan.*

14 **SEC. 241. INDEPENDENT ASSESSMENT OF F135 ENGINE**
15 **PROGRAM.**

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

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

22 (1) *An assessment of the reliability, growth, and*
23 *cost-reduction efforts with respect to the F135 engine*
24 *program, including—*

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

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

6 (C) the identification of any potential op-
7 tions for addressing such challenges.

8 (2) In accordance with subsection (c), a thorough
9 assessment of the incident on June 23, 2014, con-
10 sisting of an F135 engine failure and subsequent fire,
11 including—

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

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

17 (C) the associated cost, schedule, and per-
18 formance implications of such incident to both
19 the F135 engine program and the F-35 Joint
20 Strike Fighter program.

21 (c) CONDUCT OF ASSESSMENT.—The federally funded
22 research and development center selected to conduct the as-
23 sessment under subsection (a) shall carry out subsection
24 (b)(2) by analyzing data collected by the F-35 Joint Pro-
25 gram Office, other elements of the Federal Government, or

1 *contractors. Nothing in this section may be construed as*
2 *affecting the plans of the Secretary to dispose of the aircraft*
3 *involved in the incident described in such subsection (b)(2).*

4 *(d) REPORT.—Not later than March 15, 2016, the Sec-*
5 *retary shall submit to the congressional defense committees*
6 *a report containing the assessment conducted under sub-*
7 *section (a).*

8 **SEC. 242. COMPTROLLER GENERAL REVIEW OF AUTONOMIC**
9 **LOGISTICS INFORMATION SYSTEM FOR F-35**
10 **LIGHTNING II AIRCRAFT.**

11 *(a) REPORT.—Not later than April 1, 2016, the Comp-*
12 *troller General of the United States shall submit to the con-*
13 *gressional defense committees a report on the autonomic lo-*
14 *gistics information system for the F-35 Lightning II air-*
15 *craft program.*

16 *(b) ELEMENTS.—The report under subsection (a) shall*
17 *include, at a minimum, the following:*

18 *(1) The fielding status, in terms of units*
19 *equipped with various software and hardware con-*
20 *figurations, for the autonomic logistics information*
21 *system element of the F-35 Lightning II aircraft pro-*
22 *gram, as of the date of the report.*

23 *(2) The development schedule for upgrades to the*
24 *autonomic logistics information system, and an as-*

1 *assessment of the ability of the F-35 Lightning II air-*
2 *craft program to maintain such schedule.*

3 (3) *The views of maintenance personnel and*
4 *other personnel involved in operating and maintain-*
5 *ing F-35 Lightning II aircraft in testing and oper-*
6 *ational units.*

7 (4) *The effect of the autonomic logistics informa-*
8 *tion system program on the operational availability*
9 *of the F-35 Lightning II aircraft program.*

10 (5) *Improvements, if any, regarding the time re-*
11 *quired for maintenance personnel to input data and*
12 *use the autonomic logistics information system.*

13 (6) *The ability of the autonomic logistics infor-*
14 *mation system to be deployed on both ships and to*
15 *forward land-based locations, including any limita-*
16 *tions of such a deployable version.*

17 (7) *The cost estimates for development and field-*
18 *ing of the autonomic logistics information system pro-*
19 *gram and an assessment of the capability of the pro-*
20 *gram to address performance problems within the*
21 *planned resources.*

22 (8) *Other matters regarding the autonomic logis-*
23 *tics information system that the Comptroller General*
24 *determines of critical importance to the long-term vi-*
25 *ability of the system.*

1 **SEC. 243. SENSE OF CONGRESS REGARDING FACILITATION**
 2 **OF A HIGH QUALITY TECHNICAL WORKFORCE.**

3 *It is the sense of Congress that the Secretary of Defense*
 4 *should explore using existing authorities for promoting*
 5 *science, technology, engineering, and mathematics pro-*
 6 *grams, such as under section 233 of the Carl Levin and*
 7 *Howard P. “Buck” McKeon National Defense Authoriza-*
 8 *tion Act for Fiscal Year 2015 (Public Law 113–291; 10*
 9 *U.S.C. 2193a note), to allow laboratories of the Department*
 10 *of Defense and federally funded research and development*
 11 *centers to help facilitate and shape a high quality scientific*
 12 *and technical future workforce that can support the needs*
 13 *of the Department.*

14 **TITLE III—OPERATION AND**
 15 **MAINTENANCE**

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Limitation on procurement of drop-in fuels.

Sec. 312. Southern Sea Otter Military Readiness Areas.

Sec. 313. Modification of energy management reporting requirements.

Sec. 314. Revision to scope of statutorily required review of projects relating to potential obstructions to aviation so as to apply only to energy projects.

Sec. 315. Exclusions from definition of “chemical substance” under Toxic Substances Control Act.

Subtitle C—Logistics and Sustainment

Sec. 322. Repeal of limitation on authority to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine.

Sec. 323. Pilot programs for availability of working-capital funds for product improvements.

Subtitle D—Reports

Sec. 331. Modification of annual report on prepositioned materiel and equipment.

Sec. 332. Report on merger of Office of Assistant Secretary for Operational Energy Plans and Deputy Under Secretary for Installations and Environment.

Sec. 333. Report on equipment purchased noncompetitively from foreign entities.

Subtitle E—Other Matters

Sec. 341. Prohibition on contracts making payments for honoring members of the Armed Forces at sporting events.

Sec. 342. Military animals: transfer and adoption.

Sec. 343. Temporary authority to extend contracts and leases under the ARMS Initiative.

Sec. 344. Improvements to Department of Defense excess property disposal.

Sec. 345. Limitation on use of funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events.

Sec. 346. Reduction in amounts available for Department of Defense headquarters, administrative, and support activities.

1 ***Subtitle A—Authorization of***
2 ***Appropriations***

3 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

4 *Funds are hereby authorized to be appropriated for fis-*
5 *cal year 2016 for the use of the Armed Forces and other*
6 *activities and agencies of the Department of Defense for ex-*
7 *penses, not otherwise provided for, for operation and main-*
8 *tenance, as specified in the funding table in section 4301.*

9 ***Subtitle B—Energy and***
10 ***Environment***

11 **SEC. 311. LIMITATION ON PROCUREMENT OF DROP-IN**
12 **FUELS.**

13 *(a) IN GENERAL.—Subchapter II of chapter 173 of*
14 *title 10, United States Code, is amended by adding at the*
15 *end the following new section:*

1 **“§2922h. Limitation on procurement of drop-in fuels**

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

8 “(b) *WAIVER.*—(1) *Subject to the requirements of*
9 *paragraph (2), the Secretary of Defense may waive the lim-*
10 *itation under subsection (a) with respect to a purchase.*

11 “(2) *Not later than 30 days after issuing a waiver*
12 *under this subsection, the Secretary shall submit to the con-*
13 *gressional defense committees notice of the waiver. Any such*
14 *notice shall include each of the following:*

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

17 “(B) *A certification that the waiver is in the na-*
18 *tional security interest of the United States.*

19 “(C) *The expected fully burdened cost of the pur-*
20 *chase for which the waiver is issued.*

21 “(c) *DEFINITIONS.*—*In this section:*

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

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

3 “(3) *The term ‘operational purposes’—*

4 “(A) *means for the purposes of conducting*
5 *military operations, including training, exer-*
6 *cises, large scale demonstrations, and moving*
7 *and sustaining military forces and military*
8 *platforms; and*

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

12 “(4) *The term ‘fully burdened cost’ means the*
13 *commodity price of the fuel plus the total cost of all*
14 *personnel and assets required to move and, when nec-*
15 *essary, protect the fuel from the point at which the*
16 *fuel is received from the commercial supplier to the*
17 *point of use.”.*

18 (b) *CLERICAL AMENDMENT.—The table of sections at*
19 *the beginning of such subchapter is amended by inserting*
20 *after the item relating to section 2922g the following new*
21 *item:*

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

22 **SEC. 312. SOUTHERN SEA OTTER MILITARY READINESS**
23 **AREAS.**

24 (a) *ESTABLISHMENT OF THE SOUTHERN SEA OTTER*
25 *MILITARY READINESS AREAS.—Chapter 631 of title 10,*

1 *United States Code, is amended by adding at the end the*
 2 *following new section:*

3 **“§ 7235. Establishment of the Southern Sea Otter Mili-**
 4 **tary Readiness Areas**

5 *“(a) ESTABLISHMENT.—The Secretary of the Navy*
 6 *shall establish areas, to be known as ‘Southern Sea Otter*
 7 *Military Readiness Areas’, for national defense purposes.*
 8 *Such areas shall include each of the following:*

9 *“(1) The area that includes Naval Base Ventura*
 10 *County, San Nicolas Island, and Begg Rock and the*
 11 *adjacent and surrounding waters within the following*
 12 *coordinates:*

“N. Latitude/W. Longitude

33°27.8′/119°34.3′

33°20.5′/119°15.5′

33°13.5′/119°11.8′

33°06.5′/119°15.3′

33°02.8′/119°26.8′

33°08.8′/119°46.3′

33°17.2′/119°56.9′

33°30.9′/119°54.2′.

13 *“(2) The area that includes Naval Base Coro-*
 14 *nado, San Clemente Island and the adjacent and sur-*
 15 *rounding waters running parallel to shore to 3 nau-*
 16 *tical miles from the high tide line designated by part*
 17 *165 of title 33, Code of Federal Regulations, on May*
 18 *20, 2010, as the San Clemente Island 3NM Safety*
 19 *Zone.*

1 “(b) *ACTIVITIES WITHIN THE SOUTHERN SEA OTTER*
2 *MILITARY READINESS AREAS.*—

3 “(1) *INCIDENTAL TAKINGS UNDER ENDANGERED*
4 *SPECIES ACT OF 1973.*—Sections 4 and 9 of the *En-*
5 *dangered Species Act of 1973 (16 U.S.C. 1533, 1538)*
6 *shall not apply with respect to the incidental taking*
7 *of any southern sea otter in the Southern Sea Otter*
8 *Military Readiness Areas in the course of conducting*
9 *a military readiness activity.*

10 “(2) *INCIDENTAL TAKINGS UNDER MARINE MAM-*
11 *MAL PROTECTION ACT OF 1972.*—Sections 101 and 102
12 *of the Marine Mammal Protection Act of 1972 (16*
13 *U.S.C. 1371, 1372) shall not apply with respect to the*
14 *incidental taking of any southern sea otter in the*
15 *Southern Sea Otter Military Readiness Areas in the*
16 *course of conducting a military readiness activity.*

17 “(3) *TREATMENT AS SPECIES PROPOSED TO BE*
18 *LISTED.*—For purposes of conducting a military
19 *readiness activity, any southern sea otter while with-*
20 *in the Southern Sea Otter Military Readiness Areas*
21 *shall be treated for the purposes of section 7 of the*
22 *Endangered Species Act of 1973 (16 U.S.C. 1536) as*
23 *a member of a species that is proposed to be listed as*
24 *an endangered species or a threatened species under*

1 *section 4 of the Endangered Species Act of 1973 (16*
2 *U.S.C. 1533).*

3 “(c) *REMOVAL.—Nothing in this section or any other*
4 *Federal law shall be construed to require that any southern*
5 *sea otter located within the Southern Sea Otter Military*
6 *Readiness Areas be removed from the Areas.*

7 “(d) *REVISION OR TERMINATION OF EXCEPTIONS.—*
8 *The Secretary of the Interior may revise or terminate the*
9 *application of subsection (b) if the Secretary of the Interior,*
10 *in consultation with the Secretary of the Navy, determines*
11 *that military activities occurring in the Southern Sea Otter*
12 *Military Readiness Areas are impeding the southern sea*
13 *otter conservation or the return of southern sea otters to*
14 *optimum sustainable population levels.*

15 “(e) *MONITORING.—*

16 “(1) *IN GENERAL.—The Secretary of the Navy*
17 *shall conduct monitoring and research within the*
18 *Southern Sea Otter Military Readiness Areas to de-*
19 *termine the effects of military readiness activities on*
20 *the growth or decline of the southern sea otter popu-*
21 *lation and on the near-shore ecosystem. Monitoring*
22 *and research parameters and methods shall be deter-*
23 *mined in consultation with the Service.*

24 “(2) *REPORTS.—Not later than 24 months after*
25 *the date of the enactment of this section and every*

1 *three years thereafter, the Secretary of the Navy shall*
2 *report to Congress and the public on monitoring un-*
3 *dertaken pursuant to paragraph (1).*

4 “(f) *DEFINITIONS.—In this section:*

5 “(1) *SOUTHERN SEA OTTER.—The term ‘south-*
6 *ern sea otter’ means any member of the subspecies*
7 *Enhydra lutris nereis.*

8 “(2) *TAKE.—The term ‘take’—*

9 “(A) *when used in reference to activities*
10 *subject to regulation by the Endangered Species*
11 *Act of 1973 (16 U.S.C. 1531 et seq.), shall have*
12 *the meaning given such term in that Act; and*

13 “(B) *when used in reference to activities*
14 *subject to regulation by the Marine Mammal*
15 *Protection Act of 1972 (16 U.S.C. 1361 et seq.)*
16 *shall have the meaning given such term in that*
17 *Act.*

18 “(3) *INCIDENTAL TAKING.—The term ‘incidental*
19 *taking’ means any take of a southern sea otter that*
20 *is incidental to, and not the purpose of, the carrying*
21 *out of an otherwise lawful activity.*

22 “(4) *MILITARY READINESS ACTIVITY.—The term*
23 *‘military readiness activity’ has the meaning given*
24 *that term in section 315(f) of the Bob Stump Na-*
25 *tional Defense Authorization Act for Fiscal Year 2003*

1 (16 U.S.C. 703 note) and includes all training and
 2 operations of the armed forces that relate to combat
 3 and the adequate and realistic testing of military
 4 equipment, vehicles, weapons, and sensors for proper
 5 operation and suitability for combat use.

6 “(5) *OPTIMUM SUSTAINABLE POPULATION*.—The
 7 term ‘optimum sustainable population’ means, with
 8 respect to any population stock, the number of ani-
 9 mals that will result in the maximum productivity of
 10 the population or the species, keeping in mind the
 11 carrying capacity of the habitat and the health of the
 12 ecosystem of which they form a constituent element.”.

13 (b) *CLERICAL AMENDMENT*.—The table of sections at
 14 the beginning of such chapter is amended by adding at the
 15 end the following new item:

 “7235. *Establishment of the Southern Sea Otter Military Readiness Areas*.”.

16 **SEC. 313. MODIFICATION OF ENERGY MANAGEMENT RE-**
 17 **PORTING REQUIREMENTS.**

18 Section 2925(a) of title 10, United States Code, is
 19 amended—

20 (1) by striking paragraphs (4) and (7);

21 (2) by redesignating paragraphs (5), (6), (8),
 22 (9), (10), (11), and (12) as paragraphs (4), (5), (6),
 23 (7), (8), (9), and (10), respectively;

24 (3) by amending paragraph (7), as redesignated
 25 by paragraph (2) of this section, to read as follows:

1 “(7) *A description and estimate of the progress*
2 *made by the military departments in meeting current*
3 *high performance and sustainable building standards*
4 *under the Unified Facilities Criteria.”;*

5 (4) *by amending paragraph (9), as redesignated*
6 *by such paragraph (2), to read as follows:*

7 “(9) *Details of all commercial utility outages*
8 *caused by threats and those caused by hazards at*
9 *military installations that last eight hours or longer,*
10 *whether or not the outage was mitigated by backup*
11 *power, including non-commercial utility outages and*
12 *Department of Defense-owned infrastructure, includ-*
13 *ing the total number and location of outages, the fi-*
14 *nancial impact of the outages, and measure taken to*
15 *mitigate outages in the future at the affected locations*
16 *and across the Department of Defense.”; and*

17 (5) *by adding at the end the following new para-*
18 *graph:*

19 “(11) *At the discretion of the Secretary of De-*
20 *fense, a classified annex, as appropriate.”.*

1 **SEC. 314. REVISION TO SCOPE OF STATUTORILY REQUIRED**
2 **REVIEW OF PROJECTS RELATING TO POTEN-**
3 **TIAL OBSTRUCTIONS TO AVIATION SO AS TO**
4 **APPLY ONLY TO ENERGY PROJECTS.**

5 (a) *SCOPE OF SECTION.*—Section 358 of the Ike Skel-
6 ton National Defense Authorization Act for Fiscal Year
7 2011 (Public Law 111–383; 124 Stat. 4198; 49 U.S.C.
8 44718 note) is amended—

9 (1) in subsection (c)(3), by striking “from State
10 and local officials or the developer of a renewable en-
11 ergy development or other energy project” and insert-
12 ing “from a State government, an Indian tribal gov-
13 ernment, a local government, a landowner, or the de-
14 veloper of an energy project”;

15 (2) in subsection (c)(4), by striking “readiness,
16 and” and all that follows and inserting “readiness
17 and to clearly communicate to such parties actions
18 being taken by the Department of Defense under this
19 section.”;

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

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

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

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

3 (b) *DEFINITIONS.*—*Subsection (k) of such section, as*
4 *redesignated by paragraph (4) of subsection (a), is amended*
5 *by adding at the end the following new paragraphs:*

6 “(4) *The term ‘energy project’ means a project*
7 *that provides for the generation or transmission of*
8 *electrical energy.*”

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

11 “(6) *The term ‘landowner’ means a person or*
12 *other legal entity that owns a fee interest in real*
13 *property on which a proposed energy project is*
14 *planned to be located.*”.

15 **SEC. 315. EXCLUSIONS FROM DEFINITION OF “CHEMICAL**
16 **SUBSTANCE” UNDER TOXIC SUBSTANCES**
17 **CONTROL ACT.**

18 *Section 3(2)(B)(v) of the Toxic Substances Control Act*
19 *(15 U.S.C. 2602(2)(B)(v)) is amended by striking “, and”*
20 *and inserting “and any component of such an article (lim-*
21 *ited to shot shells, cartridges, and components of shot shells*
22 *and cartridges), and”.*

1 ***Subtitle C—Logistics and***
2 ***Sustainment***

3 **SEC. 322. REPEAL OF LIMITATION ON AUTHORITY TO**
4 **ENTER INTO A CONTRACT FOR THE**
5 **SUSTAINMENT, MAINTENANCE, REPAIR, OR**
6 **OVERHAUL OF THE F117 ENGINE.**

7 *Section 341 of the Carl Levin and Howard P. “Buck”*
8 *McKeon National Defense Authorization Act for Fiscal Year*
9 *2015 (Public Law 113–291; 128 Stat. 3345) is repealed.*

10 **SEC. 323. PILOT PROGRAMS FOR AVAILABILITY OF WORK-**
11 **ING-CAPITAL FUNDS FOR PRODUCT IMPROVE-**
12 **MENTS.**

13 *(a) PILOT PROGRAMS REQUIRED.—During fiscal year*
14 *2016, each of the Assistant Secretary of the Army for Acqui-*
15 *sition, Logistics, and Technology, the Assistant Secretary*
16 *of the Navy for Research, Development, and Acquisition,*
17 *and the Assistant Secretary of the Air Force for Acquisition*
18 *shall initiate a pilot program pursuant to section 330 of*
19 *the National Defense Authorization Act for Fiscal Year*
20 *2008 (Public Law 110–181; 122 Stat. 68), as amended by*
21 *section 332 of the National Defense Authorization Act for*
22 *Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1697).*

23 *(b) LIMITATION ON AVAILABILITY OF FUNDS.—A min-*
24 *imum of \$5,000,000 of working-capital funds shall be used*

1 *for each of the pilot programs initiated under subsection*
 2 *(a) for fiscal year 2016.*

3 ***Subtitle D—Reports***

4 ***SEC. 331. MODIFICATION OF ANNUAL REPORT ON***
 5 ***PREPOSITIONED MATERIEL AND EQUIPMENT.***

6 *Section 2229a(a)(8) of title 10, United States Code,*
 7 *is amended to read as follows:*

8 *“(8) A list of any equipment used in support of*
 9 *contingency operations slated for retrograde and sub-*
 10 *sequent inclusion in the prepositioned stocks.”.*

11 ***SEC. 332. REPORT ON MERGER OF OFFICE OF ASSISTANT***
 12 ***SECRETARY FOR OPERATIONAL ENERGY***
 13 ***PLANS AND DEPUTY UNDER SECRETARY FOR***
 14 ***INSTALLATIONS AND ENVIRONMENT.***

15 *The Secretary of Defense shall submit to Congress a*
 16 *report on the merger of the Office of the Assistant Secretary*
 17 *of Defense for Operational Energy Plans and the Office of*
 18 *the Deputy Under Secretary of Defense for Installations*
 19 *and Environment under section 901 of the National Defense*
 20 *Authorization Act for Fiscal Year 2015 (Public Law 113–*
 21 *291; 128 Stat. 3462). Such report shall include—*

22 *(1) a description of how the office is imple-*
 23 *menting its responsibilities under sections 138(b)(9),*
 24 *138(c), and 2925(b) of title 10, United States Code,*
 25 *and Department of Defense Directives 5134.15 (As-*

1 *sistant Secretary of Defense for Operational Energy*
2 *Plans and Programs) and 4280.01 (Department of*
3 *Defense Energy Policy);*

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

6 (3) *the number of Department of Defense per-*
7 *sonnel whose responsibilities are focused on energy*
8 *matters specifically.*

9 **SEC. 333. REPORT ON EQUIPMENT PURCHASED NON-**
10 **COMPETITIVELY FROM FOREIGN ENTITIES.**

11 (a) *REPORT REQUIRED.*—*Not later than March 30,*
12 *2016, the Secretary of Defense shall submit to the congres-*
13 *sional defense committees a report containing a list of each*
14 *contract awarded to a foreign entity outside of the national*
15 *technology and industrial base, as described in section*
16 *2505(c) of title 10, United States Code, by the Department*
17 *of Defense during fiscal years 2011 through 2015—*

18 (1) *using procedures other than competitive pro-*
19 *cedures; and*

20 (2) *for the procurement of equipment, weapons,*
21 *weapons systems, components, subcomponents, or end-*
22 *items with a value of \$10,000,000 or more.*

23 (b) *ELEMENTS OF REPORT.*—*The report required by*
24 *subsection (a) shall include, for each contract listed, each*
25 *of the following:*

1 (1) *An identification of the items purchased*
2 *under the contract—*

3 (A) *described in section 8302(a)(1) of title*
4 *41, United States Code, and purchased from a*
5 *foreign manufacturer by reason of an exception*
6 *under section 8302(a)(2)(A) or section*
7 *8302(a)(2)(B) of such title;*

8 (B) *described in section 2533b(a)(1) of title*
9 *10, United States Code, and purchased from a*
10 *foreign manufacturer by reason of an exception*
11 *under section 2533b(b); and*

12 (C) *described in section 2534(a) of such title*
13 *and purchased from a foreign manufacturer by*
14 *reason of a waiver exercised under paragraph*
15 *(1), (2), (4), or (5) of section 2534(d) of such*
16 *title.*

17 (2) *The rationale for using the exception or*
18 *waiver.*

19 (3) *A list of potential alternative manufacturing*
20 *sources from the public and private sector that could*
21 *be developed to establish competition for those items.*

1 **Subtitle E—Other Matters**

2 **SEC. 341. PROHIBITION ON CONTRACTS MAKING PAYMENTS**
3 **FOR HONORING MEMBERS OF THE ARMED**
4 **FORCES AT SPORTING EVENTS.**

5 (a) *PROHIBITION.*—Subchapter I of chapter 134 of
6 *title 10, United States Code, is amended by inserting after*
7 *section 2241a the following new section:*

8 **“§ 2241b. Prohibition on contracts providing payments**
9 **for activities at sporting events to honor**
10 **members of the armed forces**

11 “(a) *PROHIBITION.*—The Department of Defense may
12 *not enter into any contract or other agreement under which*
13 *payments are to be made in exchange for activities by the*
14 *contractor intended to honor, or giving the appearance of*
15 *honoring, members of the armed forces (whether members*
16 *of the regular components or the reserve components) at any*
17 *form of sporting event.*

18 “(b) *CONSTRUCTION.*—Nothing in subsection (a) shall
19 *be construed as prohibiting the Department of Defense from*
20 *taking actions to facilitate activities intended to honor*
21 *members of the armed forces at sporting events that are pro-*
22 *vided on a pro bono basis or otherwise funded with non-*
23 *Federal funds if such activities are provided and received*
24 *in accordance with applicable rules and regulations regard-*

1 *ing the acceptance of gifts by the military departments, the*
 2 *armed forces, and members of the armed forces.”.*

3 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 4 *the beginning of subchapter I of chapter 134 of title 10,*
 5 *United States Code, is amended by inserting after the item*
 6 *relating to section 2241a the following new item:*

“2241b. Prohibition on contracts providing payments for activities at sporting events to honor members of the armed forces.”.

7 **SEC. 342. MILITARY ANIMALS: TRANSFER AND ADOPTION.**

8 (a) *AVAILABILITY FOR ADOPTION.*—*Section 2583(a) of*
 9 *title 10, United States Code, is amended by striking “may”*
 10 *in the matter preceding paragraph (1) and inserting*
 11 *“shall”.*

12 (b) *AUTHORIZED RECIPIENTS.*—*Subsection (c) of sec-*
 13 *tion 2583 of title 10, United States Code, is amended to*
 14 *read as follows:*

15 “(c) *AUTHORIZED RECIPIENTS.*—(1) *A military ani-*
 16 *mal shall be made available for adoption under this section,*
 17 *in order of recommended priority—*

18 (A) *by former handlers of the animal;*

19 (B) *by other persons capable of humanely car-*
 20 *ing for the animal; and*

21 (C) *by law enforcement agencies.*

22 “(2) *If the Secretary of the military department con-*
 23 *cerned determines that an adoption is justified under sub-*
 24 *section (a)(2) under circumstances under which the handler*

1 of a military working dog is wounded in action, the dog
 2 shall be made available for adoption only by the handler.
 3 If the Secretary of the military department concerned deter-
 4 mines that such an adoption is justified under cir-
 5 cumstances under which the handler of a military working
 6 dog is killed in action or dies of wounds received in action,
 7 the military working dog shall be made available for adop-
 8 tion only by a parent, child, spouse, or sibling of the de-
 9 ceased handler.”.

10 (c) *TRANSFER FOR ADOPTION*.—Subsection (f) of sec-
 11 tion 2583 of title 10, United States Code, is amended in
 12 the matter preceding paragraph (1) by striking “may
 13 transfer” and inserting “shall transfer”.

14 (d) *LOCATION OF RETIREMENT*.—Subsection (f) of
 15 such section is further amended—

16 (1) by redesignating paragraphs (1) and (2) as
 17 subparagraphs (A) and (B), respectively;

18 (2) by inserting “(1)” before “If the Secretary”;

19 (3) in paragraph (1), as designated by para-
 20 graph (2) of this subsection—

21 (A) by striking “, and no suitable adoption
 22 is available at the military facility where the dog
 23 is located,”; and

24 (B) in subparagraph (B), as designated by
 25 paragraph (1) of this subsection, by inserting

1 *“within the United States” after “to another lo-*
2 *cation”;* and

3 (4) *by adding at the end the following new para-*
4 *graph (2):*

5 *“(2) Paragraph (1) shall not apply if at the time of*
6 *retirement—*

7 *“(A) the dog is located outside the United States*
8 *and a United States citizen or service member living*
9 *abroad adopts the dog; or*

10 *“(B) the dog is located within the United States*
11 *and suitable adoption is available where the dog is lo-*
12 *cated.”.*

13 (e) *PREFERENCE IN ADOPTION FOR FORMER HAN-*
14 *DLERS.—Such section is further amended—*

15 (1) *by redesignating subsection (g) as subsection*
16 *(h); and*

17 (2) *by inserting after subsection (f) the following*
18 *new subsection (g):*

19 *“(g) PREFERENCE IN ADOPTION OF RETIRED MILI-*
20 *TARY WORKING DOGS FOR FORMER HANDLERS.—(1) In*
21 *providing for the adoption under this section of a retired*
22 *military working dog described in paragraph (1) or (3) of*
23 *subsection (a), the Secretary of the military department*
24 *concerned shall accord a preference to the former handler*
25 *of the dog unless the Secretary determines that adoption*

1 of the dog by the former handler would not be in the best
2 interests of the dog.

3 “(2) In the case of a dog covered by paragraph (1)
4 with more than one former handler seeking adoption of the
5 dog at the time of adoption, the Secretary shall provide for
6 the adoption of the dog by such former handler whose adop-
7 tion of the dog will best serve the interests of the dog and
8 such former handlers. The Secretary shall make any deter-
9 mination required by this paragraph with respect to a dog
10 following consultation with the kennel master of the unit
11 at which the dog was last located before adoption under this
12 section.

13 “(3) Nothing in this subsection shall be construed as
14 altering, revising, or overriding any policy of a military
15 department for the adoption of military working dogs by
16 law enforcement agencies before the end of the dogs’ useful
17 lives.”.

18 **SEC. 343. TEMPORARY AUTHORITY TO EXTEND CONTRACTS**

19 **AND LEASES UNDER THE ARMS INITIATIVE.**

20 *Contracts or subcontracts entered into pursuant to sec-*
21 *tion 4554(a)(3)(A) of title 10, United States Code, on or*
22 *before the date that is five years after the date of the enact-*
23 *ment of this Act may include an option to extend the term*
24 *of the contract or subcontract for an additional 25 years.*

1 **SEC. 344. IMPROVEMENTS TO DEPARTMENT OF DEFENSE**

2 **EXCESS PROPERTY DISPOSAL.**

3 (a) *PLAN REQUIRED.*—Not later than March 15, 2016,
4 the Secretary of Defense shall submit to the congressional
5 defense committees a plan for the improved management
6 and oversight of the systems, processes, and controls in-
7 volved in the disposition of excess non-mission essential
8 equipment and materiel by the Defense Logistics Agency
9 Disposition Services.

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

12 (1) *Backlogs of unprocessed property at disposi-*
13 *tion sites that do not meet Defense Logistics Agency*
14 *Disposition Services goals.*

15 (2) *Customer wait times.*

16 (3) *Procedures governing the disposal of service-*
17 *able items in order to prevent the destruction of excess*
18 *property eligible for utilization, transfer, or donation*
19 *before potential recipients are able to view and obtain*
20 *the property.*

21 (4) *Validation of materiel release orders.*

22 (5) *Assuring adequate physical security for the*
23 *storage of equipment.*

24 (6) *The number of personnel required to effec-*
25 *tively manage retrograde sort yards.*

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

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

5 (9) *Procedures for ensuring no property is of-*
6 *fered for public sale until all requirements for utiliza-*
7 *tion, transfer, and donation are met.*

8 (10) *Validation of physical inventory against*
9 *database entries.*

10 (c) *CONGRESSIONAL BRIEFING.—By not later than*
11 *March 15, 2016, the Secretary shall provide to the congres-*
12 *sional defense committees a briefing on the actions taken*
13 *to implement the plan required under subsection (a).*

14 **SEC. 345. LIMITATION ON USE OF FUNDS FOR DEPARTMENT**
15 **OF DEFENSE SPONSORSHIPS, ADVERTISING,**
16 **OR MARKETING ASSOCIATED WITH SPORTS-**
17 **RELATED ORGANIZATIONS OR SPORTING**
18 **EVENTS.**

19 *Of the amounts authorized to be appropriated for the*
20 *Department of Defense by this Act or otherwise made avail-*
21 *able to the Department for sponsorship, advertising, or*
22 *marketing associated with sports-related organizations or*
23 *sporting events, not more than 75 percent may be obligated*
24 *or expended until the date on which the Under Secretary*

1 *of Defense for Personnel and Readiness, in consultation*
2 *with the Director of Accessions Policy—*

3 *(1) conducts a review of current contracts and*
4 *task orders for such sponsorships, advertising, and*
5 *marketing (as awarded by the regular and reserve*
6 *components of the Armed Forces) in order to assess—*

7 *(A) whether such sponsorships, advertising,*
8 *and marketing are effective in meeting the re-*
9 *cruiting objectives of the Department;*

10 *(B) whether consistent metrics are used to*
11 *evaluate the effectiveness of each such activity in*
12 *generating leads and recruit accessions; and*

13 *(C) whether the return on investment for*
14 *such activities is sufficient to warrant the con-*
15 *tinuing use of Department funds for such activi-*
16 *ties; and*

17 *(2) submits to the Committees on Armed Services*
18 *of the Senate and the House of Representatives a re-*
19 *port that includes—*

20 *(A) a description of the actions being taken*
21 *to coordinate efforts of the Department relating*
22 *to such sponsorships, advertising, and marketing,*
23 *and to minimize duplicative contracts for such*
24 *sponsorships, advertising, and marketing, as ap-*
25 *plicable; and*

1 (B) the results of the review required by
2 paragraph (1), including an assessment of the
3 extent to which the continuing use of Depart-
4 ment funds for such sponsorships, advertising,
5 and marketing is warranted in light of the re-
6 view and the actions described pursuant to sub-
7 paragraph (A).

8 **SEC. 346. REDUCTION IN AMOUNTS AVAILABLE FOR DE-**
9 **PARTMENT OF DEFENSE HEADQUARTERS, AD-**
10 **MINISTRATIVE, AND SUPPORT ACTIVITIES.**

11 (a) *PLAN FOR ACHIEVEMENT OF COST SAVINGS.*—

12 (1) *IN GENERAL.*—Commencing not later than
13 120 days after the date of the enactment of this Act,
14 the Secretary of Defense shall implement a plan to
15 ensure that the Department of Defense achieves not
16 less than \$10,000,000,000 in cost savings from the
17 headquarters, administrative, and support activities
18 of the Department during the period beginning with
19 fiscal year 2015 and ending with fiscal year 2019.
20 The Secretary shall ensure that at least one half of the
21 required cost savings are programmed for fiscal years
22 before fiscal year 2018.

23 (2) *TREATMENT OF SAVINGS PURSUANT TO*
24 *HEADQUARTERS REDUCTION.*—Documented savings
25 achieved pursuant to the headquarters reduction re-

1 *quirement in subsection (b), other than savings*
2 *achieved in fiscal year 2020, shall count toward the*
3 *cost savings required by paragraph (1).*

4 (3) *TREATMENT OF SAVINGS PURSUANT TO MAN-*
5 *AGEMENT ACTIVITIES.—Documented savings in the*
6 *human resources management, health care manage-*
7 *ment, financial flow management, information tech-*
8 *nology infrastructure and management, supply chain*
9 *and logistics, acquisition and procurement, and real*
10 *property management activities of the Department*
11 *during the period referred to in paragraph (1) may*
12 *be counted toward the cost savings required by para-*
13 *graph (1).*

14 (4) *TREATMENT OF SAVINGS PURSUANT TO*
15 *FORCE STRUCTURE REVISIONS.—Savings or reduc-*
16 *tions to military force structure or military operating*
17 *units of the Armed Forces may not count toward the*
18 *cost savings required by paragraph (1).*

19 (5) *REPORTS.—The Secretary shall include with*
20 *the budget for the Department of Defense for each of*
21 *fiscal years 2017, 2018, and 2019, as submitted to*
22 *Congress pursuant to section 1105 of title 31, United*
23 *States Code, a report describing and assessing the*
24 *progress of the Department in implementing the plan*

1 *required by paragraph (1) and in achieving the cost*
2 *savings required by that paragraph.*

3 (6) *COMPTROLLER GENERAL ASSESSMENTS.—*

4 *Not later than 90 days after the submittal of each re-*
5 *port required by paragraph (5), the Comptroller Gen-*
6 *eral of the United States shall submit to the congres-*
7 *sional defense committees a report setting forth the as-*
8 *essment of the Comptroller General of the report and*
9 *of the extent to which the Department of Defense is*
10 *in compliance with the requirements of this section.*

11 (b) *HEADQUARTERS REDUCTIONS.—*

12 (1) *IN GENERAL.—Not later than 90 days after*
13 *the date of the enactment of this Act, the Secretary of*
14 *Defense shall modify the headquarters reduction plan*
15 *required by section 904 of the National Defense Au-*
16 *thorization Act for Fiscal Year 2014 (Public Law*
17 *113–66; 127 Stat. 816; 10 U.S.C. 111 note) to ensure*
18 *that it achieves savings in the total funding available*
19 *for major Department of Defense headquarters activi-*
20 *ties by fiscal year 2020 that are not less than 25 per-*
21 *cent of the baseline amount. The modified plan shall*
22 *establish a specific savings objective for each major*
23 *headquarters activity in each fiscal year through fis-*
24 *cal year 2020. The budget for the Department of De-*

1 *fense for each fiscal year after fiscal year 2016 shall*
2 *reflect the savings required by the modified plan.*

3 (2) *BASELINE AMOUNT.—For the purposes of this*
4 *subsection, the baseline amount is the amount author-*
5 *ized to be appropriated by this Act for fiscal year*
6 *2016 for major Department of Defense headquarters*
7 *activities, adjusted by a credit for reductions in such*
8 *headquarters activities that are documented, as of the*
9 *date that is 90 days after the date of the enactment*
10 *of this Act, as having been accomplished in earlier fis-*
11 *cal years in accordance with the December 2013 di-*
12 *rective of the Secretary of Defense on headquarters re-*
13 *ductions. The modified plan issued pursuant to para-*
14 *graph (1) shall include an overall baseline amount for*
15 *all of the major Department of Defense headquarters*
16 *activities that credits reductions accomplished in ear-*
17 *lier fiscal years in accordance with the December*
18 *2013 directive, and a specific baseline amount for*
19 *each such headquarters activity that credits such re-*
20 *ductions.*

21 (3) *MAJOR DEPARTMENT OF DEFENSE HEAD-*
22 *QUARTERS ACTIVITIES DEFINED.—In this subsection,*
23 *the term “major Department of Defense headquarters*
24 *activities” means the following:*

25 (A) *Each of the following organizations:*

1 (i) *The Office of the Secretary of De-*
2 *fense and the Joint Staff.*

3 (ii) *The Office of the Secretary of the*
4 *Army and the Army Staff.*

5 (iii) *The Office of the Secretary of the*
6 *Navy, the Office of the Chief of Naval Oper-*
7 *ations, and Headquarters, Marine Corps.*

8 (iv) *The Office of the Secretary of the*
9 *Air Force and the Air Staff.*

10 (v) *The Office of the Chief, National*
11 *Guard Bureau, and the National Guard*
12 *Joint Staff.*

13 (B)(i) *Except as provided in clause (ii),*
14 *headquarters elements of each of the following:*

15 (I) *The combatant commands, the sub-*
16 *unified commands, and subordinate com-*
17 *mands that directly report to such com-*
18 *mands.*

19 (II) *The major commands of the mili-*
20 *tary departments and the subordinate com-*
21 *mands that directly report to such com-*
22 *mands.*

23 (III) *The component commands of the*
24 *military departments.*

1 (IV) *The Defense Agencies, the Depart-*
2 *ment of Defense field activities, and the Of-*
3 *dice of the Inspector General of the Depart-*
4 *ment of Defense.*

5 (V) *Department of Defense components*
6 *that report directly to the organizations*
7 *specified in subparagraph (A).*

8 (ii) *Subordinate commands and direct-re-*
9 *porting components otherwise described in clause*
10 *(i) that do not have significant functions other*
11 *than operational, operational intelligence, or tac-*
12 *tical functions, or training for operational, oper-*
13 *ational intelligence, or tactical functions, are not*
14 *headquarters elements for purposes of this sub-*
15 *section.*

16 (4) *IMPLEMENTATION.*—*Not later than 120 days*
17 *after the date of the enactment of this Act, the Sec-*
18 *retary shall revise applicable guidance on the Depart-*
19 *ment of Defense major headquarters activities as*
20 *needed to—*

21 (A) *incorporate into such guidance the defi-*
22 *inition of the term “major Department of Defense*
23 *headquarters activities” as provided in para-*
24 *graph (3);*

1 (B) ensure that the term “headquarters ele-
2 ment”, as used in paragraph (3)(B), is consist-
3 ently applied within such guidance to include—

4 (i) senior leadership and staff func-
5 tions of applicable commands and compo-
6 nents; and

7 (ii) direct support to senior leadership
8 and staff functions of applicable commands
9 and components and to higher headquarters;

10 (C) ensure that the budget and accounting
11 systems of the Department of Defense are modi-
12 fied to track funding for the major Department
13 of Defense headquarters activities as separate
14 funding lines; and

15 (D) identify and address any deviation
16 from the specific savings objective established for
17 a headquarters activity in the modified plan
18 issued by the Secretary pursuant to the require-
19 ment in paragraph (1).

20 (c) *COMPREHENSIVE REVIEW OF HEADQUARTERS AND*
21 *ADMINISTRATIVE AND SUPPORT ACTIVITIES.*—

22 (1) *IN GENERAL.*—*The Secretary of Defense shall*
23 *conduct a comprehensive review of the management*
24 *and operational headquarters of the Department of*
25 *Defense for purposes of consolidating and stream-*

1 *lining headquarters functions and administrative and*
2 *support activities.*

3 (2) *ELEMENTS.—The review required by para-*
4 *graph (1) shall address the following:*

5 (A) *The extent, if any, to which the staff of*
6 *the Secretaries of the military departments and*
7 *the Chiefs of Staff of the Armed Forces have du-*
8 *plicative staff functions and services and could*
9 *be consolidated into a single service staff.*

10 (B) *The extent, if any, to which the staff of*
11 *the Office of the Secretary of Defense, the mili-*
12 *tary departments, the Defense Agencies, and tem-*
13 *porary organizations have duplicative staff func-*
14 *tions and services and could be streamlined with*
15 *respect to—*

16 (i) *performing oversight and making*
17 *policy;*

18 (ii) *performing staff functions and*
19 *services specific to the military department*
20 *concerned;*

21 (iii) *performing multi-department staff*
22 *functions and services; and*

23 (iv) *performing functions and services*
24 *across the Department of Defense with re-*
25 *spect to intelligence collection and analysis.*

1 (C) *The extent, if any, to which the Joint*
2 *Staff, the combatant commands, and their subor-*
3 *ordinate service component commands have dupli-*
4 *cative staff functions and services that could be*
5 *shared, consolidated, eliminated, or otherwise*
6 *streamlined with—*

7 (i) *the Joint Staff performing oversight*
8 *and execution;*

9 (ii) *the staff of the combatant com-*
10 *mands performing only staff functions and*
11 *services specific to the combatant command*
12 *concerned; and*

13 (iii) *the staff of the service component*
14 *commands of the combatant commands per-*
15 *forming only staff functions and services*
16 *specific to the service component command*
17 *concerned.*

18 (D) *The extent, if any, to which reductions*
19 *in military and civilian end-strength in man-*
20 *agement or operational headquarters could be*
21 *used to create, build, or fill shortages in force*
22 *structure for operational units.*

23 (E) *The extent, if any, to which revisions*
24 *are required to the Defense Officers Personnel*
25 *Management Act, including requirements for of-*

1 *fficers to serve in joint billets, the number of*
2 *qualifying billets, the rank structure in the joint*
3 *billets, and the joint qualification requirement*
4 *for officers to be promoted while serving for ex-*
5 *tensive periods in critical positions such as pro-*
6 *gram managers of major defense acquisition pro-*
7 *grams, and officers in units of component forces*
8 *supporting joint commands, in order to achieve*
9 *efficiencies, provide promotion fairness and eq-*
10 *uity, and obtain effective governance in the man-*
11 *agement of the Department of Defense.*

12 *(F) The structure and staffing of the Joint*
13 *Staff, and the number, structure, and staffing of*
14 *the combatant commands and their subordinate*
15 *service component commands, including, in par-*
16 *ticular—*

17 *(i) whether or not the staff organiza-*
18 *tion of each such entity has documented and*
19 *periodically validated requirements for such*
20 *entity;*

21 *(ii) whether or not there are an appro-*
22 *priate number of combatant commands rel-*
23 *ative to the requirements of the National*
24 *Security Strategy, the Quadrennial Defense*

1 *Review, and the National Military Strat-*
2 *egy; and*

3 *(iii) whether or not opportunities exist*
4 *to consolidate staff functions and services*
5 *common to the Joint Staff and the service*
6 *component commands into a single staff or-*
7 *ganization that provides the required func-*
8 *tions, services, capabilities, and capacities*
9 *to the Chairman of the Joint Chiefs of Staff*
10 *and supported combatant commanders, and*
11 *if so—*

12 *(I) where in the organizational*
13 *structure such staff functions, services,*
14 *capabilities, and capacities would be*
15 *established; and*

16 *(II) whether or not the military*
17 *departments could execute such staff*
18 *functions, services, capabilities, and*
19 *capacities while executing their re-*
20 *quirements to organize, train, and*
21 *equip the Armed Forces.*

22 *(G) The statutory and regulatory authority*
23 *of the combatant commands to establish subordi-*
24 *nate joint commands or headquarters, including*
25 *joint task forces, led by a general or flag officer,*

1 *and the extent, if any, to which the combatant*
2 *commands have used such authority—*

3 *(i) to establish temporary or perma-*
4 *nent subordinate joint commands or head-*
5 *quarters, including joint task forces, led by*
6 *general or flag officers;*

7 *(ii) to disestablish temporary or per-*
8 *manent subordinate joint commands or*
9 *headquarters, including joint task forces, led*
10 *by general or flag officers;*

11 *(iii) to increase requirements for gen-*
12 *eral and flag officers in the joint pool which*
13 *are exempt from the end strength limita-*
14 *tions otherwise applicable to general and*
15 *flag officers in the Armed Forces;*

16 *(iv) to participate in the management*
17 *of joint officer qualification in order to en-*
18 *sure the efficient and effective quality and*
19 *quantity of officers needed to staff head-*
20 *quarters functions and services and return*
21 *to the services officers with required profes-*
22 *sional experience and skills necessary to re-*
23 *main competitive for increased responsi-*
24 *bility and authority through subsequent as-*

1 *signment or promotion, including by identi-*
2 *fying—*

3 (I) *circumstances, if any, in*
4 *which officers spend a disproportionate*
5 *amount of time in their careers to at-*
6 *tain joint officer qualifications with*
7 *corresponding loss of opportunities to*
8 *develop in the service-specific assign-*
9 *ments needed to gain the increased*
10 *proficiency and experience to qualify*
11 *for service and command assignments;*
12 *and*

13 (II) *circumstances, if any, in*
14 *which the military departments detail*
15 *officers to joint headquarters staffs in*
16 *order to maximize the number of offi-*
17 *cers receiving joint duty credit with a*
18 *focus on the quantity, instead of the*
19 *quality, of officers achieving joint duty*
20 *credit;*

21 (v) *to establish commanders' strategic*
22 *planning groups, advisory groups, or simi-*
23 *lar parallel personal staff entities that could*
24 *risk isolating function and staff processes,*
25 *including an assessment of the justification*

1 *used to establish such personal staff organi-*
 2 *zations and their impact on the effectiveness*
 3 *and efficiency of organizational staff func-*
 4 *tions, services, capabilities, and capacities;*
 5 *and*

6 *(vi) to ensure the identification and*
 7 *management of officers serving or having*
 8 *served in units in subordinate service com-*
 9 *ponent or joint commands during combat*
 10 *operations and did not receive joint credit*
 11 *for such service.*

12 (3) *CONSULTATION.*—*The Secretary shall, to the*
 13 *extent practicable and as the Secretary considers ap-*
 14 *propriate, conduct the review required by paragraph*
 15 *(1) in consultation with such experts on matters cov-*
 16 *ered by the review who are independent of the Depart-*
 17 *ment of Defense.*

18 (4) *REPORT.*—*Not later than March 1, 2016, the*
 19 *Secretary shall submit to the congressional defense*
 20 *committees a report setting forth the results of the re-*
 21 *view required by paragraph (1).*

22 **TITLE IV—MILITARY PERSONNEL**
 23 **AUTHORIZATIONS**

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

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

*Subtitle B—Reserve Forces**Sec. 411. End strengths for Selected Reserve.**Sec. 412. End strengths for reserves on active duty in support of the reserves.**Sec. 413. End strengths for military technicians (dual status).**Sec. 414. Fiscal year 2016 limitation on number of non-dual status technicians.**Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.**Subtitle C—Authorization of Appropriations**Sec. 421. Military personnel.**Sec. 422. Report on force structure of the Army.*1 ***Subtitle A—Active Forces***2 ***SEC. 401. END STRENGTHS FOR ACTIVE FORCES.***3 *The Armed Forces are authorized strengths for active*
4 *duty personnel as of September 30, 2016, as follows:*5 (1) *The Army, 475,000.*6 (2) *The Navy, 329,200.*7 (3) *The Marine Corps, 184,000.*8 (4) *The Air Force, 320,715.*9 ***SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END***
10 ***STRENGTH MINIMUM LEVELS.***11 *Section 691 of title 10, United States Code, is amend-*
12 *ed—*13 (1) *in subsection (b), by striking paragraphs (1)*
14 *through (4) and inserting the following new para-*
15 *graphs:*16 “(1) *For the Army, 475,000.*17 “(2) *For the Navy, 329,200.*18 “(3) *For the Marine Corps, 184,000.*19 “(4) *For the Air Force, 317,000.*”; and

1 (2) *in subsection (e), by striking “0.5 percent”*
 2 *and inserting “2 percent”.*

3 ***Subtitle B—Reserve Forces***

4 ***SEC. 411. END STRENGTHS FOR SELECTED RESERVE.***

5 (a) *IN GENERAL.—The Armed Forces are authorized*
 6 *strengths for Selected Reserve personnel of the reserve com-*
 7 *ponents as of September 30, 2016, as follows:*

8 (1) *The Army National Guard of the United*
 9 *States, 342,000.*

10 (2) *The Army Reserve, 198,000.*

11 (3) *The Navy Reserve, 57,400.*

12 (4) *The Marine Corps Reserve, 38,900.*

13 (5) *The Air National Guard of the United*
 14 *States, 105,500.*

15 (6) *The Air Force Reserve, 69,200.*

16 (7) *The Coast Guard Reserve, 7,000.*

17 (b) *END STRENGTH REDUCTIONS.—The end strengths*
 18 *prescribed by subsection (a) for the Selected Reserve of any*
 19 *reserve component shall be proportionately reduced by—*

20 (1) *the total authorized strength of units orga-*
 21 *nized to serve as units of the Selected Reserve of such*
 22 *component which are on active duty (other than for*
 23 *training) at the end of the fiscal year; and*

24 (2) *the total number of individual members not*
 25 *in units organized to serve as units of the Selected*

1 *Reserve of such component who are on active duty*
2 *(other than for training or for unsatisfactory partici-*
3 *ipation in training) without their consent at the end*
4 *of the fiscal year.*

5 *(c) END STRENGTH INCREASES.—Whenever units or*
6 *individual members of the Selected Reserve of any reserve*
7 *component are released from active duty during any fiscal*
8 *year, the end strength prescribed for such fiscal year for*
9 *the Selected Reserve of such reserve component shall be in-*
10 *creased proportionately by the total authorized strengths of*
11 *such units and by the total number of such individual mem-*
12 *bers.*

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

15 *Within the end strengths prescribed in section 411(a),*
16 *the reserve components of the Armed Forces are authorized,*
17 *as of September 30, 2016, the following number of Reserves*
18 *to be serving on full-time active duty or full-time duty, in*
19 *the case of members of the National Guard, for the purpose*
20 *of organizing, administering, recruiting, instructing, or*
21 *training the reserve components:*

22 (1) *The Army National Guard of the United*
23 *States, 30,770.*

24 (2) *The Army Reserve, 16,261.*

25 (3) *The Navy Reserve, 9,934.*

1 (4) *The Marine Corps Reserve, 2,260.*

2 (5) *The Air National Guard of the United*
3 *States, 14,748.*

4 (6) *The Air Force Reserve, 3,032.*

5 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
6 **(DUAL STATUS).**

7 *The minimum number of military technicians (dual*
8 *status) as of the last day of fiscal year 2016 for the reserve*
9 *components of the Army and the Air Force (notwith-*
10 *standing section 129 of title 10, United States Code) shall*
11 *be the following:*

12 (1) *For the Army National Guard of the United*
13 *States, 26,099.*

14 (2) *For the Army Reserve, 7,395.*

15 (3) *For the Air National Guard of the United*
16 *States, 22,104.*

17 (4) *For the Air Force Reserve, 9,814.*

18 **SEC. 414. FISCAL YEAR 2016 LIMITATION ON NUMBER OF**
19 **NON-DUAL STATUS TECHNICIANS.**

20 (a) *LIMITATIONS.—*

21 (1) *NATIONAL GUARD.—Within the limitation*
22 *provided in section 10217(c)(2) of title 10, United*
23 *States Code, the number of non-dual status techni-*
24 *cians employed by the National Guard as of Sep-*
25 *tember 30, 2016, may not exceed the following:*

1 (A) *For the Army National Guard of the*
2 *United States, 1,600.*

3 (B) *For the Air National Guard of the*
4 *United States, 350.*

5 (2) *ARMY RESERVE.—The number of non-dual*
6 *status technicians employed by the Army Reserve as*
7 *of September 30, 2016, may not exceed 595.*

8 (3) *AIR FORCE RESERVE.—The number of non-*
9 *dual status technicians employed by the Air Force*
10 *Reserve as of September 30, 2016, may not exceed 90.*

11 (b) *NON-DUAL STATUS TECHNICIANS DEFINED.—In*
12 *this section, the term “non-dual status technician” has the*
13 *meaning given that term in section 10217(a) of title 10,*
14 *United States Code.*

15 **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
16 **THORIZED TO BE ON ACTIVE DUTY FOR**
17 **OPERATIONAL SUPPORT.**

18 *During fiscal year 2016, the maximum number of*
19 *members of the reserve components of the Armed Forces who*
20 *may be serving at any time on full-time operational sup-*
21 *port duty under section 115(b) of title 10, United States*
22 *Code, is the following:*

23 (1) *The Army National Guard of the United*
24 *States, 17,000.*

25 (2) *The Army Reserve, 13,000.*

1 (3) *The Navy Reserve, 6,200.*

2 (4) *The Marine Corps Reserve, 3,000.*

3 (5) *The Air National Guard of the United*
4 *States, 16,000.*

5 (6) *The Air Force Reserve, 14,000.*

6 ***Subtitle C—Authorization of***
7 ***Appropriations***

8 ***SEC. 421. MILITARY PERSONNEL.***

9 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
10 *hereby authorized to be appropriated for fiscal year 2016*
11 *for the use of the Armed Forces and other activities and*
12 *agencies of the Department of Defense for expenses, not oth-*
13 *erwise provided for, for military personnel, as specified in*
14 *the funding table in section 4401.*

15 (b) *CONSTRUCTION OF AUTHORIZATION.—The author-*
16 *ization of appropriations in subsection (a) supersedes any*
17 *other authorization of appropriations (definite or indefi-*
18 *nite) for such purpose for fiscal year 2016.*

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

20 (a) *REPORT REQUIRED.—Not later than 90 days after*
21 *the date of the enactment of this Act, the Secretary of De-*
22 *fense shall submit to Congress a report containing the fol-*
23 *lowing:*

24 (1) *An assessment by the Secretary of Defense of*
25 *reports by the Secretary of the Army on the force*

1 *structure of the Army submitted to Congress under*
2 *section 1066 of the National Defense Authorization*
3 *Act for Fiscal Year 2013 (Public Law 112–239; 126*
4 *Stat. 1943) and section 1062 of the National Defense*
5 *Authorization Act for Fiscal Year 2015 (Public Law*
6 *113–291; 128 Stat. 3503).*

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

12 (3) *An independent risk assessment by the*
13 *Chairman of the Joint Chiefs of Staff of the proposed*
14 *Army force structure and the ability of such force*
15 *structure to meet the operational requirements of com-*
16 *batant commanders.*

17 (4) *A description of the planning assumptions*
18 *and scenarios used by the Department of Defense to*
19 *validate the size and force structure of the Army, in-*
20 *cluding the Army Reserve and the Army National*
21 *Guard.*

22 (5) *A certification by the Secretary of Defense*
23 *that the Secretary has reviewed the reports by the*
24 *Secretary of the Army and the assessments of the*
25 *Chairman of the Joint Chiefs of Staff and determined*

1 *that an end strength for active duty personnel of the*
 2 *Army below the end strength level authorized in sec-*
 3 *tion 401(1) of the National Defense Authorization Act*
 4 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
 5 *3348) will be adequate to meet the national military*
 6 *strategy of the United States.*

7 *(6) A description of various alternative options*
 8 *for allocating funds to ensure that the end strengths*
 9 *of the Army do not fall below levels of significant risk,*
 10 *as determined pursuant to the risk assessment con-*
 11 *ducted by the Chairman of the Joint Chiefs of Staff*
 12 *under paragraph (3).*

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

15 *(b) FORM.—The report required by subsection (a) shall*
 16 *be submitted in unclassified form, but may include a classi-*
 17 *fied annex.*

18 ***TITLE V—MILITARY PERSONNEL***
 19 ***POLICY***

Subtitle A—Officer Personnel Policy

- Sec. 501. Reinstatement of enhanced authority for selective early discharge of warrant officers.*
- Sec. 502. Equitable treatment of junior officers excluded from an all-fully-qualified-officers list because of administrative error.*
- Sec. 503. Enhanced flexibility for determination of officers to continue on active duty and for selective early retirement and early discharge.*
- Sec. 504. Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force.*
- Sec. 505. General rule for warrant officer retirement in highest grade held satisfactorily.*

Sec. 506. Implementation of Comptroller General recommendation on the definition and availability of costs associated with general and flag officers and their aides.

Subtitle B—Reserve Component Management

Sec. 511. Continued service in the Ready Reserve by Members of Congress who are also members of the Ready Reserve.

Sec. 512. Clarification of purpose of reserve component special selection boards as limited to correction of error at a mandatory promotion board.

Sec. 513. Increase in number of days of active duty required to be performed by reserve component members for duty to be considered Federal service for purposes of unemployment compensation for ex-servicemembers.

Sec. 514. Temporary authority to use Air Force reserve component personnel to provide training and instruction regarding pilot training.

Sec. 515. Assessment of Military Compensation and Retirement Modernization Commission recommendation regarding consolidation of authorities to order members of reserve components to perform duty.

Subtitle C—General Service Authorities

Sec. 521. Limited authority for Secretary concerned to initiate applications for correction of military records.

Sec. 522. Temporary authority to develop and provide additional recruitment incentives.

Sec. 523. Expansion of authority to conduct pilot programs on career flexibility to enhance retention of members of the Armed Forces.

Sec. 524. Modification of notice and wait requirements for change in ground combat exclusion policy for female members of the Armed Forces.

Sec. 525. Role of Secretary of Defense in development of gender-neutral occupational standards.

Sec. 526. Establishment of process by which members of the Armed Forces may carry an appropriate firearm on a military installation.

Sec. 527. Establishment of breastfeeding policy for the Department of the Army.

Sec. 528. Sense of Congress recognizing the diversity of the members of the Armed Forces.

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

Sec. 531. Enforcement of certain crime victim rights by the Court of Criminal Appeals.

Sec. 532. Department of Defense civilian employee access to Special Victims' Counsel.

Sec. 533. Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various Government proceedings.

Sec. 534. Timely notification to victims of sex-related offenses of the availability of assistance from Special Victims' Counsel.

Sec. 535. Additional improvements to Special Victims' Counsel program.

Sec. 536. Enhancement of confidentiality of restricted reporting of sexual assault in the military.

Sec. 537. Modification of deadline for establishment of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

- Sec. 538. Improved Department of Defense prevention and response to sexual assaults in which the victim is a male member of the Armed Forces.*
- Sec. 539. Preventing retaliation against members of the Armed Forces who report or intervene on behalf of the victim of an alleged sex-related offense.*
- Sec. 540. Sexual assault prevention and response training for administrators and instructors of Senior Reserve Officers' Training Corps.*
- Sec. 541. Retention of case notes in investigations of sex-related offenses involving members of the Army, Navy, Air Force, or Marine Corps.*
- Sec. 542. Comptroller General of the United States reports on prevention and response to sexual assault by the Army National Guard and the Army Reserve.*
- Sec. 543. Improved implementation of changes to Uniform Code of Military Justice.*
- Sec. 544. Modification of Rule 104 of the Rules for Courts-Martial to establish certain prohibitions concerning evaluations of Special Victims' Counsel.*
- Sec. 545. Modification of Rule 304 of the Military Rules of Evidence relating to the corroboration of a confession or admission.*

Subtitle E—Member Education, Training, and Transition

- Sec. 551. Enhancements to Yellow Ribbon Reintegration Program.*
- Sec. 552. Availability of preseparation counseling for members of the Armed Forces discharged or released after limited active duty.*
- Sec. 553. Availability of additional training opportunities under Transition Assistance Program.*
- Sec. 554. Modification of requirement for in-resident instruction for courses of instruction offered as part of Phase II joint professional military education.*
- Sec. 555. Termination of program of educational assistance for reserve component members supporting contingency operations and other operations.*
- Sec. 556. Appointments to military service academies from nominations made by Delegates in Congress from the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.*
- Sec. 557. Support for athletic programs of the United States Military Academy.*
- Sec. 558. Condition on admission of defense industry civilians to attend the United States Air Force Institute of Technology.*
- Sec. 559. Quality assurance of certification programs and standards for professional credentials obtained by members of the Armed Forces.*
- Sec. 560. Prohibition on receipt of unemployment insurance while receiving post-9/11 education assistance.*
- Sec. 561. Job Training and Post-Service Placement Executive Committee.*
- Sec. 562. Recognition of additional involuntary mobilization duty authorities exempt from five-year limit on reemployment rights of persons who serve in the uniformed services.*
- Sec. 563. Expansion of outreach for veterans transitioning from serving on active duty.*

Subtitle F—Defense Dependents’ Education and Military Family Readiness Matters

Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 572. Impact aid for children with severe disabilities.

Sec. 573. Authority to use appropriated funds to support Department of Defense student meal programs in domestic dependent elementary and secondary schools located outside the United States.

Sec. 574. Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces.

Subtitle G—Decorations and Awards

Sec. 581. Authorization for award of the Distinguished-Service Cross for acts of extraordinary heroism during the Korean War.

Subtitle H—Miscellaneous Reports and Other Matters

Sec. 591. Coordination with non-government suicide prevention organizations and agencies to assist in reducing suicides by members of the Armed Forces.

Sec. 592. Extension of semiannual reports on the involuntary separation of members of the Armed Forces.

Sec. 593. Report on preliminary mental health screenings for individuals becoming members of the Armed Forces.

Sec. 594. Report regarding new rulemaking under the Military Lending Act and Defense Manpower Data Center reports and meetings.

Sec. 595. Remotely piloted aircraft career field manning shortfalls.

1 ***Subtitle A—Officer Personnel Policy***

2 ***SEC. 501. REINSTATEMENT OF ENHANCED AUTHORITY FOR***

3 ***SELECTIVE EARLY DISCHARGE OF WARRANT***

4 ***OFFICERS.***

5 *Section 580a of title 10, United States Code, is amend-*
6 *ed—*

7 *(1) in subsection (a), by striking “November 30,*
8 *1993, and ending on October 1, 1999” and inserting*
9 *“October 1, 2015, and ending on October 1, 2019”;*
10 *and*

11 *(2) in subsection (c)—*

12 *(A) by striking paragraph (3); and*

1 (B) by redesignating paragraphs (4) and
2 (5) as paragraphs (3) and (4), respectively.

3 **SEC. 502. EQUITABLE TREATMENT OF JUNIOR OFFICERS**
4 **EXCLUDED FROM AN ALL-FULLY-QUALIFIED-**
5 **OFFICERS LIST BECAUSE OF ADMINISTRA-**
6 **TIVE ERROR.**

7 (a) *OFFICERS ON ACTIVE-DUTY LIST.*—Section
8 624(a)(3) of title 10, United States Code, is amended by
9 adding at the end the following new subparagraph:

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

17 (b) *OFFICERS ON RESERVE ACTIVE-STATUS LIST.*—
18 Section 14308(b)(4) of title 10, United States Code, is
19 amended by adding at the end the following new subpara-
20 graph:

21 “(E) If the Secretary of the military department con-
22 cerned determines that one or more officers or former offi-
23 cers were not placed on an all-fully-qualified-list under this
24 paragraph because of administrative error, the Secretary
25 may prepare a supplemental all-fully-qualified-officers list

1 *containing the names of any such officers for approval in*
2 *accordance with this paragraph.”.*

3 (c) *CONFORMING AMENDMENTS TO SPECIAL SELEC-*
4 *TION BOARD AUTHORITY.—*

5 (1) *REGULAR COMPONENTS.—Section 628(a)(1)*
6 *of title 10, United States Code, is amended by strik-*
7 *ing “or the name of a person that should have been*
8 *placed on an all-fully-qualified-officers list under sec-*
9 *tion 624(a)(3) of this title was not so placed,”.*

10 (2) *RESERVE COMPONENTS.—Section*
11 *14502(a)(1) of title 10, United States Code, is amend-*
12 *ed by striking “or whose name was not placed on an*
13 *all-fully-qualified-officers list under section*
14 *14308(b)(4) of this title because of administrative*
15 *error,”.*

16 ***SEC. 503. ENHANCED FLEXIBILITY FOR DETERMINATION OF***
17 ***OFFICERS TO CONTINUE ON ACTIVE DUTY***
18 ***AND FOR SELECTIVE EARLY RETIREMENT***
19 ***AND EARLY DISCHARGE.***

20 *Section 638a(d)(2) of title 10, United States Code, is*
21 *amended by striking “officers considered—” and all that*
22 *follows and inserting “officers considered.”.*

1 **SEC. 504. AUTHORITY TO DEFER UNTIL AGE 68 MANDATORY**
 2 **RETIREMENT FOR AGE OF A GENERAL OR**
 3 **FLAG OFFICER SERVING AS CHIEF OR DEP-**
 4 **UTY CHIEF OF CHAPLAINS OF THE ARMY,**
 5 **NAVY, OR AIR FORCE.**

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

9 “(c) *DEFERRED RETIREMENT OF CHAPLAINS.*—(1)
 10 The Secretary of the military department concerned may
 11 defer the retirement under subsection (a) of an officer serv-
 12 ing in a general or flag officer grade who is the Chief of
 13 Chaplains or Deputy Chief of Chaplains of that officer’s
 14 armed force.

15 “(2) A deferment of the retirement of an officer referred
 16 to in paragraph (1) may not extend beyond the first day
 17 of the month following the month in which the officer be-
 18 comes 68 years of age.

19 “(3) The authority to defer the retirement of an officer
 20 referred to in paragraph (1) expires December 31, 2020.
 21 Subject to paragraph (2), a deferment granted before that
 22 date may continue on and after that date.”.

23 (b) *CLERICAL AMENDMENTS.*—

24 (1) *SECTION HEADING.*—The heading of section
 25 1253 of title 10, United States Code, is amended to
 26 read as follows:

1 **“§ 1253. Age 64: regular commissioned officers in gen-**
 2 **eral and flag officer grades; exceptions”.**

3 (2) *TABLE OF SECTIONS.*—*The table of sections*
 4 *at the beginning of chapter 63 of title 10, United*
 5 *States Code, is amended by striking the item relating*
 6 *to section 1253 and inserting the following new item:*

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

7 **SEC. 505. GENERAL RULE FOR WARRANT OFFICER RETIRE-**
 8 **MENT IN HIGHEST GRADE HELD SATISFAC-**
 9 **TORILY.**

10 *Section 1371 of title 10, United States Code, is amend-*
 11 *ed to read as follows:*

12 **“§ 1371. Warrant officers: general rule**

13 *“Unless entitled to a higher retired grade under some*
 14 *other provision of law, a warrant officer shall be retired*
 15 *in the highest regular or reserve warrant officer grade in*
 16 *which the warrant officer served satisfactorily, as deter-*
 17 *mined by the Secretary concerned.”.*

18 **SEC. 506. IMPLEMENTATION OF COMPTROLLER GENERAL**
 19 **RECOMMENDATION ON THE DEFINITION AND**
 20 **AVAILABILITY OF COSTS ASSOCIATED WITH**
 21 **GENERAL AND FLAG OFFICERS AND THEIR**
 22 **AIDES.**

23 (a) *DEFINITION OF COSTS.*—

1 (1) *IN GENERAL.*—*For the purpose of providing*
2 *a consistent approach to estimating and managing*
3 *the full costs associated with general and flag officers*
4 *and their aides, the Secretary of Defense shall direct*
5 *the Director, Cost Assessment and Program Evalua-*
6 *tion, to define the costs that could be associated with*
7 *general and flag officers since 2001, including—*

8 (A) *security details;*

9 (B) *Government and commercial air travel;*

10 (C) *general and flag officer per diem;*

11 (D) *enlisted and officer aide housing and*
12 *travel costs;*

13 (E) *general and flag officer additional sup-*
14 *port staff and their travel, equipment, and per*
15 *diem costs;*

16 (F) *general and flag officer official resi-*
17 *dences; and*

18 (G) *any other associated costs incurred due*
19 *to the nature of their position.*

20 (2) *COORDINATION.*—*The Director, Cost Assess-*
21 *ment and Program Evaluation, shall prepare the def-*
22 *inition of costs under paragraph (1) in coordination*
23 *with the Under Secretary of Defense for Personnel*
24 *and Readiness and the Secretaries of the military de-*
25 *partments.*

1 **(b) REPORT ON COSTS ASSOCIATED WITH GENERAL**
 2 **AND FLAG OFFICERS AND AIDES.**—Not later than June 30,
 3 2016, the Secretary of Defense shall submit to the Commit-
 4 tees on Armed Services of the Senate and the House of Rep-
 5 resentatives a report describing the costs associated with
 6 general and flag officers and their enlisted and officer aides.

7 **Subtitle B—Reserve Component**
 8 **Management**

9 **SEC. 511. CONTINUED SERVICE IN THE READY RESERVE BY**
 10 **MEMBERS OF CONGRESS WHO ARE ALSO**
 11 **MEMBERS OF THE READY RESERVE.**

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

14 (1) by redesignating subsection (b) as subsection
 15 (c); and

16 (2) by inserting after subsection (a) the following
 17 new subsection:

18 “(b)(1) In applying Ready Reserve continuous screen-
 19 ing under this section, an individual who is both a member
 20 of the Ready Reserve and a Member of Congress may not
 21 be transferred to the Standby Reserve or discharged on ac-
 22 count of the individual’s position as a Member of Congress.

23 “(2) The transfer or discharge of an individual who
 24 is both a member of the Ready Reserve and a Member of
 25 Congress may be ordered—

1 “(A) only by the Secretary of Defense or, in the
2 case of a Member of Congress who also is a member
3 of the Coast Guard Reserve, the Secretary of the De-
4 partment in which the Coast Guard is operating
5 when it is not operating as a service in the Navy; and

6 “(B) only on the basis of the needs of the service,
7 taking into consideration the position and duties of
8 the individual in the Ready Reserve.

9 “(3) In this subsection, the term ‘Member of Congress’
10 includes a Delegate or Resident Commissioner to Congress
11 and a Member-elect.”.

12 **SEC. 512. CLARIFICATION OF PURPOSE OF RESERVE COM-**
13 **PONENT SPECIAL SELECTION BOARDS AS**
14 **LIMITED TO CORRECTION OF ERROR AT A**
15 **MANDATORY PROMOTION BOARD.**

16 Section 14502(b) of title 10, United States Code, is
17 amended—

18 (1) in paragraph (1)—

19 (A) in the matter preceding subparagraph
20 (A), by striking “a selection board” and insert-
21 ing “a mandatory promotion board convened
22 under section 14101(a) of this title”; and

23 (B) in subparagraphs (A) and (B), by strik-
24 ing “selection board” and inserting “mandatory
25 promotion board”; and

1 (2) *in the first sentence of paragraph (3)—*

2 (A) *by striking “Such board” and inserting*

3 *“The special selection board”; and*

4 (B) *by striking “selection board” and in-*
5 *serting “mandatory promotion board”.*

6 **SEC. 513. INCREASE IN NUMBER OF DAYS OF ACTIVE DUTY**
7 **REQUIRED TO BE PERFORMED BY RESERVE**
8 **COMPONENT MEMBERS FOR DUTY TO BE**
9 **CONSIDERED FEDERAL SERVICE FOR PUR-**
10 **POSES OF UNEMPLOYMENT COMPENSATION**
11 **FOR EX-SERVICEMEMBERS.**

12 (a) *INCREASE OF NUMBER OF DAYS.—Section*
13 8521(a)(1) *of title 5, United States Code, is amended by*
14 *striking “90 days” in the matter preceding subparagraph*
15 *(A) and inserting “180 days”.*

16 (b) *EFFECTIVE DATE.—The amendment made by sub-*
17 *section (a) shall take effect on the date of the enactment*
18 *of this Act, and shall apply with respect to periods of Fed-*
19 *eral service commencing on or after that date.*

20 **SEC. 514. TEMPORARY AUTHORITY TO USE AIR FORCE RE-**
21 **SERVE COMPONENT PERSONNEL TO PROVIDE**
22 **TRAINING AND INSTRUCTION REGARDING**
23 **PILOT TRAINING.**

24 (a) *AUTHORITY.—*

1 (1) *IN GENERAL.*—During fiscal year 2016, the
2 Secretary of the Air Force may authorize personnel
3 described in paragraph (2) to provide training and
4 instruction regarding pilot training to the following:

5 (A) *Members of the Armed Forces on active*
6 *duty.*

7 (B) *Members of foreign military forces who*
8 *are in the United States.*

9 (2) *PERSONNEL.*—The personnel described in
10 this paragraph are the following:

11 (A) *Members of the reserve components of*
12 *the Air Force on active Guard and Reserve duty*
13 *(as that term is defined in section 101(d) of title*
14 *10, United States Code) who are not otherwise*
15 *authorized to conduct the training described in*
16 *paragraph (1) due to the limitations in section*
17 *12310 of title 10, United States Code.*

18 (B) *Members of the Air Force who are mili-*
19 *tary technicians (dual status) who are not other-*
20 *wise authorized to conduct the training described*
21 *in paragraph (1) due to the limitations in sec-*
22 *tion 10216 of title 10, United States Code, and*
23 *section 709(a) of title 32, United States Code.*

24 (3) *LIMITATION.*—Not more than 50 members de-
25 scribed in paragraph (2) may provide training and

1 *instruction under the authority in paragraph (1) at*
2 *any one time.*

3 (4) *FEDERAL TORT CLAIMS ACT.*—*Members of*
4 *the uniformed services described in paragraph (2)*
5 *who provide training and instruction pursuant to the*
6 *authority in paragraph (1) shall be covered by the*
7 *Federal Tort Claims Act for purposes of any claim*
8 *arising from the employment of such individuals*
9 *under that authority.*

10 (b) *REPORT.*—*Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretary of the Air Force*
12 *shall submit to the Committees on Armed Services of the*
13 *Senate and the House of Representatives a report setting*
14 *forth a plan to eliminate shortages in the number of pilot*
15 *instructors within the Air Force using authorities available*
16 *to the Secretary under current law.*

17 **SEC. 515. ASSESSMENT OF MILITARY COMPENSATION AND**
18 **RETIREMENT MODERNIZATION COMMISSION**
19 **RECOMMENDATION REGARDING CONSOLIDA-**
20 **TION OF AUTHORITIES TO ORDER MEMBERS**
21 **OF RESERVE COMPONENTS TO PERFORM**
22 **DUTY.**

23 (a) *ASSESSMENT REQUIRED.*—*The Secretary of De-*
24 *fense shall conduct an assessment of the recommendation*
25 *of the Military Compensation and Retirement Moderniza-*

1 *tion Commission regarding consolidation of statutory au-*
2 *thorities by which members of the reserve components of the*
3 *Armed Forces may be ordered to perform duty. The Sec-*
4 *retary shall specifically assess each of the six broader duty*
5 *statuses recommended by the Commission as replacements*
6 *for the 30 reserve component duty statuses currently author-*
7 *ized to determine whether consolidation will increase effi-*
8 *ciency in the reserve components.*

9 **(b) SUBMISSION OF REPORT.**—*Not later than 180 days*
10 *after the date of the enactment of this Act, the Secretary*
11 *of Defense shall submit to the Committees on Armed Serv-*
12 *ices of the Senate and the House of Representatives a report*
13 *containing the results of the Secretary’s assessment. If, as*
14 *a result of the assessment, the Secretary determines that an*
15 *alternate approach to consolidation of the statutory au-*
16 *thorities described in subsection (a) is preferable, the Sec-*
17 *retary shall submit the alternate approach, including a*
18 *draft of such legislation as would be necessary to amend*
19 *titles 10, 14, 32, and 37 of the United States Code and other*
20 *provisions of law in order to implement the Secretary’s ap-*
21 *proach by October 1, 2018.*

1 **Subtitle C—General Service**
2 **Authorities**

3 **SEC. 521. LIMITED AUTHORITY FOR SECRETARY CON-**
4 **CERNED TO INITIATE APPLICATIONS FOR**
5 **CORRECTION OF MILITARY RECORDS.**

6 *Section 1552(b) of title 10, United States Code, is*
7 *amended—*

8 (1) *in the first sentence—*

9 (A) *by striking “or his heir or legal rep-*
10 *resentative” and inserting “(or the claimant’s*
11 *heir or legal representative) or the Secretary con-*
12 *cerned”; and*

13 (B) *by striking “he discovers” and inserting*
14 *“discovering”; and*

15 (2) *in the second sentence, by striking “However,*
16 *a board” and inserting the following: “The Secretary*
17 *concerned may file a request for correction of a mili-*
18 *tary record only if the request is made on behalf of*
19 *a group of members or former members of the armed*
20 *forces who were similarly harmed by the same error*
21 *or injustice. A board”.*

1 **SEC. 522. TEMPORARY AUTHORITY TO DEVELOP AND PRO-**
2 **VIDE ADDITIONAL RECRUITMENT INCEN-**
3 **TIVES.**

4 (a) *ADDITIONAL RECRUITMENT INCENTIVES AUTHOR-*
5 *IZED.—The Secretary of a military department may de-*
6 *velop and provide incentives, not otherwise authorized by*
7 *law, to encourage individuals to accept an appointment as*
8 *a commissioned officer, to accept an appointment as a war-*
9 *rant officer, or to enlist in an Armed Force under the juris-*
10 *diction of the Secretary.*

11 (b) *RELATION TO OTHER PERSONNEL AUTHORI-*
12 *TIES.—A recruitment incentive developed under subsection*
13 *(a) may be provided—*

14 (1) *without regard to the lack of specific author-*
15 *ity for the recruitment incentive under title 10 or 37,*
16 *United States Code; and*

17 (2) *notwithstanding any provision of such titles,*
18 *or any rule or regulation prescribed under such pro-*
19 *vision, relating to methods of providing incentives to*
20 *individuals to accept appointments or enlistments in*
21 *the Armed Forces, including the provision of group or*
22 *individual bonuses, pay, or other incentives.*

23 (c) *NOTICE AND WAIT REQUIREMENT.—The Secretary*
24 *of a military department may not provide a recruitment*
25 *incentive developed under subsection (a) until—*

1 (1) *the Secretary submits to the congressional de-*
2 *fense committees a plan regarding provision of the re-*
3 *ruitment incentive, which includes—*

4 (A) *a description of the incentive, including*
5 *the purpose of the incentive and the potential re-*
6 *cruits to be addressed by the incentive;*

7 (B) *a description of the provisions of titles*
8 *10 and 37, United States Code, from which the*
9 *incentive would require a waiver and the ration-*
10 *ale to support the waiver;*

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

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

15 (2) *the expiration of the 30-day period beginning*
16 *on the date on which the plan was received by Con-*
17 *gress.*

18 (d) *LIMITATION ON NUMBER OF INCENTIVES.—The*
19 *Secretary of a military department may not provide more*
20 *than three recruitment incentives under the authority of*
21 *this section.*

22 (e) *LIMITATION ON NUMBER OF INDIVIDUALS RECEIV-*
23 *ING INCENTIVES.—The number of individuals who receive*
24 *one or more of the recruitment incentives provided under*
25 *subsection (a) by the Secretary of a military department*

1 *during a fiscal year for an Armed Force under the jurisdic-*
2 *tion of the Secretary may not exceed 20 percent of the acces-*
3 *sion objective of that Armed Force for that fiscal year.*

4 (f) *DURATION OF DEVELOPED INCENTIVE.*—*A recruit-*
5 *ment incentive developed under subsection (a) may be pro-*
6 *vided for not longer than a three-year period beginning on*
7 *the date on which the incentive is first provided, except that*
8 *the Secretary of the military department concerned may ex-*
9 *tend the period if the Secretary determines that additional*
10 *time is needed to fully evaluate the effectiveness of the incen-*
11 *tive.*

12 (g) *REPORTING REQUIREMENTS.*—*If the Secretary of*
13 *a military department provides an recruitment incentive*
14 *under subsection (a) for a fiscal year, the Secretary shall*
15 *submit to the congressional defense committees a report, not*
16 *later than 60 days after the end of the fiscal year, con-*
17 *taining—*

18 (1) *a description of each incentive provided*
19 *under subsection (a) during that fiscal year; and*

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

23 (h) *TERMINATION OF AUTHORITY TO PROVIDE INCEN-*
24 *TIVES.*—*Notwithstanding subsection (f); the authority to*

1 *provide recruitment incentives under this section expires on*
 2 *December 31, 2020.*

3 **SEC. 523. EXPANSION OF AUTHORITY TO CONDUCT PILOT**
 4 **PROGRAMS ON CAREER FLEXIBILITY TO EN-**
 5 **HANCE RETENTION OF MEMBERS OF THE**
 6 **ARMED FORCES.**

7 *(a) REPEAL OF LIMITATION ON ELIGIBLE PARTICI-*
 8 *PANTS.—Subsection (b) of section 533 of the Duncan Hun-*
 9 *ter National Defense Authorization Act for Fiscal Year 2009*
 10 *(Public Law 110–417; 10 U.S.C. prec. 701 note) is repealed.*

11 *(b) REPEAL OF LIMITATION ON NUMBER OF PARTICI-*
 12 *PANTS.—Subsection (c) of section 533 of the Duncan Hun-*
 13 *ter National Defense Authorization Act for Fiscal Year 2009*
 14 *(Public Law 110–417; 10 U.S.C. prec. 701 note) is repealed.*

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

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

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

1 **SEC. 524. MODIFICATION OF NOTICE AND WAIT REQUIRE-**
 2 **MENTS FOR CHANGE IN GROUND COMBAT EX-**
 3 **CLUSION POLICY FOR FEMALE MEMBERS OF**
 4 **THE ARMED FORCES.**

5 (a) *RULE FOR GROUND COMBAT PERSONNEL POL-*
 6 *ICY.*—Section 652(a) of title 10, United States Code, is
 7 amended—

8 (1) *in paragraph (1)*—

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

13 (B) *by striking the second sentence; and*

14 (2) *by striking paragraph (5).*

15 (b) *CONFORMING AMENDMENT.*—Section 652(b)(1) of
 16 title 10, United States Code, is amended by inserting “cal-
 17 endar” before “days”.

18 **SEC. 525. ROLE OF SECRETARY OF DEFENSE IN DEVELOP-**
 19 **MENT OF GENDER-NEUTRAL OCCUPATIONAL**
 20 **STANDARDS.**

21 Section 524(a) of the National Defense Authorization
 22 Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat.
 23 3361; 10 U.S.C. 113 note) is amended—

24 (1) *by striking “and” at the end of paragraph*
 25 *(1);*

1 (2) *by striking the period at the end of para-*
2 *graph (2) and inserting “; and”; and*

3 (3) *by adding at the end the following new para-*
4 *graph:*

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

7 **SEC. 526. ESTABLISHMENT OF PROCESS BY WHICH MEM-**
8 **BERS OF THE ARMED FORCES MAY CARRY AN**
9 **APPROPRIATE FIREARM ON A MILITARY IN-**
10 **STALLATION.**

11 *Not later than December 31, 2015, the Secretary of De-*
12 *fense, taking into consideration the views of senior leader-*
13 *ship of military installations in the United States, shall*
14 *establish and implement a process by which the com-*
15 *manders of military installations in the United States, or*
16 *other military commanders designated by the Secretary of*
17 *Defense for military reserve centers, Armed Services recruit-*
18 *ing centers, and such other defense facilities as the Secretary*
19 *may prescribe, may authorize a member of the Armed*
20 *Forces who is assigned to duty at the installation, center*
21 *or facility to carry an appropriate firearm on the installa-*
22 *tion, center, or facility if the commander determines that*
23 *carrying such a firearm is necessary as a personal- or force-*
24 *protection measure.*

1 **SEC. 527. ESTABLISHMENT OF BREASTFEEDING POLICY**
2 **FOR THE DEPARTMENT OF THE ARMY.**

3 *The Secretary of the Army shall develop a comprehen-*
4 *sive policy regarding breastfeeding by female members of*
5 *the Army who are breastfeeding. At a minimum, the policy*
6 *shall address the following:*

7 (1) *The provision of a designated room or area*
8 *that will provide the member with adequate privacy*
9 *and cleanliness and that includes an electrical outlet*
10 *to facilitate the use of a breast pump. Restrooms*
11 *should not be considered an appropriate location.*

12 (2) *An allowance for appropriate breaks, when*
13 *practicable, to permit the member to breastfeed or uti-*
14 *lize a breast pump.*

15 **SEC. 528. SENSE OF CONGRESS RECOGNIZING THE DIVER-**
16 **SITY OF THE MEMBERS OF THE ARMED**
17 **FORCES.**

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

19 (1) *The United States military includes individ-*
20 *uals with a variety of national, ethnic, and cultural*
21 *backgrounds that have roots all over the world.*

22 (2) *In addition to diverse backgrounds, members*
23 *of the Armed Forces come from numerous religious*
24 *traditions, including Christian, Hindu, Jewish, Mus-*
25 *lim, Sikh, non-denominational, non-practicing, and*
26 *many more.*

1 (3) *Members of the Armed Forces from diverse*
2 *backgrounds and religious traditions have lost their*
3 *lives or been injured defending the national security*
4 *of the United States.*

5 (4) *Diversity contributes to the strength of the*
6 *Armed Forces, and service members from different*
7 *backgrounds and religious traditions share the same*
8 *goal of defending the United States.*

9 (5) *The unity of the Armed Forces reflects the*
10 *strength in diversity that makes the United States a*
11 *great nation.*

12 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
13 *that the United States should—*

14 (1) *continue to recognize and promote diversity*
15 *in the Armed Forces; and*

16 (2) *honor those from all diverse backgrounds and*
17 *religious traditions who have made sacrifices in serv-*
18 *ing the United States through the Armed Forces.*

1 ***Subtitle D—Military Justice, In-***
2 ***cluding Sexual Assault and Do-***
3 ***mestic Violence Prevention and***
4 ***Response***

5 ***SEC. 531. ENFORCEMENT OF CERTAIN CRIME VICTIM***
6 ***RIGHTS BY THE COURT OF CRIMINAL AP-***
7 ***PEALS.***

8 *Subsection (e) of section 806b of title 10, United States*
9 *Code (article 6b of the Uniform Code of Military Justice),*
10 *is amended to read as follows:*

11 *“(e) ENFORCEMENT BY COURT OF CRIMINAL AP-*
12 *PEALS.—(1) If the victim of an offense under this chapter*
13 *believes that a preliminary hearing ruling under section*
14 *832 of this title (article 32) or a court-martial ruling vio-*
15 *lates the rights of the victim afforded by a section (article)*
16 *or rule specified in paragraph (4), the victim may petition*
17 *the Court of Criminal Appeals for a writ of mandamus to*
18 *require the preliminary hearing officer or the court-martial*
19 *to comply with the section (article) or rule.*

20 *“(2) If the victim of an offense under this chapter is*
21 *subject to an order to submit to a deposition, notwith-*
22 *standing the availability of the victim to testify at the*
23 *court-martial trying the accused for the offense, the victim*
24 *may petition the Court of Criminal Appeals for a writ of*
25 *mandamus to quash such order.*

1 “(3) A petition for a writ of mandamus described in
 2 this subsection shall be forwarded directly to the Court of
 3 Criminal Appeals, by such means as may be prescribed by
 4 the President, and, to the extent practicable, shall have pri-
 5 ority over all other proceedings before the court.

6 “(4) Paragraph (1) applies with respect to the protec-
 7 tions afforded by the following:

8 “(A) This section (article).

9 “(B) Section 832 (article 32) of this title.

10 “(C) Military Rule of Evidence 412, relating to
 11 the admission of evidence regarding a victim’s sexual
 12 background.

13 “(D) Military Rule of Evidence 513, relating to
 14 the psychotherapist-patient privilege.

15 “(E) Military Rule of Evidence 514, relating to
 16 the victim advocate-victim privilege.

17 “(F) Military Rule of Evidence 615, relating to
 18 the exclusion of witnesses.”.

19 **SEC. 532. DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEE**
 20 **ACCESS TO SPECIAL VICTIMS’ COUNSEL.**

21 Section 1044e(a)(2) of title 10, United States Code, is
 22 amended by adding the following new subparagraph:

23 “(C) A civilian employee of the Department of
 24 Defense who is not eligible for military legal assist-
 25 ance under section 1044(a)(7) of this title, but who is

1 *the victim of an alleged sex-related offense, and the*
 2 *Secretary of Defense or the Secretary of the military*
 3 *department concerned waives the condition in such*
 4 *section for the purposes of offering Special Victims’*
 5 *Counsel services to the employee.”.*

6 **SEC. 533. AUTHORITY OF SPECIAL VICTIMS’ COUNSEL TO**
 7 **PROVIDE LEGAL CONSULTATION AND ASSIST-**
 8 **ANCE IN CONNECTION WITH VARIOUS GOV-**
 9 **ERNMENT PROCEEDINGS.**

10 *Section 1044e(b) of title 10, United States Code, is*
 11 *amended—*

12 (1) *by redesignating paragraph (9) as para-*
 13 *graph (10); and*

14 (2) *by inserting after paragraph (8) the fol-*
 15 *lowing new paragraph (9):*

16 “(9) *Legal consultation and assistance in con-*
 17 *nection with—*

18 “(A) *any complaint against the Govern-*
 19 *ment, including an allegation under review by*
 20 *an inspector general and a complaint regarding*
 21 *equal employment opportunities;*

22 “(B) *any request to the Government for in-*
 23 *formation, including a request under section*
 24 *552a of title 5 (commonly referred to as a ‘Free-*
 25 *dom of Information Act request’); and*

1 “(C) any correspondence or other commu-
2 nications with Congress.”.

3 **SEC. 534. TIMELY NOTIFICATION TO VICTIMS OF SEX-RE-**
4 **LATED OFFENSES OF THE AVAILABILITY OF**
5 **ASSISTANCE FROM SPECIAL VICTIMS’ COUN-**
6 **SEL.**

7 (a) *TIMELY NOTICE DESCRIBED.*—Section 1044e(f) of
8 *title 10, United States Code, is amended—*

9 (1) *by redesignating paragraph (2) as para-*
10 *graph (3); and*

11 (2) *by inserting after paragraph (1) the fol-*
12 *lowing new paragraph (2):*

13 “(2) *Subject to such exceptions for exigent cir-*
14 *cumstances as the Secretary of Defense and the Secretary*
15 *of the Department in which the Coast Guard is operating*
16 *may prescribe, notice of the availability of a Special Vic-*
17 *tims’ Counsel shall be provided to an individual described*
18 *in subsection (a)(2) before any military criminal investi-*
19 *gator or trial counsel interviews, or requests any statement*
20 *from, the individual regarding the alleged sex-related of-*
21 *fense.”.*

22 (b) *CONFORMING AMENDMENT TO RELATED LEGAL*
23 *ASSISTANCE AUTHORITY.*—Section 1565b(a) of title 10,
24 *United States Code, is amended—*

1 (1) by redesignating paragraph (3) as para-
2 graph (4); and

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

5 “(3) Subject to such exceptions for exigent cir-
6 cumstances as the Secretary of Defense and the Secretary
7 of the Department in which the Coast Guard is operating
8 may prescribe, notice of the availability of a Special Vic-
9 tims’ Counsel under section 1044e of this title shall be pro-
10 vided to a member of the armed forces or dependent who
11 is the victim of sexual assault before any military criminal
12 investigator or trial counsel interviews, or requests any
13 statement from, the member or dependent regarding the al-
14 leged sexual assault.”.

15 **SEC. 535. ADDITIONAL IMPROVEMENTS TO SPECIAL VIC-**
16 **TIMS’ COUNSEL PROGRAM.**

17 (a) *TRAINING TIME PERIOD AND REQUIREMENTS.*—
18 Section 1044e(d) of title 10, United States Code, is amend-
19 ed—

20 (1) by inserting “(1)” before “An individual”;

21 (2) by designating existing paragraphs (1) and
22 (2) as subparagraphs (A) and (B), respectively; and

23 (3) by adding at the end the following new para-
24 graph:

25 “(2) The Secretary of Defense shall—

1 “(A) develop a policy to standardize the time pe-
2 riod within which a Special Victims’ Counsel receives
3 training; and

4 “(B) establish the baseline training requirements
5 for a Special Victims’ Counsel.”.

6 (b) *IMPROVED ADMINISTRATIVE RESPONSIBILITY.*—
7 Section 1044e(e) of title 10, United States Code, is amended
8 by adding at the end the following new paragraph:

9 “(3) The Secretary of Defense, in collaboration with
10 the Secretaries of the military departments and the Sec-
11 retary of the Department in which the Coast Guard is oper-
12 ating, shall establish—

13 “(A) guiding principles for the Special Victims’
14 Counsel program, to include ensuring that—

15 “(i) Special Victims’ Counsel are assigned
16 to locations that maximize the opportunity for
17 face-to-face communication between counsel and
18 clients; and

19 “(ii) effective means of communication are
20 available to permit counsel and client inter-
21 actions when face-to-face communication is not
22 feasible;

23 “(B) performance measures and standards to
24 measure the effectiveness of the Special Victims’ Coun-

1 *sel program and client satisfaction with the program;*
2 *and*

3 *“(C) processes by which the Secretaries of the*
4 *military departments and the Secretary of the De-*
5 *partment in which the Coast Guard is operating will*
6 *evaluate and monitor the Special Victims’ Counsel*
7 *program using such guiding principles and perform-*
8 *ance measures and standards.”.*

9 *(c) CONFORMING AMENDMENT REGARDING QUALI-*
10 *FICATIONS.—Section 1044(d)(2) of chapter 53 of title 10,*
11 *United States Code is amended by striking “meets the addi-*
12 *tional qualifications specified in subsection (d)(2)” and in-*
13 *serting “satisfies the additional qualifications and training*
14 *requirements specified in subsection (d)”.*

15 **SEC. 536. ENHANCEMENT OF CONFIDENTIALITY OF RE-**
16 **STRICTED REPORTING OF SEXUAL ASSAULT**
17 **IN THE MILITARY.**

18 *(a) PREEMPTION OF STATE LAW TO ENSURE CON-*
19 *FIDENTIALITY OF REPORTING.—Section 1565b(b) of title*
20 *10, United States Code, is amended by adding at the end*
21 *the following new paragraph:*

22 *“(3) In the case of information disclosed pursuant to*
23 *paragraph (1), any State law or regulation that would re-*
24 *quire an individual specified in paragraph (2) to disclose*
25 *the personally identifiable information of the adult victim*

1 *or alleged perpetrator of the sexual assault to a State or*
2 *local law enforcement agency shall not apply, except when*
3 *reporting is necessary to prevent or mitigate a serious and*
4 *imminent threat to the health or safety of an individual.”.*

5 *(b) CLARIFICATION OF SCOPE.—Section 1565b(b)(1) of*
6 *title 10, United States Code, is amended by striking “a de-*
7 *pendent” and inserting “an adult dependent”.*

8 *(c) DEFINITIONS.—Section 1565b of title 10, United*
9 *States Code, is amended by adding at the end the following*
10 *new subsection:*

11 *“(c) DEFINITIONS.—In this section:*

12 *“(1) SEXUAL ASSAULT.—The term ‘sexual as-*
13 *sault’ includes the offenses of rape, sexual assault,*
14 *forcible sodomy, aggravated sexual contact, abusive*
15 *sexual contact, and attempts to commit such offenses,*
16 *as punishable under applicable Federal or State law.*

17 *“(2) STATE.—The term ‘State’ includes the Dis-*
18 *trict of Columbia, the Commonwealth of Puerto Rico,*
19 *the Commonwealth of the Northern Mariana Islands,*
20 *and any territory or possession of the United States.”.*

1 **SEC. 537. MODIFICATION OF DEADLINE FOR ESTABLISH-**
 2 **MENT OF DEFENSE ADVISORY COMMITTEE**
 3 **ON INVESTIGATION, PROSECUTION, AND DE-**
 4 **FENSE OF SEXUAL ASSAULT IN THE ARMED**
 5 **FORCES.**

6 *Section 546(a)(2) of the Carl Levin and Howard P.*
 7 *“Buck” McKeon National Defense Authorization Act for*
 8 *Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3374;*
 9 *10 U.S.C. 1561 note) is amended by striking “not later*
 10 *than” and all that follows and inserting “not later than*
 11 *90 days after the date of the enactment of the National De-*
 12 *fense Authorization Act for Fiscal Year 2016.”.*

13 **SEC. 538. IMPROVED DEPARTMENT OF DEFENSE PREVEN-**
 14 **TION AND RESPONSE TO SEXUAL ASSAULTS**
 15 **IN WHICH THE VICTIM IS A MALE MEMBER OF**
 16 **THE ARMED FORCES.**

17 *(a) PLAN TO IMPROVE PREVENTION AND RESPONSE.—*
 18 *The Secretary of Defense, in collaboration with the Secre-*
 19 *taries of the military departments, shall develop a plan to*
 20 *improve Department of Defense prevention and response to*
 21 *sexual assaults in which the victim is a male member of*
 22 *the Armed Forces.*

23 *(b) ELEMENTS.—The plan required by subsection (a)*
 24 *shall include the following:*

25 *(1) Sexual assault prevention and response*
 26 *training to more comprehensively and directly ad-*

1 *dress the incidence of male members of the Armed*
2 *Forces who are sexually assaulted and how certain be-*
3 *havior and activities, such as hazing, can constitute*
4 *a sexual assault.*

5 *(2) Methods to evaluate the extent to which dif-*
6 *ferences exist in the medical and mental health-care*
7 *needs of male and female sexual assault victims, and*
8 *the care regimen, if any, that will best meet those*
9 *needs.*

10 *(3) Data-driven decision making to improve*
11 *male-victim sexual assault prevention and response*
12 *program efforts.*

13 *(4) Goals with associated metrics to drive the*
14 *changes needed to address sexual assaults of male*
15 *members of the Armed Forces.*

16 *(5) Information about the sexual victimization of*
17 *males in communications to members that are used to*
18 *raise awareness of sexual assault and efforts to pre-*
19 *vent and respond to it.*

20 *(6) Guidance for the department's medical and*
21 *mental health providers, and other personnel as ap-*
22 *propriate, based on the results of the evaluation de-*
23 *scribed in paragraph (2), that delineates these gender-*
24 *specific distinctions and the care regimen that is rec-*
25 *ommended to most effectively meet those needs.*

1 **SEC. 539. PREVENTING RETALIATION AGAINST MEMBERS**
2 **OF THE ARMED FORCES WHO REPORT OR IN-**
3 **TERVENE ON BEHALF OF THE VICTIM OF AN**
4 **ALLEGED SEX-RELATED OFFENCE.**

5 (a) *STRATEGY REQUIRED.*—*The Secretary of Defense*
6 *shall develop a comprehensive strategy to prevent retalia-*
7 *tion carried out by members of the Armed Forces against*
8 *other members who report or otherwise intervene on behalf*
9 *of the victim of an alleged sex-related offence.*

10 (b) *ELEMENTS.*—*The comprehensive strategy required*
11 *by subsection (a) shall include, at a minimum, the fol-*
12 *lowing:*

13 (1) *Bystander intervention programs empha-*
14 *sizing the importance of guarding against retaliation.*

15 (2) *Department of Defense and military depart-*
16 *ment policies and requirements to ensure protection*
17 *for victims of alleged sex-related offences and members*
18 *who intervene on behalf of victims from retaliation.*

19 (3) *Additional training for commanders on*
20 *methods and procedures to combat attitudes and be-*
21 *liefs that result in retaliation.*

22 (c) *DEFINITIONS.*—*For purposes of this section:*

23 (1) *The term “alleged sex-related offence” has the*
24 *meaning given that term in section 1044e(g) of title*
25 *10, United States Code.*

1 (2) *The term “retaliation” has such meaning as*
2 *may be given that term by the Secretary of Defense*
3 *in the development of the strategy required by sub-*
4 *section (a).*

5 **SEC. 540. SEXUAL ASSAULT PREVENTION AND RESPONSE**
6 **TRAINING FOR ADMINISTRATORS AND IN-**
7 **STRUCTORS OF SENIOR RESERVE OFFICERS’**
8 **TRAINING CORPS.**

9 *The Secretary of a military department shall ensure*
10 *that the commander of each unit of the Senior Reserve Offi-*
11 *cers’ Training Corps and all Professors of Military Science,*
12 *senior military instructors, and civilian employees detailed,*
13 *assigned, or employed as administrators and instructors of*
14 *the Senior Reserve Officers’ Training Corps receive regular*
15 *sexual assault prevention and response training and edu-*
16 *cation.*

17 **SEC. 541. RETENTION OF CASE NOTES IN INVESTIGATIONS**
18 **OF SEX-RELATED OFFENSES INVOLVING MEM-**
19 **BERS OF THE ARMY, NAVY, AIR FORCE, OR**
20 **MARINE CORPS.**

21 *(a) RETENTION OF ALL INVESTIGATIVE RECORDS RE-*
22 *QUIRED.—Not later than 180 days after the date of the en-*
23 *actment of this Act, the Secretary of Defense shall update*
24 *Department of Defense records retention policies to ensure*
25 *that, for all investigations relating to an alleged sex-related*

1 *offense (as defined in section 1044e(g) of title 10, United*
2 *States Code) involving a member of the Army, Navy, Air*
3 *Force, or Marine Corps, all elements of the case file shall*
4 *be retained as part of the investigative records retained in*
5 *accordance with section 586 of the National Defense Author-*
6 *ization Act for Fiscal Year 2012 (Public Law 112–81; 10*
7 *U.S.C. 1561 note).*

8 **(b) ELEMENTS.**—*In updating records retention poli-*
9 *cies as required by subsection (a), the Secretary of Defense*
10 *shall address, at a minimum, the following matters:*

11 (1) *The elements of the case file to be retained*
12 *must include, at a minimum, the case activity record,*
13 *case review record, investigative plans, and all case*
14 *notes made by an investigating agent or agents.*

15 (2) *All investigative records must be retained for*
16 *no less than 50 years.*

17 (3) *No element of the case file may be destroyed*
18 *until the expiration of the time that investigative*
19 *records must be kept.*

20 (4) *Records may be stored digitally or in hard*
21 *copy, in accordance with existing law or regulations*
22 *or additionally prescribed policy considered necessary*
23 *by the Secretary of the military department con-*
24 *cerned.*

1 (c) *CONSISTENT EDUCATION AND POLICY.*—The Sec-
 2 retary of Defense shall ensure that existing policy, edu-
 3 cation, and training are updated to reflect policy changes
 4 in accordance with subsection (a).

5 (d) *UNIFORM APPLICATION TO MILITARY DEPART-*
 6 *MENTS.*—The Secretary of Defense shall ensure that, to the
 7 maximum extent practicable, the policy developed under
 8 subsections (a) is implemented uniformly by the military
 9 departments.

10 **SEC. 542. COMPTROLLER GENERAL OF THE UNITED STATES**
 11 **REPORTS ON PREVENTION AND RESPONSE**
 12 **TO SEXUAL ASSAULT BY THE ARMY NATIONAL**
 13 **GUARD AND THE ARMY RESERVE.**

14 (a) *INITIAL REPORT.*—Not later than April 1, 2016,
 15 the Comptroller General of the United States shall submit
 16 to Congress a report on the preliminary assessment of the
 17 Comptroller General (made pursuant to a review conducted
 18 by the Comptroller General for purposes of this section) of
 19 the extent to which the Army National Guard and the Army
 20 Reserve—

21 (1) have in place policies and programs to pre-
 22 vent and respond to incidents of sexual assault in-
 23 volving members of the Army National Guard or the
 24 Army Reserve, as applicable;

1 (2) *provide medical and mental health care serv-*
2 *ices to members of the Army National Guard or the*
3 *Army Reserve, as applicable, following a sexual as-*
4 *sault; and*

5 (3) *have identified whether the nature of service*
6 *in the Army National Guard or the Army Reserve, as*
7 *the case may be, poses challenges to the prevention of*
8 *or response to sexual assault.*

9 (b) *ADDITIONAL REPORTS.*—*If after submitting the re-*
10 *port required by subsection (a) the Comptroller General*
11 *makes additional assessments as a result of the review de-*
12 *scribed in that subsection, the Comptroller General shall*
13 *submit to Congress such reports on such additional assess-*
14 *ments as the Comptroller General considers appropriate.*

15 **SEC. 543. IMPROVED IMPLEMENTATION OF CHANGES TO**
16 *UNIFORM CODE OF MILITARY JUSTICE.*

17 *The Secretary of Defense shall examine the Depart-*
18 *ment of Defense process for implementing statutory changes*
19 *to the Uniform Code of Military Justice for the purpose of*
20 *developing options for streamlining such process. The Sec-*
21 *retary shall adopt procedures to ensure that legal guidance*
22 *is published as soon as practicable whenever statutory*
23 *changes to the Uniform Code of Military Justice are imple-*
24 *mented.*

1 **SEC. 544. MODIFICATION OF RULE 104 OF THE RULES FOR**
2 **COURTS-MARTIAL TO ESTABLISH CERTAIN**
3 **PROHIBITIONS CONCERNING EVALUATIONS**
4 **OF SPECIAL VICTIMS' COUNSEL.**

5 *Not later than 180 days after the date of the enactment*
6 *of this Act, Rule 104(b) of the Rules for Courts-Martial shall*
7 *be modified to provide that the prohibitions concerning*
8 *evaluations established by that Rule shall apply to the giv-*
9 *ing of a less favorable rating or evaluation to any member*
10 *of the Armed Forces serving as a Special Victims' Counsel*
11 *because of the zeal with which such counsel represented a*
12 *victim.*

13 **SEC. 545. MODIFICATION OF RULE 304 OF THE MILITARY**
14 **RULES OF EVIDENCE RELATING TO THE COR-**
15 **ROBORATION OF A CONFESSION OR ADMIS-**
16 **SION.**

17 *To the extent the President considers practicable, the*
18 *President shall modify Rule 304(c) of the Military Rules*
19 *of Evidence to conform to the rules governing the admissi-*
20 *bility of the corroboration of admissions and confessions in*
21 *the trial of criminal cases in the United States district*
22 *courts.*

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

3 ***SEC. 551. ENHANCEMENTS TO YELLOW RIBBON REINTEGRA-***
4 ***TION PROGRAM.***

5 (a) *SCOPE AND PURPOSE.*—Section 582(a) of the Na-
6 *tional Defense Authorization Act for Fiscal Year 2008 (Pub-*
7 *lic Law 110–181; 10 U.S.C. 10101 note) is amended by*
8 *striking “combat veteran”.*

9 (b) *ELIGIBILITY.*—

10 (1) *DEFINITION.*—Section 582 of the National
11 *Defense Authorization Act for Fiscal Year 2008 (Pub-*
12 *lic Law 110–181; 10 U.S.C. 10101 note) is amended*
13 *by adding at the end the following new subsection:*

14 “(l) *ELIGIBLE INDIVIDUALS DEFINED.*—For the pur-
15 *poses of this section, the term ‘eligible individual’ means*
16 *a member of a reserve component, a member of their family,*
17 *or a designated representative who the Secretary of Defense*
18 *determines to be eligible for the Yellow Ribbon Reintegra-*
19 *tion Program.”.*

20 (2) *CONFORMING AMENDMENTS.*—Section 582 of
21 *the National Defense Authorization Act for Fiscal*
22 *Year 2008 (Public Law 110–181; 10 U.S.C. 10101*
23 *note) is amended—*

1 (A) in subsection (a), by striking “National
2 Guard and Reserve members and their families”
3 and inserting “eligible individuals”;

4 (B) in subsection (b), by striking “members
5 of the reserve components of the Armed Forces,
6 their families,” and inserting “eligible individ-
7 uals”;

8 (C) in subsection (d)(2)(C), by striking
9 “members of the Armed Forces and their fami-
10 lies” and inserting “eligible individuals”;

11 (D) in subsection (h), in the matter pre-
12 ceding paragraph (1)—

13 (i) by striking “members of the Armed
14 Forces and their family members” and in-
15 serting “eligible individuals”; and

16 (ii) by striking “such members and
17 their family members” and inserting “such
18 eligible individuals”;

19 (E) in subsection (j), by striking “members
20 of the Armed Forces and their families” and in-
21 serting “eligible individuals”; and

22 (F) in subsection (k), by striking “indi-
23 vidual members of the Armed Forces and their
24 families” and inserting “eligible individuals”.

1 (c) *OFFICE FOR REINTEGRATION PROGRAMS.*—Section
2 582(d) of the National Defense Authorization Act for Fiscal
3 Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note)
4 is amended—

5 (1) in subparagraph (1)(B), by striking “sub-
6 stance abuse and mental health treatment services”
7 and inserting “substance abuse, mental health treat-
8 ment, and other quality of life services”; and

9 (2) by adding at the end the following new para-
10 graph:

11 “(3) *GRANTS.*—The Office for Reintegration Pro-
12 grams may make grants to conduct data collection,
13 trend analysis, and curriculum development and to
14 prepare reports in support of activities under this sec-
15 tion.”.

16 (d) *OPERATION OF PROGRAM.*—

17 (1) *ENHANCED FLEXIBILITY.*—Subsection (g) of
18 section 582 of the National Defense Authorization Act
19 for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C.
20 10101 note) is amended to read as follows:

21 “(g) *OPERATION OF PROGRAM.*—

22 “(1) *IN GENERAL.*—The Office for Reintegration
23 Programs shall assist State National Guard and Re-
24 serve organizations with the development and provi-
25 sion of information, events, and activities to support

1 *the health and well-being of eligible individuals be-*
2 *fore, during, and after periods of activation, mobiliza-*
3 *tion, or deployment.*

4 “(2) *FOCUS OF INFORMATION, EVENTS, AND AC-*
5 *TIVITIES.—*

6 “(A) *BEFORE ACTIVATION, MOBILIZATION,*
7 *OR DEPLOYMENT.—Before a period of activation,*
8 *mobilization, or deployment, the information,*
9 *events, and activities described in paragraph (1)*
10 *should focus on preparing eligible individuals*
11 *and affected communities for the rigors of activa-*
12 *tion, mobilization, and deployment.*

13 “(B) *DURING ACTIVATION, MOBILIZATION,*
14 *OR DEPLOYMENT.—During such a period, the in-*
15 *formation, events, and activities described in*
16 *paragraph (1) should focus on—*

17 “(i) *helping eligible individuals cope*
18 *with the challenges and stress associated*
19 *with such period;*

20 “(ii) *decreasing the isolation of eligible*
21 *individuals during such period; and*

22 “(iii) *preparing eligible individuals for*
23 *the challenges associated with reintegration.*

24 “(C) *AFTER ACTIVATION, MOBILIZATION, OR*
25 *DEPLOYMENT.—After such a period, but no ear-*

1 *lier than 30 days after demobilization, the infor-*
2 *mation, events, and activities described in para-*
3 *graph (1) should focus on—*

4 *“(i) reconnecting the member with*
5 *their families, friends, and communities;*

6 *“(ii) providing information on em-*
7 *ployment opportunities;*

8 *“(iii) helping eligible individuals deal*
9 *with the challenges of reintegration;*

10 *“(iv) ensuring that eligible individuals*
11 *understand what benefits they are entitled*
12 *to and what resources are available to help*
13 *them overcome the challenges of reintegra-*
14 *tion; and*

15 *“(v) providing a forum for addressing*
16 *negative behaviors related to operational*
17 *stress and reintegration.*

18 *“(3) MEMBER PAY.—Members shall receive ap-*
19 *propriate pay for days spent attending such events*
20 *and activities.*

21 *“(4) MINIMUM NUMBER OF EVENTS AND ACTIVI-*
22 *TIES.—The State National Guard and Reserve Orga-*
23 *nizations shall provide to eligible individuals—*

24 *“(A) one event or activity before a period of*
25 *activation, mobilization, or deployment;*

1 “(B) one event or activity during a period
2 of activation, mobilization, or deployment; and

3 “(C) two events or activities after a period
4 of activation, mobilization, or deployment.”.

5 (2) *CONFORMING AMENDMENTS.*—Section 582 of
6 the National Defense Authorization Act for Fiscal
7 Year 2008 (Public Law 110–181; 10 U.S.C. 10101
8 note) is amended—

9 (A) in subsection (a), by striking “through-
10 out the entire deployment cycle”;

11 (B) in subsection (b)—

12 (i) by striking “well-being through the
13 4 phases” through the end of the subsection
14 and inserting “well-being.”;

15 (ii) in the heading, by striking “; DE-
16 PLOYMENT CYCLE”;

17 (C) in subsection (d)(2)(C), by striking
18 “throughout the deployment cycle described in
19 subsection (g)”;

20 (D) in the heading of subsection (f), by
21 striking “STATE DEPLOYMENT CYCLE”.

22 (e) *ADDITIONAL PERMITTED OUTREACH SERVICE.*—
23 Section 582(h) of the National Defense Authorization Act
24 for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C.

1 10101 note) is amended by adding at the end the following
2 new paragraph:

3 “(16) *Stress management and positive coping*
4 *skills.*”.

5 (f) *SUPPORT OF DEPARTMENT-WIDE SUICIDE PREVEN-*
6 *TION EFFORTS.*—Section 582 of the National Defense Au-
7 thorization Act for Fiscal Year 2008 (Public Law 110–181;
8 10 U.S.C. 10101 note) is amended by inserting after sub-
9 section (h) the following new subsection:

10 “(i) *SUPPORT OF SUICIDE PREVENTION EFFORTS.*—
11 *The Office for Reintegration Programs shall assist the De-*
12 *fense Suicide Prevention Office and the Defense Centers of*
13 *Excellence for Psychological Health and Traumatic Brain*
14 *Injury to collect and analyze information, suggestions, and*
15 *best practices from State National Guard and Reserve orga-*
16 *nizations with suicide prevention and community response*
17 *programs.*”.

18 (g) *NAME CHANGE.*—Section 582(d)(1)(B) of the Na-
19 tional Defense Authorization Act for Fiscal Year 2008 (Pub-
20 lic Law 110–181; 10 U.S.C. 10101 note) is amended by
21 striking “*Substance Abuse and the Mental Health Services*
22 *Administration*” and inserting “*Substance Abuse and Men-*
23 *tal Health Services Administration*”.

1 **SEC. 552. AVAILABILITY OF PRESEPARATION COUNSELING**
 2 **FOR MEMBERS OF THE ARMED FORCES DIS-**
 3 **CHARGED OR RELEASED AFTER LIMITED AC-**
 4 **TIVE DUTY.**

5 *Section 1142(a)(4) of title 10, United States Code, is*
 6 *amended—*

7 *(1) in subparagraph (A), by striking “that mem-*
 8 *ber’s first 180 days of active duty” and inserting “the*
 9 *first 180 continuous days of active duty of the mem-*
 10 *ber”;* and

11 *(2) by adding at the end the following new sub-*
 12 *paragraph:*

13 *“(C) For purposes of calculating the days of active*
 14 *duty of a member under subparagraph (A), the Secretary*
 15 *concerned shall exclude any day on which—*

16 *“(i) the member performed full-time training*
 17 *duty or annual training duty; and*

18 *“(ii) the member attended, while in the active*
 19 *military service, a school designated as a service*
 20 *school by law or by the Secretary concerned.”.*

21 **SEC. 553. AVAILABILITY OF ADDITIONAL TRAINING OPPOR-**
 22 **TUNITIES UNDER TRANSITION ASSISTANCE**
 23 **PROGRAM.**

24 *Section 1144 of title 10, United States Code, is amend-*
 25 *ed by adding at the end the following new subsection:*

1 “(f) *ADDITIONAL TRAINING OPPORTUNITIES.—(1) As*
2 *part of the program carried out under this section, the Sec-*
3 *retary of Defense and the Secretary of the Department in*
4 *which the Coast Guard is operating, when the Coast Guard*
5 *is not operating within the Department of the Navy, shall*
6 *permit a member of the armed forces eligible for assistance*
7 *under the program to elect to receive additional training*
8 *in any of the following subjects:*

9 “(A) *Preparation for higher education or train-*
10 *ing.*

11 “(B) *Preparation for career or technical train-*
12 *ing.*

13 “(C) *Preparation for entrepreneurship.*

14 “(D) *Other training options determined by the*
15 *Secretary of Defense and the Secretary of the Depart-*
16 *ment in which the Coast Guard is operating, when*
17 *the Coast Guard is not operating within the Depart-*
18 *ment of the Navy.*

19 “(2) *The Secretary of Defense and the Secretary of the*
20 *Department in which the Coast Guard is operating, when*
21 *the Coast Guard is not operating within the Department*
22 *of the Navy, shall ensure that a member of the armed forces*
23 *who elects to receive additional training in subjects avail-*
24 *able under paragraph (1) is able to receive the training.”.*

1 **SEC. 554. MODIFICATION OF REQUIREMENT FOR IN-RESI-**
 2 **DENT INSTRUCTION FOR COURSES OF IN-**
 3 **STRUCTION OFFERED AS PART OF PHASE II**
 4 **JOINT PROFESSIONAL MILITARY EDUCATION.**

5 *Section 2154(a)(2)(A) of title 10, United States Code,*
 6 *is amended by inserting “, or offered through,” after*
 7 *“taught in residence at”.*

8 **SEC. 555. TERMINATION OF PROGRAM OF EDUCATIONAL AS-**
 9 **SISTANCE FOR RESERVE COMPONENT MEM-**
 10 **BERS SUPPORTING CONTINGENCY OPER-**
 11 **ATIONS AND OTHER OPERATIONS.**

12 *(a) IN GENERAL.—Chapter 1607 of title 10, United*
 13 *States Code, is amended by adding at the end the following*
 14 *new section:*

15 **“§ 16167. Sunset**

16 *“(a) SUNSET.—The authority to provide educational*
 17 *assistance under this chapter shall terminate on the date*
 18 *that is four years after the date of the enactment of the Na-*
 19 *tional Defense Authorization Act for Fiscal Year 2016.*

20 *“(b) LIMITATION ON PROVISION OF ASSISTANCE PEND-*
 21 *ING SUNSET.—Notwithstanding any other provision of this*
 22 *chapter, during the period beginning on the date of the en-*
 23 *actment of the National Defense Authorization Act for Fis-*
 24 *cal Year 2016 and ending on the date that is four years*
 25 *after the date of the enactment of that Act, educational as-*
 26 *istance may be provided under this chapter only to a mem-*

1 *ber otherwise eligible for educational assistance under this*
 2 *chapter who received educational assistance under this*
 3 *chapter for a course of study at an educational institution*
 4 *for the enrollment period at the educational institution that*
 5 *immediately preceded the date of the enactment of that*
 6 *Act.”.*

7 (b) *CLERICAL AMENDMENT.—The table of sections at*
 8 *the beginning of chapter 1607 of title 10, United States*
 9 *Code, is amended by adding at the end the following new*
 10 *item:*

“16167. Sunset.”.

11 **SEC. 556. APPOINTMENTS TO MILITARY SERVICE ACAD-**
 12 **EMIES FROM NOMINATIONS MADE BY DELE-**
 13 **GATES IN CONGRESS FROM THE VIRGIN IS-**
 14 **LANDS, GUAM, AMERICAN SAMOA, AND THE**
 15 **COMMONWEALTH OF THE NORTHERN MAR-**
 16 **IANA ISLANDS.**

17 (a) *UNITED STATES MILITARY ACADEMY.—Section*
 18 *4342(a) of title 10, United States Code, is amended—*

19 (1) *in paragraph (6), by striking “Three” and*
 20 *inserting “Four”;*

21 (2) *in paragraph (8), by striking “Three” and*
 22 *inserting “Four”;*

23 (3) *in paragraph (9), by striking “Two” and in-*
 24 *serting “Three”; and*

1 (4) in paragraph (10), by striking “Two” and
2 inserting “Three”.

3 (b) UNITED STATES NAVAL ACADEMY.—Section
4 6954(a) of title 10, United States Code, is amended—

5 (1) in paragraph (6), by striking “Three” and
6 inserting “Four”;

7 (2) in paragraph (8), by striking “Three” and
8 inserting “Four”;

9 (3) in paragraph (9), by striking “Two” and in-
10 serting “Three”; and

11 (4) in paragraph (10), by striking “Two” and
12 inserting “Three”.

13 (c) UNITED STATES AIR FORCE ACADEMY.—Section
14 9342(a) of title 10, United States Code, is amended—

15 (1) in paragraph (6), by striking “Three” and
16 inserting “Four”;

17 (2) in paragraph (8), by striking “Three” and
18 inserting “Four”;

19 (3) in paragraph (9), by striking “Two” and in-
20 serting “Three”; and

21 (4) in paragraph (10), by striking “Two” and
22 inserting “Three”.

23 (d) EFFECTIVE DATE.—The amendments made by this
24 section shall apply with respect to the nomination of can-
25 didates for appointment to the United States Military

1 *Academy, the United States Naval Academy, and the*
2 *United States Air Force Academy for classes entering these*
3 *military service academies after the date of the enactment*
4 *of this Act.*

5 **SEC. 557. SUPPORT FOR ATHLETIC PROGRAMS OF THE**
6 **UNITED STATES MILITARY ACADEMY.**

7 (a) *IN GENERAL.*—Chapter 403 of title 10, United
8 States Code, is amended by adding at the end the following
9 new section:

10 **“§4362. Support of athletic programs**

11 *“(a) AUTHORITY.—*

12 *“(1) CONTRACTS AND COOPERATIVE AGREE-*
13 *MENTS.—The Secretary of the Army may enter into*
14 *contracts and cooperative agreements with the Army*
15 *West Point Athletic Association for the purpose of*
16 *supporting the athletic programs of the Academy.*
17 *Notwithstanding section 2304(k) of this title, the Sec-*
18 *retary may enter such contracts or cooperative agree-*
19 *ments on a sole source basis pursuant to section*
20 *2304(c)(5) of this title. Notwithstanding chapter 63 of*
21 *title 31, a cooperative agreement under this section*
22 *may be used to acquire property or services for the di-*
23 *rect benefit or use of the Academy.*

24 *“(2) FINANCIAL CONTROLS.—(A) Before entering*
25 *into a contract or cooperative agreement under para-*

1 *graph (1), the Secretary shall ensure that such con-*
2 *tract or agreement includes appropriate financial*
3 *controls to account for Academy and Association re-*
4 *sources in accordance with accepted accounting prin-*
5 *ciples.*

6 *“(B) Any such contract or cooperative agreement*
7 *shall contain a provision that allows the Secretary, at*
8 *the Secretary’s discretion, to review the financial ac-*
9 *counts of the Association to determine whether the op-*
10 *erations of the Association—*

11 *“(i) are consistent with the terms of the con-*
12 *tract or cooperative agreement; and*

13 *“(ii) will not compromise the integrity or*
14 *appearance of integrity of any program of the*
15 *Department of the Army.*

16 *“(3) LEASES.—Section 2667(h) of this title shall*
17 *not apply to any leases the Secretary may enter into*
18 *with the Association for the purpose of supporting the*
19 *athletic programs of the Academy.*

20 *“(b) SUPPORT SERVICES.—*

21 *“(1) AUTHORITY.—To the extent required by a*
22 *contract or cooperative agreement under subsection*
23 *(a), the Secretary may provide support services to the*
24 *Association while the Association conducts its support*
25 *activities at the Academy. The Secretary may provide*

1 *support services described in paragraph (2) only if*
2 *the Secretary determines that the provision of such*
3 *services is essential for the support of the athletic pro-*
4 *grams of the Academy.*

5 “(2) *SUPPORT SERVICES DEFINED.—(A) In this*
6 *subsection, the term ‘support services’ includes utili-*
7 *ties, office furnishings and equipment, communica-*
8 *tions services, records staging and archiving, audio*
9 *and video support, and security systems in conjunc-*
10 *tion with the leasing or licensing of property.*

11 “(B) *Such term includes—*

12 “(i) *housing for Association personnel on*
13 *United States Army Garrison, West Point, New*
14 *York; and*

15 “(ii) *enrollment of dependents of Associa-*
16 *tion personnel in elementary and secondary*
17 *schools under the same criteria applied to de-*
18 *pendents of Federal employees under section*
19 *2164(a) of this title, except that educational serv-*
20 *ices provided pursuant to this clause shall be*
21 *provided on a reimbursable basis.*

22 “(3) *NO LIABILITY OF THE UNITED STATES.—*
23 *Any such support services may only be provided with-*
24 *out any liability of the United States to the Associa-*
25 *tion.*

1 “(c) *ACCEPTANCE OF SUPPORT.*—

2 “(1) *SUPPORT RECEIVED FROM THE ASSOCIA-*
3 *TION.*—*Notwithstanding section 1342 of title 31, the*
4 *Secretary may accept from the Association funds,*
5 *supplies, and services for the support of the athletic*
6 *programs of the Academy. For the purposes of this*
7 *section, employees or personnel of the Association may*
8 *not be considered to be employees of the United States.*

9 “(2) *FUNDS RECEIVED FROM NCAA.*—*The Sec-*
10 *retary may accept funds from the National Collegiate*
11 *Athletic Association to support the athletic programs*
12 *of the Academy.*

13 “(3) *LIMITATION.*—*The Secretary shall ensure*
14 *that contributions under this subsection and expendi-*
15 *ture of funds pursuant to subsection (e) do not reflect*
16 *unfavorably on the ability of the Department of the*
17 *Army, any of its employees, or any member of the*
18 *armed forces to carry out any responsibility or duty*
19 *in a fair and objective manner, or compromise the in-*
20 *tegrity or appearance of integrity of any program of*
21 *the Department of the Army, or any individual in-*
22 *volved in such a program.*

23 “(d) *TRADEMARKS AND SERVICE MARKS.*—

24 “(1) *LICENSING, MARKETING, AND SPONSORSHIP*
25 *AGREEMENTS.*—*An agreement under subsection (a)*

1 *may, consistent with section 2260 of this title (other*
2 *than subsection (d) of such section), authorize the As-*
3 *sociation to enter into licensing, marketing, and*
4 *sponsorship agreements relating to trademarks and*
5 *service marks identifying the Academy, subject to the*
6 *approval of the Secretary of the Army.*

7 *“(2) LIMITATIONS.—No licensing, marketing, or*
8 *sponsorship agreement may be entered into under*
9 *paragraph (1) if—*

10 *“(A) such agreement would reflect unfavor-*
11 *ably on the ability of the Department of the*
12 *Army, any of its employees, or any member of*
13 *the armed forces to carry out any responsibility*
14 *or duty in a fair and objective manner; or*

15 *“(B) the Secretary determines that the use*
16 *of the trademark or service mark would com-*
17 *promise the integrity or appearance of integrity*
18 *of any program of the Department of the Army,*
19 *or any individual involved in such a program.*

20 *“(e) RETENTION AND USE OF FUNDS.—Any funds re-*
21 *ceived by the Secretary under this section may be retained*
22 *for use in support of the athletic programs of the Academy*
23 *and shall remain available until expended.*

24 *“(f) SERVICE ON ASSOCIATION BOARD OF DIREC-*
25 *TORS.—The Association is a designated entity for which au-*

1 *thorization under sections 1033(a) and 1589(a) of this title*
 2 *may be provided.*

3 “(g) *CONDITIONS.—The authority provided in this sec-*
 4 *tion with respect to the Association is available only so long*
 5 *as the Association continues—*

6 “(1) *to qualify as a nonprofit organization*
 7 *under section 501(c)(3) of the Internal Revenue Code*
 8 *of 1986 and operates in accordance with this section,*
 9 *the law of the State of New York, and the constitution*
 10 *and bylaws of the Association; and*

11 “(2) *to operate exclusively to support the athletic*
 12 *programs of the Academy.*

13 “(h) *ASSOCIATION DEFINED.—In this section, the term*
 14 *‘Association’ means the Army West Point Athletic Associa-*
 15 *tion.’.*

16 (b) *CLERICAL AMENDMENT.—The table of sections at*
 17 *the beginning of chapter 403 of title 10, United States Code,*
 18 *is amended by adding at the end the following new item:*
 “4362. *Support of athletic programs.’.*

19 **SEC. 558. CONDITION ON ADMISSION OF DEFENSE INDUS-**
 20 **TRY CIVILIANS TO ATTEND THE UNITED**
 21 **STATES AIR FORCE INSTITUTE OF TECH-**
 22 **NOLOGY.**

23 *Section 9314a(c)(2) of title 10, United States Code, is*
 24 *amended by striking “will be done on a space-available*
 25 *basis and not require an increase in the size of the faculty”*

1 *and inserting “will not require an increase in the perma-*
2 *nently authorized size of the faculty”.*

3 **SEC. 559. QUALITY ASSURANCE OF CERTIFICATION PRO-**
4 **GRAMS AND STANDARDS FOR PROFESSIONAL**
5 **CREDENTIALS OBTAINED BY MEMBERS OF**
6 **THE ARMED FORCES.**

7 *Section 2015 of title 10, United States Code, as amend-*
8 *ed by section 551 of the Carl Levin and Howard P. “Buck”*
9 *McKeon National Defense Authorization Act for Fiscal Year*
10 *2015 (Public Law 113–291; 128 Stat. 3376), is further*
11 *amended—*

12 *(1) by redesignating subsections (c) and (d) as*
13 *subsections (d) and (e), respectively; and*

14 *(2) by inserting after subsection (b) the following*
15 *new subsection (c):*

16 *“(c) QUALITY ASSURANCE OF CERTIFICATION PRO-*
17 *GRAMS AND STANDARDS.—(1) Commencing not later than*
18 *three years after the date of the enactment of the National*
19 *Defense Authorization Act for Fiscal Year 2016, each Sec-*
20 *retary concerned shall ensure that any credentialing pro-*
21 *gram used in connection with the program under subsection*
22 *(a) is accredited by an accreditation body that meets the*
23 *requirements specified in paragraph (2).*

1 “(2) *The requirements for accreditation bodies speci-*
2 *fied in this paragraph are requirements that an accredita-*
3 *tion body—*

4 “(A) *be an independent body that has in place*
5 *mechanisms to ensure objectivity and impartiality in*
6 *its accreditation activities;*

7 “(B) *meet a recognized national or international*
8 *standard that directs its policy and procedures re-*
9 *garding accreditation;*

10 “(C) *apply a recognized national or inter-*
11 *national certification standard in making its accredi-*
12 *tation decisions regarding certification bodies and*
13 *programs;*

14 “(D) *conduct on-site visits, as applicable, to*
15 *verify the documents and records submitted by*
16 *credentialing bodies for accreditation;*

17 “(E) *have in place policies and procedures to en-*
18 *sure due process when addressing complaints and ap-*
19 *peals regarding its accreditation activities;*

20 “(F) *conduct regular training to ensure con-*
21 *sistent and reliable decisions among reviewers con-*
22 *ducting accreditations; and*

23 “(G) *meet such other criteria as the Secretary*
24 *concerned considers appropriate in order to ensure*
25 *quality in its accreditation activities.”.*

1 **SEC. 560. PROHIBITION ON RECEIPT OF UNEMPLOYMENT**
2 **INSURANCE WHILE RECEIVING POST-9/11**
3 **EDUCATION ASSISTANCE.**

4 (a) *EFFECT OF RECEIPT OF POST-9/11 EDUCATION*
5 *ASSISTANCE.*—Section 8525(b) of title 5, United States
6 Code, is amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “he receives” and inserting “the individual
9 receives”;

10 (2) in paragraph (1), by striking “or” after the
11 semicolon;

12 (3) by redesignating paragraph (2) as para-
13 graph (3); and

14 (4) by inserting after paragraph (1) the fol-
15 lowing new paragraph (2):

16 “(2) except in the case of an individual described
17 in subsection (a), an educational assistance allowance
18 under chapter 33 of title 38; or”.

19 (b) *EXCEPTION.*—Section 8525 of title 5, United States
20 Code, is amended by inserting before subsection (b) the fol-
21 lowing new subsection:

22 “(a) Subsection (b)(2) does not apply to an individual
23 who—

24 “(1) is otherwise entitled to compensation under
25 this subchapter;

26 “(2) is described in section 3311(b) of title 38;

1 “(3) is not receiving retired pay under title 10;
2 and

3 “(4) was discharged or released from service in
4 the Armed Forces or the Commissioned Corps of the
5 National Oceanic and Atmospheric Administration
6 (including through a reduction in force) under honor-
7 able conditions, but did not voluntarily separate from
8 such service.”.

9 **SEC. 561. JOB TRAINING AND POST-SERVICE PLACEMENT**

10 **EXECUTIVE COMMITTEE.**

11 Section 320 of title 38, United States Code, is amend-
12 ed—

13 (1) in subsection (b)(2), by inserting “a subordi-
14 nate Job Training and Post-Service Placement Exec-
15 utive Committee,” before “and such other commit-
16 tees”;

17 (2) by adding at the end the following new sub-
18 section:

19 “(e) **JOB TRAINING AND POST-SERVICE PLACEMENT**
20 **EXECUTIVE COMMITTEE.**—The Job Training and Post-
21 Service Placement Executive Committee described in sub-
22 section (b)(2) shall—

23 “(1) review existing policies, procedures, and
24 practices of the Departments (including the military

1 departments) with respect to job training and post-
2 service placement programs; and

3 “(2) identify changes to such policies, procedures,
4 and practices to improve job training and post-service
5 placement.”; and

6 (3) in subsection (d)(2), by inserting “, includ-
7 ing with respect to job training and post-service
8 placement” before the period at the end.

9 **SEC. 562. RECOGNITION OF ADDITIONAL INVOLUNTARY MO-**
10 **BILIZATION DUTY AUTHORITIES EXEMPT**
11 **FROM FIVE-YEAR LIMIT ON REEMPLOYMENT**
12 **RIGHTS OF PERSONS WHO SERVE IN THE UNI-**
13 **FORMED SERVICES.**

14 Section 4312(c)(4)(A) of title 38, United States Code,
15 is amended by inserting after “12304,” the following:
16 “12304a, 12304b.”

17 **SEC. 563. EXPANSION OF OUTREACH FOR VETERANS**
18 **TRANSITIONING FROM SERVING ON ACTIVE**
19 **DUTY.**

20 (a) **EXPANSION OF PILOT PROGRAM.**—Section 5(c)(5)
21 of the Clay Hunt Suicide Prevention for American Veterans
22 Act (Public Law 114–2; 38 U.S.C. 1712A note) is amend-
23 ed—

24 (1) in subparagraph (C), by striking “; and”
25 and inserting a semicolon;

1 (2) *in subparagraph (D), by striking the period*
2 *at the end and inserting “; and”; and*

3 (3) *by adding at the end the following new sub-*
4 *paragraph:*

5 “(E) *conducts outreach to individuals*
6 *transitioning from serving on active duty in the*
7 *Armed Forces who are participating in the*
8 *Transition Assistance Program of the Depart-*
9 *ment of Defense or other similar transition pro-*
10 *grams to inform such individuals of the commu-*
11 *nity oriented veteran peer support network*
12 *under paragraph (1) and other support pro-*
13 *grams and opportunities that are available to*
14 *such individuals.”.*

15 (b) *INCLUSION OF INFORMATION IN INTERIM RE-*
16 *PORT.—Section 5(d)(1) of the Clay Hunt Suicide Preven-*
17 *tion for American Veterans Act (Public Law 114–2; 38*
18 *U.S.C. 1712A note) is amended—*

19 (1) *in subparagraph (C), by striking “; and”*
20 *and inserting a semicolon;*

21 (2) *in subparagraph (D), by striking the period*
22 *at the end and inserting “; and”; and*

23 (3) *by adding at the end the following new sub-*
24 *paragraph:*

25 “(E) *the number of veterans who—*

1 “(i) received outreach from the Depart-
 2 ment of Veterans Affairs while serving on
 3 active duty as a member of the Armed
 4 Forces; and

5 “(ii) participated in a peer support
 6 program under the pilot program for vet-
 7 erans transitioning from serving on active
 8 duty.”.

9 **Subtitle F—Defense Dependents’**
 10 **Education and Military Family**
 11 **Readiness Matters**

12 **SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
 13 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
 14 **PENDENTS OF MEMBERS OF THE ARMED**
 15 **FORCES AND DEPARTMENT OF DEFENSE CI-**
 16 **VILIAN EMPLOYEES.**

17 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
 18 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
 19 amount authorized to be appropriated for fiscal year 2016
 20 by section 301 and available for operation and maintenance
 21 for Defense-wide activities as specified in the funding table
 22 in section 4301, \$25,000,000 shall be available only for the
 23 purpose of providing assistance to local educational agen-
 24 cies under subsection (a) of section 572 of the National De-

1 *fense Authorization Act for Fiscal Year 2006 (Public Law*
 2 *109–163; 20 U.S.C. 7703b).*

3 (b) *LOCAL EDUCATIONAL AGENCY DEFINED.*—*In this*
 4 *section, the term “local educational agency” has the mean-*
 5 *ing given that term in section 8013(9) of the Elementary*
 6 *and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).*

7 **SEC. 572. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
 8 **ABILITIES.**

9 *Of the amount authorized to be appropriated for fiscal*
 10 *year 2016 pursuant to section 301 and available for oper-*
 11 *ation and maintenance for Defense-wide activities as speci-*
 12 *fied in the funding table in section 4301, \$5,000,000 shall*
 13 *be available for payments under section 363 of the Floyd*
 14 *D. Spence National Defense Authorization Act for Fiscal*
 15 *Year 2001 (as enacted into law by Public Law 106–398;*
 16 *114 Stat. 1654A–77; 20 U.S.C. 7703a).*

17 **SEC. 573. AUTHORITY TO USE APPROPRIATED FUNDS TO**
 18 **SUPPORT DEPARTMENT OF DEFENSE STU-**
 19 **DENT MEAL PROGRAMS IN DOMESTIC DE-**
 20 **PENDENT ELEMENTARY AND SECONDARY**
 21 **SCHOOLS LOCATED OUTSIDE THE UNITED**
 22 **STATES.**

23 (a) *AUTHORITY.*—*Section 2243 of title 10, United*
 24 *States Code, is amended—*

25 (1) *in subsection (a)—*

1 (A) by striking “the defense dependents’
2 education system” and inserting “overseas de-
3 fense dependents’ schools”; and

4 (B) by striking “students enrolled in that
5 system” and inserting “students enrolled in such
6 a school”;

7 (2) in subsection (d), by striking “Department of
8 Defense dependents’ schools which are located outside
9 the United States” and inserting “overseas defense de-
10 pendents’ schools”; and

11 (3) by adding at the end the following new sub-
12 section:

13 “(e) *OVERSEAS DEFENSE DEPENDENTS’ SCHOOL DE-*
14 *FINED.*—In this section, the term ‘overseas defense depend-
15 ents’ school’ means the following:

16 “(1) A school established as part of the defense
17 dependents’ education system provided for under the
18 Defense Dependents’ Education Act of 1978 (20
19 U.S.C. 921 et seq.).

20 “(2) An elementary or secondary school estab-
21 lished pursuant to section 2164 of this title that is lo-
22 cated in a territory, commonwealth, or possession of
23 the United States.”.

24 (b) *CLERICAL AMENDMENTS.*—

1 (1) *SECTION HEADING.*—*The heading of section*
 2 *2243 of title 10, United States Code, is amended to*
 3 *read as follows:*

4 “**§2243. Authority to use appropriated funds to sup-**
 5 **port student meal programs in overseas**
 6 **defense dependents’ schools”.**

7 (2) *TABLE OF SECTIONS.*—*The table of sections*
 8 *at the beginning of subchapter I of chapter 134 of*
 9 *title 10, United States Code, is amended by striking*
 10 *the item relating to section 2243 and inserting the*
 11 *following new item:*

 “2243. *Authority to use appropriated funds to support student meal programs in overseas defense dependents’ schools.*”.

12 **SEC. 574. FAMILY SUPPORT PROGRAMS FOR IMMEDIATE**
 13 **FAMILY MEMBERS OF MEMBERS OF THE**
 14 **ARMED FORCES ASSIGNED TO SPECIAL OPER-**
 15 **ATIONS FORCES.**

16 (a) *EXTENSION OF AUTHORITY TO CONDUCT PRO-*
 17 *GRAMS .—Section 554(f) of the National Defense Authoriza-*
 18 *tion Act for Fiscal Year 2014 (Public Law 113–66; 10*
 19 *U.S.C. 1785 note) is amended by striking “2016” and in-*
 20 *serting “2018”.*

21 (b) *MODIFICATION OF REPORTING REQUIREMENT.*—
 22 *Subsection (g) of section 554 of the National Defense Au-*
 23 *thorization Act for Fiscal Year 2014 (Public Law 113–66;*
 24 *10 U.S.C. 1785 note) is amended to read as follows:*

1 “(g) *REPORT REQUIRED.*—

2 “(1) *IN GENERAL.*—Not later than March 1,
3 2016, and each March 1 thereafter though the conclu-
4 sion of the pilot programs conducted under subsection
5 (a), the Commander, in coordination with the Under
6 Secretary of Defense for Personnel and Readiness,
7 shall submit to the congressional defense committees a
8 report describing the progress made in achieving the
9 goals of the pilot programs.

10 “(2) *ELEMENTS OF REPORT.*—Each report under
11 this subsection shall include the following for each
12 pilot program:

13 “(A) A description of the pilot program to
14 address family support requirements not being
15 provided by the Secretary of a military depart-
16 ment to immediate family members of members
17 of the Armed Forces assigned to special oper-
18 ations forces.

19 “(B) An assessment of the impact of the
20 pilot program on the readiness of members of the
21 Armed Forces assigned to special operations
22 forces.

23 “(C) A comparison of the pilot program to
24 other programs conducted by the Secretaries of
25 the military departments to provide family sup-

1 *port to immediate family members of members of*
 2 *the Armed Forces.*

3 “(D) *Recommendations for incorporating*
 4 *the lessons learned from the pilot program into*
 5 *family support programs conducted by the Secre-*
 6 *taries of the military departments.*

7 “(E) *Any other matters considered appro-*
 8 *priate by the Commander or the Under Sec-*
 9 *retary of Defense for Personnel and Readiness.”.*

10 ***Subtitle G—Decorations and***
 11 ***Awards***

12 ***SEC. 581. AUTHORIZATION FOR AWARD OF THE DISTIN-***
 13 ***GUISHED-SERVICE CROSS FOR ACTS OF EX-***
 14 ***TRAORDINARY HEROISM DURING THE KO-***
 15 ***REAN WAR.***

16 *Notwithstanding the time limitations specified in sec-*
 17 *tion 3744 of title 10, United States Code, or any other time*
 18 *limitation with respect to the awarding of certain medals*
 19 *to persons who served in the Armed Forces, the Secretary*
 20 *of the Army may award the Distinguished-Service Cross*
 21 *under section 3742 of such title to Edward Halcomb who,*
 22 *while serving in Korea as a member of the United States*
 23 *Army in the grade of Private First Class in Company B,*
 24 *1st Battalion, 29th Infantry Regiment, 24th Infantry Divi-*
 25 *sion, distinguished himself by acts of extraordinary heroism*

1 *from August 20, 1950, to October 19, 1950, during the Ko-*
2 *rean War.*

3 ***Subtitle H—Miscellaneous Reports***
4 ***and Other Matters***

5 ***SEC. 591. COORDINATION WITH NON-GOVERNMENT SUI-***
6 ***CIDE PREVENTION ORGANIZATIONS AND***
7 ***AGENCIES TO ASSIST IN REDUCING SUICIDES***
8 ***BY MEMBERS OF THE ARMED FORCES.***

9 *(a) DEVELOPMENT OF POLICY.—The Secretary of De-*
10 *fense, in consultation with the Secretaries of the military*
11 *departments, may develop a policy to coordinate the efforts*
12 *of the Department of Defense and non-government suicide*
13 *prevention organizations regarding—*

14 *(1) the use of such non-government organizations*
15 *to reduce the number of suicides among members of*
16 *the Armed Forces by comprehensively addressing the*
17 *needs of members of the Armed Forces who have been*
18 *identified as being at risk of suicide;*

19 *(2) the delineation of the responsibilities within*
20 *the Department of Defense regarding interaction with*
21 *such organizations;*

22 *(3) the collection of data regarding the efficacy*
23 *and cost of coordinating with such organizations; and*

1 (4) *the preparation and preservation of any re-*
2 *porting material the Secretary determines necessary*
3 *to carry out the policy.*

4 **(b) SUICIDE PREVENTION EFFORTS.**—*The Secretary of*
5 *Defense is authorized to take any necessary measures to pre-*
6 *vent suicides by members of the Armed Forces, including*
7 *by facilitating the access of members of the Armed Forces*
8 *to successful non-governmental treatment regimen.*

9 **SEC. 592. EXTENSION OF SEMIANNUAL REPORTS ON THE**
10 **INVOLUNTARY SEPARATION OF MEMBERS OF**
11 **THE ARMED FORCES.**

12 *Section 525(a) of the National Defense Authorization*
13 *Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*
14 *1724) is amended by striking “calendar years 2013 and*
15 *2014” and “each of calendar years 2013 through 2017”.*

16 **SEC. 593. REPORT ON PRELIMINARY MENTAL HEALTH**
17 **SCREENINGS FOR INDIVIDUALS BECOMING**
18 **MEMBERS OF THE ARMED FORCES.**

19 **(a) REPORT ON RECOMMENDATIONS IN CONNECTION**
20 **WITH SCREENINGS.**—*Not later than 180 days after the date*
21 *of the enactment of this Act, the Secretary of Defense shall*
22 *submit to the Committees on Armed Services of the Senate*
23 *and the House of Representatives a report on the feasibility*
24 *of conducting, before the enlistment or accession of an indi-*
25 *vidual into the Armed Forces, a mental health screening*

1 *of the individual to bring mental health screenings to parity*
2 *with physical screenings of prospective members.*

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

5 (1) *Recommendations with respect to estab-*
6 *lishing a secure, electronically-based preliminary*
7 *mental health screening of new members of the Armed*
8 *Forces.*

9 (2) *Recommendations with respect to the com-*
10 *position of the mental health screening, evidenced-*
11 *based best practices, and how to track changes in*
12 *mental health screenings relating to traumatic brain*
13 *injuries, post-traumatic stress disorder, and other*
14 *conditions.*

15 **SEC. 594. REPORT REGARDING NEW RULEMAKING UNDER**
16 **THE MILITARY LENDING ACT AND DEFENSE**
17 **MANPOWER DATA CENTER REPORTS AND**
18 **MEETINGS.**

19 (a) *REPORT ON NEW MILITARY LENDING ACT RULE-*
20 *MAKING.*—*Not later than 60 days after the issuance by the*
21 *Secretary of Defense of the regulation issued with regard*
22 *to section 987 of title 10, United States Code (commonly*
23 *known as the Military Lending Act), and part of 232 of*
24 *title 32, Code of Federal Regulations (its implementing reg-*

1 *ulation), the Secretary shall submit to the congressional de-*
2 *fense committees a report that discusses—*

3 *(1) the ability and reliability of the Defense*
4 *Manpower Data Center in meeting real-time requests*
5 *for accurate information needed to make a determina-*
6 *tion regarding whether a borrower is covered by the*
7 *Military Lending Act; or*

8 *(2) an alternate mechanism or mechanisms for*
9 *identifying such covered borrowers.*

10 *(b) DEFENSE MANPOWER DATA CENTER REPORTS*
11 *AND MEETINGS.—*

12 *(1) REPORTS ON ACCURACY, RELIABILITY, AND*
13 *INTEGRITY OF SYSTEMS.—The Director of the Defense*
14 *Manpower Data Center shall submit to the congress-*
15 *sional defense committees reports on the accuracy, re-*
16 *liability, and integrity of the Defense Manpower Data*
17 *Center systems used to identify covered borrowers and*
18 *covered policyholders under military consumer protec-*
19 *tion laws. The first report is due six months after the*
20 *date of the enactment of this Act, and the Director*
21 *shall submit additional reports every six months*
22 *thereafter through December 31, 2020, to show im-*
23 *provements in the accuracy, reliability, and integrity*
24 *of such systems.*

1 (2) *REPORT ON PLAN TO STRENGTHEN CAPABILI-*
2 *TIES.*—Not later than six months after the date of the
3 *enactment of this Act, the Director of the Defense*
4 *Manpower Data Center shall submit to the congress-*
5 *sional defense committees a report on plans to*
6 *strengthen the capabilities of the Defense Manpower*
7 *Data Center systems, including staffing levels and*
8 *funding, in order to improve the identification of cov-*
9 *ered borrowers and covered policyholders under mili-*
10 *tary consumer protection laws.*

11 (3) *MEETINGS WITH PRIVATE SECTOR USERS OF*
12 *SYSTEMS.*—The Director of the Defense Manpower
13 *Data Center shall meet regularly with private sector*
14 *users of Defense Manpower Data Center systems used*
15 *to identify covered borrowers and covered policy-*
16 *holders under military consumer protection laws to*
17 *learn about issues facing such users and to develop*
18 *ways of addressing such issues. The first meeting pur-*
19 *suant to this requirement shall take place with three*
20 *months after the date of the enactment of this Act.*

21 **SEC. 595. REMOTELY PILOTED AIRCRAFT CAREER FIELD**
22 **MANNING SHORTFALLS.**

23 (a) *LIMITATION.*—Of the funds authorized to be appro-
24 *priated by this Act or otherwise made available for fiscal*
25 *year 2016 for operation and maintenance for the Office of*

1 *the Secretary of the Air Force, not more than 85 percent*
2 *may be obligated or expended until a period of 15 days*
3 *has elapsed following the date on which the Secretary of*
4 *the Air Force submits to the congressional defense commit-*
5 *tees the report described in subsection (b).*

6 *(b) REPORT REQUIRED.—*

7 *(1) IN GENERAL.—Not later than 60 days after*
8 *the date of enactment of this Act, the Secretary of the*
9 *Air Force shall submit to the congressional defense*
10 *committees a report on remotely piloted aircraft ca-*
11 *reer field manning levels and actions the Air Force*
12 *will take to rectify personnel shortfalls.*

13 *(2) ELEMENTS.—The report required under*
14 *paragraph (1) shall include the following elements:*

15 *(A) A description of current and projected*
16 *manning requirements and inventory levels for*
17 *remotely piloted aircraft systems.*

18 *(B) A description of rated and non-rated of-*
19 *ficer and enlisted manning policies for author-*
20 *ization and inventory levels in effect for remotely*
21 *piloted aircraft systems and units, to include*
22 *whether remotely piloted aircraft duty is consid-*
23 *ered as a permanent Air Force Specialty Code or*
24 *treated as an ancillary single assignment duty,*
25 *and if both are used, the division of authoriza-*

1 *tions between permanently assigned personnel*
2 *and those who will return to a different primary*
3 *career field.*

4 *(C) Comparisons to other Air Force manned*
5 *combat aircraft systems and units with respect*
6 *to personnel policies, manpower authorization*
7 *levels, and projected personnel inventory.*

8 *(D) Identification and assessment of miti-*
9 *gation actions to increase unit manning levels,*
10 *including recruitment and retention bonuses, in-*
11 *centive pay, use of enlisted personnel, and in-*
12 *creased weighting to remotely piloted aircraft*
13 *personnel on promotion boards, and to ensure*
14 *the school house for remotely piloted aircraft per-*
15 *sonnel is sufficient to meet increased manning*
16 *demands.*

17 *(E) Analysis demonstrating the require-*
18 *ments determination for how remotely piloted*
19 *aircraft pilot and sensor operators are selected,*
20 *including whether individuals are prior rated or*
21 *non-rated qualified, what prerequisite training*
22 *or experience is necessary, and required and*
23 *types of basic and advanced qualification train-*
24 *ing for each mission design series of remotely pi-*
25 *loted aircraft in the Air Force inventory.*

1 (F) *Recommendations for changes to exist-*
2 *ing legislation required to implement mitigation*
3 *actions.*

4 (G) *An assessment of the authorization lev-*
5 *els of government civilian and contractor sup-*
6 *port required for sufficiency of remotely piloted*
7 *aircraft career field manning.*

8 (H) *A description and associated timeline*
9 *of actions the Air Force will take to increase re-*
10 *motely piloted aircraft career field manpower*
11 *authorizations and manning levels to at least the*
12 *equal of the normative levels of manning and*
13 *readiness of all other combat aircraft career*
14 *fields.*

15 (I) *A description of any other matters con-*
16 *cerning remotely piloted aircraft career field*
17 *manning levels the Secretary of the Air Force de-*
18 *termines to be appropriate.*

19 (3) *FORM.—The report required under para-*
20 *graph (1) may be submitted in classified form, but*
21 *shall also contain an unclassified executive summary*
22 *and may contain an unclassified annex.*

23 (4) *NONDUPLICATION OF EFFORT.—If any infor-*
24 *mation required under paragraph (1) has been in-*
25 *cluded in another report or notification previously*

1 *submitted to Congress by law, the Secretary of the Air*
 2 *Force may provide a list of such reports and notifica-*
 3 *tions at the time of submitting the report required*
 4 *under this subsection in lieu of including such infor-*
 5 *mation in the report.*

6 **TITLE VI—COMPENSATION AND**
 7 **OTHER PERSONNEL BENEFITS**

Subtitle A—Pay and Allowances

- Sec. 601. No fiscal year 2016 increase in military basic pay for general and flag officers.*
- Sec. 602. Limitation on eligibility for supplemental subsistence allowances to members serving outside the United States and associated territory.*
- Sec. 603. Phased-in modification of percentage of national average monthly cost of housing usable in computation of basic allowance for housing inside the United States.*
- Sec. 604. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.*
- Sec. 605. Availability of information under the Food and Nutrition Act of 2008.*

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.*
- Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.*
- Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.*
- Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.*
- Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.*
- Sec. 616. Increase in maximum annual amount of nuclear officer bonus pay.*
- Sec. 617. Modification to special aviation incentive pay and bonus authorities for officers.*
- Sec. 618. Repeal of obsolete authority to pay bonus to encourage Army personnel to refer persons for enlistment in the Army.*

Subtitle C—Travel and Transportation Allowances

- Sec. 621. Transportation to transfer ceremonies for family and next of kin of members of the Armed Forces who die overseas during humanitarian operations.*
- Sec. 622. Repeal of obsolete special travel and transportation allowance for survivors of deceased members of the Armed Forces from the Vietnam conflict.*
- Sec. 623. Study and report on policy changes to the Joint Travel Regulations.*

*Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits**PART I—RETIRED PAY REFORM*

- Sec. 631. Modernized retirement system for members of the uniformed services.*
Sec. 632. Full participation for members of the uniformed services in the Thrift Savings Plan.
Sec. 633. Lump sum payments of certain retired pay.
Sec. 634. Continuation pay for full TSP members with 12 years of service.
Sec. 635. Effective date and implementation.

PART II—OTHER MATTERS

- Sec. 641. Death of former spouse beneficiaries and subsequent remarriages under the Survivor Benefit Plan.*

Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

- Sec. 651. Plan to obtain budget-neutrality for the defense commissary system and the military exchange system.*
Sec. 652. Comptroller General of the United States report on the Commissary Surcharge, Non-appropriated Fund, and Privately-Financed Major Construction Program.

Subtitle F—Other Matters

- Sec. 661. Improvement of financial literacy and preparedness of members of the Armed Forces.*
Sec. 662. Recordation of obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due.

1 ***Subtitle A—Pay and Allowances***

2 ***SEC. 601. NO FISCAL YEAR 2016 INCREASE IN MILITARY***
3 ***BASIC PAY FOR GENERAL AND FLAG OFFI-***
4 ***CERS.***

5 *Section 203(a)(2) of title 37, United States Code, shall*
6 *be applied for rates of basic pay payable for commissioned*
7 *officers in pay grades O–7 through O–10 during calendar*
8 *year 2016 by using the rate of pay for level II of the Execu-*
9 *tive Schedule in effect during 2014. The rates of basic pay*
10 *payable for such officers shall not increase during calendar*
11 *year 2016.*

1 **SEC. 602. LIMITATION ON ELIGIBILITY FOR SUPPLEMENTAL**
2 **SUBSISTENCE ALLOWANCES TO MEMBERS**
3 **SERVING OUTSIDE THE UNITED STATES AND**
4 **ASSOCIATED TERRITORY.**

5 *Section 402a(b) of title 37, United States Code, is*
6 *amended—*

7 *(1) in paragraph (1), by inserting “and para-*
8 *graph (4)” after “subsection (d)”;* and

9 *(2) by adding at the end the following new para-*
10 *graph:*

11 *“(4) After September 30, 2016, a member is eligible*
12 *for a supplemental subsistence allowance under this section*
13 *only if the member is serving outside the United States,*
14 *the Commonwealth of Puerto Rico, the United States Virgin*
15 *Islands, or Guam.”.*

16 **SEC. 603. PHASED-IN MODIFICATION OF PERCENTAGE OF**
17 **NATIONAL AVERAGE MONTHLY COST OF**
18 **HOUSING USABLE IN COMPUTATION OF**
19 **BASIC ALLOWANCE FOR HOUSING INSIDE**
20 **THE UNITED STATES.**

21 *Section 403(b)(3)(B) of title 37, United States Code,*
22 *is amended by striking “may not exceed one percent.” and*
23 *inserting the following: “may not exceed the following:*

24 *“(i) One percent for months occurring during*
25 *2015.*

1 “(ii) Two percent for months occurring during
2 2016.

3 “(iii) Three percent for months occurring during
4 2017.

5 “(iv) Four percent for months occurring during
6 2018.

7 “(v) Five percent for months occurring after
8 2018.”.

9 **SEC. 604. EXTENSION OF AUTHORITY TO PROVIDE TEM-**
10 **PORARY INCREASE IN RATES OF BASIC AL-**
11 **LOWANCE FOR HOUSING UNDER CERTAIN**
12 **CIRCUMSTANCES.**

13 *Section 403(b)(7)(E) of title 37, United States Code,*
14 *is amended by striking “December 31, 2015” and inserting*
15 *“December 31, 2016”.*

16 **SEC. 605. AVAILABILITY OF INFORMATION UNDER THE**
17 **FOOD AND NUTRITION ACT OF 2008.**

18 *In administering the supplemental nutrition assist-*
19 *ance program established under the Food and Nutrition Act*
20 *of 2008 (7 U.S.C. 2011 et seq.), the Secretary of Agriculture*
21 *shall ensure that any safeguards that prevent the use or dis-*
22 *closure of information obtained from applicant households*
23 *shall not prevent the use of that information by, or the dis-*
24 *closure of that information to, the Secretary of Defense for*
25 *purposes of determining the number of applicant households*

1 *that contain one or more members of a regular component*
 2 *or reserve component of the Armed Forces.*

3 ***Subtitle B—Bonuses and Special***
 4 ***and Incentive Pays***

5 ***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND***
 6 ***SPECIAL PAY AUTHORITIES FOR RESERVE***
 7 ***FORCES.***

8 *The following sections of title 37, United States Code,*
 9 *are amended by striking “December 31, 2015” and insert-*
 10 *ing “December 31, 2016”:*

11 *(1) Section 308b(g), relating to Selected Reserve*
 12 *reenlistment bonus.*

13 *(2) Section 308c(i), relating to Selected Reserve*
 14 *affiliation or enlistment bonus.*

15 *(3) Section 308d(c), relating to special pay for*
 16 *enlisted members assigned to certain high-priority*
 17 *units.*

18 *(4) Section 308g(f)(2), relating to Ready Reserve*
 19 *enlistment bonus for persons without prior service.*

20 *(5) Section 308h(e), relating to Ready Reserve*
 21 *enlistment and reenlistment bonus for persons with*
 22 *prior service.*

23 *(6) Section 308i(f), relating to Selected Reserve*
 24 *enlistment and reenlistment bonus for persons with*
 25 *prior service.*

1 (7) *Section 478a(e), relating to reimbursement of*
 2 *travel expenses for inactive-duty training outside of*
 3 *normal commuting distance.*

4 (8) *Section 910(g), relating to income replace-*
 5 *ment payments for reserve component members expe-*
 6 *riencing extended and frequent mobilization for active*
 7 *duty service.*

8 **SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND**
 9 **SPECIAL PAY AUTHORITIES FOR HEALTH**
 10 **CARE PROFESSIONALS.**

11 (a) *TITLE 10 AUTHORITIES.*—*The following sections*
 12 *of title 10, United States Code, are amended by striking*
 13 *“December 31, 2015” and inserting “December 31, 2016”:*

14 (1) *Section 2130a(a)(1), relating to nurse officer*
 15 *candidate accession program.*

16 (2) *Section 16302(d), relating to repayment of*
 17 *education loans for certain health professionals who*
 18 *serve in the Selected Reserve.*

19 (b) *TITLE 37 AUTHORITIES.*—*The following sections of*
 20 *title 37, United States Code, are amended by striking “De-*
 21 *cember 31, 2015” and inserting “December 31, 2016”:*

22 (1) *Section 302c-1(f), relating to accession and*
 23 *retention bonuses for psychologists.*

24 (2) *Section 302d(a)(1), relating to accession*
 25 *bonus for registered nurses.*

1 (3) *Section 302e(a)(1), relating to incentive spe-*
2 *cial pay for nurse anesthetists.*

3 (4) *Section 302g(e), relating to special pay for*
4 *Selected Reserve health professionals in critically*
5 *short wartime specialties.*

6 (5) *Section 302h(a)(1), relating to accession*
7 *bonus for dental officers.*

8 (6) *Section 302j(a), relating to accession bonus*
9 *for pharmacy officers.*

10 (7) *Section 302k(f), relating to accession bonus*
11 *for medical officers in critically short wartime spe-*
12 *cialties.*

13 (8) *Section 302l(g), relating to accession bonus*
14 *for dental specialist officers in critically short war-*
15 *time specialties.*

16 **SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND**
17 **BONUS AUTHORITIES FOR NUCLEAR OFFI-**
18 **CERS.**

19 *The following sections of title 37, United States Code,*
20 *are amended by striking “December 31, 2015” and insert-*
21 *ing “December 31, 2016”:*

22 (1) *Section 312(f), relating to special pay for*
23 *nuclear-qualified officers extending period of active*
24 *service.*

1 (2) *Section 312b(c), relating to nuclear career*
2 *accession bonus.*

3 (3) *Section 312c(d), relating to nuclear career*
4 *annual incentive bonus.*

5 **SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**
6 **ING TO TITLE 37 CONSOLIDATED SPECIAL**
7 **PAY, INCENTIVE PAY, AND BONUS AUTHORI-**
8 **TIES.**

9 *The following sections of title 37, United States Code,*
10 *are amended by striking “December 31, 2015” and insert-*
11 *ing “December 31, 2016”:*

12 (1) *Section 331(h), relating to general bonus au-*
13 *thority for enlisted members.*

14 (2) *Section 332(g), relating to general bonus au-*
15 *thority for officers.*

16 (3) *Section 333(i), relating to special bonus and*
17 *incentive pay authorities for nuclear officers.*

18 (4) *Section 334(i), relating to special aviation*
19 *incentive pay and bonus authorities for officers.*

20 (5) *Section 335(k), relating to special bonus and*
21 *incentive pay authorities for officers in health profes-*
22 *sions.*

23 (6) *Section 336(g), relating to contracting bonus*
24 *for cadets and midshipmen enrolled in the Senior Re-*
25 *serve Officers’ Training Corps.*

1 (7) *Section 351(h), relating to hazardous duty*
2 *pay.*

3 (8) *Section 352(g), relating to assignment pay or*
4 *special duty pay.*

5 (9) *Section 353(i), relating to skill incentive pay*
6 *or proficiency bonus.*

7 (10) *Section 355(h), relating to retention incen-*
8 *tives for members qualified in critical military skills*
9 *or assigned to high priority units.*

10 **SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**
11 **ING TO PAYMENT OF OTHER TITLE 37 BO-**
12 **NUSES AND SPECIAL PAYS.**

13 *The following sections of title 37, United States Code,*
14 *are amended by striking “December 31, 2015” and insert-*
15 *ing “December 31, 2016”:*

16 (1) *Section 301b(a), relating to aviation officer*
17 *retention bonus.*

18 (2) *Section 307a(g), relating to assignment in-*
19 *centive pay.*

20 (3) *Section 308(g), relating to reenlistment*
21 *bonus for active members.*

22 (4) *Section 309(e), relating to enlistment bonus.*

23 (5) *Section 316a(g), relating to incentive pay for*
24 *members of precommissioning programs pursuing for-*
25 *oreign language proficiency.*

1 (6) *Section 324(g), relating to accession bonus*
2 *for new officers in critical skills.*

3 (7) *Section 326(g), relating to incentive bonus*
4 *for conversion to military occupational specialty to*
5 *ease personnel shortage.*

6 (8) *Section 327(h), relating to incentive bonus*
7 *for transfer between Armed Forces.*

8 (9) *Section 330(f), relating to accession bonus for*
9 *officer candidates.*

10 **SEC. 616. INCREASE IN MAXIMUM ANNUAL AMOUNT OF NU-**
11 **CLEAR OFFICER BONUS PAY.**

12 *Section 333(d)(1)(A) of title 37, United States Code,*
13 *is amended by striking “\$35,000” and inserting “\$50,000”.*

14 **SEC. 617. MODIFICATION TO SPECIAL AVIATION INCENTIVE**
15 **PAY AND BONUS AUTHORITIES FOR OFFI-**
16 **CERS.**

17 (a) *CLARIFICATION OF SECRETARIAL AUTHORITY TO*
18 *SET REQUIREMENTS FOR AVIATION INCENTIVE PAY ELIGI-*
19 *BILITY.—Subsection (a) of section 334 of title 37, United*
20 *States Code, is amended—*

21 (1) *by redesignating paragraphs (1), (2), (3),*
22 *(4), and (5) as subparagraphs (A), (B), (C), (D), and*
23 *(E), respectively, and moving the margin of such sub-*
24 *paragraphs, as so redesignated, 2 ems to the right;*

1 (2) by striking “The Secretary” and inserting
2 the following:

3 “(1) *INCENTIVE PAY AUTHORIZED.*—The Sec-
4 retary”; and

5 (3) by adding at the end the following new para-
6 graph (2):

7 “(2) *OFFICERS NOT CURRENTLY ENGAGED IN*
8 *FLYING DUTY.*—The Secretary concerned may pay
9 aviation incentive pay under this section to an officer
10 who is otherwise qualified for such pay but who is not
11 currently engaged in the performance of operational
12 flying duty or proficiency flying duty if the Secretary
13 determines, under regulations prescribed under sec-
14 tion 374 of this title, that payment of aviation incen-
15 tive pay to that officer is in the best interests of the
16 service.”.

17 (b) *RESTORATION OF AUTHORITY TO PAY AVIATION*
18 *INCENTIVE PAY TO MEDICAL OFFICERS PERFORMING*
19 *FLIGHT SURGEON DUTIES.*—Subsection (h)(1) of such sec-
20 tion is amended by striking “(except a flight surgeon or
21 other medical officer)”.

22 (c) *INCREASE IN MAXIMUM AMOUNT OF AVIATION*
23 *SPECIAL PAYS FOR FLYING DUTY OF REMOTELY PILOTED*
24 *AIRCRAFT.*—Subsection (c)(1) of such section is amended—

1 (1) in subparagraph (A), by striking “exceed
2 \$850 per month; and” and inserting “exceed—

3 “(i) \$1,000 per month for officers per-
4 forming qualifying flying duty relating to
5 remotely piloted aircraft (RPA); or

6 “(ii) \$850 per month for officers per-
7 forming other qualifying flying duty; and”;

8 and

9 (2) in subparagraph (B), by striking “\$25,000”
10 and all that follows and inserting “, for each 12-
11 month period of obligated service agreed to under sub-
12 section (d)—

13 “(i) \$35,000 for officers performing
14 qualifying flying duty relating to remotely
15 piloted aircraft; or

16 “(ii) \$25,000 for officers performing
17 other qualifying flying duty.”.

18 (d) *AUTHORITY TO PAY AVIATION BONUS AND SKILL*
19 *INCENTIVE PAY TO OFFICERS SIMULTANEOUSLY.*—Sub-
20 section (f) of such section is amended—

21 (1) in paragraph (1), by striking “353” and in-
22 serting “353(a)”; and

23 (2) in paragraph (2)—

24 (A) by striking “a payment” and inserting
25 “a bonus payment”; and

1 (B) by striking “353” and inserting
2 “353(b)”.

3 (e) *REPORT.*—Not later than February 1, 2016, the
4 Secretary of Defense shall submit to the congressional de-
5 fense committees a report setting forth the empirical case
6 for an increase in special and incentive pay for aviation
7 officers in order to address a specific, statistically-based re-
8 tention problem with respect to such officers. The report
9 shall include the results of a study, conducted by the Sec-
10 retary in connection with the case, on a market-based com-
11 pensation approach to the retention of such officers that
12 considers the pay and allowances offered by commercial air-
13 lines to pilots and the propensity of pilots to leave the Air
14 Force to become commercial airline pilots.

15 **SEC. 618. REPEAL OF OBSOLETE AUTHORITY TO PAY BONUS**
16 **TO ENCOURAGE ARMY PERSONNEL TO REFER**
17 **PERSONS FOR ENLISTMENT IN THE ARMY.**

18 (a) *REPEAL.*—Section 3252 of title 10, United States
19 Code, is repealed.

20 (b) *CLERICAL AMENDMENT.*—The table of sections at
21 the beginning of chapter 333 of such title is amended by
22 striking the item relating to section 3252.

1 **Subtitle C—Travel and**
 2 **Transportation Allowances**

3 **SEC. 621. TRANSPORTATION TO TRANSFER CEREMONIES**
 4 **FOR FAMILY AND NEXT OF KIN OF MEMBERS**
 5 **OF THE ARMED FORCES WHO DIE OVERSEAS**
 6 **DURING HUMANITARIAN OPERATIONS.**

7 Section 481f(e)(1) of title 37, United States Code, is
 8 amended by inserting “(including during a humanitarian
 9 relief operation)” after “located or serving overseas”.

10 **SEC. 622. REPEAL OF OBSOLETE SPECIAL TRAVEL AND**
 11 **TRANSPORTATION ALLOWANCE FOR SUR-**
 12 **VIVORS OF DECEASED MEMBERS OF THE**
 13 **ARMED FORCES FROM THE VIETNAM CON-**
 14 **FLICT.**

15 (a) *REPEAL AND REDESIGNATION.*—Section 481f of
 16 title 37, United States Code, is amended—

17 (1) by striking subsection (d); and

18 (2) by redesignating subsections (e), (f), (g), and
 19 (h) as subsections (d), (e), (f), and (g), respectively.

20 (b) *CONFORMING AMENDMENT TO CROSS REF-*
 21 *ERENCE.*—Section 2493(a)(4)(B)(ii) of title 10, United
 22 States Code, is amended by striking “section 481f(e)” and
 23 inserting “section 481f(d)”.

1 **SEC. 623. STUDY AND REPORT ON POLICY CHANGES TO THE**
2 **JOINT TRAVEL REGULATIONS.**

3 (a) *STUDY.*—*The Comptroller General of the United*
4 *States shall conduct a study on the impact of the policy*
5 *changes to the Joint Travel Regulations for the Uniformed*
6 *Service Members and Department of Defense Civilian Em-*
7 *ployees related to flat rate per diem for long term tem-*
8 *porary duty travel that took effect on November 1, 2014.*
9 *The study shall assess the following:*

10 (1) *The impact of such changes on shipyard*
11 *workers who travel on long-term temporary duty as-*
12 *signments.*

13 (2) *Whether such changes have discouraged em-*
14 *ployees of the Department of Defense, including civil-*
15 *ian employees at shipyards and depots, from volun-*
16 *teering for important temporary duty travel assign-*
17 *ments.*

18 (b) *REPORT.*—*Not later than June 1, 2016, the Comp-*
19 *troller General shall submit to the Committee on Armed*
20 *Services of the Senate and the Committee on Armed Serv-*
21 *ices of the House of Representatives a report on the study*
22 *required by subsection (a).*

1 ***Subtitle D—Disability Pay, Retired***
 2 ***Pay, and Survivor Benefits***

3 ***PART I—RETIRED PAY REFORM***

4 ***SEC. 631. MODERNIZED RETIREMENT SYSTEM FOR MEM-***
 5 ***BERS OF THE UNIFORMED SERVICES.***

6 *(a) REGULAR SERVICE.—Section 1409(b) of title 10,*
 7 *United States Code, is amended by adding at the end the*
 8 *following new paragraph:*

9 *“(4) MODERNIZED RETIREMENT SYSTEM.—*

10 *“(A) REDUCED MULTIPLIER FOR FULL TSP*
 11 *MEMBERS.—Notwithstanding paragraphs (1),*
 12 *(2), and (3), in the case of a member who first*
 13 *becomes a member of the uniformed services on*
 14 *or after January 1, 2018, or a member who*
 15 *makes the election described in subparagraph (B)*
 16 *(referred to as a ‘full TSP member’)—*

17 *“(i) paragraph (1)(A) shall be applied*
 18 *by substituting ‘2’ for ‘2¹/₂’;*

19 *“(ii) clause (i) of paragraph (3)(B)*
 20 *shall be applied by substituting ‘60 percent’*
 21 *for ‘75 percent’; and*

22 *“(iii) clause (ii)(I) of such paragraph*
 23 *shall be applied by substituting ‘2’ for ‘2¹/₂’.*

24 *“(B) ELECTION TO PARTICIPATE IN MOD-*
 25 *ERNIZED RETIREMENT SYSTEM.—Pursuant to*

1 subparagraph (C), a member of a uniformed
2 service serving on December 31, 2017, who has
3 served in the uniformed services for fewer than
4 12 years as of December 31, 2017, may elect, in
5 exchange for the reduced multipliers described in
6 subparagraph (A) for purposes of calculating the
7 retired pay of the member, to receive Thrift Sav-
8 ings Plan contributions pursuant to section
9 8440e(e) of title 5.

10 “(C) *ELECTION PERIOD.*—

11 “(i) *IN GENERAL.*—Except as provided
12 in clauses (ii) and (iii), a member of a uni-
13 formed service described in subparagraph
14 (B) may make the election authorized by
15 that subparagraph only during the period
16 that begins on January 1, 2018, and ends
17 on December 31, 2018.

18 “(ii) *HARDSHIP EXTENSION.*—The Sec-
19 retary concerned may extend the election
20 period described in clause (i) for a member
21 who experiences a hardship as determined
22 by the Secretary concerned.

23 “(iii) *EFFECT OF BREAK IN SERV-*
24 *ICE.*—A member of a uniformed service who
25 returns to service after a break in service

1 that occurs during the election period speci-
2 fied in clause (i) shall make the election de-
3 scribed in subparagraph (B) within 30 days
4 after the date of the reentry into service of
5 the member.

6 “(D) NO RETROACTIVE CONTRIBUTIONS
7 PURSUANT TO ELECTION.—Thrift Savings Plan
8 contributions may not be made for a member
9 making an election pursuant to subparagraph
10 (B) for any period beginning before the date of
11 the member’s election under that subparagraph
12 by reason of the member’s election.

13 “(E) REGULATIONS.—The Secretary con-
14 cerned shall prescribe regulations to implement
15 this paragraph.”.

16 (b) NON-REGULAR SERVICE.—Section 12739 of title
17 10, United States Code, is amended by adding at the end
18 the following new subsection:

19 “(f) MODERNIZED RETIREMENT SYSTEM.—

20 “(1) REDUCED MULTIPLIER FOR FULL TSP MEM-
21 BERS.—Notwithstanding subsection (a) or (c), in the
22 case of a person who first performs reserve component
23 service on or after January 1, 2018, after not having
24 performed regular or reserve component service on or
25 before that date, or a person who makes the election

1 described in paragraph (2) (referred to as a ‘full TSP
2 member’)—

3 “(A) subsection (a)(2) shall be applied by
4 substituting ‘2 percent’ for ‘2½ percent’;

5 “(B) subparagraph (A) of subsection (c)(2)
6 shall be applied by substituting ‘60 percent’ for
7 ‘75 percent’; and

8 “(C) subparagraph (B)(ii) of such sub-
9 section shall be applied by substituting ‘2 per-
10 cent’ for ‘2½ percent’.

11 “(2) *ELECTION TO PARTICIPATE IN MODERNIZED*
12 *RETIREMENT SYSTEM.*—

13 “(A) *IN GENERAL.*—Pursuant to subpara-
14 graph (B), a person performing reserve compo-
15 nent service on December 31, 2017, who has per-
16 formed fewer than 12 years of service as of De-
17 cember 31, 2017 (as computed in accordance
18 with section 12733 of this title), may elect, in ex-
19 change for the reduced multipliers described in
20 paragraph (1) for purposes of calculating the re-
21 tired pay of the person, to receive Thrift Savings
22 Plan contributions pursuant to section 8440e(e)
23 of title 5.

24 “(B) *ELECTION PERIOD.*—

1 “(i) *IN GENERAL.*—*Except as provided*
2 *in clauses (ii) and (iii), a person described*
3 *in subparagraph (A) may make the election*
4 *described in that subparagraph during the*
5 *period that begins on January 1, 2018, and*
6 *ends on December 31, 2018.*

7 “(ii) *HARDSHIP EXTENSION.*—*The Sec-*
8 *retary concerned may extend the election*
9 *period described in clause (i) for a person*
10 *who experiences a hardship as determined*
11 *by the Secretary concerned.*

12 “(iii) *PERSONS EXPERIENCING BREAK*
13 *IN SERVICE.*—*A person returning to reserve*
14 *component service after a break in reserve*
15 *component service in which falls the election*
16 *period specified in clause (i) shall make the*
17 *election described in subparagraph (A) on*
18 *the date of the reentry into service of the*
19 *person.*

20 “(C) *NO RETROACTIVE CONTRIBUTIONS*
21 *PURSUANT TO ELECTION.*—*Thrift Savings Plan*
22 *contributions may not be made for a person*
23 *making an election pursuant to subparagraph*
24 *(A) for any pay period beginning before the date*

1 *of the person's election under that subparagraph*
2 *by reason of the person's election.*

3 “(3) *REGULATIONS.*—*The Secretary concerned*
4 *shall prescribe regulations to implement this sub-*
5 *section.”.*

6 *(c) COORDINATING AMENDMENTS TO OTHER RETIRE-*
7 *MENT AUTHORITIES.—*

8 *(1) DISABILITY, WARRANT OFFICERS, AND DOPMA*
9 *RETIRED PAY.—*

10 *(A) COMPUTATION OF RETIRED PAY.—The*
11 *table in section 1401(a) of title 10, United States*
12 *Code, is amended—*

13 *(i) in paragraph (1) in column 2 of*
14 *formula number 1, by striking “2½% of*
15 *years of service credited to him under sec-*
16 *tion 1208” and inserting “the retired pay*
17 *multiplier determined for the member under*
18 *section 1409 of this title”; and*

19 *(ii) in paragraph (1) in column 2 of*
20 *formula number 2, by striking “2½% of*
21 *years of service credited to him under sec-*
22 *tion 1208” and inserting “the retired pay*
23 *multiplier determined for the member under*
24 *section 1409 of this title”; and*

1 (iii) in column 2 of each of formula
2 number 4 and formula number 5, by strik-
3 ing “section 1409(a)” and inserting “sec-
4 tion 1409”.

5 (B) CLARIFICATION REGARDING MODERN-
6 IZED RETIREMENT SYSTEM.—Section 1401a(b) of
7 title 10, United States Code, is amended—

8 (i) by redesignating paragraph (5) as
9 paragraph (6); and

10 (ii) by inserting after paragraph (4)
11 the following new paragraph (5):

12 “(5) ADJUSTMENTS FOR PARTICIPANTS IN MOD-
13 ERNIZED RETIREMENT SYSTEM.—Notwithstanding
14 paragraph (3), if a member or former member par-
15 ticipates in the modernized retirement system by rea-
16 son of section 1409(b)(4) of this title (including pur-
17 suant to an election under subparagraph (B) of that
18 section), the Secretary shall increase the retired pay
19 of such member in accordance with paragraph (2).”.

20 (2) 15-YEAR CAREER STATUS BONUS.—Section
21 354 of title 37, United States Code, is amended—

22 (A) in subsection (f)—

23 (i) by striking “If a” and inserting
24 “(1) If a”; and

1 (ii) by adding at the end the following
2 new paragraph:

3 “(2) If a person who is paid a bonus under this section
4 subsequently makes an election described in section
5 1409(b)(4)(B) of title 10, the person shall repay any bonus
6 payments received under this section in the same manner
7 as repayments are made under section 373 of this title.”;
8 and

9 (B) by adding at the end the following new
10 subsection:

11 “(g) *SUNSET AND CONTINUATION OF PAYMENTS.*—(1)
12 A Secretary concerned may not pay a new bonus under
13 this section after December 31, 2017.

14 “(2) Subject to subsection (f)(2), the Secretary con-
15 cerned may continue to make payments for bonuses that
16 were awarded under this section on or before the date speci-
17 fied in paragraph (1).”.

18 (3) *APPLICATION TO NATIONAL OCEANIC AND AT-*
19 *MOSPHERIC ADMINISTRATION COMMISSIONED*
20 *CORPS.*—Paragraph (2) of section 245(a) of the Na-
21 *tional Oceanic and Atmospheric Administration*
22 *Commissioned Officer Corps Act of 2002 (33 U.S.C.*
23 *3045(a)) is amended to read as follows:*

24 “(2) the retired pay multiplier determined under
25 section 1409 of such title for the number of years of

1 *service that may be credited to the officer under sec-*
2 *tion 1405 of such title as if the officer's service were*
3 *service as a member of the Armed Forces.”.*

4 (4) *APPLICATION TO PUBLIC HEALTH SERV-*
5 *ICE.—Section 211(a)(4) of the Public Health Service*
6 *Act (42 U.S.C. 212(a)(4)) is amended—*

7 (A) *in the matter preceding subparagraph*
8 *(A), by striking “at the rate of 2 ½ per centum*
9 *of the basic pay of the highest grade held by him*
10 *as such officer” and inserting “calculated by*
11 *multiplying the retired pay base determined*
12 *under section 1406 of title 10, United States*
13 *Code, by the retired pay multiplier determined*
14 *under section 1409 of such title for the numbers*
15 *of years of service credited to the officer under*
16 *this paragraph”; and*

17 (B) *in the matter following subparagraph*
18 *(B)(iii)—*

19 (i) *in subparagraph (C), by striking*
20 *“such pay, and” and inserting “such pay,”;*
21 *and*

22 (ii) *in subparagraph (D), by striking*
23 *“such basic pay.” and inserting “such basic*
24 *pay, and (E) in the case of any officer who*
25 *participates in the modernized retirement*

1 *system by reason of section 1409(b) of title*
2 *10, United States Code (including pursuant*
3 *to an election under subparagraph (B) of*
4 *that section), subparagraph (C) shall be ap-*
5 *plied by substituting ‘40 per centum’ for ‘50*
6 *per centum’ each place the term appears.”.*

7 *(d) REPEAL OF REDUCED COST-OF-LIVING ADJUST-*
8 *MENTS FOR MEMBERS UNDER THE AGE OF 62.—The fol-*
9 *lowing amendments shall not take effect:*

10 *(1) The amendments to be made by section 403*
11 *of the Bipartisan Budget Act of 2013 (Public Law*
12 *113–67; 127 Stat. 1186), as amended by section*
13 *10001(a) of the Department of Defense Appropria-*
14 *tions Act, 2014 (division C of Public Law 113–76;*
15 *128 Stat. 151), section 2 of Public Law 113–82 (128*
16 *Stat. 1009), and section 623 of the Carl Levin and*
17 *Howard P. “Buck” McKeon National Defense Author-*
18 *ization Act for Fiscal Year 2015 (Public Law 113–*
19 *291; 128 Stat. 3403).*

20 *(2) The amendments to be made by section*
21 *10001(b) of the Department of Defense Appropria-*
22 *tions Act, 2014.*

1 **SEC. 632. FULL PARTICIPATION FOR MEMBERS OF THE UNI-**
2 **FORMED SERVICES IN THE THRIFT SAVINGS**
3 **PLAN.**

4 *(a) MODERNIZED RETIREMENT SYSTEM.—*

5 *(1) DEFINITIONS.—Section 8440e(a) of title 5,*
6 *United States Code, is amended by striking para-*
7 *graphs (1) and (2) and inserting the following new*
8 *paragraphs:*

9 *“(1) the term ‘basic pay’ means basic pay pay-*
10 *able under section 204 of title 37;*

11 *“(2) the term ‘full TSP member’ means a mem-*
12 *ber described in subsection (e)(1);*

13 *“(3) the term ‘member’ has the meaning given*
14 *the term in section 211 of title 37; and*

15 *“(4) the term ‘Secretary concerned’ has the*
16 *meaning given the term in section 101 of title 37.”.*

17 *(2) TSP CONTRIBUTIONS.—Subsection (e) of sec-*
18 *tion 8440e of title 5, United States Code, is amended*
19 *to read as follows:*

20 *“(e) MODERNIZED RETIREMENT SYSTEM.—*

21 *“(1) TSP CONTRIBUTIONS.—Notwithstanding*
22 *any other provision of law, the Secretary concerned*
23 *shall make contributions to the Thrift Savings Fund,*
24 *in accordance with section 8432 (except to the extent*
25 *the requirements under such section are modified by*
26 *this subsection), for the benefit of a member—*

1 “(A) *who first enters a uniformed service on*
2 *or after January 1, 2018; or*

3 “(B) *who—*

4 “(i) *first entered a uniformed service*
5 *before January 1, 2018;*

6 “(ii) *has completed fewer than 12*
7 *years of service in the uniformed services as*
8 *of December 31, 2017; and*

9 “(iii) *makes the election described in*
10 *section 1409(b)(4)(B) or 12729(f)(2) of title*
11 *10 to receive Thrift Savings Plan contribu-*
12 *tions under this subsection in exchange for*
13 *the reduced multipliers described in section*
14 *1409(b)(4)(A) or 12739(f)(1) of title 10, as*
15 *applicable, for purposes of calculating the*
16 *retired pay of the member.*

17 “(2) *MAXIMUM AMOUNT.—The amount contrib-*
18 *uted under this subsection by the Secretary concerned*
19 *for the benefit of a full TSP member for any pay pe-*
20 *riod shall not be more than 5 percent of the member’s*
21 *basic pay for such pay period. Any such contribution*
22 *under this subsection, though in accordance with sec-*
23 *tion 8432 as provided in paragraph (1), is instead of,*
24 *and not in addition to, amounts contributable under*
25 *section 8432 as provided in section 8432(c).*

1 “(3) *TIMING AND DURATION OF CONTRIBU-*
2 *TIONS.—*

3 “(A) *AUTOMATIC CONTRIBUTIONS.—The*
4 *Secretary concerned shall make a contribution*
5 *described in section 8432(c)(1) under this sub-*
6 *section for the benefit of a member described in*
7 *paragraph (1) for any pay period during the pe-*
8 *riod that—*

9 “(i) *begins—*

10 “(I) *on or after the day that is 60*
11 *days after the date the member first en-*
12 *ters a uniformed service, in the case of*
13 *a member described in paragraph*
14 *(1)(A); or*

15 “(II) *on or after the date the*
16 *member makes the election described in*
17 *paragraph (1)(B), in the case of a*
18 *member making such an election; and*

19 “(ii) *ends on the day such member*
20 *completes 26 years of service as a member*
21 *of the uniformed services.*

22 “(B) *MATCHING CONTRIBUTIONS.—The Sec-*
23 *retary concerned shall make a contribution de-*
24 *scribed in section 8432(c)(2) under this sub-*
25 *section for the benefit of a member described in*

1 paragraph (1) for any pay period during the pe-
 2 riod that—

3 “(i) begins—

4 “(I) on or after the day that is 2
 5 years and 1 day after the date the
 6 member first enters a uniformed serv-
 7 ice, in the case of a member described
 8 in paragraph (1)(A); or

9 “(II) on or after the date the
 10 member makes the election described in
 11 paragraph (1)(B), in the case of a
 12 member making such an election; and

13 “(ii) ends on the day such member
 14 completes 26 years of service as a member
 15 of the uniformed services.

16 “(4) PROTECTIONS FOR SPOUSES AND FORMER
 17 SPOUSES.—Section 8435 shall apply to a full TSP
 18 member in the same manner as such section is ap-
 19 plied to an employee or Member under such section.”.

20 (b) AUTOMATIC ENROLLMENT IN THRIFT SAVINGS
 21 PLAN.—Section 8432(b)(2) of title 5, United States Code,
 22 is amended—

23 (1) in subparagraph (D)(ii), by striking “Mem-
 24 bers” and inserting “(i) Except in the case of a full

1 *TSP member (as defined in section 8440e(a)), mem-*
2 *bers”;*

3 (2) *in subparagraph (E), by striking*
4 *“8440e(a)(1)” and inserting “8440e(b)(1)”;* and

5 (3) *by adding at the end the following new sub-*
6 *paragraph:*

7 *“(F) Notwithstanding any other provision of this*
8 *paragraph, if a full TSP member (as defined in section*
9 *8440e(a)) has declined automatic enrollment into the Thrift*
10 *Savings Plan for a year, the full TSP member shall be auto-*
11 *matically reenrolled on January 1 of the succeeding year,*
12 *with contributions under subsection (a) at the default per-*
13 *centage of basic pay.”.*

14 (c) *VESTING.—*

15 (1) *TWO-YEARS OF SERVICE.—Section 8432(g)(2)*
16 *of title 5, United States Code, is amended—*

17 (A) *in subparagraph (A)(iii), by striking*
18 *“or” after the semicolon;*

19 (B) *in subparagraph (B), by striking the*
20 *period at the end and inserting “; or”;* and

21 (C) *by adding at the end the following:*

22 *“(C) 2 years of service in the case of a member*
23 *of the uniformed services.”.*

1 (2) *SEPARATION*.—Section 8432(g) of title 5,
2 *United States Code*, is amended by adding at the end
3 the following new paragraph:

4 “(6) For purposes of this subsection, a member of the
5 uniformed services shall be considered to have separated
6 from Government employment if the member is discharged
7 or released from service in the uniformed services.”.

8 (d) *THRIFT SAVINGS PLAN DEFAULT INVESTMENT*
9 *FUND*.—Section 8438(c)(2) of title 5, *United States Code*,
10 is amended—

11 (1) in subparagraph (A), by striking “(A) Con-
12 sistent with the requirements of subparagraph (B), if
13 an” and inserting “If an”; and

14 (2) by striking subparagraph (B).

15 (e) *REPEAL OF SEPARATE CONTRIBUTION AGREEMENT*
16 *AUTHORITY*.—

17 (1) *REPEAL*.—Section 211 of title 37, *United*
18 *States Code*, is amended—

19 (A) by striking subsection (d); and

20 (B) by redesignating subsection (e) as sub-
21 section (d).

22 (2) *CONFORMING AMENDMENT*.—Section
23 8432b(c)(2)(B) of title 5, *United States Code*, is
24 amended by striking “(including pursuant to an
25 agreement under section 211(d) of title 37)”.

1 **SEC. 633. LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.**

2 (a) *LUMP SUM PAYMENTS OF CERTAIN RETIRED*
3 *PAY.*—

4 (1) *IN GENERAL.*—Chapter 71 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 1415. Lump sum payment of certain retired pay**

8 “(a) *DEFINITIONS.*—In this section:

9 “(1) *COVERED RETIRED PAY.*—The term ‘covered
10 retired pay’ means retired pay under—

11 “(A) *this title;*

12 “(B) *title 14;*

13 “(C) *the National Oceanic and Atmospheric*
14 *Administration Commissioned Officer Corps Act*
15 *of 2002 (33 U.S.C. 3001 et seq.); or*

16 “(D) *the Public Health Service Act (42*
17 *U.S.C. 201 et seq.).*

18 “(2) *ELIGIBLE PERSON.*—The term ‘eligible per-
19 son’ means a person who—

20 “(A)(i) *first becomes a member of a uni-*
21 *formed service on or after January 1, 2018; or*

22 “(i) *makes the election described in section*
23 *1409(b)(4)(B) or 12739(f)(2) of this title; and*

24 “(B) *does not retire or separate under chap-*
25 *ter 61 of this title.*

1 “(3) *RETIREMENT AGE.*—The term ‘retirement
2 age’ has the meaning given the term in section 216(l)
3 of the Social Security Act (42 U.S.C. 416(l)).

4 “(b) *ELECTION OF LUMP SUM PAYMENT OF CERTAIN*
5 *RETIRED PAY.*—

6 “(1) *IN GENERAL.*—An eligible person entitled to
7 covered retired pay (including an eligible person who
8 is entitled to such pay by reason of an election de-
9 scribed in subsection (a)(2)(A)(ii)) may elect to re-
10 ceive—

11 “(A) a lump sum payment of the discounted
12 present value at the time of the election of an
13 amount of the covered retired pay that the eligi-
14 ble person is otherwise entitled to receive for the
15 period beginning on the date of retirement and
16 ending on the date the eligible person attains the
17 eligible person’s retirement age equal to—

18 “(i) 50 percent of the amount of such
19 covered retired pay during such period; or

20 “(ii) 25 percent of the amount of such
21 covered retired pay during such period; and

22 “(B) a monthly amount during the period
23 described in subparagraph (A) equal to—

24 “(i) in the case of an eligible person
25 electing to receive an amount described in

1 subparagraph (A)(i), 50 percent of the
2 amount of monthly covered retired pay the
3 eligible person is otherwise entitled to re-
4 ceive during such period; and

5 “(ii) in the case of an eligible person
6 electing to receive an amount described in
7 subparagraph (A)(ii), 75 percent of the
8 amount of monthly covered retired pay the
9 eligible person is otherwise entitled to re-
10 ceive during such period

11 “(2) *DISCOUNTED PRESENT VALUE.*—The Sec-
12 retary of Defense shall compute the discounted present
13 value of amounts of covered retired pay that an eligi-
14 ble person is otherwise entitled to receive for a period
15 for purposes of paragraph (1)(A) by—

16 “(A) estimating the aggregate amount of re-
17 tired pay the person would receive for the period,
18 taking into account cost-of-living adjustments
19 under section 1401a of this title projected by the
20 Secretary at the time the person separates from
21 service and would otherwise begin receiving cov-
22 ered retired pay; and

23 “(B) reducing the aggregate amount esti-
24 mated pursuant to subparagraph (A) by an ap-

1 *appropriate percentage determined by the Sec-*
2 *retary—*

3 “(i) *using average personal discount*
4 *rates (as defined and calculated by the Sec-*
5 *retary taking into consideration applicable*
6 *and reputable studies of personal discount*
7 *rates for military personnel and past actu-*
8 *arial experience in the calculation of per-*
9 *sonal discount rates under this paragraph);*
10 *and*

11 “(ii) *in accordance with generally ac-*
12 *cepted actuarial principles and practices.*

13 “(3) *TIMING OF ELECTION.—An eligible person*
14 *shall make the election under this subsection not later*
15 *than 90 days before the date of the retirement of the*
16 *eligible person from the uniformed services.*

17 “(4) *SINGLE PAYMENT OR COMBINATION OF PAY-*
18 *MENTS.—An eligible person may elect to receive a*
19 *lump sum payment under this subsection in a single*
20 *payment or in a combination of payments.*

21 “(5) *COMMENCEMENT OF PAYMENT.—An eligible*
22 *person who makes an election under this subsection*
23 *shall receive the lump sum payment, or the first in-*
24 *stallment of a combination of payments of the lump*

1 *sum payment if elected under paragraph (4), as fol-*
2 *lows:*

3 “(A) *Not later than 60 days after the date*
4 *of the retirement of the eligible person from the*
5 *uniformed services.*

6 “(B) *In the case of an eligible person who*
7 *is a member of a reserve component, not later*
8 *than 60 days after the earlier of—*

9 “(i) *the date on which the eligible per-*
10 *son attains 60 years of age; or*

11 “(ii) *the date on which the eligible per-*
12 *son first becomes entitled to covered retired*
13 *pay.*

14 “(6) *NO SUBSEQUENT ADJUSTMENT.—An eligible*
15 *person who accepts payment of a lump sum under*
16 *this subsection may not seek the review of or otherwise*
17 *challenge the amount of the lump sum in light of any*
18 *variation in cost-of-living adjustments under section*
19 *1401a of this title, actuarial assumptions, or other*
20 *factors used by the Secretary in calculating the*
21 *amount of the lump sum that occur after the Sec-*
22 *retary pays the lump sum.*

23 “(c) *RESUMPTION OF MONTHLY ANNUITY.—*

24 “(1) *GENERAL RULE.—Subject to paragraph (2),*
25 *an eligible person who makes an election described in*

1 *subsection (b)(1) shall be entitled to receive the eligi-*
2 *ble person's monthly covered retired pay calculated in*
3 *accordance with paragraph (2) after the eligible per-*
4 *son attains the eligible person's retirement age.*

5 *“(2) RESTORATION OF FULL RETIREMENT*
6 *AMOUNT AT RETIREMENT AGE.—The retired pay of an*
7 *eligible person who makes an election described in*
8 *subsection (a) shall be recomputed, effective on the*
9 *first day of the first month beginning after the person*
10 *attains the eligible person's retirement age, so as to*
11 *be an amount equal to the amount of covered retired*
12 *pay to which the eligible person would otherwise be*
13 *entitled on that date if the annual increases, in the*
14 *retired pay of the eligible person made to reflect*
15 *changes in the Consumer Price Index, had been made*
16 *in accordance with section 1401a of this title.*

17 *“(d) PAYMENT OF RETIRED PAY TO PERSONS NOT*
18 *MAKING ELECTION.—An eligible person who does not make*
19 *the election described in subsection (b)(1) shall be paid the*
20 *retired pay to which the eligible person is otherwise entitled*
21 *under the applicable provisions of law referred to in sub-*
22 *section (a)(1).*

23 *“(e) REGULATIONS.—The Secretary of Defense con-*
24 *cerned shall prescribe regulations to carry out the provi-*
25 *sions of this section.”.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
2 *tions at the beginning of chapter 71 of such title is*
3 *amended by adding at the end the following new item:*

“1415. Lump sum payment of certain retired pay.”.

4 (3) *PAYMENTS FROM DEPARTMENT OF DEFENSE*
5 *MILITARY RETIREMENT FUND.*—*Section 1463(a)(1) of*
6 *title 10, United States Code, is amended by striking*
7 *“or 1414” and inserting “, 1414, or 1415”.*

8 (b) *OFFSET OF VETERANS PENSION AND COMPENSA-*
9 *TION BY AMOUNT OF LUMP SUM PAYMENTS.*—*Section 5304*
10 *of title 38, United States Code, is amended by adding at*
11 *the end the following new subsection:*

12 *“(d)(1) Other than amounts payable under section*
13 *1413a or 1414 of title 10, the amount of pension and com-*
14 *pensation benefits payable to a person under this title shall*
15 *be reduced by the amount of any lump sum payment made*
16 *to such person under section 1415 of title 10.*

17 *“(2) The Secretary shall collect any reduction under*
18 *paragraph (1) from amounts otherwise payable to the per-*
19 *son under this title, including pension and compensation*
20 *payable under this title, before any pension and compensa-*
21 *tion payments under this title may be paid to the person.”.*

1 **SEC. 634. CONTINUATION PAY FOR FULL TSP MEMBERS**
 2 **WITH 12 YEARS OF SERVICE.**

3 (a) *CONTINUATION PAY.*—Subchapter II of chapter 5
 4 of title 37, United States Code, is amended by adding at
 5 the end the following new section:

6 **“§356. Continuation pay: full TSP members with 12**
 7 **years of service**

8 “(a) *CONTINUATION PAY.*—The Secretary concerned
 9 shall make a payment of continuation pay to each full TSP
 10 member (as defined in section 8440e(a) of title 5) of the
 11 uniformed services under the jurisdiction of the Secretary
 12 who—

13 “(1) completes 12 years of service; and

14 “(2) enters into an agreement with the Secretary
 15 to serve for an additional 4 years of obligated service.

16 “(b) *AMOUNT.*—The amount of continuation pay pay-
 17 able to a full TSP member under subsection (a) shall be
 18 the amount that is equal to—

19 “(1) in the case of a member of a regular compo-
 20 nent—

21 “(A) the monthly basic pay of the member
 22 at 12 years of service multiplied by 2.5; plus

23 “(B) at the discretion of the Secretary con-
 24 cerned, the monthly basic pay of the member at
 25 12 years of service multiplied by such number of
 26 months (not to exceed 13 months) as the Sec-

1 *retary concerned shall specify in the agreement*
2 *of the member under subsection (a); and*

3 “(2) *in the case of a member of a reserve compo-*
4 *nent—*

5 “(A) *the amount of monthly basic pay to*
6 *which the member would be entitled at 12 years*
7 *of service if the member were a member of a reg-*
8 *ular component multiplied by 0.5; plus*

9 “(B) *at the discretion of the Secretary con-*
10 *cerned, the amount of monthly basic pay de-*
11 *scribed in subparagraph (A) multiplied by such*
12 *number of months (not to exceed 6 months) as*
13 *the Secretary concerned shall specify in the*
14 *agreement of the member under subsection (a).*

15 “(c) *ADDITIONAL DISCRETIONARY AUTHORITY.—In*
16 *addition to the continuation pay required under subsection*
17 *(a), the Secretary concerned may provide continuation pay*
18 *under this subsection to a full TSP member described in*
19 *subsection (a), and subject to the service agreement referred*
20 *to in paragraph (2) of such subsection, in an amount deter-*
21 *mined by the Secretary concerned.*

22 “(d) *TIMING OF PAYMENT.—The Secretary concerned*
23 *shall pay continuation pay under subsection (a) to a full*
24 *TSP member when the member completes 12 years of serv-*
25 *ice. If the Secretary concerned also provides continuation*

1 *pay under subsection (c) to the member, that continuation*
 2 *pay shall be provided when the member completes 12 years*
 3 *of service.*

4 “(e) *LUMP SUM OR INSTALLMENTS.*—A full TSP mem-
 5 *ber may elect to receive continuation pay provided under*
 6 *subsection (a) or (c) in a lump sum or in a series of not*
 7 *more than four payments.*

8 “(f) *RELATIONSHIP TO OTHER PAY AND ALLOW-*
 9 *ANCES.*—Continuation pay under this section is in addi-
 10 *tion to any other pay or allowance to which the full TSP*
 11 *member is entitled.*

12 “(g) *REPAYMENT.*—A full TSP member who receives
 13 *continuation pay under this section (a) and fails to com-*
 14 *plete the obligated service required under such subsection*
 15 *shall be subject to the repayment provisions of section 373*
 16 *of this title.*

17 “(h) *REGULATIONS.*—Each Secretary concerned shall
 18 *prescribe regulations to carry out this section.”.*

19 “(b) *CLERICAL AMENDMENT.*—The table of sections at
 20 *the beginning of chapter 5 of title 37, United States Code,*
 21 *is amended by adding at the end the following new item:*

“356. Continuation pay: full TSP members with 12 years of service.”.

22 **SEC. 635. EFFECTIVE DATE AND IMPLEMENTATION.**

23 “(a) *EFFECTIVE DATE.*—The amendments made by this
 24 *part shall take effect on January 1, 2018.*

25 “(b) *IMPLEMENTATION.*—

1 (1) *IN GENERAL.*—*The Secretaries concerned, the*
2 *Director of the Office of Personnel Management, and*
3 *the Federal Retirement Thrift Investment Board shall*
4 *each and jointly take appropriate actions to ensure*
5 *the full and effective implementation of the amend-*
6 *ments made by this part in order to ensure that mem-*
7 *bers of the uniformed services will be able to partici-*
8 *pate in the modernized retirement plan provided by*
9 *this part commencing on the date specified in sub-*
10 *section (a).*

11 (2) *IMPLEMENTATION PLAN.*—*Not later than*
12 *March 1, 2016, the Secretaries concerned shall submit*
13 *to the appropriate committees of Congress a report*
14 *containing a plan to ensure the full and effective com-*
15 *mencement and operational implementation of the*
16 *amendments made by this part in accordance with*
17 *paragraph (1).*

18 (c) *ADDITIONAL TECHNICAL AND CONFORMING*
19 *AMENDMENTS.*—*The report required by subsection (b) shall*
20 *contain a draft of such legislation as may be necessary to*
21 *make any additional technical and conforming changes to*
22 *titles 10 and 37, United States Code, and other provisions*
23 *of law that are required or should be made by reason of*
24 *the amendments made by this part.*

25 (d) *DEFINITIONS.*—*In this section:*

1 (1) *The term “appropriate committees of Con-*
2 *gress” means—*

3 (A) *the Committee on Armed Services, the*
4 *Committee on Energy and Commerce, the Com-*
5 *mittee on Natural Resources, the Committee on*
6 *Oversight and Government Reform, and the*
7 *Committee on Transportation and Infrastructure*
8 *of the House of Representatives; and*

9 (B) *the Committee on Armed Services, the*
10 *Committee on Commerce, Science, and Transpor-*
11 *tation, the Committee on Energy and Natural*
12 *Resources, the Committee on Homeland Security*
13 *and Governmental Affairs, and the Committee*
14 *on Health, Education, Labor, and Pensions of*
15 *the Senate.*

16 (2) *The term “Secretary concerned” has the*
17 *meaning given that term in section 101 of title 37,*
18 *United States Code.*

19 **PART II—OTHER MATTERS**

20 **SEC. 641. DEATH OF FORMER SPOUSE BENEFICIARIES AND**
21 **SUBSEQUENT REMARRIAGES UNDER THE**
22 **SURVIVOR BENEFIT PLAN.**

23 (a) *IN GENERAL.—Section 1448(b) of title 10, United*
24 *States Code, is amended by adding at the end the following*
25 *new paragraph:*

1 “(7) *EFFECT OF DEATH OF FORMER SPOUSE*
2 *BENEFICIARY.*—

3 “(A) *TERMINATION OF PARTICIPATION IN*
4 *PLAN.*—A person who elects to provide an annu-
5 *ity to a former spouse under paragraph (2) or*
6 *(3) and whose former spouse subsequently dies is*
7 *no longer a participant in the Plan, effective on*
8 *the date of death of the former spouse.*

9 “(B) *AUTHORITY FOR ELECTION OF NEW*
10 *SPOUSE BENEFICIARY.*—If a person’s participa-
11 *tion in the Plan is discontinued by reason of the*
12 *death of a former spouse beneficiary, the person*
13 *may elect to resume participation in the Plan*
14 *and to elect a new spouse beneficiary as follows:*

15 “(i) *MARRIED ON THE DATE OF DEATH*
16 *OF FORMER SPOUSE.*—A person who is
17 *married at the time of the death of the*
18 *former spouse beneficiary may elect to pro-*
19 *vide coverage to that person’s spouse. Such*
20 *an election must be received by the Sec-*
21 *retary concerned within one year after the*
22 *date of death of the former spouse bene-*
23 *ficiary.*

24 “(ii) *MARRIAGE AFTER DEATH OF*
25 *FORMER SPOUSE BENEFICIARY.*—A person

1 *who is not married at the time of the death*
2 *of the former spouse beneficiary and who*
3 *later marries may elect to provide spouse*
4 *coverage. Such an election must be received*
5 *by the Secretary concerned within one year*
6 *after the date on which that person marries.*

7 “(C) *EFFECTIVE DATE OF ELECTION.*—*The*
8 *effective date of election under this paragraph*
9 *shall be as follows:*

10 “(i) *An election under subparagraph*
11 *(B)(i) is effective as of the first day of the*
12 *first calendar month following the death of*
13 *the former spouse beneficiary.*

14 “(ii) *An election under subparagraph*
15 *(B)(ii) is effective as of the first day of the*
16 *first calendar month following the month in*
17 *which the election is received by the Sec-*
18 *retary concerned.*

19 “(D) *LEVEL OF COVERAGE.*—*A person mak-*
20 *ing an election under subparagraph (B) may not*
21 *reduce the base amount previously elected.*

22 “(E) *PROCEDURES.*—*An election under this*
23 *paragraph shall be in writing, signed by the*
24 *participant, and made in such form and manner*
25 *as the Secretary concerned may prescribe.*

1 “(F) *IRREVOCABILITY.*—An election under
2 this paragraph is irrevocable.”.

3 (b) *EFFECTIVE DATE.*—Paragraph (7) of section
4 1448(b) of title 10, United States Code, as added by sub-
5 section (a), shall apply with respect to any person whose
6 former spouse beneficiary dies on or after the date of the
7 enactment of this Act.

8 (c) *APPLICABILITY TO FORMER SPOUSE DEATHS BE-*
9 *FORE ENACTMENT.*—

10 (1) *IN GENERAL.*—A person—

11 (A) who before the date of the enactment of
12 this Act had a former spouse beneficiary under
13 the Survivor Benefit Plan who died before that
14 date; and

15 (B) who on the date of the enactment of this
16 Act is married,

17 may elect to provide spouse coverage for such spouse
18 under the Plan, regardless of whether the person mar-
19 ried such spouse before or after the death of the former
20 spouse beneficiary. Any such election may only be
21 made during the one-year period beginning on the
22 date of the enactment of this Act.

23 (2) *EFFECTIVE DATE OF ELECTION IF MARRIED*
24 *AT LEAST A YEAR AT DEATH FORMER SPOUSE.*—If the
25 person providing the annuity was married to the

1 spouse beneficiary for at least one year at the time of
 2 the death of the former spouse beneficiary, the effective
 3 date of such election shall be the first day of the first
 4 month after the death of the former spouse bene-
 5 ficiary.

6 (3) *OTHER EFFECTIVE DATE.*—If the person pro-
 7 viding the annuity married the spouse beneficiary
 8 after (or during the one-year period preceding) the
 9 death of the former spouse beneficiary, the effective
 10 date of the election shall be the first day of the first
 11 month following the first anniversary of the person’s
 12 marriage to the spouse beneficiary.

13 (4) *RESPONSIBILITY FOR PREMIUMS.*—A person
 14 electing to participate in the Plan under this sub-
 15 section shall be responsible for payment of all pre-
 16 miums due from the effective date of the election.

17 ***Subtitle E—Commissary and Non-***
 18 ***Appropriated Fund Instrumen-***
 19 ***tality Benefits and Operations***

20 ***SEC. 651. PLAN TO OBTAIN BUDGET-NEUTRALITY FOR THE***
 21 ***DEFENSE COMMISSARY SYSTEM AND THE***
 22 ***MILITARY EXCHANGE SYSTEM.***

23 (a) *IN GENERAL.*—Not later than March 1, 2016, the
 24 Secretary of Defense shall submit to the Committees on
 25 Armed Services of the Senate and the House of Representa-

1 *tives a report setting forth a comprehensive plan to achieve*
2 *by October 1, 2018, budget-neutrality in the delivery of*
3 *commissary and exchange benefits while meeting the bench-*
4 *marks set forth in subsection (c). In preparing the report,*
5 *the Secretary shall consider the report required by section*
6 *634 of the Carl Levin and Howard P. “Buck” McKeon Na-*
7 *tional Defense Authorization Act for Fiscal Year 2015 (Pub-*
8 *lic Law 113–291; 128 Stat. 3406) and any other previous*
9 *reports, studies, and surveys of matters appropriate to the*
10 *report.*

11 *(b) REPORT ELEMENTS.—The report required by sub-*
12 *section (a) shall include the following:*

13 *(1) A description of any modifications to the*
14 *commissary and exchange benefit systems the Sec-*
15 *retary considers appropriate to obtain budget-neu-*
16 *trality in the delivery of commissary and exchange*
17 *benefits, including the following:*

18 *(A) The establishment of common business*
19 *processes, practices, and systems to exploit*
20 *synergies between the operations of defense com-*
21 *missaries and exchanges and to optimize the op-*
22 *erations of the resale system and the benefits pro-*
23 *vided by the commissaries and exchanges.*

1 (B) *The privatization of the defense com-*
2 *missary system and the military exchange sys-*
3 *tem, in whole or in part.*

4 (C) *Engagement of major commercial gro-*
5 *cery retailers or other private sector entities to*
6 *determine their willingness to provide eligible*
7 *beneficiaries with discount savings on grocery*
8 *products and certain household goods.*

9 (D) *The closure of commissaries in locations*
10 *in close proximity to other commissaries or in*
11 *locations where commercial alternatives, through*
12 *major grocery retailers, may be available.*

13 (2) *An analysis of different pricing constructs to*
14 *improve or enhance the delivery of commissary and*
15 *exchange benefits.*

16 (3) *A description of the impact of any modifica-*
17 *tions described pursuant to paragraph (1) on Morale,*
18 *Welfare and Recreation (MWR) quality-of-life pro-*
19 *grams.*

20 (4) *Such recommendations for legislative action*
21 *as the Secretary considers appropriate to achieve by*
22 *October 1, 2018, budget-neutrality in the delivery of*
23 *commissary and exchange benefits while meeting the*
24 *benchmarks set forth in subsection (c).*

1 (c) *BENCHMARKS.*—*The report required by subsection*

2 *(a) shall ensure—*

3 (1) *the maintenance of high levels of customer*
4 *satisfaction in the delivery of commissary and ex-*
5 *change benefits;*

6 (2) *the provision of high quality products; and*

7 (3) *the sustainment of discount savings to eligi-*
8 *ble beneficiaries.*

9 (d) *COMPTROLLER GENERAL ASSESSMENT OF*
10 *PLAN.*—*Not later than 120 days after the submittal of the*
11 *report required by subsection (a), the Comptroller General*
12 *of the United States shall submit to the Committees on*
13 *Armed Services of the Senate and the House of Representa-*
14 *tives a report setting forth an assessment by the Comptroller*
15 *General of the plan to achieve budget-neutrality in the de-*
16 *livery of commissary and exchange benefits while meeting*
17 *the benchmarks set forth in subsection (c) as set forth in*
18 *the report required by subsection (a).*

19 (e) *PILOT PROGRAMS.*—

20 (1) *PROGRAMS AUTHORIZED.*—*After the reports*
21 *required by subsections (a) and (d) have been sub-*
22 *mitted as described in such subsections, the Secretary*
23 *may, notwithstanding any requirement in chapter*
24 *147 of title 10, United States Code, conduct one or*
25 *more pilot programs to evaluate the feasibility and*

1 *advisability of processes and methods for achieving*
2 *budget-neutrality in the delivery of commissary and*
3 *exchange benefits and other applicable benchmarks in*
4 *accordance with this section. The Secretary may au-*
5 *thorize any commissary or exchange, or private sector*
6 *entity, participating in any such pilot program to es-*
7 *tablish appropriate prices in response to market con-*
8 *ditions and customer demand, provided that the level*
9 *of savings required by paragraph (3) is maintained.*

10 (2) *BENCHMARKS.—If the Secretary conducts a*
11 *pilot program under this subsection, the Secretary*
12 *shall establish specific, measurable benchmarks for*
13 *measuring success in the provision of high quality*
14 *grocery goods and products, discount savings to pa-*
15 *trons, and high levels of customer satisfaction while*
16 *achieving budget-neutrality in the delivery of com-*
17 *missary and exchange benefits under the pilot pro-*
18 *gram.*

19 (3) *REQUIRED SAVINGS TO PATRONS.—The Sec-*
20 *retary shall ensure that the level of savings to com-*
21 *missary and exchange patrons under any pilot pro-*
22 *gram under this subsection is not less than the level*
23 *of savings to such patrons before the implementation*
24 *of such pilot program, as follows:*

1 (A) Before commencing a pilot program the
2 Secretary shall establish a baseline of savings to
3 patrons achieved for each commissary or ex-
4 change to participate in such pilot program by
5 comparing prices charged by such commissary or
6 exchange for a representative market basket of
7 goods to prices charged by local competitors for
8 the same market basket of goods.

9 (B) After commencement of such pilot pro-
10 gram, the Secretary shall ensure that each com-
11 missary or exchange, or private sector entity,
12 participating in such pilot program conducts
13 market-basket price comparisons not less than
14 once a month and adjusts pricing as necessary
15 to ensure that pricing achieves savings to pa-
16 trons under such pilot program that are reason-
17 ably consistent with the baseline savings for the
18 commissary or exchange established pursuant to
19 subparagraph (A).

20 (4) DURATION OF AUTHORITY.—The authority of
21 the Secretary to carry out a pilot program under this
22 subsection shall expire on the date that is five years
23 after the date of the enactment of this Act. However,
24 if a pilot program achieves budget-neutrality in the
25 delivery of commissary and exchange benefits and

1 *other applicable benchmarks, as measured using the*
2 *benchmarks required by paragraph (2), the Secretary*
3 *may continue the pilot program for an additional pe-*
4 *riod of up to five years.*

5 (5) *REPORTS.—*

6 (A) *INITIAL REPORTS.—If the Secretary*
7 *conducts a pilot program under this subsection,*
8 *the Secretary shall, not later than 30 days before*
9 *commencing the pilot program, submit to the*
10 *Committees on Armed Services of the Senate and*
11 *the House of Representatives a report on the*
12 *pilot program, including the following:*

13 (i) *A description of the pilot program.*

14 (ii) *The provisions, if any, of chapter*
15 *147 of title 10, United States Code, that*
16 *will be waived in the conduct of the pilot*
17 *program.*

18 (B) *FINAL REPORTS.—Not later than 90*
19 *days after the date of the completion of any pilot*
20 *program under this subsection or the date of the*
21 *commencement of an extension of a pilot pro-*
22 *gram under paragraph (4), the Secretary shall*
23 *submit to the Committees on Armed Services of*
24 *the Senate and the House of Representatives a*

1 *report on the pilot program, including the fol-*
2 *lowing:*

3 *(i) A description and assessment of the*
4 *pilot program.*

5 *(ii) Such recommendations for admin-*
6 *istrative or legislative action as the Sec-*
7 *retary considers appropriate in light of the*
8 *pilot program.*

9 **SEC. 652. COMPTROLLER GENERAL OF THE UNITED STATES**
10 **REPORT ON THE COMMISSARY SURCHARGE,**
11 **NON-APPROPRIATED FUND, AND PRIVATELY-**
12 **FINANCED MAJOR CONSTRUCTION PROGRAM.**

13 *(a) IN GENERAL.—Not later than 180 days after the*
14 *date of the enactment of this Act, the Comptroller General*
15 *of the United States shall submit to the Committees on*
16 *Armed Services of the Senate and the House of Representa-*
17 *tives a report on the Commissary Surcharge, Non-appro-*
18 *priated Fund and Privately-Financed Major Construction*
19 *Program of the Department of Defense.*

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

22 *(1) An assessment whether the Secretary of De-*
23 *fense has established policies and procedures to ensure*
24 *the timely submittal to the committees of Congress re-*
25 *ferred to in subsection (a) of notice on construction*

1 *projects proposed to be funded through the program*
2 *referred to in that subsection.*

3 (2) *An assessment whether the Secretaries of the*
4 *military departments have developed and imple-*
5 *mented policies and procedures to comply with the*
6 *policies and directives of the Department of Defense*
7 *for the submittal to such committees of Congress of*
8 *notice on such construction projects.*

9 (3) *An assessment whether the Secretary of De-*
10 *fense has established policies and procedures to notify*
11 *such committees of Congress when such construction*
12 *projects have been commenced without notice to Con-*
13 *gress.*

14 (4) *An assessment whether construction projects*
15 *described in paragraph (3) have been completed before*
16 *submittal of notice to Congress as described in that*
17 *paragraph and, if so, a list of such projects.*

18 ***Subtitle F—Other Matters***

19 ***SEC. 661. IMPROVEMENT OF FINANCIAL LITERACY AND***
20 ***PREPAREDNESS OF MEMBERS OF THE ARMED***
21 ***FORCES.***

22 (a) *SENSE OF CONGRESS ON FINANCIAL LITERACY*
23 *AND PREPAREDNESS OF MEMBERS.—It is the sense of Con-*
24 *gress that—*

1 (1) *the Secretary of Defense should strengthen*
 2 *arrangements with other departments and agencies of*
 3 *the Federal Government and nonprofit organizations*
 4 *in order to improve the financial literacy and pre-*
 5 *paredness of members of the Armed Forces; and*

6 (2) *the Secretaries of the military departments*
 7 *and the Chiefs of Staff of the Armed Forces should*
 8 *provide support for the financial literacy and pre-*
 9 *paredness training carried out under section 992 of*
 10 *title 10, United States Code, as amended by sub-*
 11 *sections (b), (c), and (d).*

12 (b) *PROVISION OF FINANCIAL LITERACY AND PRE-*
 13 *PAREDNESS TRAINING.—Subsection (a) of section 992 of*
 14 *title 10, United States Code, is amended—*

15 (1) *in the subsection heading, by striking “CON-*
 16 *SUMER EDUCATION” and inserting “FINANCIAL LIT-*
 17 *ERACY TRAINING”;*

18 (2) *in paragraph (1), by striking “education” in*
 19 *the matter preceding subparagraph (A) and inserting*
 20 *“financial literacy training”;*

21 (3) *by striking paragraph (2) and inserting the*
 22 *following new paragraph:*

23 “(2) *Training under this subsection shall be provided*
 24 *to a member of the armed forces—*

1 “(A) as a component of the initial entry train-
2 ing of the member;

3 “(B) upon arrival at the first duty station of the
4 member;

5 “(C) upon arrival at each subsequent duty sta-
6 tion, in the case of a member in pay grade E-4 or
7 below or in pay grade O-3 or below;

8 “(D) on the date of promotion of the member, in
9 the case of a member in pay grade E-5 or below or
10 in pay grade O-4 or below;

11 “(E) when the member vests in the Thrift Sav-
12 ings Plan (TSP) under section 8432(g)(2)(C) of title
13 5;

14 “(F) when the member becomes entitled to receive
15 continuation pay under section 356 of title 37, at
16 which time the training shall include, at a minimum,
17 information on options available to the member re-
18 garding the use of continuation pay;

19 “(G) at each major life event during the service
20 of the member, such as—

21 “(i) marriage;

22 “(ii) divorce;

23 “(iii) birth of first child; or

24 “(iv) disabling sickness or condition;

25 “(H) during leadership training;

1 “(I) during pre-deployment training and during
2 post-deployment training;

3 “(J) at transition points in the service of the
4 member, such as—

5 “(i) transition from a regular component to
6 a reserve component;

7 “(ii) separation from service; or

8 “(iii) retirement; and

9 “(K) as a component of periodically recurring
10 required training that is provided to the member at
11 a military installation.”;

12 (4) in paragraph (3), by striking “paragraph
13 (2)(B)” and inserting “paragraph (2)(J)”; and

14 (5) by adding at the end the following new para-
15 graph:

16 “(4) The Secretary concerned shall prescribe regula-
17 tions setting forth any other events and circumstances (in
18 addition to the events and circumstances described in para-
19 graph (2)) upon which the training required by this sub-
20 section shall be provided.”.

21 (c) *SURVEY OF MEMBERS’ FINANCIAL LITERACY AND*
22 *PREPAREDNESS.*—Such section is further amended—

23 (1) by redesignating subsection (d) as subsection
24 (e); and

1 (2) by inserting after subsection (c) the following
2 new subsection (d):

3 “(d) *FINANCIAL LITERACY AND PREPAREDNESS SUR-*
4 *VEY.—(1) The Director of the Defense Manpower Data Cen-*
5 *ter shall annually include in the status of forces survey a*
6 *survey of the status of the financial literacy and prepared-*
7 *ness of members of the armed forces.*

8 “(2) *The results of the annual financial literacy and*
9 *preparedness survey—*

10 “(A) *shall be used by each of the Secretaries con-*
11 *cerned as a benchmark to evaluate and update train-*
12 *ing provided under this section; and*

13 “(B) *shall be submitted to the Committees on*
14 *Armed Services of the Senate and the House of Rep-*
15 *resentatives.”.*

16 (d) *FINANCIAL SERVICES DEFINED.—Subsection (e) of*
17 *such section, as redesignated by subsection (c)(1) of this sec-*
18 *tion, is amended by adding at the end the following new*
19 *paragraph:*

20 “(4) *Health insurance, budget management,*
21 *Thrift Savings Plan (TSP), retirement lump sum*
22 *payments (including rollover options and tax con-*
23 *sequences), and Survivor Benefit Plan (SBP).”.*

24 (e) *CLERICAL AMENDMENTS.—*

1 (1) *SECTION HEADING*.—*The heading of such*
 2 *section is amended to read as follows:*

3 **“§992. *Financial literacy training: financial serv-***
 4 ***ices*”.**

5 (2) *TABLE OF SECTIONS*.—*The table of sections*
 6 *at the beginning of chapter 50 of such title is amend-*
 7 *ed by striking the item related to section 992 and in-*
 8 *serting the following new item:*

 “992. *Financial literacy training: financial services.*”.

9 (f) *IMPLEMENTATIONS*.—*Not later than six months*
 10 *after the date of the enactment of this Act, the Secretary*
 11 *of the military department concerned and the Secretary of*
 12 *the Department in which the Coast Guard is operating shall*
 13 *commence providing financial literacy training under sec-*
 14 *tion 992 of title 10, United States Code, as amended by*
 15 *subsections (b), (c), and (d) of this section, to members of*
 16 *the Armed Forces.*

17 **SEC. 662. *RECORDATION OF OBLIGATIONS FOR INSTALL-***
 18 ***MENT PAYMENTS OF INCENTIVE PAYS, AL-***
 19 ***LOWANCES, AND SIMILAR BENEFITS WHEN***
 20 ***PAYMENT IS DUE.***

21 (a) *IN GENERAL*.—*Chapter 19 of title 37, United*
 22 *States Code, is amended by adding at the end the following*
 23 *new section:*

1 **“§ 1015. Recordation of installment payment obliga-**
 2 **tions for incentive pays and similar bene-**
 3 **fits**

4 “(a) *IN GENERAL.*—*In the case of any pay, allowance,*
 5 *bonus, or other benefit described in subsection (b) that is*
 6 *paid to a member of the uniformed services on an install-*
 7 *ment basis, each installment payment shall be charged to*
 8 *appropriations that are available for obligation at the time*
 9 *such payment is payable.*

10 “(b) *COVERED PAY AND BENEFITS.*—*Subsection (a)*
 11 *applies to any incentive pay, special pay, or bonus, or simi-*
 12 *lar periodic payment of pay or allowances, or of edu-*
 13 *cational benefits or stipends, that is paid to a member of*
 14 *the uniformed services under this title or title 10.”.*

15 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 16 *the beginning of chapter 19 of such title is amended by add-*
 17 *ing at the end the following new item:*

“1015. *Recordation of installment payment obligations for incentive pays and*
similar benefits.”.

18 **TITLE VII—HEALTH CARE**
 19 **PROVISIONS**

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Access to TRICARE Prime for certain beneficiaries.

Sec. 702. Modifications of cost-sharing for the TRICARE pharmacy benefits pro-
gram.

Sec. 703. Expansion of continued health benefits coverage to include discharged
and released members of the Selected Reserve.

Sec. 704. Access to health care under the TRICARE program for beneficiaries of
TRICARE Prime.

Sec. 705. Expansion of reimbursement for smoking cessation services for certain
TRICARE beneficiaries.

Subtitle B—Health Care Administration

- Sec. 711. Waiver of recoupment of erroneous payments caused by administrative error under the TRICARE program.*
- Sec. 712. Publication of data on patient safety, quality of care, satisfaction, and health outcome measures under the TRICARE program.*
- Sec. 713. Expansion of evaluation of effectiveness of the TRICARE program to include information on patient safety, quality of care, and access to care at military medical treatment facilities.*
- Sec. 714. Portability of health plans under the TRICARE program.*
- Sec. 715. Joint uniform formulary for transition of care.*
- Sec. 716. Licensure of mental health professionals in TRICARE program.*
- Sec. 717. Designation of certain non-Department mental health care providers with knowledge relating to treatment of members of the Armed Forces.*
- Sec. 718. Comprehensive standards and access to contraception counseling for members of the Armed Forces.*

Subtitle C—Reports and Other Matters

- Sec. 721. Provision of transportation of dependent patients relating to obstetrical anesthesia services.*
- Sec. 722. Extension of authority for DOD–VA Health Care Sharing Incentive Fund.*
- Sec. 723. Extension of authority for joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund.*
- Sec. 724. Limitation on availability of funds for Office of the Secretary of Defense.*
- Sec. 725. Pilot program on urgent care under TRICARE program.*
- Sec. 726. Pilot program on incentive programs to improve health care provided under the TRICARE program.*
- Sec. 727. Limitation on availability of funds for Department of Defense Healthcare Management Systems Modernization.*
- Sec. 728. Submittal of information to Secretary of Veterans Affairs relating to exposure to airborne hazards and open burn pits.*
- Sec. 729. Plan for development of procedures to measure data on mental health care provided by the Department of Defense.*
- Sec. 730. Report on plans to improve experience with and eliminate performance variability of health care provided by the Department of Defense.*
- Sec. 731. Comptroller General study on gambling and problem gambling behavior among members of the Armed Forces.*

1 ***Subtitle A—TRICARE and Other***
 2 ***Health Care Benefits***

3 ***SEC. 701. ACCESS TO TRICARE PRIME FOR CERTAIN BENE-***
 4 ***FICIARIES.***

5 *Section 732(c)(3) of the National Defense Authoriza-*
 6 *tion Act for Fiscal Year 2013 (10 U.S.C. 1097a note) is*
 7 *amended to read as follows:*

1 “(3) *RESIDENCE AT TIME OF ELECTION.*—

2 “(A) *Except as provided by subparagraph*
 3 *(B), an affected eligible beneficiary may not*
 4 *make the one-time election under paragraph (1)*
 5 *if, at the time of such election, the beneficiary*
 6 *does not reside—*

7 “(i) *in a ZIP code that is in a region*
 8 *described in subsection (d)(1)(B); and*

9 “(ii) *within 100 miles of a military*
 10 *medical treatment facility.*

11 “(B) *Subparagraph (A)(ii) shall not apply*
 12 *with respect to an affected eligible beneficiary*
 13 *who—*

14 “(i) *as of December 25, 2013, resides*
 15 *farther than 100 miles from a military*
 16 *medical treatment facility; and*

17 “(ii) *is such an eligible beneficiary by*
 18 *reason of service in the Army, Navy, Air*
 19 *Force, or Marine Corps.”.*

20 **SEC. 702. MODIFICATIONS OF COST-SHARING FOR THE**
 21 **TRICARE PHARMACY BENEFITS PROGRAM.**

22 (a) *MODIFICATION OF COST-SHARING AMOUNTS.*—
 23 *Subparagraph (A) of section 1074g(a)(6) of title 10, United*
 24 *States Code, is amended—*

25 (1) *in clause (i)—*

1 (A) in subclause (I), by striking “\$8” and
2 inserting “\$10”; and

3 (B) in subclause (II), by striking “\$20” and
4 inserting “\$24”; and

5 (2) in clause (ii)—

6 (A) in subclause (II), by striking “\$16” and
7 inserting “\$20”; and

8 (B) in subclause (III), by striking “\$46”
9 and inserting “\$49”.

10 (b) *MODIFICATION OF COLA INCREASE.*—Subpara-
11 *graph (C) of such section is amended—*

12 (1) in clause (i), by striking “Beginning October
13 1, 2013,” and inserting “Beginning October 1,
14 2016,”; and

15 (2) by striking clause (ii) and inserting the fol-
16 lowing new clause (ii):

17 “(ii) *The amount of the increase otherwise provided*
18 *for a year by clause (i) shall be computed as follows:*

19 “(I) *If the amount of the increase is equal to or*
20 *greater than 50 cents, the amount of the increase shall*
21 *be rounded to the nearest multiple of \$1.*

22 “(II) *If the amount of the increase is less than*
23 *50 cents, the increase shall not be made for such year,*
24 *but shall be carried over to, and accumulated with,*
25 *the amount of the increase for the subsequent year or*

1 years and made when the aggregate amount of in-
2 creases under this clause for a year is equal to or
3 greater than 50 cents.”.

4 **SEC. 703. EXPANSION OF CONTINUED HEALTH BENEFITS**
5 **COVERAGE TO INCLUDE DISCHARGED AND**
6 **RELEASED MEMBERS OF THE SELECTED RE-**
7 **SERVE.**

8 (a) *IN GENERAL.*—Subsection (b) of section 1078a of
9 title 10, United States Code, is amended—

10 (1) by redesignating paragraphs (2) through (4)
11 as paragraphs (3) through (5), respectively; and

12 (2) by inserting after paragraph (1) the fol-
13 lowing new paragraph (2):

14 “(2) A member of the Selected Reserve of the
15 Ready Reserve of a reserve component of the armed
16 forces who—

17 “(A) is discharged or released from service
18 in the Selected Reserve, whether voluntarily or
19 involuntarily, under other than adverse condi-
20 tions, as characterized by the Secretary con-
21 cerned;

22 “(B) immediately preceding that discharge
23 or release, is enrolled in TRICARE Reserve Se-
24 lect; and

1 “(C) after that discharge or release, would
2 not otherwise be eligible for any benefits under
3 this chapter.”.

4 (b) NOTIFICATION OF ELIGIBILITY.—Subsection (c)(2)
5 of such section is amended by inserting “or subsection
6 (b)(2)” after “subsection (b)(1)”.

7 (c) ELECTION OF COVERAGE.—Subsection (d) of such
8 section is amended—

9 (1) by redesignating paragraphs (2) through (4)
10 as paragraphs (3) through (5), respectively; and

11 (2) by inserting after paragraph (1) the fol-
12 lowing new paragraph (2):

13 “(2) In the case of a member described in sub-
14 section (b)(2), the written election shall be submitted
15 to the Secretary concerned before the end of the 60-
16 day period beginning on the later of—

17 “(A) the date of the discharge or release of
18 the member from service in the Selected Reserve;
19 and

20 “(B) the date the member receives the notifi-
21 cation required pursuant to subsection (c).”.

22 (d) COVERAGE OF DEPENDENTS.—Subsection (e) of
23 such section is amended by inserting “or subsection (b)(2)”
24 after “subsection (b)(1)”.

1 (e) *PERIOD OF CONTINUED COVERAGE.*—Subsection
2 (g)(1) of such section is amended—

3 (1) by redesignating subparagraphs (B) through
4 (D) as subparagraphs (C) through (E); and

5 (2) by inserting after subparagraph (A) the fol-
6 lowing new subparagraph (B):

7 “(B) in the case of a member described in sub-
8 section (b)(2), the date which is 18 months after the
9 date the member ceases to be eligible to enroll in
10 *TRICARE Reserve Select*.”.

11 (f) *TRICARE RESERVE SELECT DEFINED.*—Such sec-
12 tion is further amended by adding at the end the following
13 new subsection:

14 “(h) *TRICARE RESERVE SELECT DEFINED.*—In this
15 section, the term ‘*TRICARE Reserve Select*’ means
16 *TRICARE Standard coverage provided under section 1076d*
17 *of this title.*”.

18 (g) *CONFORMING AMENDMENTS.*—Such section is fur-
19 ther amended—

20 (1) in subsection (c)—

21 (A) in paragraph (3), by striking “sub-
22 section (b)(2)” and inserting “subsection (b)(3)”;
23 and

24 (B) in paragraph (4), by striking “sub-
25 section (b)(3)” and inserting “subsection (b)(4)”;

1 (2) in subsection (d)—

2 (A) in paragraph (3), as redesignated by
3 subsection (c)(1), by striking “subsection (b)(2)”
4 and inserting “subsection (b)(3)”;

5 (B) in paragraph (4), as so redesignated, by
6 striking “subsection (b)(3)” and inserting “sub-
7 section (b)(4)”;

8 (C) in paragraph (5), as so redesignated, by
9 striking “subsection (b)(4)” and inserting “sub-
10 section (b)(5)”;

11 (3) in subsection (e), by striking “subsection
12 (b)(2) or subsection (b)(3)” and inserting “subsection
13 (b)(3) or subsection (b)(4)”;

14 (4) in subsection (g)—

15 (A) in paragraph (1)—

16 (i) in subparagraph (C), as redesign-
17 ated by subsection (e)(1), by striking “sub-
18 section (b)(2)” and inserting “subsection
19 (b)(3)”;

20 (ii) in subparagraph (D), as so redesi-
21 gnated, by striking “subsection (b)(3)” and
22 inserting “subsection (b)(4)”;

23 (iii) in subparagraph (E), as so redesi-
24 gnated, by striking “subsection (b)(4)” and
25 inserting “subsection (b)(5)”;

1 (B) in paragraph (2)—

2 (i) by striking “paragraph (1)(B)”

3 and inserting “paragraph (1)(C)”; and

4 (ii) by striking “subsection (b)(2)” and

5 inserting “subsection (b)(3)”; and

6 (C) in paragraph (3)—

7 (i) by striking “paragraph (1)(C)” and

8 inserting “paragraph (1)(D)”; and

9 (ii) by striking “subsection (b)(3)” and

10 inserting “subsection (b)(4)”.

11 **SEC. 704. ACCESS TO HEALTH CARE UNDER THE TRICARE**

12 **PROGRAM FOR BENEFICIARIES OF TRICARE**

13 **PRIME.**

14 (a) *ACCESS TO HEALTH CARE.*—The Secretary of De-

15 fense shall ensure that beneficiaries under *TRICARE Prime*

16 who are seeking an appointment for health care under

17 *TRICARE Prime* shall obtain such an appointment within

18 the health care access standards established under subsection

19 (b), including through the use of health care providers in

20 the preferred provider network of *TRICARE Prime*.

21 (b) *STANDARDS FOR ACCESS TO CARE.*—

22 (1) *IN GENERAL.*—Not later than 180 days after

23 the date of the enactment of this Act, the Secretary

24 shall establish health care access standards for the re-

25 ceipt of health care under *TRICARE Prime*, whether

1 *received at military medical treatment facilities or*
2 *from health care providers in the preferred provider*
3 *network of TRICARE Prime.*

4 (2) *CATEGORIES OF CARE.*—*The health care ac-*
5 *cess standards established under paragraph (1) shall*
6 *include standards with respect to the following cat-*
7 *egories of health care:*

8 (A) *Primary care, including pediatric care,*
9 *maternity care, gynecological care, and other*
10 *subcategories of primary care.*

11 (B) *Specialty care, including behavioral*
12 *health care and other subcategories of specialty*
13 *care.*

14 (3) *MODIFICATIONS.*—*The Secretary may modify*
15 *the health care access standards established under*
16 *paragraph (1) whenever the Secretary considers the*
17 *modification of such standards appropriate.*

18 (4) *PUBLICATION.*—*The Secretary shall publish*
19 *the health care access standards established under*
20 *paragraph (1), and any modifications to such stand-*
21 *ards, in the Federal Register and on a publicly acces-*
22 *sible Internet website of the Department of Defense.*

23 (c) *DEFINITIONS.*—*In this section:*

1 (1) *TRICARE PRIME*.—The term “*TRICARE*
2 *Prime*” means the managed care option of the
3 *TRICARE* program.

4 (2) *TRICARE PROGRAM*.—The term “*TRICARE*
5 *program*” has the meaning given that term in section
6 1072(7) of title 10, United States Code.

7 **SEC. 705. EXPANSION OF REIMBURSEMENT FOR SMOKING**
8 **CESSATION SERVICES FOR CERTAIN TRICARE**
9 **BENEFICIARIES.**

10 Section 713(f) of the Duncan Hunter National Defense
11 Authorization Act for Fiscal Year 2009 (Public Law 110–
12 417; 122 Stat. 4503; 10 U.S.C. 1074 note) is amended—

13 (1) in paragraph (1)(A), by striking “during fis-
14 cal year 2009”;

15 (2) in paragraph (1)(B), by striking “during
16 such fiscal year”; and

17 (3) in paragraph (2), by striking “during fiscal
18 year 2009” and inserting “after September 30, 2008”.

1 **Subtitle B—Health Care**
2 **Administration**

3 **SEC. 711. WAIVER OF RECOUPMENT OF ERRONEOUS PAY-**
4 **MENTS CAUSED BY ADMINISTRATIVE ERROR**
5 **UNDER THE TRICARE PROGRAM.**

6 (a) *IN GENERAL.*—Chapter 55 of title 10, United
7 States Code, is amended by inserting after section 1095f
8 the following new section:

9 **“§ 1095g. TRICARE program: waiver of recoupment of**
10 **erroneous payments caused by adminis-**
11 **trative error**

12 “(a) *WAIVER OF RECOUPMENT.*—The Secretary of De-
13 fense may waive recoupment from an individual who has
14 benefitted from an erroneous TRICARE payment in a case
15 in which each of the following applies:

16 “(1) *The payment was made because of an ad-*
17 *ministrative error by an employee of the Department*
18 *of Defense or a contractor under the TRICARE pro-*
19 *gram.*

20 “(2) *The individual (or in the case of a minor,*
21 *the parent or guardian of the individual) had a good*
22 *faith, reasonable belief that the individual was enti-*
23 *tled to the benefit of such payment under this chapter.*

24 “(3) *The individual relied on the expectation of*
25 *such entitlement.*

1 “(4) *The Secretary determines that a waiver of*
2 *recoupment of such payment is necessary to prevent*
3 *an injustice.*

4 “(b) *RESPONSIBILITY OF CONTRACTOR.—In any case*
5 *in which the Secretary waives recoupment under subsection*
6 *(a) and the administrative error was on the part of a con-*
7 *tractor under the TRICARE program, the Secretary shall,*
8 *consistent with the requirements and procedures of the ap-*
9 *plicable contract, impose financial responsibility on the*
10 *contractor for the erroneous payment.*

11 “(c) *FINALITY OF DETERMINATIONS.—Any determina-*
12 *tion by the Secretary under this section to waive or decline*
13 *to waive recoupment under subsection (a) is a final deter-*
14 *mination and shall not be subject to appeal or judicial re-*
15 *view.”.*

16 “(b) *CLERICAL AMENDMENT.—The table of sections at*
17 *the beginning of chapter 55 of such title is amended by in-*
18 *serting after the item relating to section 1095f the following*
19 *new item:*

 “1095g. *TRICARE program: waiver of recoupment of erroneous payments caused*
 by administrative error.”.

1 **SEC. 712. PUBLICATION OF DATA ON PATIENT SAFETY,**
2 **QUALITY OF CARE, SATISFACTION, AND**
3 **HEALTH OUTCOME MEASURES UNDER THE**
4 **TRICARE PROGRAM.**

5 *Section 1073b of title 10, United States Code, is*
6 *amended by adding at the end the following:*

7 *“(c) PUBLICATION OF DATA ON PATIENT SAFETY,*
8 *QUALITY OF CARE, SATISFACTION, AND HEALTH OUTCOME*
9 *MEASURES.—(1) Not later than 180 days after the date of*
10 *the enactment of the National Defense Authorization Act for*
11 *Fiscal Year 2016, the Secretary of Defense shall publish on*
12 *a publically available Internet website of the Department*
13 *of Defense data on all measures that the Secretary considers*
14 *appropriate that are used by the Department to assess pa-*
15 *tient safety, quality of care, patient satisfaction, and health*
16 *outcomes for health care provided under the TRICARE pro-*
17 *gram at each military medical treatment facility.*

18 *“(2) The Secretary shall publish an update to the data*
19 *published under paragraph (1) not less frequently than once*
20 *each quarter during each fiscal year.*

21 *“(3) The Secretary may not include data relating to*
22 *risk management activities of the Department in any publi-*
23 *cation under paragraph (1) or update under paragraph (2).*

24 *“(4) The Secretary shall ensure that the data published*
25 *under paragraph (1) and updated under paragraph (2) is*
26 *accessible to the public through the primary Internet*

1 *website of the Department and the primary Internet website*
2 *of the military medical treatment facility with respect to*
3 *which such data applies.”.*

4 **SEC. 713. EXPANSION OF EVALUATION OF EFFECTIVENESS**
5 **OF THE TRICARE PROGRAM TO INCLUDE IN-**
6 **FORMATION ON PATIENT SAFETY, QUALITY**
7 **OF CARE, AND ACCESS TO CARE AT MILITARY**
8 **MEDICAL TREATMENT FACILITIES.**

9 *Section 717(a) of the National Defense Authorization*
10 *Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C.*
11 *1073 note)) is amended—*

12 *(1) in the matter preceding paragraph (1), in*
13 *the second sentence, by striking “address”;*

14 *(2) in paragraph (1)—*

15 *(A) by inserting “address” before “the im-*
16 *act of”;* and

17 *(B) by striking “; and” and inserting a*
18 *semicolon;*

19 *(3) in paragraph (2), by striking the period at*
20 *the end and inserting “; and”;* and

21 *(4) by adding at the end the following new para-*
22 *graph:*

23 *“(3) address patient safety, quality of care, and*
24 *access to care at military medical treatment facilities,*
25 *including—*

1 “(A) an identification of the number of
2 practitioners providing health care in military
3 medical treatment facilities that were reported to
4 the National Practitioner Data Bank during the
5 year preceding the evaluation; and

6 “(B) with respect to each military medical
7 treatment facility, an assessment of—

8 “(i) the current accreditation status of
9 such facility, including any recommenda-
10 tions for corrective action made by the rel-
11 evant accrediting body;

12 “(ii) any policies or procedures imple-
13 mented during such year by the Secretary of
14 the military department concerned that
15 were designed to improve patient safety,
16 quality of care, and access to care at such
17 facility;

18 “(iii) data on surgical and maternity
19 care outcomes during such year;

20 “(iv) data on appointment wait times
21 during such year; and

22 “(v) data on patient safety, quality of
23 care, and access to care as compared to
24 standards established by the Department of

1 *Defense with respect to patient safety, qual-*
2 *ity of care, and access to care.”.*

3 **SEC. 714. PORTABILITY OF HEALTH PLANS UNDER THE**
4 **TRICARE PROGRAM.**

5 *(a) HEALTH PLAN PORTABILITY.—*

6 (1) *IN GENERAL.—The Secretary of Defense shall*
7 *ensure that covered beneficiaries under the TRICARE*
8 *program who are covered under a health plan under*
9 *such program are able to seamlessly access health care*
10 *under such health plan in each TRICARE program*
11 *region.*

12 (2) *REGULATIONS.—Not later than 180 days*
13 *after the date of the enactment of this Act, the Sec-*
14 *retary shall prescribe regulations to carry out para-*
15 *graph (1).*

16 *(b) MECHANISMS TO ENSURE PORTABILITY.—In car-*
17 *rying out subsection (a), the Secretary shall—*

18 (1) *establish a process for electronic notification*
19 *of contractors responsible for administering the*
20 *TRICARE program in each TRICARE region when*
21 *any covered beneficiary intends to relocate between*
22 *such regions;*

23 (2) *provide for the automatic electronic transfer*
24 *between such contractors of information relating to*
25 *covered beneficiaries who are relocating between such*

1 regions, including demographic, enrollment, and
2 claims information; and

3 (3) ensure each such covered beneficiary is able
4 to obtain a new primary health care provider within
5 ten days of—

6 (A) arriving at the location to which the
7 covered beneficiary has relocated; and

8 (B) initiating a request for a new primary
9 health care provider.

10 (c) PUBLICATION.—The Secretary shall—

11 (1) publish information on any modifications
12 made pursuant to subsection (a) with respect to the
13 ability of covered beneficiaries under the TRICARE
14 program who are covered under a health plan under
15 such program to access health care in each TRICARE
16 region on the primary Internet website of the Depart-
17 ment that is available to the public; and

18 (2) ensure that such information is made avail-
19 able on the primary Internet website that is available
20 to the public of each current contractor responsible for
21 administering the TRICARE program.

22 (d) DEFINITIONS.—In this section, the terms “covered
23 beneficiary” and “TRICARE program” have the meaning
24 given such terms in section 1072 of title 10, United States
25 Code.

1 **SEC. 715. JOINT UNIFORM FORMULARY FOR TRANSITION**
2 **OF CARE.**

3 (a) *JOINT FORMULARY.*—Not later than June 1, 2016,
4 the Secretary of Defense and the Secretary of Veterans Af-
5 fairs shall jointly establish a joint uniform formulary for
6 the Department of Veterans Affairs and the Department of
7 Defense with respect to pharmaceutical agents that are crit-
8 ical for the transition of an individual from receiving treat-
9 ment furnished by the Secretary of Defense to treatment fur-
10 nished by the Secretary of Veterans Affairs.

11 (b) *SELECTION.*—The Secretaries shall select for inclu-
12 sion on the joint uniform formulary established under sub-
13 section (a) pharmaceutical agents relating to—

14 (1) the control of pain, sleep disorders, and psy-
15 chiatric conditions, including post-traumatic stress
16 disorder; and

17 (2) any other conditions determined appropriate
18 by the Secretaries.

19 (c) *REPORT.*—Not later than July 1, 2016, the Secre-
20 taries shall jointly submit to the appropriate congressional
21 committees a report on the joint uniform formulary estab-
22 lished under subsection (a), including a list of the pharma-
23 ceutical agents selected for inclusion on the formulary.

24 (d) *CONSTRUCTION.*—Nothing in this section shall be
25 construed to prohibit the Secretary of Defense and the Sec-
26 retary of Veterans Affairs from each maintaining the re-

1 *spective uniform formularies of the Department of the Sec-*
 2 *retary.*

3 (e) *DEFINITIONS.—In this section:*

4 (1) *The term “appropriate congressional com-*
 5 *mittees” means—*

6 (A) *the congressional defense committees;*

7 *and*

8 (B) *the Committees on Veterans’ Affairs of*
 9 *the House of Representatives and the Senate.*

10 (2) *The term “pharmaceutical agent” has the*
 11 *meaning given that term in section 1074g(g) of title*
 12 *10, United States Code.*

13 (f) *CONFORMING AMENDMENT.—Section*
 14 *1074g(a)(2)(A) of title 10, United States Code, is amended*
 15 *by adding at the end the following new sentence: “With re-*
 16 *spect to members of the uniformed services, such uniform*
 17 *formulary shall include pharmaceutical agents on the joint*
 18 *uniform formulary established under section 715 of the Na-*
 19 *tional Defense Authorization Act for Fiscal Year 2016.”.*

20 **SEC. 716. LICENSURE OF MENTAL HEALTH PROFESSIONALS**
 21 **IN TRICARE PROGRAM.**

22 (a) *QUALIFICATIONS FOR TRICARE CERTIFIED MEN-*
 23 *TAL HEALTH COUNSELORS DURING TRANSITION PE-*
 24 *RIOD.—During the period preceding January 1, 2021, for*
 25 *purposes of determining whether a mental health care pro-*

1 *essional is eligible for reimbursement under the TRICARE*
2 *program as a TRICARE certified mental health counselor,*
3 *an individual who holds a masters degree or doctoral degree*
4 *in counseling from a program that is accredited by a cov-*
5 *ered institution shall be treated as holding such degree from*
6 *a mental health counseling program or clinical mental*
7 *health counseling program that is accredited by the Council*
8 *for Accreditation of Counseling and Related Educational*
9 *Programs.*

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

11 (1) *The term “covered institution” means any of*
12 *the following:*

13 (A) *The Accrediting Commission for Com-*
14 *munity and Junior Colleges Western Association*
15 *of Schools and Colleges (ACCJC-WASC).*

16 (B) *The Higher Learning Commission*
17 *(HLC).*

18 (C) *The Middle States Commission on*
19 *Higher Education (MSCHE).*

20 (D) *The New England Association of*
21 *Schools and Colleges Commission on Institutions*
22 *of Higher Education (NEASC-CIHE).*

23 (E) *The Southern Association of Colleges*
24 *and Schools (SACS) Commission on Colleges.*

1 (F) *The WASC Senior College and Univer-*
2 *sity Commission (WASC-SCUC).*

3 (G) *The Accrediting Bureau of Health Edu-*
4 *cation Schools (ABHES).*

5 (H) *The Accrediting Commission of Career*
6 *Schools and Colleges (ACCSC).*

7 (I) *The Accrediting Council for Independent*
8 *Colleges and Schools (ACICS).*

9 (J) *The Distance Education Accreditation*
10 *Commission (DEAC).*

11 (2) *The term “TRICARE program” has the*
12 *meaning given that term in section 1072 of title 10,*
13 *United States Code.*

14 **SEC. 717. DESIGNATION OF CERTAIN NON-DEPARTMENT**
15 **MENTAL HEALTH CARE PROVIDERS WITH**
16 **KNOWLEDGE RELATING TO TREATMENT OF**
17 **MEMBERS OF THE ARMED FORCES.**

18 (a) *MENTAL HEALTH PROVIDER READINESS DES-*
19 *IGNATION.—*

20 (1) *IN GENERAL.—Not later than one year after*
21 *the date of the enactment of this Act, the Secretary of*
22 *Defense shall develop a system by which any non-De-*
23 *partment mental health care provider that meets eli-*
24 *gibility criteria established by the Secretary relating*
25 *to the knowledge described in paragraph (2) receives*

1 *a mental health provider readiness designation from*
2 *the Department of Defense.*

3 (2) *KNOWLEDGE DESCRIBED.—The knowledge*
4 *described in this paragraph is the following:*

5 (A) *Knowledge and understanding with re-*
6 *spect to the culture of members of the Armed*
7 *Forces and family members and caregivers of*
8 *members of the Armed Forces.*

9 (B) *Knowledge with respect to evidence-*
10 *based treatments that have been approved by the*
11 *Department for the treatment of mental health*
12 *issues among members of the Armed Forces.*

13 (b) *AVAILABILITY OF INFORMATION ON DESIGNA-*
14 *TION.—*

15 (1) *REGISTRY.—The Secretary of Defense shall*
16 *establish and update as necessary a publically avail-*
17 *able registry of all non-Department mental health*
18 *care providers that are currently designated under*
19 *subsection (a)(1).*

20 (2) *PROVIDER LIST.—The Secretary shall update*
21 *all lists maintained by the Secretary of non-Depart-*
22 *ment mental health care providers that provide men-*
23 *tal health care under the laws administered by the*
24 *Secretary by indicating the providers that are cur-*
25 *rently designated under subsection (a)(1).*

1 (c) *NON-DEPARTMENT MENTAL HEALTH CARE PRO-*
2 *VIDER DEFINED.*—*In this section, the term “non-Depart-*
3 *ment mental health care provider”*—

4 (1) *means a health care provider who—*

5 (A) *specializes in mental health;*

6 (B) *is not a health care provider of the De-*
7 *partment of Defense at a facility of the Depart-*
8 *ment; and*

9 (C) *provides health care to members of the*
10 *Armed Forces; and*

11 (2) *includes psychiatrists, psychologists, psy-*
12 *chiatric nurses, social workers, mental health coun-*
13 *selors, marriage and family therapists, and other*
14 *mental health care providers designated by the Sec-*
15 *retary of Defense.*

16 **SEC. 718. COMPREHENSIVE STANDARDS AND ACCESS TO**
17 **CONTRACEPTION COUNSELING FOR MEM-**
18 **BERS OF THE ARMED FORCES.**

19 (a) *CLINICAL PRACTICE GUIDELINES.*—

20 (1) *ESTABLISHMENT.*—*Not later than one year*
21 *after the date of the enactment of this Act, the Sec-*
22 *retary of Defense shall establish clinical practice*
23 *guidelines for health care providers employed by the*
24 *Department of Defense on standards of care with re-*
25 *spect to methods of contraception and counseling on*

1 *methods of contraception for members of the Armed*
2 *Forces.*

3 (2) *UPDATES.*—*The Secretary shall from time to*
4 *time update the clinical practice guidelines estab-*
5 *lished under paragraph (1) to incorporate into such*
6 *guidelines new or updated standards of care with re-*
7 *spect to methods of contraception and counseling on*
8 *methods of contraception.*

9 (b) *DISSEMINATION.*—

10 (1) *INITIAL DISSEMINATION.*—*As soon as prac-*
11 *ticable, but commencing not later than one year after*
12 *the date of the enactment of this Act, the Secretary*
13 *shall provide for rapid dissemination of the clinical*
14 *practice guidelines to health care providers described*
15 *in subsection (a)(1).*

16 (2) *DISSEMINATION OF UPDATES.*—*As soon as*
17 *practicable after each update to the clinical practice*
18 *guidelines made by the Secretary pursuant to para-*
19 *graph (2) of subsection (a), the Secretary shall pro-*
20 *vide for the rapid dissemination of such updated clin-*
21 *ical practice guidelines to health care providers de-*
22 *scribed in paragraph (1) of such subsection.*

23 (3) *PROTOCOLS.*—*The Secretary shall dissemi-*
24 *nate the clinical practice guidelines under paragraph*
25 *(1) and any updates to such guidelines under para-*

1 *graph (2) in accordance with administrative protocols*
2 *developed by the Secretary for such purpose.*

3 *(c) ACCESS TO CONTRACEPTION COUNSELING.—As*
4 *soon as practicable after the date of the enactment of this*
5 *Act, the Secretary shall ensure that women members of the*
6 *Armed Forces have access to comprehensive counseling on*
7 *the full range of methods of contraception provided by*
8 *health care providers described in subsection (a)(1) during*
9 *health care visits, including visits as follows:*

10 *(1) During predeployment health care visits, in-*
11 *cluding counseling that provides specific information*
12 *women need regarding the interaction between antici-*
13 *ipated deployment conditions and various methods of*
14 *contraception.*

15 *(2) During health care visits during deployment.*

16 *(3) During annual physical examinations.*

17 ***Subtitle C—Reports and Other***
18 ***Matters***

19 ***SEC. 721. PROVISION OF TRANSPORTATION OF DEPENDENT***
20 ***PATIENTS RELATING TO OBSTETRICAL ANES-***
21 ***THESIA SERVICES.***

22 *Section 1040(a)(2) of title 10, United States Code, is*
23 *amended by striking subparagraph (F).*

1 **SEC. 722. EXTENSION OF AUTHORITY FOR DOD-VA HEALTH**
2 **CARE SHARING INCENTIVE FUND.**

3 *Section 8111(d)(3) of title 38, United States Code, is*
4 *amended by striking “September 30, 2015” and inserting*
5 *“September 30, 2020”.*

6 **SEC. 723. EXTENSION OF AUTHORITY FOR JOINT DEPART-**
7 **MENT OF DEFENSE-DEPARTMENT OF VET-**
8 **ERANS AFFAIRS MEDICAL FACILITY DEM-**
9 **ONSTRATION FUND.**

10 *Section 1704(e) of the National Defense Authorization*
11 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
12 *2573), as amended by section 722 of the Carl Levin and*
13 *Howard P. “Buck” McKeon National Defense Authoriza-*
14 *tion Act for Fiscal Year 2015 (Public Law 113–291), is*
15 *further amended by striking “September 30, 2016” and in-*
16 *serting “September 30, 2017”.*

17 **SEC. 724. LIMITATION ON AVAILABILITY OF FUNDS FOR OF-**
18 **FICE OF THE SECRETARY OF DEFENSE.**

19 *Of the funds authorized to be appropriated by this Act*
20 *or otherwise made available for fiscal year 2016 for the Of-*
21 *fice of the Secretary of Defense, not more than 75 percent*
22 *may be obligated or expended until the date on which the*
23 *Secretary of Defense submits to the congressional defense*
24 *committees the report required by section 713(a)(2) of the*
25 *Carl Levin and Howard P. “Buck” McKeon National De-*

1 *fense Authorization Act for Fiscal Year 2015 (Public Law*
2 *113–291; 128 Stat. 3414).*

3 **SEC. 725. PILOT PROGRAM ON URGENT CARE UNDER**
4 **TRICARE PROGRAM.**

5 *(a) PILOT PROGRAM.—*

6 *(1) IN GENERAL.—Commencing not later than*
7 *180 days after the date of the enactment of this Act,*
8 *the Secretary of Defense shall carry out a pilot pro-*
9 *gram to allow a covered beneficiary under the*
10 *TRICARE program access to urgent care visits with-*
11 *out the need for preauthorization for such visits.*

12 *(2) DURATION.—The Secretary shall carry out*
13 *the pilot program for a period of three years.*

14 *(3) INCORPORATION OF NURSE ADVICE LINE.—*
15 *The Secretary shall incorporate the nurse advise line*
16 *of the Department into the pilot program to direct*
17 *covered beneficiaries seeking access to care to the*
18 *source of the most appropriate level of health care re-*
19 *quired to treat the medical conditions of the bene-*
20 *ficiaries, including urgent care under the pilot pro-*
21 *gram.*

22 *(b) PUBLICATION.—The Secretary shall—*

23 *(1) publish information on the pilot program*
24 *under subsection (a) for the receipt of urgent care*
25 *under the TRICARE program—*

1 (A) on the primary publically available
2 Internet website of the Department; and

3 (B) on the primary publically available
4 Internet website of each military medical treat-
5 ment facility; and

6 (2) ensure that such information is made avail-
7 able on the primary publically available Internet
8 website of each current managed care contractor that
9 has established a health care provider network under
10 the TRICARE program.

11 (c) *REPORTS.*—

12 (1) *FIRST REPORT.*—

13 (A) *IN GENERAL.*—Not later than one year
14 after the date on which the pilot program under
15 subsection (a) commences, the Secretary shall
16 submit to the Committees on Armed Services of
17 the House of Representatives and the Senate a
18 report on the pilot program.

19 (B) *ELEMENTS.*—The report under sub-
20 paragraph (1) shall include the following:

21 (i) An analysis of urgent care use by
22 covered beneficiaries in military medical
23 treatment facilities and the TRICARE pur-
24 chased care provider network.

1 (ii) *A comparison of urgent care use*
2 *by covered beneficiaries to the use by cov-*
3 *ered beneficiaries of emergency departments*
4 *in military medical treatment facilities and*
5 *the TRICARE purchased care provider net-*
6 *work, including an analysis of whether the*
7 *pilot program decreases the inappropriate*
8 *use of medical care in emergency depart-*
9 *ments.*

10 (iii) *A determination of the extent to*
11 *which the nurse advice line of the Depart-*
12 *ment affected both urgent care and emer-*
13 *gency department use by covered bene-*
14 *ficiaries in military medical treatment fa-*
15 *ilities and the TRICARE purchased care*
16 *provider network.*

17 (iv) *An analysis of any cost savings to*
18 *the Department realized through the pilot*
19 *program.*

20 (v) *A determination of the optimum*
21 *number of urgent care visits available to*
22 *covered beneficiaries without*
23 *preauthorization.*

24 (vi) *An analysis of the satisfaction of*
25 *covered beneficiaries with the pilot program.*

1 (2) *SECOND REPORT.*—Not later than two years
2 after the date on which the pilot program commences,
3 the Secretary shall submit to the committees specified
4 in paragraph (1)(A) an update to the report required
5 by such paragraph, including any recommendations
6 of the Secretary with respect to extending or making
7 permanent the pilot program and a description of
8 any related legislative actions that the Secretary con-
9 siders appropriate.

10 (3) *FINAL REPORT.*—Not later than 180 days
11 after the date on which the pilot program is com-
12 pleted, the Secretary shall submit to the committees
13 specified in paragraph (1)(A) a final report on the
14 pilot program that updates the report required by
15 paragraph (2).

16 (d) *DEFINITIONS.*—In this section, the terms “covered
17 beneficiary” and “TRICARE program” have the meaning
18 given such terms in section 1072 of title 10, United States
19 Code.

20 **SEC. 726. PILOT PROGRAM ON INCENTIVE PROGRAMS TO**
21 **IMPROVE HEALTH CARE PROVIDED UNDER**
22 **THE TRICARE PROGRAM.**

23 (a) *PILOT PROGRAM.*—Not later than 180 days after
24 the date of the enactment of this Act, the Secretary of De-
25 fense shall commence the conduct of a pilot program under

1 *section 1092 of title 10, United States Code, to assess wheth-*
2 *er a reduction in the rate of increase in health care spend-*
3 *ing by the Department of Defense and an enhancement of*
4 *the operation of the military health system may be achieved*
5 *by developing and implementing value-based incentive pro-*
6 *grams to encourage health care providers under the*
7 *TRICARE program (including physicians, hospitals, and*
8 *others involved in providing health care to patients) to im-*
9 *prove the following:*

10 (1) *The quality of health care provided to cov-*
11 *ered beneficiaries under the TRICARE program.*

12 (2) *The experience of covered beneficiaries in re-*
13 *ceiving health care under the TRICARE program.*

14 (3) *The health of covered beneficiaries.*

15 (b) *INCENTIVE PROGRAMS.—*

16 (1) *DEVELOPMENT.—In developing an incentive*
17 *program under this section, the Secretary shall—*

18 (A) *consider the characteristics of the popu-*
19 *lation of covered beneficiaries affected by the in-*
20 *centive program;*

21 (B) *consider how the incentive program*
22 *would impact the receipt of health care under the*
23 *TRICARE program by such covered bene-*
24 *ficiaries;*

1 (C) establish or maintain an assurance that
2 such covered beneficiaries will have timely access
3 to health care during operation of the incentive
4 program;

5 (D) ensure that there are no additional fi-
6 nancial costs to such covered beneficiaries of im-
7 plementing the incentive program; and

8 (E) consider such other factors as the Sec-
9 retary considers appropriate.

10 (2) *ELEMENTS.*—With respect to an incentive
11 program developed and implemented under this sec-
12 tion, the Secretary shall ensure that—

13 (A) the size, scope, and duration of the in-
14 centive program is reasonable in relation to the
15 purpose of the incentive program; and

16 (B) appropriate criteria and data collection
17 are used to ensure adequate evaluation of the fea-
18 sibility and advisability of implementing the in-
19 centive program throughout the TRICARE pro-
20 gram.

21 (3) *USE OF EXISTING MODELS.*—In developing
22 an incentive program under this section, the Sec-
23 retary may adapt a value-based incentive program
24 conducted by the Centers for Medicare & Medicaid

1 *Services or any other governmental or commercial*
2 *health care program.*

3 (c) *TERMINATION.*—*The authority of the Secretary to*
4 *carry out the pilot program under this section shall termi-*
5 *nate on December 31, 2019.*

6 (d) *REPORTS.*—

7 (1) *INTERIM REPORT.*—*Not later than one year*
8 *after the date of the enactment of this Act, and not*
9 *less frequently than once each year thereafter until the*
10 *termination of the pilot program, the Secretary shall*
11 *submit to the congressional defense committees a re-*
12 *port on the pilot program.*

13 (2) *FINAL REPORT.*—*Not later than September*
14 *30, 2019, the Secretary shall submit to the congress-*
15 *sional defense committees a final report on the pilot*
16 *program.*

17 (3) *ELEMENTS.*—*Each report submitted under*
18 *paragraph (1) or paragraph (2) shall include the fol-*
19 *lowing:*

20 (A) *An assessment of each incentive pro-*
21 *gram developed and implemented under this sec-*
22 *tion, including whether such incentive pro-*
23 *gram—*

24 (i) *improves the quality of health care*
25 *provided to covered beneficiaries, the experi-*

1 ence of covered beneficiaries in receiving
2 health care under the *TRICARE* program,
3 or the health of covered beneficiaries;

4 (ii) reduces the rate of increase in
5 health care spending by the Department of
6 Defense; or

7 (iii) enhances the operation of the
8 military health system.

9 (B) Such recommendations for administra-
10 tive or legislative action as the Secretary con-
11 siders appropriate in light of the pilot program,
12 including to implement any such incentive pro-
13 gram or programs throughout the *TRICARE*
14 program.

15 (e) *DEFINITIONS.*—In this section, the terms “covered
16 beneficiary” and “*TRICARE* program” have the meanings
17 given those terms in section 1072 of title 10, United States
18 Code.

19 ***SEC. 727. LIMITATION ON AVAILABILITY OF FUNDS FOR DE-***
20 ***PARTMENT OF DEFENSE HEALTHCARE MAN-***
21 ***AGEMENT SYSTEMS MODERNIZATION.***

22 Of the funds authorized to be appropriated by this Act
23 or otherwise made available for fiscal year 2016 for the De-
24 partment of Defense Healthcare Management Systems Mod-
25 ernization, not more than 75 percent may be obligated or

1 *expended until the date on which the Secretary of Defense*
2 *makes the certification required by section 713(g)(2) of the*
3 *National Defense Authorization Act for Fiscal Year 2014*
4 *(Public Law 113–66; 10 U.S.C. 1071 note).*

5 **SEC. 728. SUBMITTAL OF INFORMATION TO SECRETARY OF**
6 **VETERANS AFFAIRS RELATING TO EXPOSURE**
7 **TO AIRBORNE HAZARDS AND OPEN BURN**
8 **PITS.**

9 *(a) IN GENERAL.—Not later than 180 days after the*
10 *date of the enactment of this Act, and periodically there-*
11 *after, the Secretary of Defense shall submit to the Secretary*
12 *of Veterans Affairs such information in the possession of*
13 *the Secretary of Defense as the Secretary of Veterans Affairs*
14 *considers necessary to supplement and support—*

15 *(1) the development of information to be in-*
16 *cluded in the Airborne Hazards and Open Burn Pit*
17 *Registry established by the Department of Veterans*
18 *Affairs under section 201 of the Dignified Burial and*
19 *Other Veterans’ Benefits Improvement Act of 2012*
20 *(Public Law 112–260; 38 U.S.C. 527 note); and*

21 *(2) research and development activities con-*
22 *ducted by the Department of Veterans Affairs to ex-*
23 *plore the potential health risks of exposure by mem-*
24 *bers of the Armed Forces to environmental factors in*
25 *Iraq and Afghanistan, in particular the connection of*

1 *such exposure to respiratory illnesses such as chronic*
2 *cough, chronic obstructive pulmonary disease, con-*
3 *strictive bronchiolitis, and pulmonary fibrosis.*

4 *(b) INCLUSION OF CERTAIN INFORMATION.—The Sec-*
5 *retary of Defense shall include in the information submitted*
6 *to the Secretary of Veterans Affairs under subsection (a)*
7 *information on any research and surveillance efforts con-*
8 *ducted by the Department of Defense to evaluate the inci-*
9 *dence and prevalence of respiratory illnesses among mem-*
10 *bers of the Armed Forces who were exposed to open burn*
11 *pits while deployed overseas.*

12 **SEC. 729. PLAN FOR DEVELOPMENT OF PROCEDURES TO**
13 **MEASURE DATA ON MENTAL HEALTH CARE**
14 **PROVIDED BY THE DEPARTMENT OF DE-**
15 **FENSE.**

16 *Not later than 180 days after the date of the enactment*
17 *of this Act, the Secretary of Defense shall submit to the*
18 *Committees on Armed Services of the Senate and the House*
19 *of Representatives a plan for the Department of Defense to*
20 *develop procedures to compile and assess data relating to*
21 *the following:*

22 *(1) Outcomes for mental health care provided by*
23 *the Department.*

24 *(2) Variations in such outcomes among different*
25 *medical facilities of the Department.*

1 (3) *Barriers, if any, to the implementation by*
2 *mental health care providers of the Department of the*
3 *clinical practice guidelines and other evidence-based*
4 *treatments and approaches recommended for such*
5 *providers by the Secretary.*

6 **SEC. 730. REPORT ON PLANS TO IMPROVE EXPERIENCE**
7 **WITH AND ELIMINATE PERFORMANCE VARIA-**
8 **BILITY OF HEALTH CARE PROVIDED BY THE**
9 **DEPARTMENT OF DEFENSE.**

10 (a) *COMPREHENSIVE REPORT.—*

11 (1) *IN GENERAL.—Not later than 180 days after*
12 *the date of the enactment of this Act, the Secretary of*
13 *Defense shall submit to the Committees on Armed*
14 *Services of the Senate and the House of Representa-*
15 *tives a comprehensive report setting forth the current*
16 *and future plans of the Secretary, with estimated*
17 *dates of completion, to carry out the following:*

18 (A) *To improve the experience of bene-*
19 *ficiaries with health care provided in military*
20 *medical treatment facilities and through pur-*
21 *chased care.*

22 (B) *To eliminate performance variability*
23 *with respect to the provision of such health care.*

24 (2) *ELEMENTS.—The comprehensive report*
25 *under paragraph (1) shall include the plans of the*

1 *Secretary of Defense, in consultation with the Secre-*
2 *taries of the military departments, as follows:*

3 *(A) To align performance measures for*
4 *health care provided in military medical treat-*
5 *ment facilities with performance measures for*
6 *health care provided through purchased care.*

7 *(B) To improve performance in the provi-*
8 *sion of health care by the Department of Defense*
9 *by eliminating performance variability with re-*
10 *spect to the provision of health care in military*
11 *medical treatment facilities and through pur-*
12 *chased care.*

13 *(C) To use innovative, high-technology serv-*
14 *ices to improve access to care, coordination of*
15 *care, and the experience of care in military med-*
16 *ical treatment facilities and through purchased*
17 *care.*

18 *(D) To collect and analyze data throughout*
19 *the Department with respect to health care pro-*
20 *vided in military medical treatment facilities*
21 *and through purchased care to improve the qual-*
22 *ity of such care, patient safety, and patient sat-*
23 *isfaction.*

24 *(E) To develop a performance management*
25 *system, including by adoption of common meas-*

1 ures for access to care, quality of care, safety,
2 and patient satisfaction, that holds medical lead-
3 ership throughout the Department accountable
4 for sustained improvement of performance.

5 (F) To use such other methods as the Sec-
6 retary considers appropriate to improve the ex-
7 perience of beneficiaries with and eliminate per-
8 formance variability with respect to health care
9 received from the Department.

10 (b) *COMPTROLLER GENERAL REPORT.*—

11 (1) *IN GENERAL.*—Not later than 180 days after
12 the submission of the comprehensive report required
13 by subsection (a)(1), the Comptroller General of the
14 United States shall submit to the Committees on
15 Armed Services of the Senate and the House of Rep-
16 resentatives a report on the plans of the Secretary of
17 Defense set forth in the comprehensive report sub-
18 mitted under such subsection.

19 (2) *ELEMENTS.*—The report under paragraph
20 (1) shall include the following:

21 (A) An assessment of whether the plans in-
22 cluded in the comprehensive report submitted
23 under subsection (a) will, with respect to mem-
24 bers of the Armed Forces and covered bene-
25 ficiaries under the *TRICARE* program—

1 (i) *improve health outcomes;*
2 (ii) *create consistent health value; and*
3 (iii) *ensure that such individuals re-*
4 *ceive quality health care in all military*
5 *medical treatment facilities and through*
6 *purchased care.*

7 (B) *An assessment of whether such plans*
8 *can be achieved within the estimated dates of*
9 *completion set forth by the Department under*
10 *such subsection.*

11 (C) *An assessment of whether any such plan*
12 *would require legislation for the implementation*
13 *of such plan.*

14 (D) *An assessment of whether the Depart-*
15 *ment of Defense has adequately budgeted*
16 *amounts to fund the carrying out of such plans.*

17 (E) *Metrics that can be used to evaluate the*
18 *performance of such plans.*

19 (c) *DEFINITIONS.—In this section:*

20 (1) *The term “purchased care” means health care*
21 *provided pursuant to a contract entered into under*
22 *the TRICARE program.*

23 (2) *The terms “covered beneficiary” and*
24 *“TRICARE program” have the meaning given such*
25 *terms in section 1072 of title 10, United States Code.*

1 **SEC. 731. COMPTROLLER GENERAL STUDY ON GAMBLING**
2 **AND PROBLEM GAMBLING BEHAVIOR AMONG**
3 **MEMBERS OF THE ARMED FORCES.**

4 (a) *IN GENERAL.*—*The Comptroller General of the*
5 *United States shall conduct a study on gambling among*
6 *members of the Armed Forces.*

7 (b) *MATTERS INCLUDED.*—*The study conducted under*
8 *subsection (a) shall include the following:*

9 (1) *With respect to gaming facilities at military*
10 *installations, disaggregated by each military depart-*
11 *ment, the number, type, and location of such gaming*
12 *facilities.*

13 (2) *An assessment of the prevalence of and par-*
14 *ticular risks for problem gambling among members of*
15 *the Armed Forces, including such recommendations*
16 *for policies and programs to be carried out by the De-*
17 *partment to address problem gambling as the Comp-*
18 *troller General considers appropriate.*

19 (3) *An assessment of the ability and capacity of*
20 *military health care personnel to adequately diagnose*
21 *and provide dedicated treatment for problem gam-*
22 *bling, including—*

23 (A) *a comparison of treatment programs of*
24 *the Department for alcohol abuse, illegal sub-*
25 *stance abuse, and tobacco addiction with treat-*

1 *ment programs of the Department for problem*
 2 *gambling; and*

3 *(B) an assessment of whether additional*
 4 *training for military health care personnel on*
 5 *providing treatment for problem gambling would*
 6 *be beneficial.*

7 *(4) An assessment of the financial counseling*
 8 *and related services that are available to members of*
 9 *the Armed Forces and dependents of such members*
 10 *who are affected by problem gambling.*

11 *(c) REPORT.—Not later than one year after the date*
 12 *of the enactment of this Act, the Comptroller General shall*
 13 *submit to the congressional defense committees a report on*
 14 *the results of the study conducted under subsection (a).*

15 **TITLE VIII—ACQUISITION POL-**
 16 **ICY, ACQUISITION MANAGE-**
 17 **MENT, AND RELATED MAT-**
 18 **TERS**

Subtitle A—Acquisition Policy and Management

Sec. 801. Required review of acquisition-related functions of the Chiefs of Staff of the Armed Forces.

Sec. 802. Role of Chiefs of Staff in the acquisition process.

Sec. 803. Expansion of rapid acquisition authority.

Sec. 804. Middle tier of acquisition for rapid prototyping and rapid fielding.

Sec. 805. Use of alternative acquisition paths to acquire critical national security capabilities.

Sec. 806. Secretary of Defense waiver of acquisition laws to acquire vital national security capabilities.

Sec. 807. Acquisition authority of the Commander of United States Cyber Command.

Sec. 808. Report on linking and streamlining requirements, acquisition, and budget processes within Armed Forces.

Sec. 809. Advisory panel on streamlining and codifying acquisition regulations.

Sec. 810. Review of time-based requirements process and budgeting and acquisition systems.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 811. Amendment relating to multiyear contract authority for acquisition of property.

Sec. 812. Applicability of cost and pricing data and certification requirements.

Sec. 813. Rights in technical data.

Sec. 814. Procurement of supplies for experimental purposes.

Sec. 815. Amendments to other transaction authority.

Sec. 816. Amendment to acquisition threshold for special emergency procurement authority.

Sec. 817. Revision of method of rounding when making inflation adjustment of acquisition-related dollar thresholds.

Subtitle C—Provisions Related to Major Defense Acquisition Programs

Sec. 821. Acquisition strategy required for each major defense acquisition program, major automated information system, and major system.

Sec. 822. Revision to requirements relating to risk management in development of major defense acquisition programs and major systems.

Sec. 823. Revision of Milestone A decision authority responsibilities for major defense acquisition programs.

Sec. 824. Revision of Milestone B decision authority responsibilities for major defense acquisition programs.

Sec. 825. Designation of milestone decision authority.

Sec. 826. Tenure and accountability of program managers for program definition periods.

Sec. 827. Tenure and accountability of program managers for program execution periods.

Sec. 828. Penalty for cost overruns.

Sec. 829. Streamlining of reporting requirements applicable to Assistant Secretary of Defense for Research and Engineering regarding major defense acquisition programs.

Sec. 830. Configuration Steering Boards for cost control under major defense acquisition programs.

Sec. 831. Repeal of requirement for stand-alone manpower estimates for major defense acquisition programs.

Sec. 832. 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.

Subtitle D—Provisions Relating to Acquisition Workforce

Sec. 841. Amendments to Department of Defense Acquisition Workforce Development Fund.

Sec. 842. Dual-track military professionals in operational and acquisition specialties.

Sec. 843. Provision of joint duty assignment credit for acquisition duty.

Sec. 844. Mandatory requirement for training related to the conduct of market research.

Sec. 845. Independent study of implementation of defense acquisition workforce improvement efforts.

Sec. 846. Extension of authority for the civilian acquisition workforce personnel demonstration project.

Subtitle E—Provisions Relating to Commercial Items

Sec. 851. Procurement of commercial items.

Sec. 852. Modification to information required to be submitted by offeror in procurement of major weapon systems as commercial items.

Sec. 853. Use of recent prices paid by the Government in the determination of price reasonableness.

Sec. 854. Report on defense-unique laws applicable to the procurement of commercial items and commercially available off-the-shelf items.

Sec. 855. Market research and preference for commercial items.

Sec. 856. Limitation on conversion of procurements from commercial acquisition procedures.

Sec. 857. Treatment of goods and services provided by nontraditional defense contractors as commercial items.

Subtitle F—Industrial Base Matters

Sec. 861. Amendment to Mentor-Protege Program.

Sec. 862. Amendments to data quality improvement plan.

Sec. 863. Notice of contract consolidation for acquisition strategies.

Sec. 864. Clarification of requirements related to small business contracts for services.

Sec. 865. Certification requirements for Business Opportunity Specialists, commercial market representatives, and procurement center representatives.

Sec. 866. Modifications to requirements for qualified HUBZone small business concerns located in a base closure area.

Sec. 867. Joint venturing and teaming.

Sec. 868. Modification to and scorecard program for small business contracting goals.

Sec. 869. Establishment of an Office of Hearings and Appeals in the Small Business Administration; petitions for reconsideration of size standards.

Sec. 870. Additional duties of the Director of Small and Disadvantaged Business Utilization.

Sec. 871. Including subcontracting goals in agency responsibilities.

Sec. 872. Reporting related to failure of contractors to meet goals under negotiated comprehensive small business subcontracting plans.

Sec. 873. Pilot program for streamlining awards for innovative technology projects.

Sec. 874. Surety bond requirements and amount of guarantee.

Sec. 875. Review of Government access to intellectual property rights of private sector firms.

Sec. 876. Inclusion in annual technology and industrial capability assessments of a determination about defense acquisition program requirements.

Subtitle G—Other Matters

Sec. 881. Consideration of potential program cost increases and schedule delays resulting from oversight of defense acquisition programs.

Sec. 882. Examination and guidance relating to oversight and approval of services contracts.

- Sec. 883. *Streamlining of requirements relating to defense business systems.*
- Sec. 884. *Procurement of personal protective equipment.*
- Sec. 885. *Amendments concerning detection and avoidance of counterfeit electronic parts.*
- Sec. 886. *Exception for AbilityOne products from authority to acquire goods and services manufactured in Afghanistan, Central Asian States, and Djibouti.*
- Sec. 887. *Effective communication between government and industry.*
- Sec. 888. *Standards for procurement of secure information technology and cyber security systems.*
- Sec. 889. *Unified information technology services.*
- Sec. 890. *Cloud strategy for Department of Defense.*
- Sec. 891. *Development period for Department of Defense information technology systems.*
- Sec. 892. *Revisions to pilot program on acquisition of military purpose non-developmental items.*
- Sec. 893. *Improved auditing of contracts.*
- Sec. 894. *Sense of Congress on evaluation method for procurement of audit or audit readiness services.*
- Sec. 895. *Mitigating potential unfair competitive advantage of technical advisors to acquisition programs.*
- Sec. 896. *Survey on the costs of regulatory compliance.*
- Sec. 897. *Treatment of interagency and State and local purchases when the Department of Defense acts as contract intermediary for the General Services Administration.*
- Sec. 898. *Competition for religious services contracts.*
- Sec. 899. *Pilot program regarding risk-based contracting for smaller contract actions under the Truth in Negotiations Act.*

1 ***Subtitle A—Acquisition Policy and***
 2 ***Management***

3 ***SEC. 801. REQUIRED REVIEW OF ACQUISITION-RELATED***
 4 ***FUNCTIONS OF THE CHIEFS OF STAFF OF***
 5 ***THE ARMED FORCES.***

6 (a) *REVIEW REQUIRED.*—*The Chief of Staff of the*
 7 *Army, the Chief of Naval Operations, the Chief of Staff of*
 8 *the Air Force, and the Commandant of the Marine Corps*
 9 *shall conduct a review of their current individual authori-*
 10 *ties provided in sections 3033, 5033, 8033, and 5043 of title*
 11 *10, United States Code, and other relevant statutes and reg-*
 12 *ulations related to defense acquisitions for the purpose of*

1 *developing such recommendations as the Chief concerned or*
2 *the Commandant considers necessary to further or advance*
3 *the role of the Chief concerned or the Commandant in the*
4 *development of requirements, acquisition processes, and the*
5 *associated budget practices of the Department of Defense.*

6 (b) *REPORTS.—Not later than March 1, 2016, the*
7 *Chief of Staff of the Army, the Chief of Naval Operations,*
8 *the Chief of Staff of the Air Force, and the Commandant*
9 *of the Marine Corps shall each submit to the congressional*
10 *defense committees a report containing, at a minimum, the*
11 *following:*

12 (1) *The recommendations developed by the Chief*
13 *concerned or the Commandant under subsection (a)*
14 *and other results of the review conducted under such*
15 *subsection.*

16 (2) *The actions the Chief concerned or the Com-*
17 *mandant is taking, if any, within the Chief's or Com-*
18 *mandant's existing authority to implement such rec-*
19 *ommendations.*

20 **SEC. 802. ROLE OF CHIEFS OF STAFF IN THE ACQUISITION**
21 **PROCESS.**

22 (a) **CHIEFS OF STAFF AS CUSTOMER OF ACQUISITION**
23 **PROCESS.—**

1 (1) *IN GENERAL.*—Chapter 149 of title 10,
2 *United States Code, is amended by inserting after sec-*
3 *tion 2546 the following new section:*

4 **“§2546a. Customer-oriented acquisition system**

5 “(a) *OBJECTIVE.*—*It shall be the objective of the de-*
6 *fense acquisition system to meet the needs of its customers*
7 *in the most cost-effective manner practicable. The acquisi-*
8 *tion policies, directives, and regulations of the Department*
9 *of Defense shall be modified as necessary to ensure the devel-*
10 *opment and implementation of a customer-oriented acquisi-*
11 *tion system.*

12 “(b) *CUSTOMER.*—*The customer of the defense acquisi-*
13 *tion system is the armed force that will have primary re-*
14 *sponsibility for fielding the system or systems acquired. The*
15 *customer is represented with regard to a major defense ac-*
16 *quisition program by the Secretary of the military depart-*
17 *ment concerned and the Chief of the armed force concerned.*

18 “(c) *ROLE OF CUSTOMER.*—*The customer of a major*
19 *defense acquisition program shall be responsible for bal-*
20 *ancing resources against priorities on the acquisition pro-*
21 *gram and ensuring that appropriate trade-offs are made*
22 *among cost, schedule, technical feasibility, and performance*
23 *on a continuing basis throughout the life of the acquisition*
24 *program.”.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
2 *tions at the beginning of chapter 149 of such title is*
3 *amended by inserting after the item relating to sec-*
4 *tion 2546 the following new item:*

“2546a. Customer-oriented acquisition system.”.

5 (b) *RESPONSIBILITIES OF CHIEFS.*—*Section 2547(a)*
6 *of title 10, United States Code, is amended—*

7 (1) *by redesignating paragraphs (2) through (6)*
8 *as paragraphs (3) through (7), respectively;*

9 (2) *by inserting after paragraph (1) the fol-*
10 *lowing new paragraph:*

11 *“(2) Decisions regarding the balancing of re-*
12 *sources and priorities, and associated trade-offs*
13 *among cost, schedule, technical feasibility, and per-*
14 *formance on major defense acquisition programs.”;*
15 *and*

16 (3) *in paragraph (6), as redesignated by para-*
17 *graph (1) of this subsection, by striking “The develop-*
18 *ment” and inserting “The development and manage-*
19 *ment”.*

20 (c) *RESPONSIBILITIES OF MILITARY DEPUTIES.*—*Sec-*
21 *tion 908(d) of the National Defense Authorization Act for*
22 *Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2430*
23 *note) is amended to read as follows:*

1 “(d) *DUTIES OF PRINCIPAL MILITARY DEPUTIES.*—
2 *Each Principal Military Deputy to a service acquisition*
3 *executive shall be responsible for—*

4 “(1) *keeping the Chief of Staff of the Armed*
5 *Force concerned informed of the progress of major de-*
6 *fense acquisition programs;*

7 “(2) *informing the Chief of Staff on a continuing*
8 *basis of any developments on major defense acquisi-*
9 *tion programs, which may require new or revisited*
10 *trade-offs among cost, schedule, technical feasibility,*
11 *and performance, including—*

12 “(A) *significant cost growth or schedule*
13 *slippage; and*

14 “(B) *requirements creep (as defined in sec-*
15 *tion 2547(c)(1) of title 10, United States Code);*
16 *and*

17 “(3) *ensuring that the views of the Chief of Staff*
18 *on cost, schedule, technical feasibility, and perform-*
19 *ance trade-offs are strongly considered by program*
20 *managers and program executive officers in all phases*
21 *of the acquisition process.”.*

22 “(d) *CONFORMING AMENDMENTS.*—

23 “(1) *JOINT REQUIREMENTS OVERSIGHT COUN-*
24 *CIL.*—*Section 181(d) of title 10, United States Code,*

1 *is amended by adding at the end the following new*
2 *paragraph:*

3 *“(3) The Council shall seek, and strongly consider, the*
4 *views of the Chiefs of Staff of the armed forces, in their*
5 *roles as customers of the acquisition system, on matters per-*
6 *taining to trade-offs among cost, schedule, technical feasi-*
7 *bility, and performance under subsection (b)(1)(C) and the*
8 *balancing of resources with priorities pursuant to sub-*
9 *section (b)(3).”.*

10 (2) *MILESTONE A DECISIONS.—The Chief of the*
11 *Armed Force concerned shall advise the milestone de-*
12 *cision authority for a major defense acquisition pro-*
13 *gram of the Chief’s views on cost, schedule, technical*
14 *feasibility, and performance trade-offs that have been*
15 *made with regard to the program, as provided in sec-*
16 *tion 2366a(a)(2) of title 10, United States Code, as*
17 *amended by section 823 of this Act, prior to a Mile-*
18 *stone A decision on the program.*

19 (3) *MILESTONE B DECISIONS.—The Chief of the*
20 *Armed Force concerned shall advise the milestone de-*
21 *cision authority for a major defense acquisition pro-*
22 *gram of the Chief’s views on cost, schedule, technical*
23 *feasibility, and performance trade-offs that have been*
24 *made with regard to the program, as provided in sec-*
25 *tion 2366b(b)(3) of title 10, United States Code, as*

1 *amended by section 824 of this Act, prior to a Mile-*
2 *stone B decision on the program.*

3 (4) *DUTIES OF CHIEFS.—*

4 (A) *Section 3033(d)(5) of title 10, United*
5 *States Code, is amended by striking “section*
6 *171” and inserting “sections 171 and 2547”.*

7 (B) *Section 5033(d)(5) of title 10, United*
8 *States Code, is amended by striking “section*
9 *171” and inserting “sections 171 and 2547”.*

10 (C) *Section 5043(e)(5) of title 10, United*
11 *States Code, is amended by striking “section*
12 *171” and inserting “sections 171 and 2547”.*

13 (D) *Section 8033(d)(5) of title 10, United*
14 *States Code, is amended by striking “section*
15 *171” and inserting “sections 171 and 2547”.*

16 **SEC. 803. EXPANSION OF RAPID ACQUISITION AUTHORITY.**

17 *Section 806(c) of the Bob Stump National Defense Au-*
18 *thorization Act for Fiscal Year 2003 (Public Law 107–314;*
19 *10 U.S.C. 2302 note) is amended to read as follows:*

20 *“(c) RESPONSE TO COMBAT EMERGENCIES AND CER-*
21 *TAIN URGENT OPERATIONAL NEEDS.—*

22 *“(1) DETERMINATION OF NEED FOR RAPID AC-*
23 *QUISITION AND DEPLOYMENT.—(A) In the case of any*
24 *supplies and associated support services that, as de-*
25 *termined in writing by the Secretary of Defense, are*

1 *urgently needed to eliminate a documented deficiency*
2 *that has resulted in combat casualties, or is likely to*
3 *result in combat casualties, the Secretary may use the*
4 *procedures developed under this section in order to ac-*
5 *complish the rapid acquisition and deployment of the*
6 *needed supplies and associated support services.*

7 *“(B) In the case of any supplies and associated*
8 *support services that, as determined in writing by the*
9 *Secretary of Defense, are urgently needed to eliminate*
10 *a documented deficiency that impacts an ongoing or*
11 *anticipated contingency operation and that, if left*
12 *unfulfilled, could potentially result in loss of life or*
13 *critical mission failure, the Secretary may use the*
14 *procedures developed under this section in order to ac-*
15 *complish the rapid acquisition and deployment of the*
16 *needed supplies and associated support services.*

17 *“(C)(i) In the case of any supplies and associ-*
18 *ated support services that, as determined in writing*
19 *by the Secretary of Defense without delegation, are*
20 *urgently needed to eliminate a deficiency that as the*
21 *result of a cyber attack has resulted in critical mis-*
22 *sion failure, the loss of life, property destruction, or*
23 *economic effects, or if left unfilled is likely to result*
24 *in critical mission failure, the loss of life, property*
25 *destruction, or economic effects, the Secretary may use*

1 *the procedures developed under this section in order*
2 *to accomplish the rapid acquisition and deployment*
3 *of the needed offensive or defensive cyber capabilities,*
4 *supplies, and associated support services.*

5 *“(ii) In this subparagraph, the term ‘cyber at-*
6 *tack’ means a deliberate action to alter, disrupt, de-*
7 *ceive, degrade, or destroy computer systems or net-*
8 *works or the information or programs resident in or*
9 *transiting these systems or networks.*

10 *“(2) DESIGNATION OF SENIOR OFFICIAL RESPON-*
11 *SIBLE.—(A) Whenever the Secretary makes a deter-*
12 *mination under subparagraph (A), (B), or (C) of*
13 *paragraph (1) that certain supplies and associated*
14 *support services are urgently needed to eliminate a*
15 *deficiency described in that subparagraph, the Sec-*
16 *retary shall designate a senior official of the Depart-*
17 *ment of Defense to ensure that the needed supplies*
18 *and associated support services are acquired and de-*
19 *ployed as quickly as possible, with a goal of awarding*
20 *a contract for the acquisition of the supplies and asso-*
21 *ciated support services within 15 days.*

22 *“(B) Upon designation of a senior official under*
23 *subparagraph (A), the Secretary shall authorize that*
24 *official to waive any provision of law, policy, direc-*
25 *tive, or regulation described in subsection (d) that*

1 *such official determines in writing would unneces-*
2 *sarily impede the rapid acquisition and deployment*
3 *of the needed supplies and associated support services.*
4 *In a case in which the needed supplies and associated*
5 *support services cannot be acquired without an exten-*
6 *sive delay, the senior official shall require that an in-*
7 *terim solution be implemented and deployed using the*
8 *procedures developed under this section to minimize*
9 *adverse consequences resulting from the urgent need.*

10 *“(3) USE OF FUNDS.—(A) In any fiscal year in*
11 *which the Secretary makes a determination described*
12 *in subparagraph (A), (B), or (C) of paragraph (1),*
13 *the Secretary may use any funds available to the De-*
14 *partment of Defense for acquisitions of supplies and*
15 *associated support services if the determination in-*
16 *cludes a written finding that the use of such funds is*
17 *necessary to address the deficiency in a timely man-*
18 *ner.*

19 *“(B) The authority of this section may only be*
20 *used to acquire supplies and associated support serv-*
21 *ices—*

22 *“(i) in the case of determinations by the*
23 *Secretary under paragraph (1)(A), in an*
24 *amount aggregating not more than \$200,000,000*
25 *during any fiscal year;*

1 “(ii) in the case of determinations by the
2 Secretary under paragraph (1)(B), in an
3 amount aggregating not more than \$200,000,000
4 during any fiscal year; and

5 “(iii) in the case of determinations by the
6 Secretary under paragraph (1)(C), in an
7 amount aggregating not more than \$200,000,000
8 during any fiscal year.

9 “(4) NOTIFICATION TO CONGRESSIONAL DEFENSE
10 COMMITTEES.—(A) In the case of a determination by
11 the Secretary under paragraph (1)(A), the Secretary
12 shall notify the congressional defense committees of
13 the determination within 15 days after the date of the
14 determination.

15 “(B) In the case of a determination by the Sec-
16 retary under paragraph (1)(B) the Secretary shall
17 notify the congressional defense committees of the de-
18 termination at least 10 days before the date on which
19 the determination is effective.

20 “(C) A notice under this paragraph shall include
21 the following:

22 “(i) The supplies and associated support
23 services to be acquired.

24 “(ii) The amount anticipated to be ex-
25 pended for the acquisition.

1 “(iii) *The source of funds for the acquisi-*
2 *tion.*”

3 “(D) *A notice under this paragraph shall be suf-*
4 *ficient to fulfill any requirement to provide notifica-*
5 *tion to Congress for a new start program.*”

6 “(E) *A notice under this paragraph shall be pro-*
7 *vided in consultation with the Director of the Office*
8 *of Management and Budget.*”

9 “(5) *TIME FOR TRANSITIONING TO NORMAL AC-*
10 *QUISITION SYSTEM.—Any acquisition initiated under*
11 *this subsection shall transition to the normal acquisi-*
12 *tion system not later than two years after the date on*
13 *which the Secretary makes the determination de-*
14 *scribed in paragraph (1) with respect to the supplies*
15 *and associated support services concerned.*”

16 “(6) *LIMITATION ON OFFICERS WITH AUTHORITY*
17 *TO MAKE A DETERMINATION.—The authority to make*
18 *a determination under subparagraph (A), (B), or (C)*
19 *of paragraph (1) may be exercised only by the Sec-*
20 *retary or Deputy Secretary of Defense.”.*”

21 **SEC. 804. MIDDLE TIER OF ACQUISITION FOR RAPID PROTO-**
22 **TYPING AND RAPID FIELDING.**

23 “(a) *GUIDANCE REQUIRED.—Not later than 180 days*
24 *after the date of the enactment of this Act, the Under Sec-*
25 *retary of Defense for Acquisition, Technology, and Logistics,*

1 *in consultation with the Comptroller of the Department of*
2 *Defense and the Vice Chairman of the Joint Chiefs of Staff,*
3 *shall establish guidance for a “middle tier” of acquisition*
4 *programs that are intended to be completed in a period of*
5 *two to five years.*

6 (b) *ACQUISITION PATHWAYS.—The guidance required*
7 *by subsection (a) shall cover the following two acquisition*
8 *pathways:*

9 (1) *RAPID PROTOTYPING.—The rapid proto-*
10 *typing pathway shall provide for the use of innova-*
11 *tive technologies to rapidly develop fieldable proto-*
12 *types to demonstrate new capabilities and meet*
13 *emerging military needs. The objective of an acquisi-*
14 *tion program under this pathway shall be to field a*
15 *prototype that can be demonstrated in an operational*
16 *environment and provide for a residual operational*
17 *capability within five years of the development of an*
18 *approved requirement.*

19 (2) *RAPID FIELDING.—The rapid fielding path-*
20 *way shall provide for the use of proven technologies*
21 *to field production quantities of new or upgraded sys-*
22 *tems with minimal development required. The objec-*
23 *tive of an acquisition program under this pathway*
24 *shall be to begin production within six months and*

1 complete fielding within five years of the development
2 of an approved requirement.

3 (c) *EXPEDITED PROCESS.*—

4 (1) *IN GENERAL.*—The guidance required by sub-
5 section (a) shall provide for a streamlined and coordi-
6 nated requirements, budget, and acquisition process
7 that results in the development of an approved re-
8 quirement for each program in a period of not more
9 than six months from the time that the process is ini-
10 tiated. Programs that are subject to the guidance shall
11 not be subject to the Joint Capabilities Integration
12 and Development System Manual and Department of
13 Defense Directive 5000.01, except to the extent specifi-
14 cally provided in the guidance.

15 (2) *RAPID PROTOTYPING.*—With respect to the
16 rapid prototyping pathway, the guidance shall in-
17 clude—

18 (A) a merit-based process for the consider-
19 ation of innovative technologies and new capa-
20 bilities to meet needs communicated by the Joint
21 Chiefs of Staff and the combatant commanders;

22 (B) a process for developing and imple-
23 menting acquisition and funding strategies for
24 the program;

1 (C) a process for cost-sharing with the mili-
2 itary departments on rapid prototype projects, to
3 ensure an appropriate commitment to the success
4 of such projects;

5 (D) a process for demonstrating and evalu-
6 ating the performance of fieldable prototypes de-
7 veloped pursuant to the program in an oper-
8 ational environment; and

9 (E) a process for transitioning successful
10 prototypes to new or existing acquisition pro-
11 grams for production and fielding under the
12 rapid fielding pathway or the traditional acqui-
13 sition system.

14 (3) *RAPID FIELDING.*—With respect to the rapid
15 fielding pathway, the guidance shall include—

16 (A) a merit-based process for the consider-
17 ation of existing products and proven tech-
18 nologies to meet needs communicated by the
19 Joint Chiefs of Staff and the combatant com-
20 manders;

21 (B) a process for demonstrating perform-
22 ance and evaluating for current operational pur-
23 poses the proposed products and technologies;

1 (C) a process for developing and imple-
2 menting acquisition and funding strategies for
3 the program; and

4 (D) a process for considering lifecycle costs
5 and addressing issues of logistics support and
6 system interoperability.

7 (4) *STREAMLINED PROCEDURES.*—The guidance
8 for the programs may provide for any of the following
9 streamlined procedures:

10 (A) The service acquisition executive of the
11 military department concerned shall appoint a
12 program manager for such program from among
13 candidates from among civilian employees or
14 members of the Armed Forces who have signifi-
15 cant and relevant experience managing large
16 and complex programs.

17 (B) The program manager for each pro-
18 gram shall report with respect to such program
19 directly, without intervening review or approval,
20 to the service acquisition executive of the mili-
21 tary department concerned.

22 (C) The service acquisition executive of the
23 military department concerned shall evaluate the
24 job performance of such manager on an annual
25 basis. In conducting an evaluation under this

1 paragraph, a service acquisition executive shall
2 consider the extent to which the manager has
3 achieved the objectives of the program for which
4 the manager is responsible, including quality,
5 timeliness, and cost objectives.

6 (D) The program manager of a defense
7 streamlined program shall be authorized staff po-
8 sitions for a technical staff, including experts in
9 business management, contracting, auditing, en-
10 gineering, testing, and logistics, to enable the
11 manager to manage the program without the
12 technical assistance of another organizational
13 unit of an agency to the maximum extent prac-
14 ticable.

15 (E) The program manager of a defense
16 streamlined program shall be authorized, in co-
17 ordination with the users of the equipment and
18 capability to be acquired and the test commu-
19 nity, to make trade-offs among life-cycle costs,
20 requirements, and schedules to meet the goals of
21 the program.

22 (F) The service acquisition executive, acting
23 in coordination with the defense acquisition exec-
24 utive, shall serve as the milestone decision au-
25 thority for the program.

1 (G) *The program manager of a defense*
2 *streamlined program shall be provided a process*
3 *to expeditiously seek a waiver from Congress*
4 *from any statutory or regulatory requirement*
5 *that the program manager determines adds little*
6 *or no value to the management of the program.*

7 (d) *RAPID PROTOTYPING FUND.—*

8 (1) *IN GENERAL.—The Secretary of Defense shall*
9 *establish a fund to be known as the “Department of*
10 *Defense Rapid Prototyping Fund” to provide funds,*
11 *in addition to other funds that may be available for*
12 *acquisition programs under the rapid prototyping*
13 *pathway established pursuant to this section. The*
14 *Fund shall be managed by a senior official of the De-*
15 *partment of Defense designated by the Under Sec-*
16 *retary of Defense for Acquisition, Technology, and Lo-*
17 *gistics. The Fund shall consist of amounts appro-*
18 *priated to the Fund and amounts credited to the*
19 *Fund pursuant to section 828 of this Act.*

20 (2) *TRANSFER AUTHORITY.—Amounts available*
21 *in the Fund may be transferred to a military depart-*
22 *ment for the purpose of carrying out an acquisition*
23 *program under the rapid prototyping pathway estab-*
24 *lished pursuant to this section. Any amount so trans-*
25 *ferred shall be credited to the account to which it is*

1 *transferred. The transfer authority provided in this*
2 *subsection is in addition to any other transfer author-*
3 *ity available to the Department of Defense.*

4 (3) *CONGRESSIONAL NOTICE.—The senior official*
5 *designated to manage the Fund shall notify the con-*
6 *gressional defense committees of all transfers under*
7 *paragraph (2). Each notification shall specify the*
8 *amount transferred, the purpose of the transfer, and*
9 *the total projected cost and estimated cost to complete*
10 *the acquisition program to which the funds were*
11 *transferred.*

12 **SEC. 805. USE OF ALTERNATIVE ACQUISITION PATHS TO AC-**
13 **QUIRE CRITICAL NATIONAL SECURITY CAPA-**
14 **BILITIES.**

15 *Not later than 180 days after the date of the enactment*
16 *of this Act, the Secretary of Defense shall establish proce-*
17 *dures for alternative acquisition pathways to acquire cap-*
18 *ital assets and services that meet critical national security*
19 *needs. The procedures shall—*

20 (1) *be separate from existing acquisition proce-*
21 *dures;*

22 (2) *be supported by streamlined contracting,*
23 *budgeting, and requirements processes;*

1 (3) *establish alternative acquisition paths based*
2 *on the capabilities being bought and the time needed*
3 *to deploy these capabilities; and*

4 (4) *maximize the use of flexible authorities in ex-*
5 *isting law and regulation.*

6 **SEC. 806. SECRETARY OF DEFENSE WAIVER OF ACQUI-**
7 **TION LAWS TO ACQUIRE VITAL NATIONAL SE-**
8 **URITY CAPABILITIES.**

9 (a) *WAIVER AUTHORITY.*—*The Secretary of Defense is*
10 *authorized to waive any provision of acquisition law or reg-*
11 *ulation described in subsection (c) for the purpose of acquir-*
12 *ing a capability that would not otherwise be available to*
13 *the Armed Forces of the United States, upon a determina-*
14 *tion that—*

15 (1) *the acquisition of the capability is in the*
16 *vital national security interest of the United States;*

17 (2) *the application of the law or regulation to be*
18 *waived would impede the acquisition of the capability*
19 *in a manner that would undermine the national secu-*
20 *rity of the United States; and*

21 (3) *the underlying purpose of the law or regula-*
22 *tion to be waived can be addressed in a different*
23 *manner or at a different time.*

24 (b) *DESIGNATION OF RESPONSIBLE OFFICIAL.*—*When-*
25 *ever the Secretary of Defense makes a determination under*

1 subsection (a)(1) that the acquisition of a capability is in
2 the vital national security interest of the United States, the
3 Secretary shall designate a senior official of the Department
4 of Defense who shall be personally responsible and account-
5 able for the rapid and effective acquisition and deployment
6 of the needed capability. The Secretary shall provide the
7 designated official such authority as the Secretary deter-
8 mines necessary to achieve this objective, and may use the
9 waiver authority in subsection (a) for this purpose.

10 (c) ACQUISITION LAWS AND REGULATIONS.—

11 (1) IN GENERAL.—Upon a determination de-
12 scribed in subsection (a), the Secretary of Defense is
13 authorized to waive any provision of law or regula-
14 tion addressing—

15 (A) the establishment of a requirement or
16 specification for the capability to be acquired;

17 (B) research, development, test, and evalua-
18 tion of the capability to be acquired;

19 (C) production, fielding, and sustainment of
20 the capability to be acquired; or

21 (D) solicitation, selection of sources, and
22 award of contracts for the capability to be ac-
23 quired.

24 (2) LIMITATIONS.—Nothing in this subsection
25 authorizes the waiver of—

1 (A) *the requirements of this section;*

2 (B) *any provision of law imposing civil or*
3 *criminal penalties; or*

4 (C) *any provision of law governing the*
5 *proper expenditure of appropriated funds.*

6 (d) *REPORT TO CONGRESS.—The Secretary of Defense*
7 *shall notify the congressional defense committees at least 30*
8 *days before exercising the waiver authority under subsection*

9 (a). *Each such notice shall include—*

10 (1) *an explanation of the basis for determining*
11 *that the acquisition of the capability is in the vital*
12 *national security interest of the United States;*

13 (2) *an identification of each provision of law or*
14 *regulation to be waived; and*

15 (3) *for each provision identified pursuant to*
16 *paragraph (2)—*

17 (A) *an explanation of why the application*
18 *of the provision would impede the acquisition in*
19 *a manner that would undermine the national se-*
20 *curity of the United States; and*

21 (B) *a description of the time or manner in*
22 *which the underlying purpose of the law or regu-*
23 *lation to be waived will be addressed.*

1 (e) *NONDELEGATION.*—*The authority of the Secretary*
2 *to waive provisions of laws and regulations under sub-*
3 *section (a) is nondelegable.*

4 **SEC. 807. ACQUISITION AUTHORITY OF THE COMMANDER**
5 **OF UNITED STATES CYBER COMMAND.**

6 (a) *AUTHORITY.*—

7 (1) *IN GENERAL.*—*The Commander of the United*
8 *States Cyber Command shall be responsible for, and*
9 *shall have the authority to conduct, the following ac-*
10 *quisition activities:*

11 (A) *Development and acquisition of cyber*
12 *operations-peculiar equipment and capabilities.*

13 (B) *Acquisition and sustainment of cyber*
14 *capability-peculiar equipment, capabilities, and*
15 *services.*

16 (2) *ACQUISITION FUNCTIONS.*—*Subject to the au-*
17 *thority, direction, and control of the Secretary of De-*
18 *fense, the Commander shall have authority to exercise*
19 *the functions of the head of an agency under chapter*
20 *137 of title 10, United States Code.*

21 (b) *COMMAND ACQUISITION EXECUTIVE.*—

22 (1) *IN GENERAL.*—*The staff of the Commander*
23 *shall include a command acquisition executive, who*
24 *shall be responsible for the overall supervision of ac-*
25 *quisition matters for the United States Cyber Com-*

1 *mand. The command acquisition executive shall have*
2 *the authority—*

3 *(A) to negotiate memoranda of agreement*
4 *with the military departments and Department*
5 *of Defense components to carry out the acquisi-*
6 *tion of equipment, capabilities, and services de-*
7 *scribed in subsection (a)(1) on behalf of the Com-*
8 *mand;*

9 *(B) to supervise the acquisition of equip-*
10 *ment, capabilities, and services described in sub-*
11 *section (a)(1);*

12 *(C) to represent the Command in discus-*
13 *sions with the military departments regarding*
14 *acquisition programs for which the Command is*
15 *a customer; and*

16 *(D) to work with the military departments*
17 *to ensure that the Command is appropriately*
18 *represented in any joint working group or inte-*
19 *grated product team regarding acquisition pro-*
20 *grams for which the Command is a customer.*

21 *(2) DELIVERY OF ACQUISITION SOLUTIONS.—The*
22 *command acquisition executive of the United States*
23 *Cyber Command shall be—*

1 (A) responsible to the Commander for rap-
2 idly delivering acquisition solutions to meet vali-
3 dated cyber operations-peculiar requirements;

4 (B) subordinate to the defense acquisition
5 executive in matters of acquisition;

6 (C) subject to the same oversight as the serv-
7 ice acquisition executives; and

8 (D) included on the distribution list for ac-
9 quisition directives and instructions of the De-
10 partment of Defense.

11 (c) *ACQUISITION PERSONNEL.*—

12 (1) *IN GENERAL.*—The Secretary of Defense shall
13 provide the United States Cyber Command with the
14 personnel or funding equivalent to ten full-time equiv-
15 alent personnel to support the Commander in ful-
16 filling the acquisition responsibilities provided for
17 under this section with experience in—

18 (A) program acquisition;

19 (B) the Joint Capabilities Integration and
20 Development System Process;

21 (C) program management;

22 (D) system engineering; and

23 (E) costing.

24 (2) *EXISTING PERSONNEL.*—The personnel pro-
25 vided under this subsection shall be provided from

1 *among the existing personnel of the Department of*
2 *Defense.*

3 *(d) BUDGET.—In addition to the activities of a com-*
4 *batant command for which funding may be requested under*
5 *section 166 of title 10, United States Code, the budget pro-*
6 *posal of the United States Cyber Command shall include*
7 *requests for funding for—*

8 *(1) development and acquisition of cyber oper-*
9 *ations-peculiar equipment; and*

10 *(2) acquisition and sustainment of other capa-*
11 *bilities or services that are peculiar to cyber oper-*
12 *ations activities.*

13 *(e) CYBER OPERATIONS PROCUREMENT FUND.—In ex-*
14 *ercising the authority granted in subsection (a), the Com-*
15 *mander may not obligate or expend more than \$75,000,000*
16 *out of the funds made available in each fiscal year from*
17 *2016 through 2021 to support acquisition activities pro-*
18 *vided for under this section.*

19 *(f) RULE OF CONSTRUCTION REGARDING INTEL-*
20 *LIGENCE AND SPECIAL ACTIVITIES.—Nothing in this sec-*
21 *tion shall be construed to constitute authority to conduct*
22 *any activity which, if carried out as an intelligence activity*
23 *by the Department of Defense, would require a notice to*
24 *the Select Committee on Intelligence of the Senate and the*
25 *Permanent Select Committee on Intelligence of the House*

1 *of Representatives under title V of the National Security*
2 *Act of 1947 (50 U.S.C. 3091 et seq.).*

3 *(g) IMPLEMENTATION PLAN REQUIRED.—The author-*
4 *ity granted in subsection (a) shall become effective 30 days*
5 *after the date on which the Secretary of Defense provides*
6 *to the congressional defense committees a plan for imple-*
7 *mentation of those authorities under subsection (a). The*
8 *plan shall include the following:*

9 *(1) A Department of Defense definition of—*

10 *(A) cyber operations-peculiar equipment*
11 *and capabilities; and*

12 *(B) cyber capability-peculiar equipment,*
13 *capabilities, and services.*

14 *(2) Summaries of the components to be nego-*
15 *tiated in the memorandum of agreements with the*
16 *military departments and other Department of De-*
17 *fense components to carry out the development, acqui-*
18 *sition, and sustainment of equipment, capabilities,*
19 *and services described in subparagraphs (A) and (B)*
20 *of subsection (a)(1).*

21 *(3) Memorandum of agreement negotiation and*
22 *approval timelines.*

23 *(4) Plan for oversight of the command acquisi-*
24 *tion executive established in subsection (b).*

1 (5) *Assessment of the acquisition workforce needs*
2 *of the United States Cyber Command to support the*
3 *authority in subsection (a) until 2021.*

4 (6) *Other matters as appropriate.*

5 (h) *ANNUAL END-OF-YEAR ASSESSMENT.—Each year,*
6 *the Cyber Investment Management Board shall review and*
7 *assess the acquisition activities of the United States Cyber*
8 *Command, including contracting and acquisition docu-*
9 *mentation, for the previous fiscal year, and provide any*
10 *recommendations or feedback to the acquisition executive of*
11 *Cyber Command.*

12 (i) *SUNSET.—*

13 (1) *IN GENERAL.—The authority under this sec-*
14 *tion shall terminate on September 30, 2021.*

15 (2) *LIMITATION ON DURATION OF ACQUI-*
16 *TIONS.—The authority under this section does not in-*
17 *clude major defense acquisition programs, major*
18 *automated information system programs, or acquisi-*
19 *tions of foundational infrastructure or software archi-*
20 *tectures the duration of which is expected to last more*
21 *than five years.*

1 **SEC. 808. REPORT ON LINKING AND STREAMLINING RE-**
2 **QUIREMENTS, ACQUISITION, AND BUDGET**
3 **PROCESSES WITHIN ARMED FORCES.**

4 (a) *REPORTS.*—Not later than 180 days after the date
5 of the enactment of this Act, the Chief of Staff of the Army,
6 the Chief of Naval Operations, the Chief of Staff of the Air
7 Force, and the Commandant of the Marine Corps shall each
8 submit to the congressional defense committees a report on
9 efforts to link and streamline the requirements, acquisition,
10 and budget processes within the Army, Navy, Air Force,
11 and Marine Corps, respectively.

12 (b) *MATTERS INCLUDED.*—Each report under sub-
13 section (a) shall include the following:

14 (1) *A specific description of—*

15 (A) *the management actions the Chief con-*
16 *cerned or the Commandant has taken or plans to*
17 *take to link and streamline the requirements, ac-*
18 *quisition, and budget processes of the Armed*
19 *Force concerned;*

20 (B) *any reorganization or process changes*
21 *that will link and streamline the requirements,*
22 *acquisition, and budget processes of the Armed*
23 *Force concerned; and*

24 (C) *any cross-training or professional devel-*
25 *opment initiatives of the Chief concerned or the*
26 *Commandant.*

1 (2) *For each description under paragraph (1)—*

2 (A) *the specific timeline associated with im-*
3 *plementation;*

4 (B) *the anticipated outcomes once imple-*
5 *mented; and*

6 (C) *how to measure whether or not those*
7 *outcomes are realized.*

8 (3) *Any other matters the Chief concerned or the*
9 *Commandant considers appropriate.*

10 **SEC. 809. ADVISORY PANEL ON STREAMLINING AND CODI-**
11 **FYING ACQUISITION REGULATIONS.**

12 (a) *ESTABLISHMENT.*—*Not later than 180 days after*
13 *the date of the enactment of this Act, the Secretary of De-*
14 *fense shall establish under the sponsorship of the Defense*
15 *Acquisition University and the National Defense Univer-*
16 *sity an advisory panel on streamlining acquisition regula-*
17 *tions.*

18 (b) *MEMBERSHIP.*—*The panel shall be composed of at*
19 *least nine individuals who are recognized experts in acqui-*
20 *sition and procurement policy. In making appointments to*
21 *the advisory panel, the Under Secretary shall ensure that*
22 *the members of the panel reflect diverse experiences in the*
23 *public and private sectors.*

24 (c) *DUTIES.*—*The panel shall—*

1 (1) *review the acquisition regulations applicable*
2 *to the Department of Defense with a view toward*
3 *streamlining and improving the efficiency and effec-*
4 *tiveness of the defense acquisition process and main-*
5 *taining defense technology advantage; and*

6 (2) *make any recommendations for the amend-*
7 *ment or repeal of such regulations that the panel con-*
8 *siders necessary, as a result of such review, to—*

9 (A) *establish and administer appropriate*
10 *buyer and seller relationships in the procurement*
11 *system;*

12 (B) *improve the functioning of the acquisi-*
13 *tion system;*

14 (C) *ensure the continuing financial and eth-*
15 *ical integrity of defense procurement programs;*

16 (D) *protect the best interests of the Depart-*
17 *ment of Defense; and*

18 (E) *eliminate any regulations that are un-*
19 *necessary for the purposes described in subpara-*
20 *graphs (A) through (D).*

21 (d) *ADMINISTRATIVE MATTERS.—*

22 (1) *IN GENERAL.—The Secretary of Defense shall*
23 *provide the advisory panel established pursuant to*
24 *subsection (a) with timely access to appropriate infor-*
25 *mation, data, resources, and analysis so that the ad-*

1 *visory panel may conduct a thorough and inde-*
2 *pendent assessment as required under such subsection.*

3 (2) *INAPPLICABILITY OF FACA.*—*The require-*
4 *ments of the Federal Advisory Committee Act (5*
5 *U.S.C. App.) shall not apply to the advisory panel es-*
6 *tablished pursuant to subsection (a).*

7 (e) *REPORT.*—

8 (1) *PANEL REPORT.*—*Not later than two years*
9 *after the date on which the Secretary of Defense estab-*
10 *lishes the advisory panel, the panel shall transmit a*
11 *final report to the Secretary.*

12 (2) *ELEMENTS.*—*The final report shall contain a*
13 *detailed statement of the findings and conclusions of*
14 *the panel, including—*

15 (A) *a history of each current acquisition*
16 *regulation and a recommendation as to whether*
17 *the regulation and related law (if applicable)*
18 *should be retained, modified, or repealed; and*

19 (B) *such additional recommendations for*
20 *legislation as the panel considers appropriate.*

21 (3) *INTERIM REPORTS.*—(A) *Not later than 6*
22 *months and 18 months after the date of the enactment*
23 *of this Act, the Secretary of Defense shall submit a re-*
24 *port to or brief the congressional defense committees*

1 *on the interim findings of the panel with respect to*
 2 *the elements set forth in paragraph (2).*

3 *(B) The panel shall provide regular updates to*
 4 *the Secretary of Defense for purposes of providing the*
 5 *interim reports required under this paragraph.*

6 *(4) FINAL REPORT.—Not later than 30 days*
 7 *after receiving the final report of the advisory panel,*
 8 *the Secretary of Defense shall transmit the final re-*
 9 *port, together with such comments as the Secretary*
 10 *determines appropriate, to the congressional defense*
 11 *committees.*

12 *(f) DEFENSE ACQUISITION WORKFORCE DEVELOP-*
 13 *MENT FUND SUPPORT.—The Secretary of Defense may use*
 14 *amounts available in the Department of Defense Acquisi-*
 15 *tion Workforce Development Fund established under section*
 16 *1705 of title 10, United States Code, to support activities*
 17 *of the advisory panel under this section.*

18 **SEC. 810. REVIEW OF TIME-BASED REQUIREMENTS PROC-**
 19 **ESS AND BUDGETING AND ACQUISITION SYS-**
 20 **TEMS.**

21 *(a) TIME-BASED REQUIREMENTS PROCESS.—The Sec-*
 22 *retary of Defense and the Chairman of the Joint Chiefs of*
 23 *Staff shall review the requirements process with the goal*
 24 *of establishing an agile and streamlined system that devel-*
 25 *ops requirements that provide stability and foundational*

1 *direction for acquisition programs and shall determine the*
 2 *advisability of providing a time-based or phased distinction*
 3 *between capabilities needed to be deployed urgently, within*
 4 *2 years, within 5 years, and longer than 5 years.*

5 (b) *BUDGETING AND ACQUISITION SYSTEMS.—The*
 6 *Secretary of Defense shall review and ensure that the acqui-*
 7 *sition and budgeting systems are structured to meet time-*
 8 *based or phased requirements in a manner that is predict-*
 9 *able, cost effective, and efficient and takes advantage of*
 10 *emerging technological developments.*

11 ***Subtitle B—Amendments to General***
 12 ***Contracting Authorities, Proce-***
 13 ***dures, and Limitations***

14 ***SEC. 811. AMENDMENT RELATING TO MULTIYEAR CON-***
 15 ***TRACT AUTHORITY FOR ACQUISITION OF***
 16 ***PROPERTY.***

17 *Subsection (a)(1) and subsection (i)(4) of section*
 18 *2306b of title 10, United States Code, are each amended*
 19 *by striking “substantial” and inserting “significant”.*

20 ***SEC. 812. APPLICABILITY OF COST AND PRICING DATA AND***
 21 ***CERTIFICATION REQUIREMENTS.***

22 *Section 2306a(b)(1) of title 10, United States Code, is*
 23 *amended—*

24 (1) *in subparagraph (B), by striking “; or” and*
 25 *inserting a semicolon;*

1 (2) *in subparagraph (C), by striking the period*
2 *at the end and inserting “; or”; and*

3 (3) *by adding at the end the following new sub-*
4 *paragraph:*

5 “(D) *to the extent such data—*

6 “(i) *relates to an offset agreement in*
7 *connection with a contract for the sale of a*
8 *weapon system or defense-related item to a*
9 *foreign country or foreign firm; and*

10 “(ii) *does not relate to a contract or*
11 *subcontract under the offset agreement for*
12 *work performed in such foreign country or*
13 *by such foreign firm that is directly related*
14 *to the weapon system or defense-related item*
15 *being purchased under the contract.”.*

16 **SEC. 813. RIGHTS IN TECHNICAL DATA.**

17 (a) *RIGHTS IN TECHNICAL DATA RELATING TO MAJOR*
18 *WEAPON SYSTEMS.—Paragraph (2) of section 2321(f) of*
19 *title 10, United States Code, is amended to read as follows:*

20 “(2) *In the case of a challenge to a use or release re-*
21 *striction that is asserted with respect to technical data of*
22 *a contractor or subcontractor for a major system or a sub-*
23 *system or component thereof on the basis that the major*
24 *weapon system, subsystem, or component was developed ex-*
25 *clusively at private expense—*

1 “(A) the presumption in paragraph (1) shall
2 apply—

3 “(i) with regard to a commercial subsystem
4 or component of a major system, if the major
5 system was acquired as a commercial item in ac-
6 cordance with section 2379(a) of this title;

7 “(ii) with regard to a component of a sub-
8 system, if the subsystem was acquired as a com-
9 mercial item in accordance with section 2379(b)
10 of this title; and

11 “(iii) with regard to any other component,
12 if the component is a commercially available off-
13 the-shelf item or a commercially available off-
14 the-shelf item with modifications of a type cus-
15 tomarily available in the commercial market-
16 place or minor modifications made to meet Fed-
17 eral Government requirements; and

18 “(B) in all other cases, the challenge to the use
19 or release restriction shall be sustained unless infor-
20 mation provided by the contractor or subcontractor
21 demonstrates that the item was developed exclusively
22 at private expense.”.

23 (b) GOVERNMENT-INDUSTRY ADVISORY PANEL.—

24 (1) ESTABLISHMENT.—Not later than 90 days
25 after the date of the enactment of this Act, the Sec-

1 *retary of Defense, acting through the Under Secretary*
2 *of Defense for Acquisition, Technology, and Logistics,*
3 *shall establish a Government-industry advisory panel*
4 *for the purpose of reviewing sections 2320 and 2321*
5 *of title 10, United States Code, regarding rights in*
6 *technical data and the validation of proprietary data*
7 *restrictions and the regulations implementing such*
8 *sections, for the purpose of ensuring that such statu-*
9 *tory and regulatory requirements are best structured*
10 *to serve the interests of the taxpayers and the national*
11 *defense.*

12 (2) *MEMBERSHIP.—The panel shall be chaired*
13 *by an individual selected by the Under Secretary, and*
14 *the Under Secretary shall ensure that—*

15 (A) *the government members of the advisory*
16 *panel are knowledgeable about technical data*
17 *issues and appropriately represent the three*
18 *military departments, as well as the legal, acqui-*
19 *sition, logistics, and research and development*
20 *communities in the Department of Defense; and*

21 (B) *the private sector members of the advi-*
22 *sory panel include independent experts and indi-*
23 *viduals appropriately representative of the diver-*
24 *sity of interested parties, including large and*
25 *small businesses, traditional and non-traditional*

1 *government contractors, prime contractors and*
2 *subcontractors, suppliers of hardware and soft-*
3 *ware, and institutions of higher education.*

4 (3) *SCOPE OF REVIEW.*—*In conducting the re-*
5 *view required by paragraph (1), the advisory panel*
6 *shall give appropriate consideration to the following*
7 *factors:*

8 (A) *Ensuring that the Department of De-*
9 *fense does not pay more than once for the same*
10 *work.*

11 (B) *Ensuring that Department of Defense*
12 *contractors are appropriately rewarded for their*
13 *innovation and invention.*

14 (C) *Providing for cost-effective reprocure-*
15 *ment, sustainment, modification, and upgrades*
16 *to Department of Defense systems.*

17 (D) *Encouraging the private sector to invest*
18 *in new products, technologies, and processes rel-*
19 *evant to the missions of the Department of De-*
20 *fense.*

21 (E) *Ensuring that the Department of De-*
22 *fense has appropriate access to innovative prod-*
23 *ucts, technologies, and processes developed by the*
24 *private sector for commercial use.*

1 (4) *FINAL REPORT.*—Not later than September
2 30, 2016, the advisory panel shall submit its final re-
3 port and recommendations to the Secretary of De-
4 fense. Not later than 60 days after receiving the re-
5 port, the Secretary shall submit a copy of the report,
6 together with any comments or recommendations, to
7 the congressional defense committees.

8 **SEC. 814. PROCUREMENT OF SUPPLIES FOR EXPERIMENTAL**
9 **PURPOSES.**

10 (a) *ADDITIONAL PROCUREMENT AUTHORITY.*—Sub-
11 section (a) of section 2373 of title 10, United States Code,
12 is amended by inserting “transportation, energy, medical,
13 space-flight,” before “and aeronautical supplies”.

14 (b) *APPLICABILITY OF CHAPTER 137 OF TITLE 10,*
15 *UNITED STATES CODE.*—Subsection (b) of such section is
16 amended by striking “only when such purchases are made
17 in quantity” and inserting “only when such purchases are
18 made in quantities greater than necessary for experimen-
19 tation, technical evaluation, assessment of operational util-
20 ity, or safety or to provide a residual operational capa-
21 bility”.

22 **SEC. 815. AMENDMENTS TO OTHER TRANSACTION AUTHOR-**
23 **ITY.**

24 (a) *AUTHORITY OF THE DEPARTMENT OF DEFENSE*
25 *TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.*—

1 (1) *IN GENERAL.*—Chapter 139 of title 10,
2 *United States Code*, is amended by inserting after sec-
3 tion 2371a the following new section:

4 **“§2371b. Authority of the Department of Defense to**
5 **carry out certain prototype projects**

6 “(a) *AUTHORITY.*—(1) *Subject to paragraph (2), the*
7 *Director of the Defense Advanced Research Projects Agency,*
8 *the Secretary of a military department, or any other official*
9 *designated by the Secretary of Defense may, under the au-*
10 *thority of section 2371 of this title, carry out prototype*
11 *projects that are directly relevant to enhancing the mission*
12 *effectiveness of military personnel and the supporting plat-*
13 *forms, systems, components, or materials proposed to be ac-*
14 *quired or developed by the Department of Defense, or to im-*
15 *provement of platforms, systems, components, or materials*
16 *in use by the armed forces.*

17 “(2) *The authority of this section—*

18 “(A) *may be exercised for a prototype project*
19 *that is expected to cost the Department of Defense in*
20 *excess of \$50,000,000 but not in excess of*
21 *\$250,000,000 (including all options) only upon a*
22 *written determination by the senior procurement exec-*
23 *utive for the agency as designated for the purpose of*
24 *section 1702(c) of title 41, or, for the Defense Ad-*

1 *vanced Research Projects Agency or the Missile De-*
2 *fense Agency, the director of the agency that—*

3 *“(i) the requirements of subsection (d) will*
4 *be met; and*

5 *“(ii) the use of the authority of this section*
6 *is essential to promoting the success of the proto-*
7 *type project; and*

8 *“(B) may be exercised for a prototype project*
9 *that is expected to cost the Department of Defense in*
10 *excess of \$250,000,000 (including all options) only*
11 *if—*

12 *“(i) the Under Secretary of Defense for Ac-*
13 *quisition, Technology, and Logistics determines*
14 *in writing that—*

15 *“(I) the requirements of subsection (d)*
16 *will be met; and*

17 *“(II) the use of the authority of this*
18 *section is essential to meet critical national*
19 *security objectives; and*

20 *“(i) the congressional defense committees*
21 *are notified in writing at least 30 days before*
22 *such authority is exercised.*

23 *“(3) The authority of a senior procurement executive*
24 *or director of the Defense Advanced Research Projects Agen-*
25 *cy or Missile Defense Agency under paragraph (2)(A), and*

1 *the authority of the Under Secretary of Defense for Acquisi-*
2 *tion, Technology, and Logistics under paragraph (2)(B),*
3 *may not be delegated.*

4 “(b) *EXERCISE OF AUTHORITY.*—

5 “(1) *Subsections (e)(1)(B) and (e)(2) of such sec-*
6 *tion 2371 shall not apply to projects carried out*
7 *under subsection (a).*

8 “(2) *To the maximum extent practicable, com-*
9 *petitive procedures shall be used when entering into*
10 *agreements to carry out projects under subsection (a).*

11 “(c) *COMPTROLLER GENERAL ACCESS TO INFORMA-*
12 *TION.*—(1) *Each agreement entered into by an official re-*
13 *ferred to in subsection (a) to carry out a project under that*
14 *subsection that provides for payments in a total amount*
15 *in excess of \$5,000,000 shall include a clause that provides*
16 *for the Comptroller General, in the discretion of the Comp-*
17 *troller General, to examine the records of any party to the*
18 *agreement or any entity that participates in the perform-*
19 *ance of the agreement.*

20 “(2) *The requirement in paragraph (1) shall not apply*
21 *with respect to a party or entity, or a subordinate element*
22 *of a party or entity, that has not entered into any other*
23 *agreement that provides for audit access by a Government*
24 *entity in the year prior to the date of the agreement.*

1 “(3)(A) *The right provided to the Comptroller General*
2 *in a clause of an agreement under paragraph (1) is limited*
3 *as provided in subparagraph (B) in the case of a party*
4 *to the agreement, an entity that participates in the per-*
5 *formance of the agreement, or a subordinate element of that*
6 *party or entity if the only agreements or other transactions*
7 *that the party, entity, or subordinate element entered into*
8 *with Government entities in the year prior to the date of*
9 *that agreement are cooperative agreements or transactions*
10 *that were entered into under this section or section 2371*
11 *of this title.*

12 “(B) *The only records of a party, other entity, or sub-*
13 *ordinate element referred to in subparagraph (A) that the*
14 *Comptroller General may examine in the exercise of the*
15 *right referred to in that subparagraph are records of the*
16 *same type as the records that the Government has had the*
17 *right to examine under the audit access clauses of the pre-*
18 *vious agreements or transactions referred to in such sub-*
19 *paragraph that were entered into by that particular party,*
20 *entity, or subordinate element.*

21 “(4) *The head of the contracting activity that is car-*
22 *rying out the agreement may waive the applicability of the*
23 *requirement in paragraph (1) to the agreement if the head*
24 *of the contracting activity determines that it would not be*
25 *in the public interest to apply the requirement to the agree-*

1 *ment. The waiver shall be effective with respect to the agree-*
2 *ment only if the head of the contracting activity transmits*
3 *a notification of the waiver to Congress and the Comptroller*
4 *General before entering into the agreement. The notification*
5 *shall include the rationale for the determination.*

6 “(5) *The Comptroller General may not examine*
7 *records pursuant to a clause included in an agreement*
8 *under paragraph (1) more than three years after the final*
9 *payment is made by the United States under the agreement.*

10 “(d) *APPROPRIATE USE OF AUTHORITY.—(1) The Sec-*
11 *retary of Defense shall ensure that no official of an agency*
12 *enters into a transaction (other than a contract, grant, or*
13 *cooperative agreement) for a prototype project under the au-*
14 *thority of this section unless one of the following conditions*
15 *is met:*

16 “(A) *There is at least one nontraditional defense*
17 *contractor participating to a significant extent in the*
18 *prototype project.*

19 “(B) *All significant participants in the trans-*
20 *action other than the Federal Government are small*
21 *businesses or nontraditional defense contractors.*

22 “(C) *At least one third of the total cost of the*
23 *prototype project is to be paid out of funds provided*
24 *by parties to the transaction other than the Federal*
25 *Government.*

1 “(D) *The senior procurement executive for the*
2 *agency determines in writing that exceptional cir-*
3 *cumstances justify the use of a transaction that pro-*
4 *vides for innovative business arrangements or struc-*
5 *tures that would not be feasible or appropriate under*
6 *a contract, or would provide an opportunity to ex-*
7 *pend the defense supply base in a manner that would*
8 *not be practical or feasible under a contract.*

9 “(2)(A) *Except as provided in subparagraph (B), the*
10 *amounts counted for the purposes of this subsection as being*
11 *provided, or to be provided, by a party to a transaction*
12 *with respect to a prototype project that is entered into*
13 *under this section other than the Federal Government do*
14 *not include costs that were incurred before the date on which*
15 *the transaction becomes effective.*

16 “(B) *Costs that were incurred for a prototype project*
17 *by a party after the beginning of negotiations resulting in*
18 *a transaction (other than a contract, grant, or cooperative*
19 *agreement) with respect to the project before the date on*
20 *which the transaction becomes effective may be counted for*
21 *purposes of this subsection as being provided, or to be pro-*
22 *vided, by the party to the transaction if and to the extent*
23 *that the official responsible for entering into the transaction*
24 *determines in writing that—*

1 “(i) the party incurred the costs in anticipation
2 of entering into the transaction; and

3 “(ii) it was appropriate for the party to incur
4 the costs before the transaction became effective in
5 order to ensure the successful implementation of the
6 transaction.

7 “(e) *DEFINITIONS.*—In this section:

8 “(1) The term ‘nontraditional defense contractor’
9 has the meaning given the term under section 2302(9)
10 of this title.

11 “(2) The term ‘small business’ means a small
12 business concern as defined under section 3 of the
13 *Small Business Act* (15 U.S.C. 632).

14 “(f) *FOLLOW-ON PRODUCTION CONTRACTS OR TRANS-*
15 *ACTIONS.*—(1) A transaction entered into under this section
16 for a prototype project may provide for the award of a fol-
17 low-on production contract or transaction to the partici-
18 pants in the transaction.

19 “(2) A follow-on production contract or transaction
20 provided for in a transaction under paragraph (1) may be
21 awarded to the participants in the transaction without the
22 use of competitive procedures, notwithstanding the require-
23 ments of section 2304 of this title, if—

1 “(A) *competitive procedures were used for the se-*
2 *lection of parties for participation in the transaction;*
3 *and*

4 “(B) *the participants in the transaction success-*
5 *fully completed the prototype project provided for in*
6 *the transaction.*

7 “(3) *Contracts and transactions entered into pursuant*
8 *to this subsection may be awarded using the authority in*
9 *subsection (a), under the authority of chapter 137 of this*
10 *title, or under such procedures, terms, and conditions as*
11 *the Secretary of Defense may establish by regulation.*

12 “(g) *AUTHORITY TO PROVIDE PROTOTYPES AND FOL-*
13 *LOW-ON PRODUCTION ITEMS AS GOVERNMENT-FURNISHED*
14 *EQUIPMENT.—An agreement entered into pursuant to the*
15 *authority of subsection (a) or a follow-on contract or trans-*
16 *action entered into pursuant to the authority of subsection*
17 *(f) may provide for prototypes or follow-on production*
18 *items to be provided to another contractor as Government-*
19 *furnished equipment.*

20 “(h) *APPLICABILITY OF PROCUREMENT ETHICS RE-*
21 *QUIREMENTS.—An agreement entered into under the au-*
22 *thority of this section shall be treated as a Federal agency*
23 *procurement for the purposes of chapter 21 of title 41.”.*

24 “(2) *CLERICAL AMENDMENT.—The table of sec-*
25 *tions at the beginning of chapter 139 of such title is*

1 *amended by inserting after the item relating to sec-*
2 *tion 2371a the following new item:*

 “2371b. Authority of the Department of Defense to carry out certain prototype
 projects.”.

3 (b) *MODIFICATION TO DEFINITION OF NONTRADI-*
4 *TIONAL DEFENSE CONTRACTOR.*—Section 2302(9) of such
5 *title is amended to read as follows:*

6 “(9) *The term ‘nontraditional defense con-*
7 *tractor’, with respect to a procurement or with respect*
8 *to a transaction authorized under section 2371(a) or*
9 *2371b of this title, means an entity that is not cur-*
10 *rently performing and has not performed, for at least*
11 *the one-year period preceding the solicitation of*
12 *sources by the Department of Defense for the procure-*
13 *ment or transaction, any contract or subcontract for*
14 *the Department of Defense that is subject to full cov-*
15 *erage under the cost accounting standards prescribed*
16 *pursuant to section 1502 of title 41 and the regula-*
17 *tions implementing such section.”.*

18 (c) *REPEAL OF OBSOLETE AUTHORITY.*—Section 845
19 *of the National Defense Authorization Act for Fiscal Year*
20 *1994 (Public Law 103–160; 10 U.S.C. 2371 note) is hereby*
21 *repealed. Transactions entered into under the authority of*
22 *such section 845 shall remain in force and effect and shall*
23 *be modified as appropriate to reflect the amendments made*
24 *by this section.*

1 (d) *TECHNICAL AND CONFORMING AMENDMENT.*—
2 *Subparagraph (B) of section 1601(c)(1) of the National De-*
3 *fense Authorization Act for Fiscal Year 2004 (Public Law*
4 *108–136; 10 U.S.C. 2358 note) is amended to read as fol-*
5 *lows:*

6 “(B) *sections 2371 and 2371b of title 10, United*
7 *States Code.*”.

8 (e) *UPDATED GUIDANCE.*—*Not later than 180 days*
9 *after the date of the enactment of this Act, the Secretary*
10 *of Defense shall issue updated guidance to implement the*
11 *amendments made by this section.*

12 (f) *ASSESSMENT REQUIRED.*—*Not later than 180 days*
13 *after the date of the enactment of this Act, the Secretary*
14 *of Defense shall submit to the congressional defense commit-*
15 *tees an assessment of—*

16 (1) *the benefits and risks of permitting not-for-*
17 *profit defense contractors to be awarded transaction*
18 *agreements under section 2371b of title 10, United*
19 *States Code, for the purposes of cost-sharing require-*
20 *ments of subsection (d)(1)(C) of such section; and*

21 (2) *the benefits and risks of removing the cost-*
22 *sharing requirements of subsection (d)(1)(C) of such*
23 *section in their entirety.*

1 **SEC. 816. AMENDMENT TO ACQUISITION THRESHOLD FOR**
2 **SPECIAL EMERGENCY PROCUREMENT AU-**
3 **THORITY.**

4 *Section 1903(b)(2) of title 41, United States Code, is*
5 *amended—*

6 *(1) in subparagraph (A), by striking “\$250,000”*
7 *and inserting “\$750,000”; and*

8 *(2) in subparagraph (B), by striking*
9 *“\$1,000,000” and inserting “\$1,500,000”.*

10 **SEC. 817. REVISION OF METHOD OF ROUNDING WHEN MAK-**
11 **ING INFLATION ADJUSTMENT OF ACQUISI-**
12 **TION-RELATED DOLLAR THRESHOLDS.**

13 *Section 1908(e)(2) of title 41, United States Code, is*
14 *amended—*

15 *(1) in the matter preceding subparagraph (A),*
16 *by striking “on the day before the adjustment” and*
17 *inserting “as calculated under paragraph (1)”;*

18 *(2) by striking “and” at the end of subpara-*
19 *graph (C); and*

20 *(3) by striking subparagraph (D) and inserting*
21 *the following new subparagraphs:*

22 *“(D) not less than \$1,000,000, but less than*
23 *\$10,000,000, to the nearest \$500,000;*

24 *“(E) not less than \$10,000,000, but less*
25 *than \$100,000,000, to the nearest \$5,000,000;*

1 “(F) not less than \$100,000,000, but less
2 than \$1,000,000,000, to the nearest \$50,000,000;
3 and

4 “(G) \$1,000,000,000 or more, to the nearest
5 \$500,000,000.”.

6 ***Subtitle C—Provisions Related to***
7 ***Major Defense Acquisition Pro-***
8 ***grams***

9 ***SEC. 821. ACQUISITION STRATEGY REQUIRED FOR EACH***
10 ***MAJOR DEFENSE ACQUISITION PROGRAM,***
11 ***MAJOR AUTOMATED INFORMATION SYSTEM,***
12 ***AND MAJOR SYSTEM.***

13 *(a) CONSOLIDATION OF REQUIREMENTS RELATING TO*
14 *ACQUISITION STRATEGY.—*

15 *(1) NEW TITLE 10 SECTION.—Chapter 144 of*
16 *title 10, United States Code, is amended by inserting*
17 *after section 2431 the following new section:*

18 ***“§2431a. Acquisition strategy***

19 *“(a) ACQUISITION STRATEGY REQUIRED.—There shall*
20 *be an acquisition strategy for each major defense acquisi-*
21 *tion program, each major automated information system,*
22 *and each major system approved by a milestone decision*
23 *authority.*

24 *“(b) RESPONSIBLE OFFICIAL.—For each acquisition*
25 *strategy required by subsection (a), the Under Secretary of*

1 *Defense for Acquisition, Technology, and Logistics is re-*
2 *sponsible for issuing and maintaining the requirements*
3 *for—*

4 “(1) *the content of the strategy; and*

5 “(2) *the review and approval process for the*
6 *strategy.*

7 “(c) *CONSIDERATIONS.—(1) In issuing requirements*
8 *for the content of an acquisition strategy for a major defense*
9 *acquisition program, major automated information system,*
10 *or major system, the Under Secretary shall ensure that—*

11 “(A) *the strategy clearly describes the proposed*
12 *top-level business and technical management ap-*
13 *proach for the program or system, in sufficient detail*
14 *to allow the milestone decision authority to assess the*
15 *viability of the proposed approach, the method of im-*
16 *plementing laws and policies, and program objectives;*

17 “(B) *the strategy contains a clear explanation of*
18 *how the strategy is designed to be implemented with*
19 *available resources, such as time, funding, and man-*
20 *agement capacity;*

21 “(C) *the strategy is tailored to address program*
22 *requirements and constraints; and*

23 “(D) *the strategy considers the items listed in*
24 *paragraph (2).*

1 “(2) *Each strategy shall, where appropriate, consider*
2 *the following:*

3 “(A) *An approach that delivers required capa-*
4 *bility in increments, each depending on available ma-*
5 *ture technology, and that recognizes up front the need*
6 *for future capability improvements.*

7 “(B) *Acquisition approach, including industrial*
8 *base considerations in accordance with section 2440*
9 *of this title.*

10 “(C) *Risk management, including such methods*
11 *as competitive prototyping at the system, subsystem,*
12 *or component level, in accordance with section 2431b*
13 *of this title.*

14 “(D) *Business strategy, including measures to*
15 *ensure competition at the system and subsystem level*
16 *throughout the life-cycle of the program or system in*
17 *accordance with section 2337 of this title.*

18 “(E) *Contracting strategy, including—*

19 “(i) *contract type and how the type selected*
20 *relates to level of program risk in each acquisi-*
21 *tion phase;*

22 “(ii) *how the plans for the program or sys-*
23 *tem to reduce risk enable the use of fixed-price*
24 *elements in subsequent contracts and the timing*
25 *of the use of those fixed price elements;*

1 “(iii) market research; and

2 “(iv) consideration of small business par-
3 ticipation.

4 “(F) Intellectual property strategy in accordance
5 with section 2320 of this title.

6 “(G) International involvement, including for-
7 eign military sales and cooperative opportunities, in
8 accordance with section 2350a of this title.

9 “(H) Multiyear procurement in accordance with
10 section 2306b of this title.

11 “(I) Integration of current intelligence assess-
12 ments into the acquisition process.

13 “(J) Requirements related to logistics, mainte-
14 nance, and sustainment in accordance with sections
15 2464 and 2466 of this title.

16 “(d) REVIEW.—(1) Subject to the authority, direction,
17 and control of the Under Secretary of Defense for Acquisi-
18 tion, Technology, and Logistics, the milestone decision au-
19 thority shall review and approve, as appropriate, the acqui-
20 sition strategy for a major defense acquisition program,
21 major automated information system, or major system at
22 each of the following times:

23 “(A) Milestone A approval.

1 “(B) *The decision to release the request for*
2 *proposals for development of the program or sys-*
3 *tem.*

4 “(C) *Milestone B approval.*

5 “(D) *Each subsequent milestone.*

6 “(E) *Review of any decision to enter into*
7 *full-rate production.*

8 “(F) *When there has been—*

9 “(i) *a significant change to the cost of*
10 *the program or system;*

11 “(ii) *a critical change to the cost of the*
12 *program or system;*

13 “(iii) *a significant change to the sched-*
14 *ule of the program or system; or*

15 “(iv) *a significant change to the per-*
16 *formance of the program or system.*

17 “(G) *Any other time considered relevant by*
18 *the milestone decision authority.*

19 “(2) *If the milestone decision authority revises an ac-*
20 *quisition strategy for a program or system, the milestone*
21 *decision authority shall provide notice of the revision to the*
22 *congressional defense committees.*

23 “(e) *DEFINITIONS.—In this section:*

1 “(1) *The term ‘major defense acquisition pro-*
2 *gram’ has the meaning provided in section 2430 of*
3 *this title.*

4 “(2) *The term ‘major system’ has the meaning*
5 *provided in section 2302(5) of this title.*

6 “(3) *The term ‘Milestone A approval’ means a*
7 *decision to enter into technology maturation and risk*
8 *reduction pursuant to guidance prescribed by the Sec-*
9 *retary of Defense for the management of Department*
10 *of Defense acquisition programs.*

11 “(4) *The term ‘Milestone B approval’ has the*
12 *meaning provided in section 2366(e)(7) of this title.*

13 “(5) *The term ‘milestone decision authority’,*
14 *with respect to a major defense acquisition program,*
15 *major automated information system, or major sys-*
16 *tem, means the official within the Department of De-*
17 *fense designated with the overall responsibility and*
18 *authority for acquisition decisions for the program or*
19 *system, including authority to approve entry of the*
20 *program or system into the next phase of the acquisi-*
21 *tion process.*

22 “(6) *The term ‘management capacity’, with re-*
23 *spect to a major defense acquisition program, major*
24 *automated information system, or major system,*
25 *means the capacity to manage the program or system*

1 *through the use of highly qualified organizations and*
2 *personnel with appropriate experience, knowledge,*
3 *and skills.*

4 “(7) *The term ‘significant change to the cost’,*
5 *with respect to a major defense acquisition program*
6 *or major system, means a significant cost growth*
7 *threshold, as that term is defined in section*
8 *2433(a)(4) of this title.*

9 “(8) *The term ‘critical change to the cost’, with*
10 *respect to a major defense acquisition program or*
11 *major system, means a critical cost growth threshold,*
12 *as that term is defined in section 2433(a)(5) of this*
13 *title.*

14 “(9) *The term ‘significant change to the sched-*
15 *ule’, with respect to a major defense acquisition pro-*
16 *gram, major automated information system, or major*
17 *system, means any schedule delay greater than six*
18 *months in a reported event.”.*

19 (2) *CLERICAL AMENDMENT.—The table of sec-*
20 *tions at the beginning of such chapter is amended by*
21 *inserting after the item relating to section 2431 the*
22 *following new item:*

“2431a. Acquisition strategy.”.

23 (b) *ADDITIONAL AMENDMENTS.—*

24 (1) *Section 2350a(e) of such title is amended—*

1 (A) in the subsection heading, by striking
2 “DOCUMENT”;

3 (B) in paragraph (1), by striking “the
4 Under Secretary of Defense for” and all that fol-
5 lows through “of the Board” and inserting “op-
6 portunities for such cooperative research and de-
7 velopment shall be addressed in the acquisition
8 strategy for the project”; and

9 (C) in paragraph (2)—

10 (i) in the matter preceding subpara-
11 graph (A)—

12 (I) by striking “document” and
13 inserting “discussion”; and

14 (II) by striking “include” and in-
15 serting “consider”;

16 (ii) in subparagraph (A), by striking
17 “A statement indicating whether” and in-
18 serting “Whether”;

19 (iii) in subparagraph (B)—

20 (I) by striking “by the Under Sec-
21 retary of Defense for Acquisition, Tech-
22 nology, and Logistics”; and

23 (II) by striking “of the United
24 States under consideration by the De-
25 partment of Defense”; and

1 (iv) in subparagraph (D), by striking
 2 “The recommendation of the Under Sec-
 3 retary” and inserting “A recommendation
 4 to the milestone decision authority”.

5 (2) Section 803 of the Bob Stump National De-
 6 fense Authorization Act for Fiscal Year 2003 (Public
 7 Law 107–314; 10 U.S.C. 2430 note) is repealed.

8 **SEC. 822. REVISION TO REQUIREMENTS RELATING TO RISK**
 9 **MANAGEMENT IN DEVELOPMENT OF MAJOR**
 10 **DEFENSE ACQUISITION PROGRAMS AND**
 11 **MAJOR SYSTEMS.**

12 (a) *RISK MANAGEMENT AND MITIGATION REQUIRE-*
 13 *MENTS.—*

14 (1) *IN GENERAL.—*Chapter 144 of title 10,
 15 *United States Code*, is amended by inserting after sec-
 16 tion 2431a (as added by section 821) the following
 17 new section:

18 **“§2431b. Risk management and mitigation in major**
 19 **defense acquisition programs and major**
 20 **systems**

21 “(a) *REQUIREMENT.—*The Secretary of Defense shall
 22 ensure that the initial acquisition strategy (required under
 23 section 2431a of this title) approved by the milestone deci-
 24 sion authority and any subsequent revisions include the fol-
 25 lowing:

1 “(1) *A comprehensive approach for managing*
2 *and mitigating risk (including technical, cost, and*
3 *schedule risk) during each of the following periods or*
4 *when determined appropriate by the milestone deci-*
5 *sion authority:*

6 “(A) *The period preceding engineering*
7 *manufacturing development, or its equivalent.*

8 “(B) *The period preceding initial produc-*
9 *tion.*

10 “(C) *The period preceding full-rate produc-*
11 *tion.*

12 “(2) *An identification of the major sources of*
13 *risk in each of the periods listed in paragraph (1) to*
14 *improve programmatic decisionmaking and appro-*
15 *priately minimize and manage program concurrency.*

16 “(b) *APPROACH TO MANAGE AND MITIGATE RISKS.—*
17 *The comprehensive approach to manage and mitigate risk*
18 *included in the acquisition strategy for purposes of sub-*
19 *section (a)(1) shall, at a minimum, include consideration*
20 *of risk mitigation techniques such as the following:*

21 “(1) *Prototyping (including prototyping at the*
22 *system, subsystem, or component level and competi-*
23 *tive prototyping, where appropriate) and, if proto-*
24 *typing at either the system, subsystem, or component*

1 *level is not used, an explanation of why it is not ap-*
2 *propriate.*

3 *“(2) Modeling and simulation, the areas that*
4 *modeling and simulation will assess, and identifica-*
5 *tion of the need for development of any new modeling*
6 *and simulation tools in order to support the com-*
7 *prehensive strategy.*

8 *“(3) Technology demonstrations and decision*
9 *points for disciplined transition of planned tech-*
10 *nologies into programs or the selection of alternative*
11 *technologies.*

12 *“(4) Multiple design approaches.*

13 *“(5) Alternative designs, including any designs*
14 *that meet requirements but do so with reduced per-*
15 *formance.*

16 *“(6) Phasing of program activities or related*
17 *technology development efforts in order to address*
18 *high-risk areas as early as feasible.*

19 *“(7) Manufacturability and industrial base*
20 *availability.*

21 *“(8) Independent risk element assessments by*
22 *outside subject matter experts.*

23 *“(9) Schedule and funding margins for identi-*
24 *fied risks.*

1 “(c) *PREFERENCE FOR PROTOTYPING.*—To the max-
2 *imum extent practicable and consistent with the economical*
3 *use of available financial resources, the milestone decision*
4 *authority for each major defense acquisition program shall*
5 *ensure that the acquisition strategy for the program pro-*
6 *vides for—*

7 “(1) *the production of competitive prototypes at*
8 *the system or subsystem level before Milestone B ap-*
9 *proval; or*

10 “(2) *if the production of competitive prototypes*
11 *is not practicable, the production of single prototypes*
12 *at the system or subsystem level.*

13 “(d) *DEFINITIONS.*—In this section, the terms ‘major
14 *defense acquisition program*’ and ‘major system’ have the
15 *meanings provided in section 2431a of this title.*”.

16 (2) *CLERICAL AMENDMENT.*—The table of sec-
17 *tions at the beginning of such chapter is amended by*
18 *inserting after the item relating to section 2431a, as*
19 *so added, the following new item:*

“2431b. *Risk reduction in major defense acquisition programs and major sys-*
tems.”.

20 (b) *REPEAL OF SUPERSEDED PROVISION.*—Section
21 *203 of the Weapon Systems Acquisition Reform Act of 2009*
22 *(10 U.S.C. 2430 note) is repealed.*

1 **SEC. 823. REVISION OF MILESTONE A DECISION AUTHORITY**
2 **RESPONSIBILITIES FOR MAJOR DEFENSE AC-**
3 **QUISITION PROGRAMS.**

4 (a) *REVISION TO MILESTONE A REQUIREMENTS.*—Sec-
5 tion 2366a of title 10, United States Code, is amended to
6 read as follows:

7 “§2366a. **Major defense acquisition programs: deter-**
8 **mination required before Milestone A ap-**
9 **proval**

10 “(a) *RESPONSIBILITIES.*—Before granting Milestone A
11 approval for a major defense acquisition program or a
12 major subprogram, the milestone decision authority for the
13 program or subprogram shall ensure that—

14 “(1) information about the program or subpro-
15 gram is sufficient to warrant entry of the program or
16 subprogram into the risk reduction phase;

17 “(2) the Secretary of the military department
18 concerned and the Chief of the armed force concerned
19 concur in the cost, schedule, technical feasibility, and
20 performance trade-offs that have been made with re-
21 gard to the program; and

22 “(3) there are sound plans for progression of the
23 program or subprogram to the development phase.

24 “(b) *WRITTEN DETERMINATION REQUIRED.*—A major
25 defense acquisition program or subprogram may not receive
26 Milestone A approval or otherwise be initiated prior to

1 *Milestone B approval until the milestone decision authority*
2 *determines in writing, after consultation with the Joint Re-*
3 *quirements Oversight Council on matters related to pro-*
4 *gram requirements and military needs—*

5 “(1) *that the program fulfills an approved ini-*
6 *tial capabilities document;*

7 “(2) *that the program has been developed in*
8 *light of appropriate market research;*

9 “(3) *if the program duplicates a capability al-*
10 *ready provided by an existing system, the duplication*
11 *provided by such program is necessary and appro-*
12 *priate;*

13 “(4) *that, with respect to any identified areas of*
14 *risk, there is a plan to reduce the risk;*

15 “(5) *that planning for sustainment has been ad-*
16 *dressed and that a determination of applicability of*
17 *core logistics capabilities requirements has been made;*

18 “(6) *that an analysis of alternatives has been*
19 *performed consistent with study guidance developed*
20 *by the Director of Cost Assessment and Program*
21 *Evaluation;*

22 “(7) *that a cost estimate for the program has*
23 *been submitted, with the concurrence of the Director*
24 *of Cost Assessment and Program Evaluation, and*
25 *that the level of resources required to develop, procure,*

1 *and sustain the program is sufficient for successful*
2 *program execution; and*

3 “(8) *that the program or subprogram meets any*
4 *other considerations the milestone decision authority*
5 *considers relevant.*

6 “(c) *SUBMISSION TO CONGRESS.—At the request of*
7 *any of the congressional defense committees, the Secretary*
8 *of Defense shall submit to the committee an explanation of*
9 *the basis for a determination made under subsection (b)*
10 *with respect to a major defense acquisition program, to-*
11 *gether with a copy of the written determination. The expla-*
12 *nation shall be submitted in unclassified form, but may in-*
13 *clude a classified annex.*

14 “(d) *DEFINITIONS.—In this section:*

15 “(1) *The term ‘major defense acquisition pro-*
16 *gram’ has the meaning provided in section 2430 of*
17 *this title.*

18 “(2) *The term ‘initial capabilities document’*
19 *means any capabilities requirement document ap-*
20 *proved by the Joint Requirements Oversight Council*
21 *that establishes the need for a materiel approach to*
22 *resolve a capability gap.*

23 “(3) *The term ‘Milestone A approval’ means a*
24 *decision to enter into technology maturation and risk*
25 *reduction pursuant to guidance prescribed by the Sec-*

1 *retary of Defense for the management of Department*
2 *of Defense acquisition programs.*

3 “(4) *The term ‘Milestone B approval’ has the*
4 *meaning provided that term in section 2366(e)(7) of*
5 *this title.*

6 “(5) *The term ‘core logistics capabilities’ means*
7 *the core logistics capabilities identified under section*
8 *2464(a) of this title.*

9 “(6) *the term ‘major subprogram’ means a major*
10 *subprogram of a major defense acquisition program*
11 *designated under section 2430a(a)(1) of this title.*

12 “(7) *The term ‘milestone decision authority’,*
13 *with respect to a major defense acquisition program*
14 *or a major subprogram, means the official within the*
15 *Department of Defense designated with the overall re-*
16 *sponsibility and authority for acquisition decisions*
17 *for the program or subprogram, including authority*
18 *to approve entry of the program or subprogram into*
19 *the next phase of the acquisition process.”.*

20 (b) *CLERICAL AMENDMENT.—The table of sections at*
21 *the beginning of chapter 139 of such title is amended by*
22 *striking the item relating to section 2366a and inserting*
23 *the following:*

 “2366a. *Major defense acquisition programs: determination required before Mile-*
 stone A approval.”.

1 **SEC. 824. REVISION OF MILESTONE B DECISION AUTHORITY**
2 **RESPONSIBILITIES FOR MAJOR DEFENSE AC-**
3 **QUISITION PROGRAMS.**

4 (a) *REVISION TO MILESTONE B REQUIREMENTS.*—
5 *Section 2366b of title 10, United States Code, is amended*
6 *to read as follows:*

7 **“§ 2366b. Major defense acquisition programs: certifi-**
8 **cation required before Milestone B ap-**
9 **proval**

10 *“(a) CERTIFICATIONS AND DETERMINATION RE-*
11 *QUIRED.—A major defense acquisition program may not*
12 *receive Milestone B approval until the milestone decision*
13 *authority—*

14 *“(1) has received a preliminary design review*
15 *and conducted a formal post-preliminary design re-*
16 *view assessment, and certifies on the basis of such as-*
17 *essment that the program demonstrates a high likeli-*
18 *hood of accomplishing its intended mission;*

19 *“(2) further certifies that the technology in the*
20 *program has been demonstrated in a relevant envi-*
21 *ronment, as determined by the milestone decision au-*
22 *thority on the basis of an independent review and as-*
23 *essment by the Assistant Secretary of Defense for Re-*
24 *search and Engineering, in consultation with the*
25 *Deputy Assistant Secretary of Defense for Develop-*
26 *mental Test and Evaluation;*

1 “(3) determines in writing that—

2 “(A) the program is affordable when consid-
3 ering the ability of the Department of Defense to
4 accomplish the program’s mission using alter-
5 native systems;

6 “(B) appropriate trade-offs among cost,
7 schedule, technical feasibility, and performance
8 objectives have been made to ensure that the pro-
9 gram is affordable when considering the per unit
10 cost and the total acquisition cost in the context
11 of the total resources available during the period
12 covered by the future-years defense program sub-
13 mitted during the fiscal year in which the cer-
14 tification is made;

15 “(C) reasonable cost and schedule estimates
16 have been developed to execute, with the concur-
17 rence of the Director of Cost Assessment and Pro-
18 gram Evaluation, the product development and
19 production plan under the program; and

20 “(D) funding is available to execute the
21 product development and production plan under
22 the program, through the period covered by the
23 future-years defense program submitted during
24 the fiscal year in which the certification is made,

1 *consistent with the estimates described in sub-*
2 *paragraph (C) for the program;*

3 *“(E) appropriate market research has been*
4 *conducted prior to technology development to re-*
5 *duce duplication of existing technology and*
6 *products;*

7 *“(F) the Department of Defense has com-*
8 *pleted an analysis of alternatives with respect to*
9 *the program;*

10 *“(G) the Joint Requirements Oversight*
11 *Council has accomplished its duties with respect*
12 *to the program pursuant to section 181(b) of this*
13 *title, including an analysis of the operational re-*
14 *quirements for the program;*

15 *“(H) life-cycle sustainment planning, in-*
16 *cluding corrosion prevention and mitigation*
17 *planning, has identified and evaluated relevant*
18 *sustainment costs throughout development, pro-*
19 *duction, operation, sustainment, and disposal of*
20 *the program, and any alternatives, and that*
21 *such costs are reasonable and have been accu-*
22 *rately estimated;*

23 *“(I) an estimate has been made of the re-*
24 *quirements for core logistics capabilities and the*

1 *associated sustaining workloads required to sup-*
2 *port such requirements;*

3 *“(J) there is a plan to mitigate and account*
4 *for any costs in connection with any anticipated*
5 *de-certification of cryptographic systems and*
6 *components during the production and procure-*
7 *ment of the major defense acquisition program to*
8 *be acquired;*

9 *“(K) the program complies with all relevant*
10 *policies, regulations, and directives of the De-*
11 *partment of Defense; and*

12 *“(L) the Secretary of the military depart-*
13 *ment concerned and the Chief of the armed force*
14 *concerned concur in the trade-offs made in ac-*
15 *cordance with subparagraph (B); and*

16 *“(4) in the case of a space system, performs a*
17 *cost benefit analysis for any new or follow-on satellite*
18 *system using a dedicated ground control system in-*
19 *stead of a shared ground control system, except that*
20 *no cost benefit analysis is required to be performed*
21 *under this paragraph for any Milestone B approval*
22 *of a space system after December 31, 2019.*

23 *“(b) CHANGES TO CERTIFICATIONS OR DETERMINA-*
24 *TION.—(1) The program manager for a major defense ac-*
25 *quisition program that has received certifications or a de-*

1 *termination under subsection (a) shall immediately notify*
2 *the milestone decision authority of any changes to the pro-*
3 *gram or a designated major subprogram of such program*
4 *that—*

5 “(A) *alter the substantive basis for the certifi-*
6 *cations or determination of the milestone decision au-*
7 *thority relating to any component of such certifi-*
8 *cations or determination specified in paragraph (1),*
9 *(2), or (3) of subsection (a); or*

10 “(B) *otherwise cause the program or subprogram*
11 *to deviate significantly from the material provided to*
12 *the milestone decision authority in support of such*
13 *certifications or determination.*

14 “(2) *Upon receipt of information under paragraph (1),*
15 *the milestone decision authority may withdraw the certifi-*
16 *cations or determination concerned or rescind Milestone B*
17 *approval if the milestone decision authority determines that*
18 *such certifications, determination, or approval are no*
19 *longer valid.*

20 “(c) *SUBMISSION TO CONGRESS.—(1) The certifi-*
21 *cations and determination under subsection (a) with respect*
22 *to a major defense acquisition program shall be submitted*
23 *to the congressional defense committees with the first Se-*
24 *lected Acquisition Report submitted under section 2432 of*
25 *this title after completion of the certification.*

1 “(2) *The milestone decision authority shall retain*
2 *records of the basis for the certifications and determination*
3 *under paragraphs (1), (2), and (3) of subsection (a).*

4 “(3) *At the request of any of the congressional defense*
5 *committees, the Secretary of Defense shall submit to the*
6 *committee an explanation of the basis for the certifications*
7 *and determination under paragraphs (1), (2), and (3) of*
8 *subsection (a) with respect to a major defense acquisition*
9 *program. The explanation shall be submitted in unclassified*
10 *form, but may include a classified annex.*

11 “(d) *WAIVER FOR NATIONAL SECURITY.—(1) The*
12 *milestone decision authority may, at the time of Milestone*
13 *B approval or at the time that such milestone decision au-*
14 *thority withdraws a certification or rescinds Milestone B*
15 *approval pursuant to subsection (b)(2), waive the applica-*
16 *bility to a major defense acquisition program of one or more*
17 *components (as specified in paragraph (1), (2), or (3) of*
18 *subsection (a)) of the certification and determination re-*
19 *quirements if the milestone decision authority determines*
20 *that, but for such a waiver, the Department would be unable*
21 *to meet critical national security objectives.*

22 “(2) *Whenever the milestone decision authority makes*
23 *such a determination and authorizes such a waiver—*

24 “(A) *the waiver, the waiver determination, and*
25 *the reasons for the waiver determination shall be sub-*

1 *mitted in writing to the congressional defense com-*
2 *mittees within 30 days after the waiver is authorized;*
3 *and*

4 *“(B) the milestone decision authority shall re-*
5 *view the program not less often than annually to de-*
6 *termine the extent to which such program currently*
7 *satisfies the certification and determination compo-*
8 *nents specified in paragraphs (1), (2), and (3) of sub-*
9 *section (a) until such time as the milestone decision*
10 *authority determines that the program satisfies all*
11 *such certification and determination components.*

12 *“(3) The requirement in paragraph (2)(B) shall not*
13 *apply to a program for which a certification was required*
14 *pursuant to section 2433a(c) of this title if the milestone*
15 *decision authority—*

16 *“(A) determines in writing that—*

17 *“(i) the program has reached a stage in the*
18 *acquisition process at which it would not be*
19 *practicable to meet the certification component*
20 *that was waived; and*

21 *“(ii) the milestone decision authority has*
22 *taken appropriate alternative actions to address*
23 *the underlying purposes of such certification*
24 *component; and*

1 “(B) submits the written determination, and an
2 explanation of the basis for the determination, to the
3 congressional defense committees.

4 “(e) *DESIGNATION OF CERTIFICATION STATUS IN*
5 *BUDGET DOCUMENTATION.*—Any budget request, budget
6 justification material, budget display, reprogramming re-
7 quest, Selected Acquisition Report, or other budget docu-
8 mentation or performance report submitted by the Sec-
9 retary of Defense to the President regarding a major defense
10 acquisition program receiving a waiver pursuant to sub-
11 section (d) shall prominently and clearly indicate that such
12 program has not fully satisfied the certification require-
13 ments of this section until such time as the milestone deci-
14 sion authority makes the determination that such program
15 has satisfied all such certification requirements.

16 “(f) *NONDELEGATION.*—The milestone decision author-
17 ity may not delegate the certification requirement under
18 subsection (a) or the authority to waive any component of
19 such requirement under subsection (d).

20 “(g) *DEFINITIONS.*—In this section:

21 “(1) The term ‘major defense acquisition pro-
22 gram’ means a Department of Defense acquisition
23 program that is a major defense acquisition program
24 for purposes of section 2430 of this title.

1 “(2) *The term ‘designated major subprogram’*
2 *means a major subprogram of a major defense acqui-*
3 *sition program designated under section 2430a(a)(1)*
4 *of this title.*

5 “(3) *The term ‘milestone decision authority’,*
6 *with respect to a major defense acquisition program,*
7 *means the official within the Department of Defense*
8 *designated with the overall responsibility and author-*
9 *ity for acquisition decisions for the program, includ-*
10 *ing authority to approve entry of the program into*
11 *the next phase of the acquisition process.*

12 “(4) *The term ‘Milestone B approval’ has the*
13 *meaning provided that term in section 2366(e)(7) of*
14 *this title.*

15 “(5) *The term ‘core logistics capabilities’ means*
16 *the core logistics capabilities identified under section*
17 *2464(a) of this title.’’.*

18 **(b) CONFORMING AMENDMENT.**—*Section 2334(a) of*
19 *title 10, United States Code, is amended in paragraph*
20 *(6)(A)(i) by striking “any certification under” and insert-*
21 *ing “any decision to grant milestone approval pursuant*
22 *to”.*

1 **SEC. 825. DESIGNATION OF MILESTONE DECISION AUTHOR-**
2 **ITY.**

3 (a) *IN GENERAL.*—Section 2430 of title 10, United
4 States Code, is amended by adding at the end the following
5 new subsection:

6 “(d)(1) *The milestone decision authority for a major*
7 *defense acquisition program reaching Milestone A after Oc-*
8 *tober 1, 2016, shall be the service acquisition executive of*
9 *the military department that is managing the program, un-*
10 *less the Secretary of Defense designates, under paragraph*
11 *(2), another official to serve as the milestone decision au-*
12 *thority.*

13 “(2) *The Secretary of Defense may designate an alter-*
14 *nate milestone decision authority for a program with re-*
15 *spect to which—*

16 “(A) *the Secretary determines that the program*
17 *is addressing a joint requirement;*

18 “(B) *the Secretary determines that the program*
19 *is best managed by a Defense Agency;*

20 “(C) *the program has incurred a unit cost in-*
21 *crease greater than the significant cost threshold or*
22 *critical cost threshold under section 2433 of this title;*

23 “(D) *the program is critical to a major inter-*
24 *agency requirement or technology development effort,*
25 *or has significant international partner involvement;*
26 *or*

1 “(E) the Secretary determines that an alternate
2 official serving as the milestone decision authority
3 will best provide for the program to achieve desired
4 cost, schedule, and performance outcomes.

5 “(3)(A) After designating an alternate milestone deci-
6 sion authority under paragraph (2) for a program, the Sec-
7 retary of Defense may revert the position of milestone deci-
8 sion authority for the program back to the service acquisi-
9 tion executive upon request of the Secretary of the military
10 department concerned. A decision on the request shall be
11 made within 180 days after receipt of the request from the
12 Secretary of the military department concerned.

13 “(B) If the Secretary of Defense denies the request for
14 reversion of the milestone decision authority back to the
15 service acquisition executive, the Secretary shall report to
16 the congressional defense committees on the basis of the Sec-
17 retary’s decision that an alternate official serving as mile-
18 stone decision authority will best provide for the program
19 to achieve desired cost, schedule, and performance outcomes.
20 No such reversion is authorized after a program has in-
21 curred a unit cost increase greater than the significant cost
22 threshold or critical cost threshold under section 2433 of this
23 title, except in exceptional circumstances.

24 “(4)(A) For each major defense acquisition program,
25 the Secretary of the military department concerned and the

1 *Chief of the armed force concerned shall, in each Selected*
2 *Acquisition Report required under section 2432 of this title,*
3 *certify that program requirements are stable and funding*
4 *is adequate to meet cost, schedule, and performance objec-*
5 *tives for the program and identify and report to the congres-*
6 *sional defense committees on any increased risk to the pro-*
7 *gram since the last report.*

8 “(B) *The Secretary of Defense shall review the acquisi-*
9 *tion oversight process for major defense acquisition pro-*
10 *grams and shall limit outside requirements for documenta-*
11 *tion to an absolute minimum on those programs where the*
12 *service acquisition executive of the military department*
13 *that is managing the program is the milestone decision au-*
14 *thority and ensure that any policies, procedures, and activi-*
15 *ties related to oversight efforts conducted outside of the mili-*
16 *tary departments with regard to major defense acquisition*
17 *programs shall be implemented in a manner that does not*
18 *unnecessarily increase program costs or impede program*
19 *schedules.”.*

20 (b) *CONFORMING AMENDMENT.*—*Section 133(b)(5) of*
21 *such title is amended by inserting before the period at the*
22 *end the following: “, except that the Under Secretary shall*
23 *exercise advisory authority, subject to the authority, direc-*
24 *tion, and control of the Secretary of Defense, over service*

1 *acquisition programs for which the service acquisition execu-*
2 *utive is the milestone decision authority”.*

3 *(c) IMPLEMENTATION.—*

4 *(1) IMPLEMENTATION PLAN.—Not later than 180*
5 *days after the date of the enactment of this Act, the*
6 *Secretary of Defense shall submit to the congressional*
7 *defense committees a plan for implementing sub-*
8 *section (d) of section 2430 of title 10, United States*
9 *Code, as added by subsection (a) of this section.*

10 *(2) GUIDANCE.—The Deputy Chief Management*
11 *Officer of the Department of Defense, in consultation*
12 *with the Under Secretary of Defense for Acquisition,*
13 *Technology, and Logistics and the service acquisition*
14 *executives, shall issue guidance to ensure that by not*
15 *later than October 1, 2016, the acquisition policy,*
16 *guidance, and practices of the Department of Defense*
17 *conform to the requirements of subsection (d) of sec-*
18 *tion 2430 of title 10, United States Code, as added*
19 *by subsection (a) of this section. The guidance shall*
20 *be designed to ensure a streamlined decisionmaking*
21 *and approval process and to minimize any informa-*
22 *tion requests, consistent with the requirement of para-*
23 *graph (4)(A) of such subsection (d).*

1 (3) *EFFECTIVE DATE.*—*The amendments made*
2 *by subsections (a) and (b) shall take effect on October*
3 *1, 2016.*

4 **SEC. 826. TENURE AND ACCOUNTABILITY OF PROGRAM**
5 **MANAGERS FOR PROGRAM DEFINITION PERI-**
6 **ODS.**

7 (a) *REVISED GUIDANCE REQUIRED.*—*Not later than*
8 *180 days after the date of the enactment of this Act, the*
9 *Secretary of Defense shall revise Department of Defense*
10 *guidance for major defense acquisition programs to address*
11 *the tenure and accountability of program managers for the*
12 *program definition period of major defense acquisition pro-*
13 *grams.*

14 (b) *PROGRAM DEFINITION PERIOD.*—*For the purposes*
15 *of this section, the term “program definition period”, with*
16 *respect to a major defense acquisition program, means the*
17 *period beginning with initiation of the program and ending*
18 *with Milestone B approval (or Key Decision Point B ap-*
19 *proval in the case of a space program).*

20 (c) *RESPONSIBILITIES.*—*The revised guidance re-*
21 *quired by subsection (a) shall provide that the program*
22 *manager for the program definition period of a major de-*
23 *fense acquisition program is responsible for—*

1 (1) *bringing technologies to maturity and identi-*
2 *fying the manufacturing processes that will be needed*
3 *to carry out the program;*

4 (2) *ensuring continuing focus during program*
5 *development on meeting stated mission requirements*
6 *and other requirements of the Department of Defense;*

7 (3) *recommending trade-offs between program*
8 *cost, schedule, and performance for the life-cycle of the*
9 *program;*

10 (4) *developing a business case for the program;*
11 *and*

12 (5) *ensuring that appropriate information is*
13 *available to the milestone decision authority to make*
14 *a decision on Milestone B approval (or Key Decision*
15 *Point B approval in the case of a space program), in-*
16 *cluding information necessary to make the certifi-*
17 *cation required by section 2366a of title 10, United*
18 *States Code.*

19 (d) *QUALIFICATIONS, RESOURCES, AND TENURE.—*
20 *The Secretary of Defense shall ensure that each program*
21 *manager for the program definition period of a major de-*
22 *fense acquisition program—*

23 (1) *has the appropriate management, engineer-*
24 *ing, technical, and financial expertise needed to meet*

1 *the responsibilities assigned pursuant to subsection*
2 *(c);*

3 *(2) is provided the resources and support (in-*
4 *cluding systems engineering expertise, cost-estimating*
5 *expertise, and software development expertise) needed*
6 *to meet such responsibilities; and*

7 *(3) is assigned to the program manager position*
8 *for such program until such time as such program re-*
9 *ceives Milestone B approval (or Key Decision Point*
10 *B approval in the case of a space program), unless*
11 *removed for cause or due to exceptional cir-*
12 *cumstances.*

13 *(e) WAIVER AUTHORITY.—The Secretary may waive*
14 *the requirement in paragraph (3) of subsection (d) upon*
15 *a determination that the program definition period will*
16 *take so long that it would not be appropriate for a single*
17 *individual to serve as program manager for the entire pe-*
18 *riod covered by such paragraph.*

19 **SEC. 827. TENURE AND ACCOUNTABILITY OF PROGRAM**
20 **MANAGERS FOR PROGRAM EXECUTION PERI-**
21 **ODS.**

22 *(a) REVISED GUIDANCE REQUIRED.—Not later than*
23 *180 days after the date of the enactment of this Act, the*
24 *Secretary of Defense shall revise Department of Defense*
25 *guidance for major defense acquisition programs to address*

1 *the tenure and accountability of program managers for the*
2 *program execution period of major defense acquisition pro-*
3 *grams.*

4 (b) *PROGRAM EXECUTION PERIOD.*—*For purposes of*
5 *this section, the term “program execution period”, with re-*
6 *spect to a major defense acquisition program, means the*
7 *period beginning with Milestone B approval (or Key Deci-*
8 *sion Point B approval in the case of a space program) and*
9 *ending with declaration of initial operational capability.*

10 (c) *RESPONSIBILITIES.*—*The revised guidance re-*
11 *quired by subsection (a) shall—*

12 (1) *require the program manager for the pro-*
13 *gram execution period of a major defense acquisition*
14 *program to enter into a performance agreement with*
15 *the manager’s immediate supervisor for such program*
16 *within six months of assignment, that—*

17 (A) *establishes expected parameters for the*
18 *cost, schedule, and performance of the program*
19 *consistent with the business case for the program;*

20 (B) *provides the commitment of the super-*
21 *visor to provide the level of funding and re-*
22 *sources required to meet such parameters; and*

23 (C) *provides the assurance of the program*
24 *manager that such parameters are achievable*

1 *and that the program manager will be account-*
2 *able for meeting such parameters; and*

3 (2) *provide the program manager with the au-*
4 *thority to—*

5 (A) *consult on the addition of new program*
6 *requirements that would be inconsistent with the*
7 *parameters established in the performance agree-*
8 *ment entered into pursuant to paragraph (1);*

9 (B) *recommend trade-offs between cost,*
10 *schedule, and performance, provided that such*
11 *trade-offs are consistent with the parameters es-*
12 *tablished in the performance agreement entered*
13 *into pursuant to paragraph (1); and*

14 (C) *develop such interim goals and mile-*
15 *stones as may be required to achieve the param-*
16 *eters established in the performance agreement*
17 *entered into pursuant to paragraph (1).*

18 (d) *QUALIFICATIONS, RESOURCES, AND TENURE.—*
19 *The Secretary shall ensure that each program manager for*
20 *the program execution period of a defense acquisition pro-*
21 *gram—*

22 (1) *has the appropriate management, engineer-*
23 *ing, technical, and financial expertise needed to meet*
24 *the responsibilities assigned pursuant to subsection*
25 *(c);*

1 (2) *is provided the resources and support (in-*
2 *cluding systems engineering expertise, cost estimating*
3 *expertise, and software development expertise) needed*
4 *to meet such responsibilities; and*

5 (3) *is assigned to the program manager position*
6 *for such program during the program execution pe-*
7 *riod, unless removed for cause or due to exceptional*
8 *circumstances.*

9 (e) *WAIVER AUTHORITY.—The immediate supervisor*
10 *of a program manager for a major defense acquisition pro-*
11 *gram may waive the requirement in paragraph (3) of sub-*
12 *section (d) upon a determination that the program execu-*
13 *tion period will take so long that it would not be appro-*
14 *priate for a single individual to serve as program manager*
15 *for the entire program execution period.*

16 **SEC. 828. PENALTY FOR COST OVERRUNS.**

17 (a) *IN GENERAL.—For each fiscal year beginning with*
18 *fiscal year 2015, the Secretary of each military department*
19 *shall pay a penalty for cost overruns on the covered major*
20 *defense acquisition programs of the military department.*

21 (b) *CALCULATION OF PENALTY.—For the purposes of*
22 *this section:*

23 (1) *The amount of the cost overrun or underrun*
24 *on any major defense acquisition program or subpro-*
25 *gram in a fiscal year is the difference between the*

1 *current program acquisition unit cost for the pro-*
2 *gram or subprogram and the program acquisition*
3 *unit cost for the program as shown in the original*
4 *Baseline Estimate for the program or subprogram,*
5 *multiplied by the quantity of items to be purchased*
6 *under the program or subprogram, as reported in the*
7 *final Selected Acquisition Report for the fiscal year in*
8 *accordance with section 2432 of title 10, United*
9 *States Code.*

10 (2) *Cost overruns or underruns for covered major*
11 *defense acquisition programs that are joint programs*
12 *of more than one military department shall be allo-*
13 *cated among the military departments in percentages*
14 *determined by the Under Secretary of Defense for Ac-*
15 *quisition, Technology, and Logistics.*

16 (3) *The cumulative amount of cost overruns for*
17 *a military department in a fiscal year is the sum of*
18 *the cost overruns and cost underruns for all covered*
19 *major defense acquisition programs of the department*
20 *in the fiscal year (including cost overruns or*
21 *underruns allocated to the military department in ac-*
22 *cordance with paragraph (2)).*

23 (4) *The cost overrun penalty for a military de-*
24 *partment in a fiscal year is three percent of the cu-*
25 *mulative amount of cost overruns of the military de-*

1 *partment in the fiscal year, as determined pursuant*
2 *to paragraph (3), except that the cost overrun penalty*
3 *may not be a negative amount.*

4 *(c) TRANSFER OF FUNDS.—*

5 *(1) REDUCTION OF RESEARCH, DEVELOPMENT,*
6 *TEST, AND EVALUATION ACCOUNTS.—Not later than*
7 *60 days after the end of each fiscal year beginning*
8 *with fiscal year 2015, the Secretary of each military*
9 *department shall reduce each research, development,*
10 *test, and evaluation account of the military depart-*
11 *ment by the percentage determined under paragraph*
12 *(2), and remit such amount to the Secretary of De-*
13 *fense.*

14 *(2) DETERMINATION OF AMOUNT.—The percent-*
15 *age reduction to research, development, test, and eval-*
16 *uation accounts of a military department referred to*
17 *in paragraph (1) is the percentage reduction to such*
18 *accounts necessary to equal the cost overrun penalty*
19 *for the fiscal year for such department determined*
20 *pursuant to subsection (b)(4).*

21 *(3) CREDITING OF FUNDS.—Any amount remit-*
22 *ted under paragraph (1) shall be credited to the*
23 *Rapid Prototyping Fund established pursuant to sec-*
24 *tion 804 of this Act.*

1 (d) *COVERED PROGRAMS.*—A major defense acquisi-
2 tion program is covered under this section if the original
3 Baseline Estimate was established for such program under
4 paragraph (1) or (2) of section 2435(d) of title 10, United
5 States Code, on or after May 22, 2009 (which is the date
6 of the enactment of the Weapon Systems Acquisition Reform
7 Act of 2009 (Public Law 111–23)).

8 **SEC. 829. STREAMLINING OF REPORTING REQUIREMENTS**
9 **APPLICABLE TO ASSISTANT SECRETARY OF**
10 **DEFENSE FOR RESEARCH AND ENGINEERING**
11 **REGARDING MAJOR DEFENSE ACQUISITION**
12 **PROGRAMS.**

13 (a) *REPORTING TO UNDER SECRETARY OF DEFENSE*
14 *FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS BEFORE*
15 *MILESTONE B APPROVAL.*—Subparagraph (A) of para-
16 graph (8) of section 138(b) of title 10, United States Code,
17 as amended by section 901(h)(2) of the Carl Levin and
18 Howard P. “Buck” McKeon National Defense Authoriza-
19 tion Act for Fiscal Year 2015 (Public Law 113–291; 128
20 Stat. 3466), is further amended—

21 (1) by striking “periodically”;

22 (2) by striking “the major defense acquisition
23 programs” and inserting “each major defense acquisi-
24 tion program”;

1 (3) by inserting “before the Milestone B approval
2 for that program” after “Department of Defense”;
3 and

4 (4) by striking “such reviews and assessments”
5 and inserting “such review and assessment”.

6 (b) ANNUAL REPORT TO SECRETARY OF DEFENSE AND
7 CONGRESSIONAL DEFENSE COMMITTEES.—Subparagraph
8 (B) of such paragraph is amended by inserting “for which
9 a Milestone B approval occurred during the preceding fiscal
10 year” after “Department of Defense”.

11 **SEC. 830. CONFIGURATION STEERING BOARDS FOR COST**
12 **CONTROL UNDER MAJOR DEFENSE ACQUISSI-**
13 **TION PROGRAMS.**

14 Section 814(c)(1) of the Duncan Hunter National De-
15 fense Authorization Act for Fiscal Year 2009 (Public Law
16 110–417; 122 Stat. 4529; 10 U.S.C. 2430 note) is amend-
17 ed—

18 (1) by redesignating subparagraphs (A), (B),
19 and (C) as subparagraphs (B), (C), and (D), respec-
20 tively; and

21 (2) by inserting after “for the following:” the fol-
22 lowing new subparagraph:

23 “(A) Monitoring changes in program re-
24 quirements and ensuring the Chief of Staff of the
25 Armed Force concerned, in consultation with the

1 *Secretary of the military department concerned,*
2 *approves of any proposed changes that could*
3 *have an adverse effect on program cost or sched-*
4 *ule.”.*

5 **SEC. 831. REPEAL OF REQUIREMENT FOR STAND-ALONE**
6 **MANPOWER ESTIMATES FOR MAJOR DEFENSE**
7 **ACQUISITION PROGRAMS.**

8 *(a) REPEAL OF REQUIREMENT.—Subsection (a)(1) of*
9 *section 2434 of title 10, United States Code, is amended*
10 *by striking “and a manpower estimate for the program*
11 *have” and inserting “has”.*

12 *(b) CONFORMING AMENDMENTS RELATING TO REGU-*
13 *LATIONS.—Subsection (b) of such section is amended—*

14 *(1) by striking paragraph (2);*

15 *(2) by striking “shall require—” and all that*
16 *follows through “that the independent” and inserting*
17 *“shall require that the independent”;*

18 *(3) by redesignating subparagraphs (A) and (B)*
19 *as paragraphs (1) and (2), respectively, and moving*
20 *those paragraphs, as so redesignated, two ems to the*
21 *left; and*

22 *(4) in paragraph (2), as so redesignated—*

23 *(A) by striking “and operations and sup-*
24 *port,” and inserting “operations and support,*
25 *and trained manpower to operate, maintain,*

1 *and support the program upon full operational*
 2 *deployment,”; and*

3 *(B) by striking “; and” and inserting a pe-*
 4 *riod.*

5 *(c) CLERICAL AMENDMENTS.—*

6 *(1) SECTION HEADING.—The heading of such sec-*
 7 *tion is amended to read as follows:*

8 **“§ 2434. Independent cost estimates”.**

9 *(2) TABLE OF SECTIONS.—The table of sections*
 10 *at the beginning of chapter 144 of such title is*
 11 *amended by striking the item relating to section 2434*
 12 *and inserting the following:*

“2434. Independent cost estimates.”.

13 **SEC. 832. REVISION TO DUTIES OF THE DEPUTY ASSISTANT**
 14 **SECRETARY OF DEFENSE FOR DEVELOP-**
 15 **MENTAL TEST AND EVALUATION AND THE**
 16 **DEPUTY ASSISTANT SECRETARY OF DEFENSE**
 17 **FOR SYSTEMS ENGINEERING.**

18 *Section 139b of title 10, United States Code, is amend-*
 19 *ed—*

20 *(1) in subsection (a)(5)—*

21 *(A) in subparagraph (B), by striking “and*
 22 *approve or disapprove”; and*

23 *(B) in subparagraph (C), by inserting “in*
 24 *order to advise relevant technical authorities for*
 25 *such programs on the incorporation of best prac-*

1 *tices for developmental test from across the De-*
 2 *partment” after “in accordance with subsection*
 3 *(c)”*; and

4 *(2) in subsection (b)(5)—*

5 *(A) in subparagraph (B), by striking “and*
 6 *approve”*; and

7 *(B) in subparagraph (C), by inserting “in*
 8 *order to advise relevant technical authorities for*
 9 *such programs on the incorporation of best prac-*
 10 *tices for systems engineering from across the De-*
 11 *partment” after “programs”.*

12 ***Subtitle D—Provisions Relating to***
 13 ***Acquisition Workforce***

14 ***SEC. 841. AMENDMENTS TO DEPARTMENT OF DEFENSE AC-***
 15 ***QUISITION WORKFORCE DEVELOPMENT***
 16 ***FUND.***

17 *(a) MODIFICATIONS TO DEPARTMENT OF DEFENSE*
 18 *ACQUISITION WORKFORCE DEVELOPMENT FUND.—Section*
 19 *1705 of title 10, United States Code, is amended—*

20 *(1) in subsection (d)—*

21 *(A) in paragraph (2), by amending sub-*
 22 *paragraph (C) to read as follows:*

23 *“(C) For purposes of this paragraph, the*
 24 *applicable percentage for a fiscal year is the per-*

1 centage that results in the credit to the Fund of
2 \$500,000,000 in each fiscal year.”;

3 (B) in paragraph (2), in subparagraph
4 (D)—

5 (i) by striking “an amount specified in
6 subparagraph (C)” and inserting “the
7 amount specified in subparagraph (C)”;
8 and

9 (ii) by striking “an amount that is less
10 than” and all that follows through the end
11 and inserting “an amount that is less than
12 \$400,000,000.”; and

13 (C) in paragraph (3), by striking “24-
14 month period” and inserting “36-month period”;
15 (2) in subsection (f), by striking “60 days” and
16 inserting “120 days”; and

17 (3) in subsection (g)—

18 (A) by striking paragraph (2);

19 (B) by striking “acquisition workforce posi-
20 tions” and inserting “of positions in the acquisi-
21 tion workforce, as defined in subsection (h),”;

22 (C) by striking “AUTHORITY.—” and all
23 that follows through “For purposes of” in para-
24 graph (1) and inserting “AUTHORITY.—For pur-
25 poses of”;

1 (D) by striking “(A)” and inserting “(1)”;

2 (E) by striking “(B)” and inserting “(2)”;

3 and

4 (F) by aligning paragraphs (1) and (2), as
5 designated by subparagraphs (D) and (E), so as
6 to be two ems from the left margin.

7 (b) *MODIFICATIONS TO BIENNIAL STRATEGIC WORK-*
8 *FORCE PLAN.*—Section 115b(d) of title 10, United States
9 *Code, is amended—*

10 (1) in paragraph (1), by striking “the defense
11 acquisition workforce, including both military and ci-
12 vilian personnel” and inserting “the military, civil-
13 ian, and contractor personnel that directly support
14 the acquisition processes of the Department of De-
15 fense, including persons serving in acquisition-related
16 positions designated by the Secretary of Defense under
17 section 1721 of this title”;

18 (2) in paragraph (2)(D)—

19 (A) in clause (i), by striking “; and” and
20 inserting a semicolon;

21 (B) by redesignating clause (ii) as clause
22 (iii); and

23 (C) by inserting after clause (i) the fol-
24 lowing new clause:

1 “(ii) a description of steps that will be
2 taken to address any new or expanded critical
3 skills and competencies the civilian employee
4 workforce will need to address recent trends in
5 defense acquisition, emerging best practices,
6 changes in the Government and commercial mar-
7 ketplace, and new requirements established in
8 law or regulation; and”;

9 (3) by adding at the end the following new para-
10 graph:

11 “(3) For the purposes of paragraph (1), contractor per-
12 sonnel shall be treated as directly supporting the acquisition
13 processes of the Department if, and to the extent that, such
14 contractor personnel perform functions in support of per-
15 sonnel in Department of Defense positions designated by the
16 Secretary of Defense under section 1721 of this title.”.

17 **SEC. 842. DUAL-TRACK MILITARY PROFESSIONALS IN OPER-**
18 **ATIONAL AND ACQUISITION SPECIALITIES.**

19 (a) *REQUIREMENT FOR CHIEF OF STAFF INVOLVE-*
20 *MENT.*—Section 1722a(a) of title 10, United States Code,
21 is amended by inserting after “military department)” the
22 following: “, in collaboration with the Chief of Staff of the
23 Army, the Chief of Naval Operations, the Chief of Staff of
24 the Air Force, and the Commandant of the Marine Corps

1 *(with respect to the Army, Navy, Air Force, and Marine*
2 *Corps, respectively),”.*

3 *(b) DUAL-TRACK CAREER PATH.—Section 1722a(b) of*
4 *such title is amended—*

5 *(1) by redesignating paragraphs (2) and (3) as*
6 *paragraphs (3) and (4), respectively;*

7 *(2) in paragraph (1), by inserting “single-track”*
8 *before “career path”; and*

9 *(3) by inserting after paragraph (1) the fol-*
10 *lowing new paragraph (2):*

11 *“(2) A dual-track career path that attracts the*
12 *highest quality officers and enlisted personnel and al-*
13 *lows them to gain experience in and receive credit for*
14 *a primary career in combat arms and a functional*
15 *secondary career in the acquisition field in order to*
16 *more closely align the military operational, require-*
17 *ments, and acquisition workforces of each armed*
18 *force.”.*

19 **SEC. 843. PROVISION OF JOINT DUTY ASSIGNMENT CREDIT**
20 **FOR ACQUISITION DUTY.**

21 *Section 668(a)(1) of title 10, United States Code, is*
22 *amended—*

23 *(1) by striking “or” at the end of subparagraph*
24 *(D);*

1 (2) by striking the period at the end of subpara-
2 graph (E) and inserting “; or”; and

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

5 “(F) acquisition matters addressed by military
6 personnel and covered under chapter 87 of this title.”.

7 **SEC. 844. MANDATORY REQUIREMENT FOR TRAINING RE-**
8 **LATED TO THE CONDUCT OF MARKET RE-**
9 **SEARCH.**

10 (a) *MANDATORY MARKET RESEARCH TRAINING.*—Sec-
11 tion 2377 of title 10, United States Code, is amended by
12 adding at the end the following new subsection:

13 “(d) *MARKET RESEARCH TRAINING REQUIRED.*—The
14 Secretary of Defense shall provide mandatory training for
15 members of the armed forces and employees of the Depart-
16 ment of Defense responsible for the conduct of market re-
17 search required under subsection (c). Such mandatory
18 training shall, at a minimum—

19 “(1) provide comprehensive information on the
20 subject of market research and the function of market
21 research in the acquisition of commercial items;

22 “(2) teach best practices for conducting and doc-
23 umenting market research; and

1 “(3) provide methodologies for establishing
2 standard processes and reports for collecting and
3 sharing market research across the Department.”.

4 (b) *INCORPORATION INTO MANAGEMENT CERTIFI-*
5 *CATION TRAINING MANDATE.*—*The Chairman of the Joint*
6 *Chiefs of Staff shall ensure that the requirements of section*
7 *2377(d) of title 10, United States Code, as added by sub-*
8 *section (a), are incorporated into the requirements manage-*
9 *ment certification training mandate of the Joint Capabili-*
10 *ties Integration Development System.*

11 **SEC. 845. INDEPENDENT STUDY OF IMPLEMENTATION OF**
12 **DEFENSE ACQUISITION WORKFORCE IM-**
13 **PROVEMENT EFFORTS.**

14 (a) *REQUIREMENT FOR STUDY.*—*Not later than 30*
15 *days after the date of the enactment of this Act, the Sec-*
16 *retary of Defense shall enter into a contract with an inde-*
17 *pendent research entity described in subsection (b) to carry*
18 *out a comprehensive study of the strategic planning of the*
19 *Department of Defense related to the defense acquisition*
20 *workforce. The study shall provide a comprehensive exam-*
21 *ination of the Department’s efforts to recruit, develop, and*
22 *retain the acquisition workforce with a specific review of*
23 *the following:*

1 (1) *The implementation of the Defense Acquisi-*
2 *tion Workforce Improvement Act (including chapter*
3 *87 of title 10, United States Code).*

4 (2) *The application of the Department of Defense*
5 *Acquisition Workforce Development Fund (as estab-*
6 *lished under section 1705 of title 10, United States*
7 *Code).*

8 (3) *The effectiveness of professional military edu-*
9 *cation programs, including fellowships and exchanges*
10 *with industry.*

11 (b) *INDEPENDENT RESEARCH ENTITY.*—*The entity de-*
12 *scribed in this subsection is an independent research entity*
13 *that is a not-for-profit entity or a federally funded research*
14 *and development center with appropriate expertise and an-*
15 *alytical capability.*

16 (c) *REPORTS.*—

17 (1) *TO SECRETARY.*—*Not later than one year*
18 *after the date of the enactment of this Act, the inde-*
19 *pendent research entity shall provide to the Secretary*
20 *a report containing—*

21 (A) *the results of the study required by sub-*
22 *section (a); and*

23 (B) *such recommendations to improve the*
24 *acquisition workforce as the independent re-*
25 *search entity considers to be appropriate.*

1 (2) *TO CONGRESS.*—Not later than 30 days after
2 receipt of the report under paragraph (1), the Sec-
3 retary of Defense shall submit such report, together
4 with any additional views or recommendations of the
5 Secretary, to the congressional defense committees.

6 **SEC. 846. EXTENSION OF AUTHORITY FOR THE CIVILIAN AC-**
7 **QUISITION WORKFORCE PERSONNEL DEM-**
8 **ONSTRATION PROJECT.**

9 (a) *EXTENSION.*—Section 1762(g) of title 10, United
10 States Code, is amended by striking “September 30, 2017”
11 and inserting “December 31, 2020”.

12 (b) *TECHNICAL AMENDMENT.*—Such section is further
13 amended by striking “demonstration program” and insert-
14 ing “demonstration project”.

15 **Subtitle E—Provisions Relating to**
16 **Commercial Items**

17 **SEC. 851. PROCUREMENT OF COMMERCIAL ITEMS.**

18 (a) *COMMERCIAL ITEM DETERMINATIONS BY DEPART-*
19 *MENT OF DEFENSE.*—

20 (1) *IN GENERAL.*—Chapter 140 of title 10,
21 United States Code, is amended by adding at the end
22 the following new section:

23 **“§2380. Commercial item determinations by Depart-**
24 **ment of Defense**

25 “The Secretary of Defense shall—

1 “(1) establish and maintain a centralized capa-
2 bility with necessary expertise and resources to over-
3 see the making of commercial item determinations for
4 the purposes of procurements by the Department of
5 Defense; and

6 “(2) provide public access to Department of De-
7 fense commercial item determinations for the purposes
8 of procurements by the Department of Defense.”.

9 (2) *CLERICAL AMENDMENT.*—The table of sec-
10 tions at the beginning of such chapter is amended by
11 adding at the end the following new item:

 “2380. *Commercial item determinations by Department of Defense.*”.

12 (b) *COMMERCIAL ITEM EXCEPTION TO SUBMISSION OF*
13 *COST AND PRICING DATA.*—Section 2306a(b) of title 10,
14 United States Code, is amended by adding at the end the
15 following new paragraph:

16 “(4) *COMMERCIAL ITEM DETERMINATION.*—(A)
17 For purposes of applying the commercial item excep-
18 tion under paragraph (1)(B) to the required submis-
19 sion of certified cost or pricing data, the contracting
20 officer may presume that a prior commercial item de-
21 termination made by a military department, a De-
22 fense Agency, or another component of the Depart-
23 ment of Defense shall serve as a determination for
24 subsequent procurements of such item.

1 “(B) If the contracting officer does not make the
2 presumption described in subparagraph (A) and in-
3 stead chooses to proceed with a procurement of an
4 item previously determined to be a commercial item
5 using procedures other than the procedures authorized
6 for the procurement of a commercial item, the con-
7 tracting officer shall request a review of the commer-
8 cial item determination by the head of the contracting
9 activity.

10 “(C) Not later than 30 days after receiving a re-
11 quest for review of a commercial item determination
12 under subparagraph (B), the head of a contracting
13 activity shall—

14 “(i) confirm that the prior determination
15 was appropriate and still applicable; or

16 “(ii) issue a revised determination with a
17 written explanation of the basis for the revi-
18 sion.”.

19 (c) *DEFINITION OF COMMERCIAL ITEM.*—Nothing in
20 this section or the amendments made by this section shall
21 affect the meaning of the term “commercial item” under
22 subsection (a)(5) of section 2464 of title 10, United States
23 Code, or any requirement under subsection (a)(3) or sub-
24 section (c) of such section.

1 (d) *REGULATIONS UPDATE.*—Not later than 180 days
2 after the date of the enactment of this Act, the Defense Fed-
3 eral Acquisition Regulation Supplement shall be updated
4 to reflect the requirements of this section and the amend-
5 ments made by this section.

6 (e) *RULE OF CONSTRUCTION.*—Nothing in this section
7 or the amendments made by this section shall be construed
8 to preclude the contracting officer for the procurement of
9 a commercial item from requiring the contractor to supply
10 information that is sufficient to determine the reasonable-
11 ness of price, regardless of whether or not the contractor
12 was required to provide such information in connection
13 with any earlier procurement.

14 **SEC. 852. MODIFICATION TO INFORMATION REQUIRED TO**
15 **BE SUBMITTED BY OFFEROR IN PROCURE-**
16 **MENT OF MAJOR WEAPON SYSTEMS AS COM-**
17 **MERCIAL ITEMS.**

18 (a) *REQUIREMENT FOR DETERMINATION.*—Subsection
19 (a) of section 2379 of title 10, United States Code, is
20 amended—

21 (1) in paragraph (1)(B), by inserting “and”
22 after the semicolon;

23 (2) by striking paragraph (2); and

24 (3) by redesignating paragraph (3) as para-
25 graph (2).

1 (b) *TREATMENT OF SUBSYSTEMS AS COMMERCIAL*

2 *ITEMS.—Subsection (b) of such section is amended—*

3 (1) *in the matter preceding paragraph (1), by*
4 *striking “only if” and inserting “if either”;*

5 (2) *in paragraph (2)—*

6 (A) *by striking “that—” and all that fol-*
7 *lows through “the subsystem is a” and inserting*
8 *“that the subsystem is a”;*

9 (B) *by striking “; and” and inserting a pe-*
10 *riod; and*

11 (C) *by striking subparagraph (B).*

12 (c) *TREATMENT OF COMPONENTS AS COMMERCIAL*

13 *ITEMS.—Subsection (c)(1) of such section is amended—*

14 (1) *by striking “title only if” and inserting “title*
15 *if either”;* and

16 (2) *in subparagraph (B)—*

17 (A) *by striking “that—” and all that fol-*
18 *lows through “the component or” and inserting*
19 *“that the component or”;*

20 (B) *by striking “; and” and inserting a pe-*
21 *riod; and*

22 (C) *by striking clause (ii).*

23 (d) *INFORMATION SUBMITTED.—Subsection (d) of such*
24 *section is amended to read as follows:*

1 “(d) *INFORMATION SUBMITTED.—(1) To the extent*
2 *necessary to determine the reasonableness of the price for*
3 *items acquired under this section, the contracting officer*
4 *shall require the offeror to submit—*

5 “(A) *prices paid for the same or similar com-*
6 *mercial items under comparable terms and conditions*
7 *by both Government and commercial customers;*

8 “(B) *if the contracting officer determines that the*
9 *offeror does not have access to and cannot provide suf-*
10 *ficient information described in subparagraph (A) to*
11 *determine the reasonableness of price, information*
12 *on—*

13 “(i) *prices for the same or similar items*
14 *sold under different terms and conditions;*

15 “(ii) *prices for similar levels of work or ef-*
16 *fort on related products or services;*

17 “(iii) *prices for alternative solutions or ap-*
18 *proaches; and*

19 “(iv) *other relevant information that can*
20 *serve as the basis for a price assessment; and*

21 “(C) *if the contracting officer determines that the*
22 *information submitted pursuant to subparagraphs*
23 *(A) and (B) is not sufficient to determine the reason-*
24 *ableness of price, other relevant information regarding*

1 *the basis for price or cost, including information on*
2 *labor costs, material costs, and overhead rates.*

3 *“(2) An offeror may not be required to submit infor-*
4 *mation described in paragraph (1)(C) with regard to a*
5 *commercially available off-the-shelf item and may be re-*
6 *quired to submit such information with regard to any other*
7 *item that was developed exclusively at private expense only*
8 *after the head of the contracting activity determines in*
9 *writing that the information submitted pursuant to para-*
10 *graphs (1)(A) and (1)(B) is not sufficient to determine the*
11 *reasonableness of price.”.*

12 *(e) CONFORMING AMENDMENT TO TRUTH IN NEGOTIA-*
13 *TIONS ACT.—Section 2306a(d)(1) of title 10, United States*
14 *Code, is amended by adding at the end the following new*
15 *sentence: “If the contracting officer determines that the of-*
16 *feror does not have access to and cannot provide sufficient*
17 *information on prices for the same or similar items to deter-*
18 *mine the reasonableness of price, the contracting officer*
19 *shall require the submission of information on prices for*
20 *similar levels of work or effort on related products or serv-*
21 *ices, prices for alternative solutions or approaches, and*
22 *other information that is relevant to the determination of*
23 *a fair and reasonable price.”.*

1 **SEC. 853. USE OF RECENT PRICES PAID BY THE GOVERN-**
2 **MENT IN THE DETERMINATION OF PRICE**
3 **REASONABLENESS.**

4 *Section 2306a(b) of title 10, United States Code, as*
5 *amended by section 851, is further amended by adding at*
6 *the end the following new paragraph:*

7 *“(5) A contracting officer shall consider evidence*
8 *provided by an offeror of recent purchase prices paid*
9 *by the Government for the same or similar commer-*
10 *cial items in establishing price reasonableness on a*
11 *subsequent purchase if the contracting officer is satis-*
12 *fied that the prices previously paid remain a valid*
13 *reference for comparison after considering the totality*
14 *of other relevant factors such as the time elapsed since*
15 *the prior purchase and any differences in the quan-*
16 *tities purchased or applicable terms and conditions.”.*

17 **SEC. 854. REPORT ON DEFENSE-UNIQUE LAWS APPLICABLE**
18 **TO THE PROCUREMENT OF COMMERCIAL**
19 **ITEMS AND COMMERCIALLY AVAILABLE OFF-**
20 **THE-SHELF ITEMS.**

21 *(a) REPORT REQUIRED.—The Secretary of Defense*
22 *shall submit to the congressional defense committees a re-*
23 *port identifying the defense-unique provisions of law that*
24 *are applicable for procurement of commercial items or com-*
25 *mmercial off-the-shelf items, both at the prime contract and*
26 *subcontract level. The report—*

1 (1) *shall discuss the impact—*

2 (A) *of limiting the inclusion of clauses in*
3 *contracts for commercial items or commercial*
4 *off-the-shelf items to those that are required to*
5 *implement law or Executive orders or are deter-*
6 *mined to be consistent with standard commercial*
7 *practice; and*

8 (B) *of limiting flow down of clauses in sub-*
9 *contracts for commercial items or commercial off*
10 *the shelf-items to those that are required to im-*
11 *plement law or Executive order; and*

12 (2) *shall provide a listing of all standard clauses*
13 *used in Federal Acquisition Regulation Part 12 con-*
14 *tracts, including a justification for the inclusion of*
15 *each.*

16 (b) *DEADLINE FOR SUBMISSION.—The report under*
17 *subsection (a) shall be submitted not later than 180 days*
18 *after the date of the enactment of this Act.*

19 **SEC. 855. MARKET RESEARCH AND PREFERENCE FOR COM-**
20 **MERCIAL ITEMS.**

21 (a) *GUIDANCE REQUIRED.—Not later than 90 days*
22 *after the date of the enactment of this Act, the Under Sec-*
23 *retary of Defense for Acquisition, Technology, and Logistics*
24 *shall issue guidance to ensure that acquisition officials of*
25 *the Department of Defense fully comply with the require-*

1 *ments of section 2377 of title 10, United States Code, re-*
2 *garding market research and commercial items. The guid-*
3 *ance issued pursuant to this subsection shall, at a min-*
4 *imum—*

5 (1) *provide that the head of an agency may not*
6 *enter into a contract in excess of the simplified acqui-*
7 *sition threshold for information technology products*
8 *or services that are not commercial items unless the*
9 *head of the agency determines in writing that no*
10 *commercial items are suitable to meet the agency's*
11 *needs as provided in subsection (c)(2) of such section;*
12 *and*

13 (2) *ensure that market research conducted in ac-*
14 *cordance with subsection (c) of such section is used,*
15 *where appropriate, to inform price reasonableness de-*
16 *terminations.*

17 (b) *REVIEW REQUIRED.—Not later than 180 days*
18 *after the date of the enactment of this Act, the Chairman*
19 *and the Vice Chairman of the Joint Chiefs of Staff, in con-*
20 *sultation with the Under Secretary of Defense for Acquisi-*
21 *tion, Technology, and Logistics, shall review Chairman of*
22 *the Joint Chiefs of Staff Instruction 3170.01, the Manual*
23 *for the Operation of the Joint Capabilities Integration and*
24 *Development System, and other documents governing the re-*
25 *quirements development process and revise these documents*

1 *as necessary to ensure that the Department of Defense fully*
2 *complies with the requirement in section 2377(c) of title*
3 *10, United States Code, and section 10.001 of the Federal*
4 *Acquisition Regulation for Federal agencies to conduct ap-*
5 *propriate market research before developing new require-*
6 *ments.*

7 (c) *MARKET RESEARCH DEFINED.*—*For the purposes*
8 *of this section, the term “market research” means a review*
9 *of existing systems, subsystems, capabilities, and tech-*
10 *nologies that are available or could be made available to*
11 *meet the needs of the Department of Defense in whole or*
12 *in part. The review may include any of the techniques for*
13 *conducting market research provided in section*
14 *10.002(b)(2) of the Federal Acquisition Regulation and*
15 *shall include, at a minimum, contacting knowledgeable in-*
16 *dividuals in Government and industry regarding existing*
17 *market capabilities.*

18 **SEC. 856. LIMITATION ON CONVERSION OF PROCUREMENTS**
19 **FROM COMMERCIAL ACQUISITION PROCEDURE**
20 **DURES.**

21 (a) *LIMITATION.*—

22 (1) *IN GENERAL.*—*Except as provided in para-*
23 *graph (2), prior to converting the procurement of*
24 *commercial items or services valued at more than*
25 *\$1,000,000 from commercial acquisition procedures*

1 *under part 12 of the Federal Acquisition Regulation*
2 *to noncommercial acquisition procedures under part*
3 *15 of the Federal Acquisition Regulation, the con-*
4 *tracting officer for the procurement shall determine in*
5 *writing that—*

6 *(A) the earlier use of commercial acquisi-*
7 *tion procedures under part 12 of the Federal Ac-*
8 *quisition Regulation was in error or based on*
9 *inadequate information; and*

10 *(B) the Department of Defense will realize*
11 *a cost savings compared to the cost of procuring*
12 *a similar quantity or level of such item or serv-*
13 *ice using commercial acquisition procedures.*

14 *(2) REQUIREMENT FOR APPROVAL OF DETER-*
15 *MINATION BY HEAD OF CONTRACTING ACTIVITY.—In*
16 *the case of a procurement valued at more than*
17 *\$100,000,000, a contract may not be awarded pursu-*
18 *ant to a conversion of the procurement described in*
19 *paragraph (1) until—*

20 *(A) the head of the contracting activity ap-*
21 *proves the determination made under paragraph*
22 *(1); and*

23 *(B) a copy of the determination so approved*
24 *is provided to the Office of the Under Secretary*

1 *of Defense for Acquisition, Technology, and Lo-*
2 *gistics.*

3 **(b) FACTORS TO BE CONSIDERED.**—*In making a de-*
4 *termination under paragraph (1), the determining official*
5 *shall, at a minimum, consider the following factors:*

6 (1) *The estimated cost of research and develop-*
7 *ment to be performed by the existing contractor to im-*
8 *prove future products or services.*

9 (2) *The transaction costs for the Department of*
10 *Defense and the contractor in assessing and respond-*
11 *ing to data requests to support a conversion to non-*
12 *commercial acquisition procedures.*

13 (3) *Changes in purchase quantities.*

14 (4) *Costs associated with potential procurement*
15 *delays resulting from the conversion.*

16 **(c) PROCEDURES.**—*Not later than 180 days after the*
17 *date of the enactment of this Act, the Secretary of Defense*
18 *shall develop procedures to track conversions of future con-*
19 *tracts and subcontracts for improved analysis and report-*
20 *ing and shall revise the Defense Federal Acquisition Regula-*
21 *tion Supplement to reflect the requirement in subsection*
22 *(a).*

23 **(d) REPORTING REQUIREMENT.**—*Not later than one*
24 *year after the date of the enactment of this Act, the Sec-*
25 *retary of Defense shall submit to the congressional defense*

1 committees a report on the implementation of subsection
 2 (a), including any procurements converted as described in
 3 that subsection.

4 (e) *SUNSET.*—The requirements of this section shall
 5 terminate 5 years after the date of the enactment of this
 6 Act.

7 **SEC. 857. TREATMENT OF GOODS AND SERVICES PROVIDED**
 8 **BY NONTRADITIONAL DEFENSE CONTRAC-**
 9 **TORS AS COMMERCIAL ITEMS.**

10 (a) *IN GENERAL.*—Chapter 140 of title 10, United
 11 States Code, as amended by section 851, is further amended
 12 by adding at the end the following new section:

13 **“§2380A. Treatment of goods and services provided by**
 14 **nontraditional defense contractors as**
 15 **commercial items**

16 “Notwithstanding section 2376(1) of this title, items
 17 and services provided by nontraditional defense contractors
 18 (as that term is defined in section 2302(9) of this title) may
 19 be treated by the head of an agency as commercial items
 20 for purposes of this chapter.”.

21 (b) *CLERICAL AMENDMENT.*—The table of sections at
 22 the beginning of chapter 140 of such title is amended by
 23 inserting after the item relating to section 2380, as added
 24 by section 851, the following new item:

“2380A. Treatment of goods and services provided by nontraditional defense con-
 tractors as commercial items.”.

1 ***Subtitle F—Industrial Base Matters***

2 ***SEC. 861. AMENDMENT TO MENTOR-PROTEGE PROGRAM.***

3 *(a) IN GENERAL.—Section 831 of the National Defense*
4 *Authorization Act for Fiscal Year 1991 (Public Law 101–*
5 *510; 104 Stat. 1607; 10 U.S.C. 2302 note) is amended—*

6 *(1) in subsection (b), by striking “designed to en-*
7 *hance” and all that follows through the period at the*
8 *end and inserting the following: “designed to—*

9 *“(1) enhance the capabilities of disadvantaged small*
10 *business concerns to perform as subcontractors and sup-*
11 *pliers under Department of Defense contracts and other*
12 *contracts and subcontracts; and*

13 *“(2) increase the participation of such business con-*
14 *cerns as subcontractors and suppliers under Department of*
15 *Defense contracts, other Federal Government contracts, and*
16 *commercial contracts.”;*

17 *(2) in subsection (c)(2), by striking “to receive*
18 *such assistance at any time” and inserting “concur-*
19 *rently, and the authority to enter into agreements*
20 *under subsection (e) shall only be available to such*
21 *concern during the 5-year period beginning on the*
22 *date such concern enters into the first such agree-*
23 *ment”;*

24 *(3) in subsection (d)—*

1 (A) by redesignating paragraphs (1) and
2 (2) as clauses (i) and (ii), respectively (and con-
3 forming the margins accordingly); and

4 (B) by inserting before clause (i) (as so re-
5 designated) the following:

6 “(1) the mentor firm is not affiliated with the
7 protege firm prior to the approval of that agreement;
8 and

9 “(2) the mentor firm demonstrates that it—

10 “(A) is qualified to provide assistance that
11 will contribute to the purpose of the program;

12 “(B) is of good financial health and char-
13 acter and does not appear on a Federal list of
14 debarred or suspended contractors; and

15 “(C) can impart value to a protege firm be-
16 cause of experience gained as a Department of
17 Defense contractor or through knowledge of gen-
18 eral business operations and government con-
19 tracting, as demonstrated by evidence that—”;

20 (4) by amending subsection (e)(1) to read as fol-
21 lows:

22 “(1) A developmental program for the protege
23 firm, in such detail as may be reasonable, includ-
24 ing—

1 “(A) factors to assess the protege firm’s de-
2 velopmental progress under the program;

3 “(B) a description of the quantitative and
4 qualitative benefits to the Department of Defense
5 from the agreement, if applicable; and

6 “(C) goals for additional awards that pro-
7 tege firm can compete for outside the Mentor-
8 Protege Program.”;

9 (5) in subsection (f)—

10 (A) in paragraph (1)(A), by striking “busi-
11 ness development,”;

12 (B) by striking paragraph (6); and

13 (C) by redesignating paragraph (7) as
14 paragraph (6);

15 (6) in subsection (g)—

16 (A) in paragraph (2)—

17 (i) in subparagraph (A), by striking
18 “paragraphs (1) and (7) of subsection (f)”
19 and inserting “paragraphs (1) and (6) of
20 subsection (f) (except as provided in sub-
21 paragraph (D))”;

22 (ii) in subparagraph (B), by striking
23 “under subsection (l)(2)”;

24 (iii) by adding at the end the following
25 new subparagraph:

1 “(D) *The Secretary may not reimburse any fee*
2 *assessed by the mentor firm for services provided to*
3 *the protege firm pursuant to subsection (f)(6) or for*
4 *business development expenses incurred by the mentor*
5 *firm under a contract awarded to the mentor firm*
6 *while participating in a joint venture with the pro-*
7 *tege firm.”; and*

8 (B) *in paragraph (3)(B)(i), by striking*
9 *“subsection (f)(7)” and inserting “subsection*
10 *(f)(6)”;*

11 (7) *in subsection (h)(1), by inserting “(15 U.S.C.*
12 *631 et seq.)” after “Small Business Act”;*

13 (8) *in subsection (j)—*

14 (A) *in paragraph (1), by striking “Sep-*
15 *tember 30, 2015” and inserting “September 30,*
16 *2018”;* and

17 (B) *in paragraph (2), by striking “Sep-*
18 *tember 30, 2018” and inserting “September 30,*
19 *2021”;*

20 (9) *by redesignating subsection (l) as subsection*
21 *(n);*

22 (10) *by inserting after subsection (k) the fol-*
23 *lowing new subsections:*

24 “(l) *REPORT BY MENTOR FIRMS.—To comply with*
25 *section 8(d)(7) of the Small Business Act (15 U.S.C.*

1 637(d)(7)), each mentor firm shall submit a report to the
2 Secretary not less than once each fiscal year that includes,
3 for the preceding fiscal year—

4 “(1) all technical or management assistance pro-
5 vided by mentor firm personnel for the purposes de-
6 scribed in subsection (f)(1);

7 “(2) any new awards of subcontracts on a com-
8 petitive or noncompetitive basis to the protege firm
9 under Department of Defense contracts or other con-
10 tracts, including the value of such subcontracts;

11 “(3) any extensions, increases in the scope of
12 work, or additional payments not previously reported
13 for prior awards of subcontracts on a competitive or
14 noncompetitive basis to the protege firm under De-
15 partment of Defense contracts or other contracts, in-
16 cluding the value of such subcontracts;

17 “(4) the amount of any payment of progress
18 payments or advance payments made to the protege
19 firm for performance under any subcontract made
20 under the Mentor-Protege Program;

21 “(5) any loans made by mentor firm to the pro-
22 tege firm;

23 “(6) all Federal contracts awarded to the mentor
24 firm and the protege firm as a joint venture, desig-

1 *nating whether the award was a restricted competi-*
2 *tion or a full and open competition;*

3 *“(7) any assistance obtained by the mentor firm*
4 *for the protege firm from one or more—*

5 *“(A) small business development centers es-*
6 *tablished pursuant to section 21 of the Small*
7 *Business Act (15 U.S.C. 648);*

8 *“(B) entities providing procurement tech-*
9 *nical assistance pursuant to chapter 142 of title*
10 *10, United States Code; or*

11 *“(C) historically Black colleges or univer-*
12 *sities or minority institutions of higher edu-*
13 *cation;*

14 *“(8) whether there have been any changes to the*
15 *terms of the mentor-protege agreement; and*

16 *“(9) a narrative describing the success assistance*
17 *provided under subsection (f) has had in addressing*
18 *the developmental needs of the protege firm, the im-*
19 *act on Department of Defense contracts, and ad-*
20 *dressing any problems encountered.*

21 *“(m) REVIEW OF REPORT BY THE OFFICE OF SMALL*
22 *BUSINESS PROGRAMS.—The Office of Small Business Pro-*
23 *grams of the Department of Defense shall review the report*
24 *required by subsection (l) and, if the Office finds that the*
25 *mentor-protege agreement is not furthering the purpose of*

1 *the Mentor-Protege Program, decide not to approve any*
2 *continuation of the agreement.”; and*

3 *(11) in subsection (n) (as so redesignated)—*

4 *(A) in paragraph (1), by striking “means a*
5 *business concern that meets the requirements of*
6 *section 3(a) of the Small Business Act (15*
7 *U.S.C. 632(a)) and the regulations promulgated*
8 *pursuant thereto” and inserting “has the mean-*
9 *ing given such term under section 3 of the Small*
10 *Business Act (15 U.S.C. 632)”;*

11 *(B) in paragraph (2)—*

12 *(i) by striking “means:” and inserting*
13 *“means a firm that has less than half the*
14 *size standard corresponding to its primary*
15 *North American Industry Classification*
16 *System code, is not owned or managed by*
17 *individuals or entities that directly or indi-*
18 *rectly have stock options or convertible secu-*
19 *rities in the mentor firm, and is—”;*

20 *(ii) in subparagraph (D), by striking*
21 *“the severely disabled” and inserting “se-*
22 *verely disabled individuals”;*

23 *(iii) in subparagraph (G), by striking*
24 *“Small Business Act.” and inserting*

1 “*Small Business Act (15 U.S.C. 632(p));*
2 *or*”; and

3 *(iv) by adding at the end the following*
4 *new subparagraph:*

5 “*(H) a small business concern that—*

6 “*(i) is a nontraditional defense con-*
7 *tractor, as such term is defined in section*
8 *2302 of title 10, United States Code; or*

9 “*(ii) currently provides goods or serv-*
10 *ices in the private sector that are critical to*
11 *enhancing the capabilities of the defense*
12 *supplier base and fulfilling key Department*
13 *of Defense needs.*”;

14 *(C) by amending paragraph (8) to read as*
15 *follows:*

16 “*(8) The term ‘severely disabled individual’*
17 *means an individual who is blind (as defined in sec-*
18 *tion 8501 of title 41, United States Code) or a se-*
19 *verely disabled individual (as defined in such sec-*
20 *tion).*”;

21 *(D) by adding at the end the following new*
22 *paragraph:*

23 “*(9) The term ‘affiliated’, with respect to the re-*
24 *lationship between a mentor firm and a protege firm,*
25 *means—*

1 “(A) the mentor firm shares, directly or in-
2 directly, with the protege firm ownership or
3 management of the protege firm;

4 “(B) the mentor firm has an agreement, at
5 the time the mentor firm enters into a mentor-
6 protege agreement under subsection (e), to merge
7 with the protege firm;

8 “(C) the owners and managers of the men-
9 tor firm are the parent, child, spouse, sibling,
10 aunt, uncle, niece, nephew, grandparent, grand-
11 child, or first cousin of an owner or manager of
12 the protege firm;

13 “(D) the mentor firm has, during the 2-year
14 period before entering into a mentor-protege
15 agreement, employed any officer, director, prin-
16 cipal stock holder, managing member, or key em-
17 ployee of the protege firm;

18 “(E) the mentor firm has engaged in a joint
19 venture with the protege firm during the 2-year
20 period before entering into a mentor-protege
21 agreement, unless such joint venture was ap-
22 proved by the Small Business Administration
23 prior to making any offer on a contract;

24 “(F) the mentor firm is, directly or indi-
25 rectly, the primary party providing contracts to

1 *the protege firm, as measured by the dollar value*
2 *of the contracts; and*

3 “(G) *the Small Business Administration*
4 *has made a determination of affiliation or con-*
5 *trol under subsection (h).”.*

6 **(b) APPLICATION.—**

7 **(1) IN GENERAL.—***The amendments made by*
8 *subsection (a) shall apply to a mentor-protege agree-*
9 *ment made pursuant to section 831 of the National*
10 *Defense Authorization Act for Fiscal Year 1991 (Pub-*
11 *lic Law 101–510; 104 Stat. 1607; 10 U.S.C. 2302*
12 *note) entered into after the date of the enactment of*
13 *the National Defense Authorization Act for Fiscal*
14 *Year 2016.*

15 **(2) RETROACTIVITY OF REPORT AND REVIEW RE-**
16 **QUIREMENTS.—***The amendments made by subsection*
17 *(a)(10) shall apply to a mentor-protege agreement*
18 *made pursuant to section 831 of the National Defense*
19 *Authorization Act for Fiscal Year 1991 (Public Law*
20 *101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) en-*
21 *tered into before, on, or after the date of the enact-*
22 *ment of the National Defense Authorization Act for*
23 *Fiscal Year 2016.*

1 **SEC. 862. AMENDMENTS TO DATA QUALITY IMPROVEMENT**

2 **PLAN.**

3 (a) *IN GENERAL.*—Section 15(s) of the Small Business
4 Act (15 U.S.C. 644(s)) is amended—

5 (1) *by redesignating paragraph (4) as para-*
6 *graph (6); and*

7 (2) *by inserting after paragraph (3) the fol-*
8 *lowing new paragraphs:*

9 “(4) *IMPLEMENTATION.*—Not later than October
10 1, 2016, the Administrator of the Small Business Ad-
11 ministration shall implement the plan described in
12 this subsection.

13 “(5) *CERTIFICATION.*—The Administrator shall
14 annually provide to the Committee on Small Business
15 of the House of Representatives and the Committee on
16 Small Business and Entrepreneurship of the Senate a
17 certification of the accuracy and completeness of data
18 reported on bundled and consolidated contracts.”.

19 (b) *GAO STUDY.*—

20 (1) *STUDY.*—Not later than October 1, 2017, the
21 Comptroller General of the United States shall ini-
22 tiate a study on the effectiveness of the plan described
23 in section 15(s) of the Small Business Act (15 U.S.C.
24 644(s)) that shall assess whether contracts were accu-
25 rately labeled as bundled or consolidated.

1 (2) *CONTRACTS EVALUATED.*—For the purposes
2 of conducting the study described in paragraph (1),
3 the Comptroller General of the United States—

4 (A) shall evaluate, for work in each of sec-
5 tors 23, 33, 54, and 56 (as defined by the North
6 American Industry Classification System), not
7 fewer than 100 contracts in each sector;

8 (B) shall evaluate only those contracts—

9 (i) awarded by an agency listed in sec-
10 tion 901(b) of title 31, United States Code;
11 and

12 (ii) that have a Base and Exercised
13 Options Value, an Action Obligation, or a
14 Base and All Options Value (as such terms
15 are defined in the Federal Procurement
16 Data System described in section
17 1122(a)(4)(A) of title 41, United States
18 Code, or any successor system); and

19 (C) shall not evaluate contracts that have
20 used any set-aside authority.

21 (3) *REPORT.*—Not later than 12 months after
22 initiating the study required by paragraph (1), the
23 Comptroller General of the United States shall report
24 to the Committee on Small Business of the House of
25 Representatives and the Committee on Small Business

1 *and Entrepreneurship of the Senate on the results*
2 *from such study and, if warranted, any recommenda-*
3 *tions on how to improve the quality of data reported*
4 *on bundled and consolidated contracts.*

5 **SEC. 863. NOTICE OF CONTRACT CONSOLIDATION FOR AC-**
6 **QUISITION STRATEGIES.**

7 *(a) NOTICE REQUIREMENT FOR THE HEAD OF A CON-*
8 *TRACTING AGENCY.—Section 15(e)(3) of the Small Business*
9 *Act (15 U.S.C. 644(e)(3)) is amended to read as follows:*

10 “(3) *STRATEGY SPECIFICATIONS.—If the head of*
11 *a contracting agency determines that an acquisition*
12 *plan for a procurement involves a substantial bun-*
13 *dling of contract requirements, the head of a con-*
14 *tracting agency shall publish a notice on a public*
15 *website that such determination has been made not*
16 *later than 7 days after making such determination.*
17 *Any solicitation for a procurement related to the ac-*
18 *quisition plan may not be published earlier than 7*
19 *days after such notice is published. Along with the*
20 *publication of the solicitation, the head of a con-*
21 *tracting agency shall publish a justification for the*
22 *determination, which shall include the following in-*
23 *formation:*

24 “(A) *The specific benefits anticipated to be*
25 *derived from the bundling of contract require-*

1 *ments and a determination that such benefits*
 2 *justify the bundling.*

3 “(B) *An identification of any alternative*
 4 *contracting approaches that would involve a less-*
 5 *er degree of bundling of contract requirements.*

6 “(C) *An assessment of—*

7 “(i) *the specific impediments to par-*
 8 *ticipation by small business concerns as*
 9 *prime contractors that result from the bun-*
 10 *dling of contract requirements; and*

11 “(ii) *the specific actions designed to*
 12 *maximize participation of small business*
 13 *concerns as subcontractors (including sup-*
 14 *pliers) at various tiers under the contract or*
 15 *contracts that are awarded to meet the re-*
 16 *quirements.”.*

17 **(b) NOTICE REQUIREMENT FOR THE SENIOR PRO-**
 18 **CUREMENT EXECUTIVE OR CHIEF ACQUISITION OFFI-**
 19 **CER.—Section 44(c)(2) of the Small Business Act (15**
 20 **U.S.C. 657q(c)(2)) is amended by adding at the end the**
 21 **following:**

22 “(C) **NOTICE.—Not later than 7 days after**
 23 **making a determination that an acquisition**
 24 **strategy involving a consolidation of contract re-**
 25 **quirements is necessary and justified under sub-**

1 *paragraph (A), the senior procurement executive*
 2 *or Chief Acquisition Officer shall publish a no-*
 3 *tice on a public website that such determination*
 4 *has been made. Any solicitation for a procure-*
 5 *ment related to the acquisition strategy may not*
 6 *be published earlier than 7 days after such notice*
 7 *is published. Along with the publication of the*
 8 *solicitation, the senior procurement executive or*
 9 *Chief Acquisition Officer shall publish a jus-*
 10 *tification for the determination, which shall in-*
 11 *clude the information in subparagraphs (A)*
 12 *through (E) of paragraph (1).”.*

13 *(c) TECHNICAL AMENDMENT.—Section 44(c)(1) of the*
 14 *Small Business Act (15 U.S.C. 657q(c)(1)) is amended by*
 15 *striking “Subject to paragraph (4), the head” and inserting*
 16 *“The head”.*

17 **SEC. 864. CLARIFICATION OF REQUIREMENTS RELATED TO**
 18 **SMALL BUSINESS CONTRACTS FOR SERVICES.**

19 *(a) PROCUREMENT CONTRACTS.—Section 8(a)(17) of*
 20 *the Small Business Act (15 U.S.C. 637(a)(17)) is amend-*
 21 *ed—*

22 *(1) in subparagraph (A), by striking “any pro-*
 23 *urement contract” and all that follows through “sec-*
 24 *tion 15” and inserting “any procurement contract,*
 25 *which contract has as its principal purpose the sup-*

1 *ply of a product to be let pursuant to this subsection,*
 2 *subsection (m), section 15(a), section 31, or section*
 3 *36,”; and*

4 *(2) by adding at the end the following new sub-*
 5 *paragraph:*

6 *“(C) LIMITATION.—This paragraph shall not*
 7 *apply to a contract that has as its principal purpose*
 8 *the acquisition of services or construction.”.*

9 *(b) SUBCONTRACTOR CONTRACTS.—Section 46(a)(4) of*
 10 *the Small Business Act (15 U.S.C. 657s(a)(4)) is amended*
 11 *by striking “for supplies from a regular dealer in such sup-*
 12 *plies” and inserting “which is principally for supplies from*
 13 *a regular dealer in such supplies, and which is not a con-*
 14 *tract principally for services or construction”.*

15 **SEC. 865. CERTIFICATION REQUIREMENTS FOR BUSINESS**
 16 **OPPORTUNITY SPECIALISTS, COMMERCIAL**
 17 **MARKET REPRESENTATIVES, AND PROCURE-**
 18 **MENT CENTER REPRESENTATIVES.**

19 *(a) BUSINESS OPPORTUNITY SPECIALIST REQUIRE-*
 20 *MENTS.—*

21 *(1) IN GENERAL.—Section 4 of the Small Busi-*
 22 *ness Act (15 U.S.C. 633) is amended by adding at the*
 23 *end the following new subsection:*

24 *“(g) CERTIFICATION REQUIREMENTS FOR BUSINESS*
 25 *OPPORTUNITY SPECIALISTS.—*

1 “(1) *IN GENERAL.*—Consistent with the require-
2 ments of paragraph (2), a *Business Opportunity Spe-*
3 cialist described under section 7(j)(10)(D) shall have
4 a *Level I Federal Acquisition Certification in Con-*
5 tracting (or any successor certification) or the equiva-
6 lent *Department of Defense certification, except that*
7 *a Business Opportunity Specialist who was serving*
8 *on or before January 3, 2013, may continue to serve*
9 *as a Business Opportunity Specialist for a period of*
10 *5 years beginning on such date without such a certifi-*
11 *cation.*

12 “(2) *DELAY OF CERTIFICATION REQUIREMENT.*—

13 “(A) *TIMING.*—The certification described
14 in paragraph (1) is not required for any person
15 serving as a *Business Opportunity Specialist*
16 until the date that is one calendar year after the
17 date such person is appointed as a *Business Op-*
18 portunity *Specialist.*

19 “(B) *APPLICATION.*—The requirements of
20 subparagraph (A) shall—

21 “(i) be included in any initial job
22 posting for the position of a *Business Op-*
23 portunity *Specialist; and*

1 “(i) apply to any person appointed as
2 a Business Opportunity Specialist after
3 January 3, 2013.”.

4 (2) CONFORMING AMENDMENT.—Section
5 7(j)(10)(D)(i) of such Act (15 U.S.C.
6 636(j)(10)(D)(i)) is amended by striking the second
7 sentence.

8 (b) COMMERCIAL MARKET REPRESENTATIVE RE-
9 QUIREMENTS.—Section 4 of the Small Business Act (15
10 U.S.C. 633), as amended by subsection (a)(1), is further
11 amended by adding at the end the following new subsection:

12 “(h) CERTIFICATION REQUIREMENTS FOR COMMER-
13 CIAL MARKET REPRESENTATIVES.—

14 “(1) IN GENERAL.—Consistent with the require-
15 ments of paragraph (2), a commercial market rep-
16 resentative referred to in section 15(q)(3) shall have
17 a Level I Federal Acquisition Certification in Con-
18 tracting (or any successor certification) or the equiva-
19 lent Department of Defense certification, except that
20 a commercial market representative who was serving
21 on or before the date of the enactment of the National
22 Defense Authorization Act for Fiscal Year 2016 may
23 continue to serve as a commercial market representa-
24 tive for a period of 5 years beginning on such date
25 without such a certification.

1 “(2) *DELAY OF CERTIFICATION REQUIREMENT.*—

2 “(A) *TIMING.*—*The certification described*
3 *in paragraph (1) is not required for any person*
4 *serving as a commercial market representative*
5 *until the date that is one calendar year after the*
6 *date such person is appointed as a commercial*
7 *market representative.*

8 “(B) *APPLICATION.*—*The requirements of*
9 *subparagraph (A) shall—*

10 “(i) *be included in any initial job*
11 *posting for the position of a commercial*
12 *market representative; and*

13 “(ii) *apply to any person appointed as*
14 *a commercial market representative after*
15 *the date of the enactment of the National*
16 *Defense Authorization Act for Fiscal Year*
17 *2016.”.*

18 (c) *PROCUREMENT CENTER REPRESENTATIVE RE-*
19 *QUIREMENTS.*—*Section 15(l)(5) of the Small Business Act*
20 *(15 U.S.C. 644(l)(5)) is amended—*

21 (1) *in subparagraph (A), by amending clause*
22 *(iii) to read as follows:*

23 “(iii) *have the certification described*
24 *in subparagraph (C).”;* *and*

1 (2) *by adding at the end the following new sub-*
2 *paragraph:*

3 “(C) *CERTIFICATION REQUIREMENTS.—*

4 “(i) *IN GENERAL.—Consistent with the*
5 *requirements of clause (ii), a procurement*
6 *center representative shall have a Level III*
7 *Federal Acquisition Certification in Con-*
8 *tracting (or any successor certification) or*
9 *the equivalent Department of Defense cer-*
10 *tification, except that any person serving in*
11 *such a position on or before January 3,*
12 *2013, may continue to serve in that posi-*
13 *tion for a period of 5 years without the re-*
14 *quired certification.*

15 “(ii) *DELAY OF CERTIFICATION RE-*
16 *QUIREMENTS.—*

17 “(I) *TIMING.—The certification*
18 *described in clause (i) is not required*
19 *for any person serving as a procure-*
20 *ment center representative until the*
21 *date that is one calendar year after the*
22 *date such person is appointed as a*
23 *procurement center representative.*

24 “(II) *APPLICATION.—The require-*
25 *ments of subclause (I) shall—*

1 “(aa) be included in any ini-
2 tial job posting for the position of
3 a procurement center representa-
4 tive; and

5 “(bb) apply to any person
6 appointed as a procurement cen-
7 ter representative after January
8 3, 2013.”.

9 **SEC. 866. MODIFICATIONS TO REQUIREMENTS FOR QUALI-**
10 **FIED HUBZONE SMALL BUSINESS CONCERNS**
11 **LOCATED IN A BASE CLOSURE AREA.**

12 (a) *IN GENERAL.*—Section 3(p) of the Small Business
13 Act (15 U.S.C. 632(p)) is amended—

14 (1) in paragraph (1)—

15 (A) in subparagraph (D), by striking “or”;

16 (B) in subparagraph (E), by striking the
17 period at the end and inserting “; or”; and

18 (C) by adding at the end the following:

19 “(F) qualified disaster areas.”;

20 (2) in paragraph (3)—

21 (A) by redesignating subparagraphs (D)
22 and (E) as subparagraphs (E) and (F), respec-
23 tively; and

24 (B) by inserting after subparagraph (C) the
25 following:

1 “(D) a small business concern—

2 “(i) that is wholly owned by one or
3 more Native Hawaiian Organizations (as
4 defined in section 8(a)(15)), or by a cor-
5 poration that is wholly owned by one or
6 more Native Hawaiian Organizations; or

7 “(ii) that is owned in part by one or
8 more Native Hawaiian Organizations, or
9 by a corporation that is wholly owned by
10 one or more Native Hawaiian Organiza-
11 tions, if all other owners are either United
12 States citizens or small business concerns;”;

13 (3) in paragraph (4)—

14 (A) by amending subparagraph (D) to read
15 as follows:

16 “(D) *BASE CLOSURE AREA*.—

17 “(i) *IN GENERAL*.—Subject to clause
18 (ii), the term ‘base closure area’ means—

19 “(I) lands within the external
20 boundaries of a military installation
21 that were closed through a privatiza-
22 tion process under the authority of—

23 “(aa) the Defense Base Clo-
24 sure and Realignment Act of 1990
25 (part A of title XXIX of division

1 *B of Public Law 101–510; 10*
2 *U.S.C. 2687 note);*

3 *“(bb) title II of the Defense*
4 *Authorization Amendments and*
5 *Base Closure and Realignment*
6 *Act (Public Law 100–526; 10*
7 *U.S.C. 2687 note);*

8 *“(cc) section 2687 of title 10,*
9 *United States Code; or*

10 *“(dd) any other provision of*
11 *law authorizing or directing the*
12 *Secretary of Defense or the Sec-*
13 *retary of a military department*
14 *to dispose of real property at the*
15 *military installation for purposes*
16 *relating to base closures of redevel-*
17 *opment, while retaining the au-*
18 *thority to enter into a leaseback of*
19 *all or a portion of the property*
20 *for military use;*

21 *“(II) the census tract or non-*
22 *metropolitan county in which the*
23 *lands described in subclause (I) are*
24 *wholly contained;*

1 “(III) a census tract or nonmetro-
2 politan county the boundaries of which
3 intersect the area described in sub-
4 clause (I); and

5 “(IV) a census tract or nonmetro-
6 politan county the boundaries of which
7 are contiguous to the area described in
8 subclause (II) or subclause (III).

9 “(ii) *LIMITATION.*—A base closure area
10 shall be treated as a HUBZone—

11 “(I) with respect to a census tract
12 or nonmetropolitan county described in
13 clause (i), for a period of not less than
14 8 years, beginning on the date the
15 military installation undergoes final
16 closure and ending on the date the Ad-
17 ministrator makes a final determina-
18 tion as to whether or not to implement
19 the applicable designation described in
20 subparagraph (A) or (B) in accordance
21 with the results of the decennial census
22 conducted after the area was initially
23 designated as a base closure area; and

24 “(II) if such area was treated as
25 a HUBZone at any time after 2010,

1 *until such time as the Administrator*
2 *makes a final determination as to*
3 *whether or not to implement the appli-*
4 *cable designation described in subpara-*
5 *graph (A) or (B), after the 2020 decen-*
6 *nial census.*

7 *“(iii) DEFINITIONS.—In this subpara-*
8 *graph:*

9 *“(I) CENSUS TRACT.—The term*
10 *‘census tract’ means a census tract de-*
11 *lineated by the United States Bureau*
12 *of the Census in the most recent decen-*
13 *nial census that is not located in a*
14 *nonmetropolitan county and does not*
15 *otherwise qualify as a qualified census*
16 *tract.*

17 *“(II) NONMETROPOLITAN COUN-*
18 *TY.—The term ‘nonmetropolitan coun-*
19 *ty’ means a county that was not lo-*
20 *cated in a metropolitan statistical area*
21 *(as defined in section 143(k)(2)(B) of*
22 *the Internal Revenue Code of 1986) at*
23 *the time of the most recent census*
24 *taken for purposes of selecting qualified*
25 *census tracts and does not otherwise*

1 *qualify as a qualified nonmetropolitan*
2 *county.’; and*

3 *(B) by adding at the end the following new*
4 *subparagraph:*

5 “(E) *QUALIFIED DISASTER AREA.*—

6 “(i) *IN GENERAL.*—*Subject to clause*
7 *(ii), the term ‘qualified disaster area’ means*
8 *any census tract or nonmetropolitan county*
9 *located in an area for which the President*
10 *has declared a major disaster under section*
11 *401 of the Robert T. Stafford Disaster Relief*
12 *and Emergency Assistance Act (42 U.S.C.*
13 *5170) or located in an area in which a cat-*
14 *astrophic incident has occurred if such cen-*
15 *sus tract or nonmetropolitan county ceased*
16 *to be qualified under subparagraph (A) or*
17 *(B), as applicable, during the period begin-*
18 *ning 5 years before the date on which the*
19 *President declared the major disaster or the*
20 *catastrophic incident occurred and ending 2*
21 *years after such date, except that such cen-*
22 *sus tract or nonmetropolitan county may be*
23 *a ‘qualified disaster area’ only—*

24 “(I) *in the case of a major dis-*
25 *aster declared by the President, during*

1 *the 5-year period beginning on the date*
 2 *on which the President declared the*
 3 *major disaster for the area in which*
 4 *the census tract or nonmetropolitan*
 5 *county, as applicable, is located; and*

6 “(II) *in the case of a catastrophic*
 7 *incident, during the 10-year period be-*
 8 *ginning on the date on which the cata-*
 9 *strophic incident occurred in the area*
 10 *in which the census tract or nonmetro-*
 11 *politan county, as applicable, is lo-*
 12 *cated.*

13 “(ii) *LIMITATION.—A qualified dis-*
 14 *aster area described in clause (i) shall be*
 15 *treated as a HUBZone for a period of not*
 16 *less than 8 years, beginning on the date the*
 17 *Administrator makes a final determination*
 18 *as to whether or not to implement the des-*
 19 *ignations described in subparagraphs (A)*
 20 *and (B) in accordance with the results of*
 21 *the decennial census conducted after the*
 22 *area was initially designated as a qualified*
 23 *disaster area.”; and*

24 (4) *in paragraph (5)(A)(i)(I)—*

25 (A) *in item (aa)—*

1 (i) by striking “subparagraph (A), (B),
2 (C), (D), or (E) of paragraph (3)” and in-
3 serting “subparagraph (A), (B), (C), (D),
4 (E), or (F) of paragraph (3)”; and

5 (ii) by striking “or” at the end;

6 (B) by redesignating item (bb) as item (cc);

7 and

8 (C) by inserting after item (aa) the fol-
9 lowing new item:

10 “(bb) pursuant to subpara-
11 graph (A), (B), (C), (D), (E), or
12 (F) of paragraph (3), that its
13 principal office is located within
14 a base closure area and that not
15 fewer than 35 percent of its em-
16 ployees reside in such base closure
17 area or in another HUBZone;
18 or”.

19 (b) *APPLICABILITY.*—The amendments made by sub-
20 section (a)(3)(B) shall apply to a major disaster declared
21 by the President under section 401 of the Robert T. Stafford
22 Disaster Relief and Emergency Assistance Act (42 U.S.C.
23 5170) or a catastrophic incident that occurs on or after the
24 date of enactment of such subsection.

1 (c) *INCLUDING FEMA IN AGENCIES THAT MAY PRO-*
2 *VIDE DATA FOR HUBZONE PROGRAM.*—Section 31(c)(3) of
3 *the Small Business Act (15 U.S.C. 657a(c)(3)) is amended*
4 *by inserting “the Administrator of the Federal Emergency*
5 *Management Agency,” after “the Secretary of Labor,”.*

6 (d) *GAO STUDY OF IMPROVEMENT TO OVERSIGHT OF*
7 *THE HUBZONE PROGRAM.*—Not later than 120 days after
8 *the date of enactment of this Act, the Comptroller General*
9 *of the United States shall complete a study on and submit*
10 *a report to the Committee on Small Business of the House*
11 *of Representatives and the Committee on Small Business*
12 *and Entrepreneurship of the Senate that includes—*

13 (1) *an assessment of the evaluation process, in-*
14 *cluding any weaknesses in the process, used by the*
15 *Small Business Administration to approve or deny*
16 *participation in the HUBZone program established*
17 *under section 31 of the Small Business Act (15 U.S.C.*
18 *657a);*

19 (2) *an assessment of the oversight of HUBZone*
20 *program participants by the Small Business Admin-*
21 *istration, including Administration actions taken to*
22 *prevent fraud, waste, and abuse; and*

23 (3) *recommendations on how to improve the*
24 *evaluation process and oversight mechanisms to fur-*
25 *ther reduce fraud, waste, and abuse.*

1 **SEC. 867. JOINT VENTURING AND TEAMING.**

2 (a) *JOINT VENTURE OFFERS FOR BUNDLED OR CON-*
3 *SOLIDATED CONTRACTS.*—Section 15(e)(4) of the Small
4 *Business Act (15 U.S.C. 644(e)(4)) is amended to read as*
5 *follows:*

6 “(4) *CONTRACT TEAMING.*—

7 “(A) *IN GENERAL.*—*In the case of a solici-*
8 *tation of offers for a bundled or consolidated con-*
9 *tract that is issued by the head of an agency, a*
10 *small business concern that provides for use of a*
11 *particular team of subcontractors or a joint ven-*
12 *ture of small business concerns may submit an*
13 *offer for the performance of the contract.*

14 “(B) *EVALUATION OF OFFERS.*—*The head of*
15 *the agency shall evaluate an offer described in*
16 *subparagraph (A) in the same manner as other*
17 *offers, with due consideration to the capabilities*
18 *of all of the proposed subcontractors or members*
19 *of the joint venture as follows:*

20 “(i) *TEAMS.*—*When evaluating an*
21 *offer of a small business prime contractor*
22 *that includes a proposed team of small busi-*
23 *ness subcontractors, the head of the agency*
24 *shall consider the capabilities and past per-*
25 *formance of each first tier subcontractor*
26 *that is part of the team as the capabilities*

1 *and past performance of the small business*
2 *prime contractor.*

3 “(ii) *JOINT VENTURES.*—When evalu-
4 *ating an offer of a joint venture of small*
5 *business concerns, if the joint venture does*
6 *not demonstrate sufficient capabilities or*
7 *past performance to be considered for award*
8 *of a contract opportunity, the head of the*
9 *agency shall consider the capabilities and*
10 *past performance of each member of the*
11 *joint venture as the capabilities and past*
12 *performance of the joint venture.*

13 “(C) *STATUS AS A SMALL BUSINESS CON-*
14 *CERN.*—Participation of a small business con-
15 *cern in a team or a joint venture under this*
16 *paragraph shall not affect the status of that con-*
17 *cern as a small business concern for any other*
18 *purpose.”.*

19 (b) *TEAM AND JOINT VENTURES OFFERS FOR MUL-*
20 *TIPLE AWARD CONTRACTS.*—Section 15(q)(1) of such Act
21 *(15 U.S.C. 644(q)(1)) is amended—*

22 (1) *in the heading, by inserting “AND JOINT*
23 *VENTURE” before “REQUIREMENTS”;*

24 (2) *by striking “Each Federal agency” and in-*
25 *serting the following:*

1 “(A) *IN GENERAL.*—*Each Federal agency*”;

2 *and*

3 (3) *by adding at the end the following new sub-*
4 *paragraphs:*

5 “(B) *TEAMS.*—*When evaluating an offer of*
6 *a small business prime contractor that includes*
7 *a proposed team of small business subcontractors*
8 *for any multiple award contract above the sub-*
9 *stantial bundling threshold of the Federal agen-*
10 *cy, the head of the agency shall consider the ca-*
11 *pabilities and past performance of each first tier*
12 *subcontractor that is part of the team as the ca-*
13 *pabilities and past performance of the small*
14 *business prime contractor.*

15 “(C) *JOINT VENTURES.*—*When evaluating*
16 *an offer of a joint venture of small business con-*
17 *cerns for any multiple award contract above the*
18 *substantial bundling threshold of the Federal*
19 *agency, if the joint venture does not demonstrate*
20 *sufficient capabilities or past performance to be*
21 *considered for award of a contract opportunity,*
22 *the head of the agency shall consider the capa-*
23 *bilities and past performance of each member of*
24 *the joint venture as the capabilities and past*
25 *performance of the joint venture.”.*

1 **SEC. 868. MODIFICATION TO AND SCORECARD PROGRAM**
2 **FOR SMALL BUSINESS CONTRACTING GOALS.**

3 (a) *AMENDMENT TO GOVERNMENTWIDE GOAL FOR*
4 *SMALL BUSINESS PARTICIPATION IN PROCUREMENT CON-*
5 *TRACTS.*—Section 15(g)(1)(A)(i) of the Small Business Act
6 (15 U.S.C. 644(g)(1)(A)(i)) is amended by adding at the
7 end the following: “In meeting this goal, the Government
8 shall ensure the participation of small business concerns
9 from a wide variety of industries and from a broad spec-
10 trum of small business concerns within each industry.”.

11 (b) *SCORECARD PROGRAM FOR EVALUATING FEDERAL*
12 *AGENCY COMPLIANCE WITH SMALL BUSINESS CON-*
13 *TRACTING GOALS.*—

14 (1) *IN GENERAL.*—Not later than September 30,
15 2016, the Administrator of the Small Business Ad-
16 ministration, in consultation with the Federal agen-
17 cies, shall—

18 (A) *develop a methodology for calculating a*
19 *score to be used to evaluate the compliance of*
20 *each Federal agency with meeting the goals es-*
21 *tablished pursuant to section 15(g)(1)(B) of the*
22 *Small Business Act (15 U.S.C. 644(g)(1)(B))*
23 *based on each such goal; and*

24 (B) *develop a scorecard based on such meth-*
25 *odology.*

1 (2) *USE OF SCORECARD.*—*Beginning in fiscal*
2 *year 2017, the Administrator shall establish and*
3 *carry out a program to use the scorecard developed*
4 *under paragraph (1) to evaluate whether each Federal*
5 *agency is creating the maximum practicable opportu-*
6 *nities for the award of prime contracts and sub-*
7 *contracts to small business concerns, small business*
8 *concerns owned and controlled by service-disabled vet-*
9 *erans, qualified HUBZone small business concerns,*
10 *small business concerns owned and controlled by so-*
11 *cially and economically disadvantaged individuals,*
12 *and small business concerns owned and controlled by*
13 *women, by assigning a score to each Federal agency*
14 *for the previous fiscal year.*

15 (3) *CONTENTS OF SCORECARD.*—*The scorecard*
16 *developed under paragraph (1) shall include, for each*
17 *Federal agency, the following information:*

18 (A) *A determination of whether the Federal*
19 *agency met each of the prime contract goals es-*
20 *tablished pursuant to section 15(g)(1)(B) of the*
21 *Small Business Act (15 U.S.C. 644(g)(1)(B))*
22 *with respect to small business concerns, small*
23 *business concerns owned and controlled by serv-*
24 *ice-disabled veterans, qualified HUBZone small*
25 *business concerns, small business concerns owned*

1 *and controlled by socially and economically dis-*
2 *advantaged individuals, and small business con-*
3 *cerns owned and controlled by women.*

4 *(B) A determination of whether the Federal*
5 *agency met each of the subcontract goals estab-*
6 *lished pursuant to such section with respect to*
7 *small business concerns, small business concerns*
8 *owned and controlled by service-disabled vet-*
9 *erans, qualified HUBZone small business con-*
10 *cerns, small business concerns owned and con-*
11 *trolled by socially and economically disadvan-*
12 *tagged individuals, and small business concerns*
13 *owned and controlled by women.*

14 *(C) The number of small business concerns,*
15 *small business concerns owned and controlled by*
16 *service-disabled veterans, qualified HUBZone*
17 *small business concerns, small business concerns*
18 *owned and controlled by socially and economi-*
19 *cally disadvantaged individuals, and small busi-*
20 *ness concerns owned and controlled by women*
21 *awarded prime contracts in each North Amer-*
22 *ican Industry Classification System code during*
23 *the fiscal year and a comparison to the number*
24 *of awarded contracts during the prior fiscal*
25 *year, if available.*

1 (D) *The number of small business concerns,*
2 *small business concerns owned and controlled by*
3 *service-disabled veterans, qualified HUBZone*
4 *small business concerns, small business concerns*
5 *owned and controlled by socially and economi-*
6 *cally disadvantaged individuals, and small busi-*
7 *ness concerns owned and controlled by women*
8 *awarded subcontracts in each North American*
9 *Industry Classification System code during the*
10 *fiscal year and a comparison to the number of*
11 *awarded subcontracts during the prior fiscal*
12 *year, if available.*

13 (E) *Any other factors that the Adminis-*
14 *trator deems important to achieve the maximum*
15 *practicable utilization of small business concerns,*
16 *small business concerns owned and controlled by*
17 *service-disabled veterans, qualified HUBZone*
18 *small business concerns, small business concerns*
19 *owned and controlled by socially and economi-*
20 *cally disadvantaged individuals, and small busi-*
21 *ness concerns owned and controlled by women.*

22 (4) *WEIGHTED FACTORS.—In using the score-*
23 *card to evaluate and assign a score to a Federal agen-*
24 *cy, the Administrator shall base—*

1 (A) *fifty percent of the score on the dollar*
2 *value of prime contracts described in paragraph*
3 *(3)(A); and*

4 (B) *fifty percent of the score on the infor-*
5 *mation provided in subparagraphs (B) through*
6 *(E) of paragraph (3), weighted in a manner de-*
7 *termined by the Administrator to encourage the*
8 *maximum practicable opportunity for the award*
9 *of prime contracts and subcontracts to small*
10 *business concerns, small business concerns owned*
11 *and controlled by service-disabled veterans,*
12 *qualified HUBZone small business concerns,*
13 *small business concerns owned and controlled by*
14 *socially and economically disadvantaged indi-*
15 *viduals, and small business concerns owned and*
16 *controlled by women.*

17 (5) *PUBLICATION.*—*The scorecard used by the*
18 *Administrator under this subsection shall be sub-*
19 *mitted to the President and Congress along with the*
20 *report submitted under section 15(h)(2) of the Small*
21 *Business Act (15 U.S.C. 644(h)(2)).*

22 (6) *REPORT.*—*After the Administrator uses the*
23 *scorecard for fiscal year 2018 to assign scores to Fed-*
24 *eral agencies, but not later than March 31, 2019, the*
25 *Administrator shall submit a report to the Committee*

1 *on Small Business of the House of Representatives*
2 *and the Committee on Small Business and Entrepre-*
3 *neurship of the Senate. Such report shall include the*
4 *following:*

5 *(A) A description of any increase in the*
6 *dollar amount of prime contracts and sub-*
7 *contracts awarded to small business concerns,*
8 *small business concerns owned and controlled by*
9 *service-disabled veterans, qualified HUBZone*
10 *small business concerns, small business concerns*
11 *owned and controlled by socially and economi-*
12 *cally disadvantaged individuals, and small busi-*
13 *ness concerns owned and controlled by women.*

14 *(B) A description of any increase in the*
15 *dollar amount of prime contracts and sub-*
16 *contracts, and the total number of contracts,*
17 *awarded to small business concerns, small busi-*
18 *ness concerns owned and controlled by service-*
19 *disabled veterans, qualified HUBZone small*
20 *business concerns, small business concerns owned*
21 *and controlled by socially and economically dis-*
22 *advantaged individuals, and small business con-*
23 *cerns owned and controlled by women in each*
24 *North American Industry Classification System*
25 *code.*

1 (C) *The recommendation of the Adminis-*
2 *trator on continuing, modifying, expanding, or*
3 *terminating the program established under this*
4 *subsection.*

5 (7) *GAO REPORT ON SCORECARD METHODO-*
6 *LOGY.—Not later than September 30, 2018, the*
7 *Comptroller General of the United States shall submit*
8 *to the Committee on Small Business of the House of*
9 *Representatives and the Committee on Small Business*
10 *and Entrepreneurship of the Senate a report that—*

11 (A) *evaluates whether the methodology used*
12 *to calculate a score under this subsection accu-*
13 *rately and effectively—*

14 (i) *measures the compliance of each*
15 *Federal agency with meeting the goals es-*
16 *tablished pursuant to section 15(g)(1)(B) of*
17 *the Small Business Act (15 U.S.C.*
18 *644(g)(1)(B)); and*

19 (ii) *encourages Federal agencies to ex-*
20 *pand opportunities for small business con-*
21 *cerns, small business concerns owned and*
22 *controlled by service-disabled veterans,*
23 *qualified HUBZone small business con-*
24 *cerns, small business concerns owned and*
25 *controlled by socially and economically dis-*

1 *advantaged individuals, and small business*
2 *concerns owned and controlled by women to*
3 *compete for and be awarded Federal pro-*
4 *curement contracts across North American*
5 *Industry Classification System codes; and*

6 *(B) if warranted, makes recommendations*
7 *on how to improve such methodology to improve*
8 *its accuracy and effectiveness.*

9 (8) *DEFINITIONS.—In this subsection:*

10 (A) *ADMINISTRATOR.—The term “Adminis-*
11 *trator” means the Administrator of the Small*
12 *Business Administration.*

13 (B) *FEDERAL AGENCY.—The term “Federal*
14 *agency” has the meaning given the term “agen-*
15 *cy” by section 551(1) of title 5, United States*
16 *Code, but does not include the United States*
17 *Postal Service or the Government Accountability*
18 *Office.*

19 (C) *SCORECARD.—The term “scorecard”*
20 *shall mean any summary using a rating system*
21 *to evaluate a Federal agency’s efforts to meet*
22 *goals established under section 15(g)(1)(B) of the*
23 *Small Business Act (15 U.S.C. 644(g)(1)(B))*
24 *that—*

1 (i) includes the measures described in
2 paragraph (3); and

3 (ii) assigns a score to each Federal
4 agency evaluated.

5 (D) *SMALL BUSINESS ACT DEFINITIONS.*—

6 (i) *IN GENERAL.*—The terms “small
7 business concern”, “small business concern
8 owned and controlled by service-disabled
9 veterans”, “qualified HUBZone small busi-
10 ness concern”, and “small business concern
11 owned and controlled by women” have the
12 meanings given such terms under section 3
13 of the Small Business Act (15 U.S.C. 632).

14 (ii) *SMALL BUSINESS CONCERNS
15 OWNED AND CONTROLLED BY SOCIALLY AND
16 ECONOMICALLY DISADVANTAGED INDIVID-
17 UALS.*—The term “small business concern
18 owned and controlled by socially and eco-
19 nomically disadvantaged individuals” has
20 the meaning given that term under section
21 8(d)(3)(C) of the Small Business Act (15
22 U.S.C. 637(d)(3)(C)).

1 **SEC. 869. ESTABLISHMENT OF AN OFFICE OF HEARINGS**
 2 **AND APPEALS IN THE SMALL BUSINESS AD-**
 3 **MINISTRATION; PETITIONS FOR RECONSID-**
 4 **ERATION OF SIZE STANDARDS.**

5 *(a) ESTABLISHMENT OF AN OFFICE OF HEARINGS AND*
 6 *APPEALS IN THE SMALL BUSINESS ADMINISTRATION.—*

7 *(1) IN GENERAL.—Section 5 of the Small Busi-*
 8 *ness Act (15 U.S.C. 634) is amended by adding at the*
 9 *end the following new subsection:*

10 *“(i) OFFICE OF HEARINGS AND APPEALS.—*

11 *“(1) ESTABLISHMENT.—*

12 *“(A) OFFICE.—There is established in the*
 13 *Administration an Office of Hearings and Ap-*
 14 *peals—*

15 *“(i) to impartially decide matters re-*
 16 *lating to program decisions of the Adminis-*
 17 *trator—*

18 *“(I) for which Congress requires a*
 19 *hearing on the record; or*

20 *“(II) that the Administrator des-*
 21 *ignates for hearing by regulation; and*

22 *“(ii) which shall contain the office of*
 23 *the Administration that handles requests*
 24 *submitted pursuant to sections 552 of title*
 25 *5, United States Code (commonly referred*
 26 *to as the ‘Freedom of Information Act’) and*

1 *maintains records pursuant to section 552a*
2 *of title 5, United States Code (commonly re-*
3 *ferred to as the 'Privacy Act of 1974').*

4 “(B) *JURISDICTION.*—*The Office of Hear-*
5 *ings and Appeals shall only hear appeals of mat-*
6 *ters as described in this Act, the Small Business*
7 *Investment Act of 1958 (15 U.S.C. 661 et seq.),*
8 *and title 13 of the Code of Federal Regulations.*

9 “(C) *ASSOCIATE ADMINISTRATOR.*—*The*
10 *head of the Office of Hearings and Appeals shall*
11 *be the Chief Hearing Officer appointed under*
12 *section 4(b)(1), who shall be responsible to the*
13 *Administrator.*

14 “(2) *CHIEF HEARING OFFICER DUTIES.*—

15 “(A) *IN GENERAL.*—*The Chief Hearing Of-*
16 *ficer shall—*

17 “(i) *be a career appointee in the Sen-*
18 *ior Executive Service and an attorney li-*
19 *censed by a State, commonwealth, territory*
20 *or possession of the United States, or the*
21 *District of Columbia; and*

22 “(ii) *be responsible for the operation*
23 *and management of the Office of Hearings*
24 *and Appeals.*

1 “(B) *ALTERNATIVE DISPUTE RESOLU-*
2 *TION.—The Chief Hearing Officer may assign a*
3 *matter for mediation or other means of alter-*
4 *native dispute resolution.*

5 “(3) *HEARING OFFICERS.—*

6 “(A) *IN GENERAL.—The Office of Hearings*
7 *and Appeals shall appoint Hearing Officers to*
8 *carry out the duties described in paragraph*
9 *(1)(A)(i).*

10 “(B) *CONDITIONS OF EMPLOYMENT.—A*
11 *Hearing Officer appointed under this para-*
12 *graph—*

13 “(i) *shall serve in the excepted service*
14 *as an employee of the Administration under*
15 *section 2103 of title 5, United States Code,*
16 *and under the supervision of the Chief*
17 *Hearing Officer;*

18 “(ii) *shall be classified at a position to*
19 *which section 5376 of title 5, United States*
20 *Code, applies; and*

21 “(iii) *shall be compensated at a rate*
22 *not exceeding the maximum rate payable*
23 *under such section.*

1 “(C) *AUTHORITY; POWERS.*—*Notwith-*
2 *standing section 556(b) of title 5, United States*
3 *Code—*

4 “(i) *a Hearing Officer may hear cases*
5 *arising under section 554 of such title;*

6 “(ii) *a Hearing Officer shall have the*
7 *powers described in section 556(c) of such*
8 *title; and*

9 “(iii) *the relevant provisions of sub-*
10 *chapter II of chapter 5 of such title (except*
11 *for section 556(b) of such title) shall apply*
12 *to such Hearing Officer.*

13 “(D) *TREATMENT OF CURRENT PER-*
14 *SONNEL.*—*An individual serving as a Judge in*
15 *the Office of Hearings and Appeals (as that posi-*
16 *tion and office are designated in section 134.101*
17 *of title 13, Code of Federal Regulations) on the*
18 *effective date of this subsection shall be consid-*
19 *ered as qualified to be, and redesignated as, a*
20 *Hearing Officer.*

21 “(4) *HEARING OFFICER DEFINED.*—*In this sub-*
22 *section, the term ‘Hearing Officer’ means an indi-*
23 *vidual appointed or redesignated under this sub-*
24 *section who is an attorney licensed by a State, com-*

1 *monwealth, territory or possession of the United*
2 *States, or the District of Columbia.”.*

3 (2) *ASSOCIATE ADMINISTRATOR AS CHIEF HEAR-*
4 *ING OFFICER.*—Section 4(b)(1) of such Act (15 U.S.C.
5 633(b)) is amended by adding at the end the fol-
6 *lowing: “One such Associate Administrator shall be*
7 *the Chief Hearing Officer, who shall administer the*
8 *Office of Hearings and Appeals established under sec-*
9 *tion 5(i).”.*

10 (3) *REPEAL OF REGULATION.*—Section
11 *134.102(t) of title 13, Code of Federal Regulations, as*
12 *in effect on January 1, 2015 (relating to types of*
13 *hearings within the jurisdiction of the Office of Hear-*
14 *ings and Appeals), shall have no force or effect.*

15 (b) *PETITIONS FOR RECONSIDERATION OF SIZE*
16 *STANDARDS FOR SMALL BUSINESS CONCERNS.*—Section
17 *3(a) of the Small Business Act (15 U.S.C. 632(a)) is*
18 *amended by adding at the end the following:*

19 “(9) *PETITIONS FOR RECONSIDERATION OF SIZE*
20 *STANDARDS.*—

21 “(A) *IN GENERAL.*—*A person may file a pe-*
22 *tition for reconsideration with the Office of*
23 *Hearings and Appeals (as established under sec-*
24 *tion 5(i)) of a size standard revised, modified, or*

1 *established by the Administrator pursuant to*
2 *this subsection.*

3 “(B) *TIME LIMIT.*—*A person filing a peti-*
4 *tion for reconsideration described in subpara-*
5 *graph (A) shall file such petition not later than*
6 *30 days after the publication in the Federal Reg-*
7 *ister of the notice of final rule to revise, modify,*
8 *or establish size standards described in para-*
9 *graph (6).*

10 “(C) *PROCESS FOR AGENCY REVIEW.*—*The*
11 *Office of Hearings and Appeals shall use the*
12 *same process it uses to decide challenges to the*
13 *size of a small business concern to decide a peti-*
14 *tion for review pursuant to this paragraph.*

15 “(D) *JUDICIAL REVIEW.*—*The publication*
16 *of a final rule in the Federal Register described*
17 *in subparagraph (B) shall be considered final*
18 *agency action for purposes of seeking judicial re-*
19 *view. Filing a petition for reconsideration under*
20 *subparagraph (A) shall not be a condition prece-*
21 *dent to judicial review of any such size stand-*
22 *ard.”.*

1 **SEC. 870. ADDITIONAL DUTIES OF THE DIRECTOR OF**
2 **SMALL AND DISADVANTAGED BUSINESS UTI-**
3 **LIZATION.**

4 *Section 15(k) of the Small Business Act (15 U.S.C.*
5 *644(k)) is amended—*

6 *(1) in paragraph (15), by striking “; and” and*
7 *inserting a semicolon;*

8 *(2) in paragraph (16)(C), by striking the period*
9 *at the end and inserting “; and”; and*

10 *(3) by inserting after paragraph (16) the fol-*
11 *lowing new paragraph:*

12 *“(17) shall, when notified by a small business*
13 *concern prior to the award of a contract that the*
14 *small business concern believes that a solicitation, re-*
15 *quest for proposal, or request for quotation unduly re-*
16 *stricts the ability of the small business concern to*
17 *compete for the award—*

18 *“(A) submit the notice of the small business*
19 *concern to the contracting officer and, if nec-*
20 *essary, recommend ways in which the solicita-*
21 *tion, request for proposal, or request for*
22 *quotation may be altered to increase the oppor-*
23 *tunity for competition;*

24 *“(B) inform the advocate for competition of*
25 *such agency (as established under section 1705 of*

1 *title 41, United States Code, or section 2318 of*
2 *title 10, United States Code) of such notice; and*
3 “(C) *ensure that the small business concern*
4 *is aware of other resources and processes avail-*
5 *able to address unduly restrictive provisions in*
6 *a solicitation, request for proposal, or request for*
7 *quotation, even if such resources and processes*
8 *are provided by such agency, the Administra-*
9 *tion, the Comptroller General, or a procurement*
10 *technical assistance program established under*
11 *chapter 142 of title 10, United States Code.”.*

12 **SEC. 871. INCLUDING SUBCONTRACTING GOALS IN AGENCY**
13 **RESPONSIBILITIES.**

14 *Section 1633(b) of the National Defense Authorization*
15 *Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*
16 *2076; 15 U.S.C. 631 note) is amended by striking “assume*
17 *responsibility for of the agency’s success in achieving small*
18 *business contracting goals and percentages” and inserting*
19 *“assume responsibility for the agency’s success in achieving*
20 *each of the small business prime contracting and subcon-*
21 *tracting goals and percentages”.*

1 **SEC. 872. REPORTING RELATED TO FAILURE OF CONTRAC-**
2 **TORS TO MEET GOALS UNDER NEGOTIATED**
3 **COMPREHENSIVE SMALL BUSINESS SUBCON-**
4 **TRACTING PLANS.**

5 *Paragraph (2) of section 834(d) of the National De-*
6 *fense Authorization Act for Fiscal Years 1990 and 1991 (15*
7 *U.S.C. 637 note), as added by section 821(d)(2) of the Carl*
8 *Levin and Howard P. “Buck” McKeon National Defense*
9 *Authorization Act for Fiscal Year 2015 (Public Law 113-*
10 *291; 128 Stat. 3434), is amended by striking “may not ne-*
11 *gotiate” and all that follows through the period at the end*
12 *and inserting “shall report to Congress on any negotiated*
13 *comprehensive subcontracting plan that the Secretary deter-*
14 *mines did not meet the subcontracting goals negotiated in*
15 *the plan for the prior fiscal year.”.*

16 **SEC. 873. PILOT PROGRAM FOR STREAMLINING AWARDS**
17 **FOR INNOVATIVE TECHNOLOGY PROJECTS.**

18 *(a) EXCEPTION FROM CERTIFIED COST AND PRICING*
19 *DATA REQUIREMENTS.—The requirements under section*
20 *2306a(a) of title 10, United States Code, shall not apply*
21 *to a contract, subcontract, or modification of a contract or*
22 *subcontract valued at less than \$7,500,000 awarded to a*
23 *small business or nontraditional defense contractor pursu-*
24 *ant to—*

25 *(1) a technical, merit-based selection procedure,*
26 *such as a broad agency announcement, or*

1 (2) *the Small Business Innovation Research Pro-*
2 *gram,*
3 *unless the head of the agency determines that submission*
4 *of cost and pricing data should be required based on past*
5 *performance of the specific small business or nontraditional*
6 *defense contractor, or based on analysis of other informa-*
7 *tion specific to the award.*

8 (b) *EXCEPTION FROM RECORDS EXAMINATION RE-*
9 *QUIREMENT.—The requirements under subsection (b) of sec-*
10 *tion 2313 of title 10, United States Code, shall not apply*
11 *to a contract valued at less than \$7,500,000 awarded to*
12 *a small business or nontraditional defense contractor pursu-*
13 *ant to—*

14 (1) *a technical, merit-based selection procedure,*
15 *such as a broad agency announcement, or*

16 (2) *the Small Business Innovation Research Pro-*
17 *gram,*

18 *unless the head of the agency determines that auditing of*
19 *records should be required based on past performance of the*
20 *specific small business or nontraditional defense contractor,*
21 *or based on analysis of other information specific to the*
22 *award.*

23 (c) *SUNSET.—The exceptions under subsections (a)*
24 *and (b) shall terminate on October 1, 2020.*

25 (d) *DEFINITIONS.—In this section:*

1 (1) *SMALL BUSINESS*.—*The term “small busi-*
2 *ness” has the meaning given the term “small business*
3 *concern” under section 3 of the Small Business Act*
4 *(15 U.S.C. 632).*

5 (2) *NONTRADITIONAL DEFENSE CONTRACTOR*.—
6 *The term “nontraditional defense contractor” has the*
7 *meaning given that term in section 2302(9) of title*
8 *10, United States Code.*

9 (e) *SMALL BUSINESS INNOVATION RESEARCH PRO-*
10 *GRAM ADMINISTRATIVE FEE EXTENSION*.—*Section*
11 *9(mm)(1) of the Small Business Act (15 U.S.C.*
12 *638(mm)(1)) is amended by striking “, for the 3 fiscal years*
13 *beginning after the date of enactment of this subsection,”*
14 *and inserting “and until September 30, 2017.”*

15 **SEC. 874. SURETY BOND REQUIREMENTS AND AMOUNT OF**
16 **GUARANTEE.**

17 (a) *SURETY BOND REQUIREMENTS*.—*Chapter 93 of*
18 *subtitle VI of title 31, United States Code, is amended—*

19 (1) *by adding at the end the following:*

20 **“§9310. Individual sureties**

21 *“If another applicable Federal law or regulation per-*
22 *mits the acceptance of a bond from a surety that is not*
23 *subject to sections 9305 and 9306 and is based on a pledge*
24 *of assets by the surety, the assets pledged by such surety*
25 *shall—*

1 “(1) consist of eligible obligations described
2 under section 9303(a); and

3 “(2) be submitted to the official of the Govern-
4 ment required to approve or accept the bond, who
5 shall deposit the obligations as described under section
6 9303(b).”; and

7 (2) in the table of contents for such chapter, by
8 adding at the end the following:

“9310. Individual sureties.”.

9 (b) *AMOUNT OF SURETY BOND GUARANTEE FROM*
10 *SMALL BUSINESS ADMINISTRATION.*—Section 411(c)(1) of
11 *the Small Business Investment Act of 1958 (15 U.S.C.*
12 *694b(c)(1)) is amended by striking “70” and inserting*
13 *“90”.*

14 (c) *EFFECTIVE DATE.*—*The amendments made by this*
15 *section shall take effect 1 year after the date of the enact-*
16 *ment of this Act.*

17 **SEC. 875. REVIEW OF GOVERNMENT ACCESS TO INTELLEC-**
18 **TUAL PROPERTY RIGHTS OF PRIVATE SEC-**
19 **TOR FIRMS.**

20 (a) *REVIEW REQUIRED.*—

21 (1) *IN GENERAL.*—*Not later than 30 days after*
22 *the date of the enactment of this Act, the Secretary of*
23 *Defense shall enter into a contract with an inde-*
24 *pendent entity with appropriate expertise to conduct*
25 *a review of—*

1 (A) *Department of Defense regulations,*
2 *practices, and sustainment requirements related*
3 *to Government access to and use of intellectual*
4 *property rights of private sector firms; and*

5 (B) *Department of Defense practices related*
6 *to the procurement, management, and use of in-*
7 *tellectual property rights to facilitate competi-*
8 *tion in sustainment of weapon systems through-*
9 *out their life-cycle.*

10 (2) *CONSULTATION REQUIRED.—The contract*
11 *shall require that in conducting the review, the inde-*
12 *pendent entity shall consult with the National Defense*
13 *Technology and Industrial Base Council (described in*
14 *section 2502 of title 10, United States Code) and each*
15 *Center of Industrial and Technical Excellence (de-*
16 *scribed in section 2474 of title 10, United States*
17 *Code).*

18 (b) *REPORT.—Not later than March 1, 2016, the Sec-*
19 *retary shall submit to the congressional defense committees*
20 *a report on the findings of the independent entity, along*
21 *with a description of any actions that the Secretary pro-*
22 *poses to revise and clarify laws or that the Secretary may*
23 *take to revise or clarify regulations related to intellectual*
24 *property rights.*

1 **SEC. 876. INCLUSION IN ANNUAL TECHNOLOGY AND INDUS-**
2 **TRIAL CAPABILITY ASSESSMENTS OF A DE-**
3 **TERMINATION ABOUT DEFENSE ACQUISITION**
4 **PROGRAM REQUIREMENTS.**

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

7 *(1) by redesignating paragraphs (3) and (4) as*
8 *paragraphs (5) and (6), respectively; and*

9 *(2) by inserting after paragraph (2) the fol-*
10 *lowing new paragraphs (3) and (4):*

11 *“(3) determine the extent to which the require-*
12 *ments associated with defense acquisition programs*
13 *can be satisfied by the present and projected perform-*
14 *ance capacities of industries supporting the sectors or*
15 *capabilities in the assessment, evaluate the reasons for*
16 *any variance from applicable preceding determina-*
17 *tions, and identify the extent to which those indus-*
18 *tries are comprised of only one potential source in the*
19 *national technology and industrial base or have mul-*
20 *tiple potential sources;*

21 *“(4) determine the extent to which the require-*
22 *ments associated with defense acquisition programs*
23 *can be satisfied by the present and projected perform-*
24 *ance capacities of industries that do not actively sup-*
25 *port Department of Defense acquisition programs and*

1 *identify the barriers to the participation of those in-*
2 *dustries;”.*

3 ***Subtitle G—Other Matters***

4 ***SEC. 881. CONSIDERATION OF POTENTIAL PROGRAM COST***
5 ***INCREASES AND SCHEDULE DELAYS RESULT-***
6 ***ING FROM OVERSIGHT OF DEFENSE ACQUI-***
7 ***SITION PROGRAMS.***

8 ***(a) AVOIDANCE OF UNNECESSARY COST INCREASES***
9 ***AND SCHEDULE DELAYS.—****The Director of Operational*
10 *Test and Evaluation, the Deputy Chief Management Offi-*
11 *cer, the Director of the Defense Contract Management Agen-*
12 *cy, the Director of the Defense Contract Audit Agency, the*
13 *Inspector General of the Department of Defense, and the*
14 *heads of other defense audit, testing, acquisition, and man-*
15 *agement agencies shall ensure that policies, procedures, and*
16 *activities implemented by their offices and agencies in con-*
17 *nection with defense acquisition program oversight do not*
18 *result in unnecessary increases in program costs or cost es-*
19 *timates or delays in schedule or schedule estimates.*

20 ***(b) CONSIDERATION OF PRIVATE SECTOR BEST PRAC-***
21 ***TICES.—****In considering potential cost increases and sched-*
22 *ule delays as a result of oversight efforts pursuant to sub-*
23 *section (a), the officials described in such subsection shall*
24 *consider private sector best practices with respect to over-*
25 *sight implementation.*

1 **SEC. 882. EXAMINATION AND GUIDANCE RELATING TO**
2 **OVERSIGHT AND APPROVAL OF SERVICES**
3 **CONTRACTS.**

4 *Not later than March 1, 2016, the Under Secretary of*
5 *Defense for Acquisition, Technology, and Logistics shall—*

6 *(1) complete an examination of the decision au-*
7 *thority related to acquisition of services; and*

8 *(2) develop and issue guidance to improve capa-*
9 *bilities and processes related to requirements develop-*
10 *ment and source selection for, and oversight and man-*
11 *agement of, services contracts.*

12 **SEC. 883. STREAMLINING OF REQUIREMENTS RELATING TO**
13 **DEFENSE BUSINESS SYSTEMS.**

14 *(a) IN GENERAL.—*

15 *(1) REVISION.—Section 2222 of title 10, United*
16 *States Code, is amended to read as follows:*

17 **“§ 2222. Defense business systems: business process re-**
18 **engineering; enterprise architecture; man-**
19 **agement**

20 *“(a) DEFENSE BUSINESS PROCESSES GENERALLY.—*

21 *The Secretary of Defense shall ensure that defense business*
22 *processes are reviewed, and as appropriate revised, through*
23 *business process reengineering to match best commercial*
24 *practices, to the maximum extent practicable, so as to mini-*
25 *mize customization of commercial business systems.*

1 “(b) *DEFENSE BUSINESS SYSTEMS GENERALLY.—The*
2 *Secretary of Defense shall ensure that each covered defense*
3 *business system developed, deployed, and operated by the*
4 *Department of Defense—*

5 “(1) *supports efficient business processes that*
6 *have been reviewed, and as appropriate revised,*
7 *through business process reengineering;*

8 “(2) *is integrated into a comprehensive defense*
9 *business enterprise architecture;*

10 “(3) *is managed in a manner that provides visi-*
11 *bility into, and traceability of, expenditures for the*
12 *system; and*

13 “(4) *uses an acquisition and sustainment strat-*
14 *egy that prioritizes the use of commercial software*
15 *and business practices.*

16 “(c) *ISSUANCE OF GUIDANCE.—*

17 “(1) *SECRETARY OF DEFENSE GUIDANCE.—The*
18 *Secretary shall issue guidance to provide for the co-*
19 *ordination of, and decision making for, the planning,*
20 *programming, and control of investments in covered*
21 *defense business systems.*

22 “(2) *SUPPORTING GUIDANCE.—The Secretary*
23 *shall direct the Deputy Chief Management Officer of*
24 *the Department of Defense, the Under Secretary of*
25 *Defense for Acquisition, Technology, and Logistics,*

1 *the Chief Information Officer, and the Chief Manage-*
2 *ment Officer of each of the military departments to*
3 *issue and maintain supporting guidance, as appro-*
4 *priate and within their respective areas of responsi-*
5 *bility, for the guidance of the Secretary issued under*
6 *paragraph (1).*

7 *“(d) GUIDANCE ELEMENTS.—The guidance issued*
8 *under subsection (c)(1) shall include the following elements:*

9 *“(1) Policy to ensure that the business processes*
10 *of the Department of Defense are continuously re-*
11 *viewed and revised—*

12 *“(A) to implement the most streamlined*
13 *and efficient business processes practicable; and*

14 *“(B) eliminate or reduce the need to tailor*
15 *commercial off-the-shelf systems to meet or incor-*
16 *porate requirements or interfaces that are unique*
17 *to the Department of Defense.*

18 *“(2) A process to establish requirements for cov-*
19 *ered defense business systems.*

20 *“(3) Mechanisms for the planning and control of*
21 *investments in covered defense business systems, in-*
22 *cluding a process for the collection and review of pro-*
23 *gramming and budgeting information for covered de-*
24 *fense business systems.*

1 “(4) *Policy requiring the periodic review of cov-*
2 *ered defense business systems that have been fully de-*
3 *ployed, by portfolio, to ensure that investments in*
4 *such portfolios are appropriate.*

5 “(5) *Policy to ensure full consideration of sus-*
6 *tainability and technological refreshment require-*
7 *ments, and the appropriate use of open architectures.*

8 “(6) *Policy to ensure that best acquisition and*
9 *systems engineering practices are used in the procure-*
10 *ment and deployment of commercial systems, modi-*
11 *fied commercial systems, and defense-unique systems*
12 *to meet Department of Defense missions.*

13 “(e) *DEFENSE BUSINESS ENTERPRISE ARCHITEC-*
14 *TURE.—*

15 “(1) *BLUEPRINT.—The Secretary, working*
16 *through the Deputy Chief Management Officer of the*
17 *Department of Defense, shall develop and maintain a*
18 *blueprint to guide the development of integrated busi-*
19 *ness processes within the Department of Defense. Such*
20 *blueprint shall be known as the ‘defense business en-*
21 *terprise architecture’.*

22 “(2) *PURPOSE.—The defense business enterprise*
23 *architecture shall be sufficiently defined to effectively*
24 *guide implementation of interoperable defense busi-*
25 *ness system solutions and shall be consistent with the*

1 *policies and procedures established by the Director of*
2 *the Office of Management and Budget.*

3 “(3) *ELEMENTS.—The defense business enter-*
4 *prise architecture shall—*

5 “(A) *include policies, procedures, business*
6 *data standards, business performance measures,*
7 *and business information requirements that*
8 *apply uniformly throughout the Department of*
9 *Defense; and*

10 “(B) *enable the Department of Defense to—*

11 “(i) *comply with all applicable law,*
12 *including Federal accounting, financial*
13 *management, and reporting requirements;*

14 “(ii) *routinely produce verifiable, time-*
15 *ly, accurate, and reliable business and fi-*
16 *nancial information for management pur-*
17 *poses;*

18 “(iii) *integrate budget, accounting, and*
19 *program information and systems; and*

20 “(iv) *identify whether each existing*
21 *business system is a part of the business*
22 *systems environment outlined by the defense*
23 *business enterprise architecture, will become*
24 *a part of that environment with appro-*

1 *priate modifications, or is not a part of*
2 *that environment.*

3 “(4) *INTEGRATION INTO INFORMATION TECH-*
4 *NOLOGY ARCHITECTURE.—(A) The defense business*
5 *enterprise architecture shall be integrated into the in-*
6 *formation technology enterprise architecture required*
7 *under subparagraph (B).*

8 “(B) *The Chief Information Officer of the De-*
9 *partment of Defense shall develop an information*
10 *technology enterprise architecture. The architecture*
11 *shall describe a plan for improving the information*
12 *technology and computing infrastructure of the De-*
13 *partment of Defense, including for each of the major*
14 *business processes conducted by the Department of De-*
15 *fense.*

16 “(f) *DEFENSE BUSINESS COUNCIL.—*

17 “(1) *REQUIREMENT FOR COUNCIL.—The Sec-*
18 *retary shall establish a Defense Business Council to*
19 *provide advice to the Secretary on developing the de-*
20 *fense business enterprise architecture, reengineering*
21 *the Department’s business processes, developing and*
22 *deploying defense business systems, and developing re-*
23 *quirements for defense business systems. The Council*
24 *shall be chaired by the Deputy Chief Management Of-*

1 *ficer and the Chief Information Officer of the Depart-*
2 *ment of Defense.*

3 “(2) *MEMBERSHIP.*—*The membership of the*
4 *Council shall include the following:*

5 “(A) *The Chief Management Officers of the*
6 *military departments, or their designees.*

7 “(B) *The following officials of the Depart-*
8 *ment of Defense, or their designees:*

9 “(i) *The Under Secretary of Defense*
10 *for Acquisition, Technology, and Logistics*
11 *with respect to acquisition, logistics, and*
12 *installations management processes.*

13 “(ii) *The Under Secretary of Defense*
14 *(Comptroller) with respect to financial*
15 *management and planning and budgeting*
16 *processes.*

17 “(iii) *The Under Secretary of Defense*
18 *for Personnel and Readiness with respect to*
19 *human resources management processes.*

20 “(g) *APPROVALS REQUIRED FOR DEVELOPMENT.*—

21 “(1) *INITIAL APPROVAL REQUIRED.*—*The Sec-*
22 *retary shall ensure that a covered defense business*
23 *system program cannot proceed into development (or,*
24 *if no development is required, into production or*

1 *fielding) unless the appropriate approval official (as*
2 *specified in paragraph (2)) determines that—*

3 “(A) *the system has been, or is being, re-*
4 *engineered to be as streamlined and efficient as*
5 *practicable, and the implementation of the sys-*
6 *tem will maximize the elimination of unique*
7 *software requirements and unique interfaces;*

8 “(B) *the system and business system port-*
9 *folio are or will be in compliance with the de-*
10 *fense business enterprise architecture developed*
11 *pursuant to subsection (e) or will be in compli-*
12 *ance as a result of modifications planned;*

13 “(C) *the system has valid, achievable re-*
14 *quirements and a viable plan for implementing*
15 *those requirements (including, as appropriate,*
16 *market research, business process reengineering,*
17 *and prototyping activities);*

18 “(D) *the system has an acquisition strategy*
19 *designed to eliminate or reduce the need to tailor*
20 *commercial off-the-shelf systems to meet unique*
21 *requirements, incorporate unique requirements,*
22 *or incorporate unique interfaces to the maximum*
23 *extent practicable; and*

24 “(E) *is in compliance with the Depart-*
25 *ment’s auditability requirements.*

1 “(2) *APPROPRIATE OFFICIAL.*—For purposes of
2 *paragraph (1), the appropriate approval official with*
3 *respect to a covered defense business system is the fol-*
4 *lowing:*

5 “(A) *Except as may be provided in sub-*
6 *paragraph (C), in the case of a priority defense*
7 *business system, the Deputy Chief Management*
8 *Officer of the Department of Defense.*

9 “(B) *Except as may be provided in sub-*
10 *paragraph (C), for any defense business system*
11 *other than a priority defense business system—*

12 “(i) *in the case of a system of a mili-*
13 *tary department, the Chief Management Of-*
14 *ficer of that military department; and*

15 “(ii) *in the case of a system of a De-*
16 *fense Agency or Department of Defense*
17 *Field Activity, or a system that will sup-*
18 *port the business process of more than one*
19 *military department or Defense Agency or*
20 *Department of Defense Field Activity, the*
21 *Deputy Chief Management Officer of the*
22 *Department of Defense.*

23 “(C) *In the case of any defense business sys-*
24 *tem, such official other than the applicable offi-*

1 *cial under subparagraph (A) or (B) as the Sec-*
2 *retary designates for such purpose.*

3 “(3) *ANNUAL CERTIFICATION.*—*For any fiscal*
4 *year in which funds are expended for development or*
5 *sustainment pursuant to a covered defense business*
6 *system program, the appropriate approval official*
7 *shall review the system and certify, certify with con-*
8 *ditions, or decline to certify, as the case may be, that*
9 *it continues to satisfy the requirements of paragraph*
10 *(1). If the approval official determines that certifi-*
11 *cation cannot be granted, the approval official shall*
12 *notify the milestone decision authority for the pro-*
13 *gram and provide a recommendation for corrective*
14 *action.*

15 “(4) *OBLIGATION OF FUNDS IN VIOLATION OF*
16 *REQUIREMENTS.*—*The obligation of Department of*
17 *Defense funds for a covered defense business system*
18 *program that has not been certified in accordance*
19 *with paragraph (3) is a violation of section*
20 *1341(a)(1)(A) of title 31.*

21 “(h) *RESPONSIBILITY OF MILESTONE DECISION AU-*
22 *THORITY.*—*The milestone decision authority for a covered*
23 *defense business system program shall be responsible for the*
24 *acquisition of such system and shall ensure that acquisition*
25 *process approvals are not considered for such system until*

1 *the relevant certifications and approvals have been made*
2 *under this section.*

3 “(i) *DEFINITIONS.—In this section:*

4 “(1)(A) *DEFENSE BUSINESS SYSTEM.—The term*
5 *‘defense business system’ means an information sys-*
6 *tem that is operated by, for, or on behalf of the De-*
7 *partment of Defense, including any of the following:*

8 “(i) *A financial system.*

9 “(ii) *A financial data feeder system.*

10 “(iii) *A contracting system.*

11 “(iv) *A logistics system.*

12 “(v) *A planning and budgeting system.*

13 “(vi) *An installations management system.*

14 “(vii) *A human resources management sys-*
15 *tem.*

16 “(viii) *A training and readiness system.*

17 “(B) *The term does not include—*

18 “(i) *a national security system; or*

19 “(ii) *an information system used exclusively*
20 *by and within the defense commissary system or*
21 *the exchange system or other instrumentality of*
22 *the Department of Defense conducted for the mo-*
23 *rale, welfare, and recreation of members of the*
24 *armed forces using nonappropriated funds.*

1 “(2) *COVERED DEFENSE BUSINESS SYSTEM.*—

2 *The term ‘covered defense business system’ means a*
3 *defense business system that is expected to have a*
4 *total amount of budget authority, over the period of*
5 *the current future-years defense program submitted to*
6 *Congress under section 221 of this title, in excess of*
7 *\$50,000,000.*

8 “(3) *BUSINESS SYSTEM PORTFOLIO.*—*The term*
9 *‘business system portfolio’ means all business systems*
10 *performing functions closely related to the functions*
11 *performed or to be performed by a covered defense*
12 *business system.*

13 “(4) *COVERED DEFENSE BUSINESS SYSTEM PRO-*
14 *GRAM.*—*The term ‘covered defense business system*
15 *program’ means a defense acquisition program to de-*
16 *velop and field a covered defense business system or*
17 *an increment of a covered defense business system.*

18 “(5) *PRIORITY DEFENSE BUSINESS SYSTEM PRO-*
19 *GRAM.*—*The term ‘priority defense business system’*
20 *means a defense business system that is—*

21 “(A) *expected to have a total amount of*
22 *budget authority over the period of the current*
23 *future-years defense program submitted to Con-*
24 *gress under section 221 of this title in excess of*
25 *\$250,000,000; or*

1 “(B) designated by the Deputy Chief Man-
2 agement Officer of the Department of Defense as
3 a priority defense business system, based on spe-
4 cific program analyses of factors including com-
5 plexity, scope, and technical risk, and after noti-
6 fication to Congress of such designation.

7 “(6) *ENTERPRISE ARCHITECTURE*.—The term
8 ‘enterprise architecture’ has the meaning given that
9 term in section 3601(4) of title 44.

10 “(7) *INFORMATION SYSTEM*.—The term ‘informa-
11 tion system’ has the meaning given that term in sec-
12 tion 11101 of title 40, United States Code.

13 “(8) *NATIONAL SECURITY SYSTEM*.—The term
14 ‘national security system’ has the meaning given that
15 term in section 3552(b)(6)(A) of title 44.

16 “(9) *BUSINESS PROCESS MAPPING*.—The term
17 ‘business process mapping’ means a procedure in
18 which the steps in a business process are clarified and
19 documented in both written form and in a flow
20 chart.”.

21 (2) *CLERICAL AMENDMENT*.—The table of sec-
22 tions at the beginning of such chapter is amended by
23 striking the item relating to section 2222 and insert-
24 ing the following new item:

“2222. Defense business systems: business process reengineering; enterprise archi-
 tecture; management.”.

1 (b) *DEADLINE FOR GUIDANCE.*—*The guidance re-*
2 *quired by subsection (c)(1) of section 2222 of title 10,*
3 *United States Code, as amended by subsection (a)(1), shall*
4 *be issued not later than December 31, 2016.*

5 (c) *REPEAL.*—*Section 811 of the John Warner Na-*
6 *tional Defense Authorization Act for Fiscal Year 2007 (Pub-*
7 *lic Law 109–364; 10 U.S.C. 2222 note) is repealed.*

8 (d) *COMPTROLLER GENERAL ASSESSMENT.*—

9 (1) *ASSESSMENT REQUIRED.*—*In each odd-num-*
10 *bered year, the Comptroller General of the United*
11 *States shall submit to the congressional defense com-*
12 *mittees an assessment of the extent to which the ac-*
13 *tions taken by the Department of Defense comply*
14 *with the requirements of section 2222 of title 10,*
15 *United States Code.*

16 (2) *REPEAL OF SUPERSEDED PROVISION.*—*Sub-*
17 *section (d) of section 332 of the Ronald W. Reagan*
18 *National Defense Authorization Act for Fiscal Year*
19 *2005 (Public Law 108–375; 118 Stat. 1856) is re-*
20 *pealed.*

21 (e) *GUIDANCE ON ACQUISITION OF BUSINESS SYS-*
22 *TEMS.*—*The Secretary of Defense shall issue guidance for*
23 *major automated information systems acquisition pro-*
24 *grams to promote the use of best acquisition, contracting,*

1 *requirement development, systems engineering, program*
2 *management, and sustainment practices, including—*

3 *(1) ensuring that an acquisition program base-*
4 *line has been established within two years after pro-*
5 *gram initiation;*

6 *(2) ensuring that program requirements have not*
7 *changed in a manner that increases acquisition costs*
8 *or delays the schedule, without sufficient cause and*
9 *only after maximum efforts to reengineer business*
10 *processes prior to changing requirements;*

11 *(3) policies to evaluate commercial off-the-shelf*
12 *business systems for security, resilience, reliability,*
13 *interoperability, and integration with existing inter-*
14 *related systems where such system integration and*
15 *interoperability are essential to Department of De-*
16 *fense operations;*

17 *(4) policies to work with commercial off-the-shelf*
18 *business system developers and owners in adapting*
19 *systems for Department of Defense use;*

20 *(5) policies to perform Department of Defense*
21 *legacy system audits to determine which systems are*
22 *related to or rely upon the system to be replaced or*
23 *integrated with commercial off-the-shelf business sys-*
24 *tems;*

1 (6) policies to perform full backup of systems
2 that will be changed or replaced by the installation of
3 commercial off-the-shelf business systems prior to in-
4 stallation and deployment to ensure reconstitution of
5 the system to a functioning state should it become
6 necessary;

7 (7) policies to engage the research and develop-
8 ment activities and laboratories of the Department of
9 Defense to improve acquisition outcomes; and

10 (8) policies to refine and improve developmental
11 and operational testing of business processes that are
12 supported by the major automated information sys-
13 tems.

14 **SEC. 884. PROCUREMENT OF PERSONAL PROTECTIVE**
15 **EQUIPMENT.**

16 *The Secretary of Defense shall ensure that the Secre-*
17 *taries of the Army, Navy, and Air Force, in procuring an*
18 *item of personal protective equipment or a critical safety*
19 *item, use source selection criteria that is predominately*
20 *based on technical qualifications of the item and not pre-*
21 *dominately based on price to the maximum extent prac-*
22 *ticable if the level of quality or failure of the item could*
23 *result in death or severe bodily harm to the user, as deter-*
24 *mined by the Secretaries.*

1 **SEC. 885. AMENDMENTS CONCERNING DETECTION AND**
2 **AVOIDANCE OF COUNTERFEIT ELECTRONIC**
3 **PARTS.**

4 (a) *AMENDMENTS RELATED TO CONTRACTOR RESPON-*
5 *SIBILITIES.*—Section 818(c)(2)(B) of the National Defense
6 *Authorization Act for Fiscal Year 2012 (Public Law 112–*
7 *81; 10 U.S.C. 2302 note) is amended—*

8 (1) *in clause (i), by inserting “electronic” after*
9 *“avoid counterfeit”;*

10 (2) *in clause (ii)—*

11 (A) *by inserting “covered” after “provided*
12 *to the”;* and

13 (B) *by inserting “or were obtained by the*
14 *covered contractor in accordance with regula-*
15 *tions described in paragraph (3)” after “Regula-*
16 *tion”;* and

17 (3) *in clause (iii), by inserting “discovers the*
18 *counterfeit electronic parts or suspect counterfeit elec-*
19 *tronic parts and” after “contractor”.*

20 (b) *AMENDMENTS RELATED TO TRUSTED SUP-*
21 *PLIERS.*—Section 818(c)(3)(D)(iii) of such Act (Public Law
22 *112–81; 10 U.S.C. 2302 note) is amended by striking “re-*
23 *view and audit” and inserting “review, audit, and ap-*
24 *proval”.*

1 **SEC. 886. EXCEPTION FOR ABILITYONE PRODUCTS FROM**
2 **AUTHORITY TO ACQUIRE GOODS AND SERV-**
3 **ICES MANUFACTURED IN AFGHANISTAN, CEN-**
4 **TRAL ASIAN STATES, AND DJIBOUTI.**

5 (a) *EXCLUSION OF CERTAIN ITEMS NOT MANUFAC-*
6 *TURED IN AFGHANISTAN.*—Section 886 of the National De-
7 *fense Authorization Act for Fiscal Year 2008 (10 U.S.C.*
8 *2302 note) is amended—*

9 (1) *in subsection (a), by inserting “and except as*
10 *provided in subsection (d),” after “subsection (b),”;*
11 *and*

12 (2) *by adding at the end the following new sub-*
13 *section:*

14 “(d) *EXCLUSION OF ITEMS ON THE ABILITYONE PRO-*
15 *CUREMENT CATALOG.*—The authority under subsection (a)
16 *shall not be available for the procurement of any good that*
17 *is contained in the procurement catalog described in section*
18 *8503(a) of title 41, United States Code, in Afghanistan if*
19 *such good can be produced and delivered by a qualified non-*
20 *profit agency for the blind or a nonprofit agency for other*
21 *severely disabled in a timely fashion to support mission re-*
22 *quirements.”.*

23 (b) *EXCLUSION OF CERTAIN ITEMS NOT MANUFAC-*
24 *TURED IN CENTRAL ASIAN STATES.*—Section 801 of the
25 *National Defense Authorization Act for Fiscal Year 2010*
26 *(Public Law 111–84; 123 Stat. 2399) is amended—*

1 (1) *in subsection (a), by inserting “and except as*
2 *provided in subsection (h),” after “subsection (b),”;*
3 *and*

4 (2) *by adding at the end the following new sub-*
5 *section:*

6 “(h) *EXCLUSION OF ITEMS ON THE ABILITYONE PRO-*
7 *CUREMENT CATALOG.—The authority under subsection (a)*
8 *shall not be available for the procurement of any good that*
9 *is contained in the procurement catalog described in section*
10 *8503(a) of title 41, United States Code, if such good can*
11 *be produced and delivered by a qualified nonprofit agency*
12 *for the blind or a nonprofit agency for other severely dis-*
13 *abled in a timely fashion to support mission require-*
14 *ments.”.*

15 (c) *EXCLUSION OF CERTAIN ITEMS NOT MANUFAC-*
16 *TURED IN DJIBOUTI.—Section 1263 of the Carl Levin and*
17 *Howard P. “Buck” McKeon National Defense Authoriza-*
18 *tion Act for Fiscal Year 2015 (Public Law 113–291) is*
19 *amended—*

20 (1) *in subsection (b), by inserting “and except as*
21 *provided in subsection (g),” after “subsection (c),”;*
22 *and*

23 (2) *by adding at the end the following new sub-*
24 *section:*

1 “(g) *EXCLUSION OF ITEMS ON THE ABILITYONE PRO-*
2 *CUREMENT CATALOG.—The authority under subsection (b)*
3 *shall not be available for the procurement of any good that*
4 *is contained in the procurement catalog described in section*
5 *8503(a) of title 41, United States Code, if such good can*
6 *be produced and delivered by a qualified nonprofit agency*
7 *for the blind or a nonprofit agency for other severely dis-*
8 *abled in a timely fashion to support mission require-*
9 *ments.”.*

10 **SEC. 887. EFFECTIVE COMMUNICATION BETWEEN GOVERN-**
11 **MENT AND INDUSTRY.**

12 *Not later than 180 days after the date of the enactment*
13 *of this Act, the Federal Acquisition Regulatory Council*
14 *shall prescribe a regulation making clear that agency acqui-*
15 *sition personnel are permitted and encouraged to engage*
16 *in responsible and constructive exchanges with industry, so*
17 *long as those exchanges are consistent with existing law and*
18 *regulation and do not promote an unfair competitive ad-*
19 *vantage to particular firms.*

20 **SEC. 888. STANDARDS FOR PROCUREMENT OF SECURE IN-**
21 **FORMATION TECHNOLOGY AND CYBER SECUR-**
22 **ITY SYSTEMS.**

23 “(a) *ASSESSMENT REQUIRED.—The Secretary of De-*
24 *fense shall conduct an assessment of the application of the*
25 *Open Trusted Technology Provider Standard or similar*

1 *public, open technology standards to Department of Defense*
2 *procurements for information technology and cyber security*
3 *acquisitions and provide a briefing to the Committees on*
4 *Armed Services of the Senate and the House of Representa-*
5 *tives not later than one year after the date of the enactment*
6 *of this Act.*

7 **(b) ELEMENTS.**—*The assessment and briefing required*
8 *by subsection (a) shall include the following:*

9 **(1)** *Assessment of the current Open Trusted Tech-*
10 *nology Provider Standard to determine what aspects*
11 *might be adopted by the Department of Defense and*
12 *where additional development of the standard may be*
13 *required.*

14 **(2)** *Identification of the types or classes of pro-*
15 *grams where the standard might be applied most ef-*
16 *fectively, as well as identification of types or classes*
17 *of programs that should specifically be excluded from*
18 *consideration.*

19 **(3)** *Assessment of the impact on current acquisi-*
20 *tion regulations or policies of the adoption of the*
21 *standard.*

22 **(4)** *Recommendations the Secretary may have*
23 *related to the adoption of the standard or improve-*
24 *ment in the standard to support Department acquisi-*
25 *tions.*

1 (5) *Any other matters the Secretary may deem*
2 *appropriate.*

3 **SEC. 889. UNIFIED INFORMATION TECHNOLOGY SERVICES.**

4 (a) *BUSINESS CASE ANALYSIS.*—*Not later than one*
5 *year after the date of the enactment of this Act, the Deputy*
6 *Chief Management Officer, the Chief Information Officer of*
7 *the Department of Defense, and the Under Secretary of De-*
8 *fense for Acquisition, Technology, and Logistics shall jointly*
9 *complete a business case analysis to determine the most ef-*
10 *fective and efficient way to procure and deploy common in-*
11 *formation technology services.*

12 (b) *ELEMENTS.*—*The business case analysis required*
13 *by subsection (a) shall include an assessment of whether the*
14 *Department of Defense should—*

15 (1) *either—*

16 (A) *acquire a unified set of commercially*
17 *provided common or enterprise information tech-*
18 *nology services, including such services as mes-*
19 *saging, collaboration, directory, security, and*
20 *content delivery; or*

21 (B) *allow the military departments and*
22 *other components of the Department to acquire*
23 *such services separately;*

24 (2) *either—*

1 (A) acquire such services from a single pro-
2 vider that bundles all of the services; or

3 (B) require that each common service be
4 independently defined and use open standards to
5 enable continuous adoption of best commercial
6 technology; and

7 (3) enable availability of multiple versions of
8 each type of service and application to enable choice
9 and competition while supporting interoperability
10 where necessary.

11 **SEC. 890. CLOUD STRATEGY FOR DEPARTMENT OF DE-**
12 **FENSE.**

13 (a) *CLOUD STRATEGY FOR SECRET INTERNET PRO-*
14 *TOCOL ROUTER NETWORK.—*

15 (1) *IN GENERAL.—The Chief Information Officer*
16 *of the Department of Defense shall, in consultation*
17 *with the Under Secretary of Defense for Intelligence,*
18 *the Under Secretary of Defense for Acquisition, Tech-*
19 *nology, and Logistics, the Vice Chairman of the Joint*
20 *Chiefs of Staff, and the chief information officers of*
21 *the military departments, develop a cloud strategy for*
22 *the Secret Internet Protocol Router Network*
23 *(SIPRNet) of the Department.*

24 (2) *MATTERS ADDRESSED.—This strategy re-*
25 *quired by paragraph (1) shall address the following:*

1 (A) *Security requirements.*

2 (B) *The compatibility of applications cur-*
3 *rently utilized within the Secret Internet Pro-*
4 *tol Router Network with a cloud computing en-*
5 *vironment.*

6 (C) *How a Secret Internet Protocol Router*
7 *Network cloud capability should be competitively*
8 *acquired.*

9 (D) *How a Secret Internet Protocol Router*
10 *Network cloud system for the Department would*
11 *achieve interoperability with the cloud systems of*
12 *the intelligence community (as defined in section*
13 *3 of the National Security Act of 1947 (50*
14 *U.S.C. 3003)) operating at the security level*
15 *Sensitive Compartmented Information.*

16 (b) *PRICING POLICY AND COST RECOVERY PROCESS*
17 *FOR CERTAIN CLOUD SERVICES.—The Chief Information*
18 *Officer shall, in consultation with the Under Secretary of*
19 *Defense for Intelligence, develop a consistent pricing policy*
20 *and cost recovery process for the use by Department of De-*
21 *fense components of the cloud services provided through the*
22 *Intelligence Community Information Technology Environ-*
23 *ment.*

24 (c) *ASSESSMENT OF FEASIBILITY AND ADVISABILITY*
25 *OF IMPOSING MINIMUM STANDARDS.—The Chief Informa-*

1 *tion Officer shall assess the feasibility and advisability of*
2 *imposing a minimum set of open standards for cloud infra-*
3 *structure, middle-ware, metadata, and application pro-*
4 *gramming interfaces to promote interoperability, informa-*
5 *tion sharing, ease of access to data, and competition across*
6 *all of the cloud computing systems and services utilized by*
7 *components of the Department of Defense.*

8 **SEC. 891. DEVELOPMENT PERIOD FOR DEPARTMENT OF DE-**
9 **FENSE INFORMATION TECHNOLOGY SYS-**
10 **TEMS.**

11 *(a) FLEXIBLE LIMITATION ON DEVELOPMENT PE-*
12 *RIOD.—Section 2445b of title 10, United States Code is*
13 *amended—*

14 *(1) by redesignating subsection (d) as subsection*
15 *(e); and*

16 *(2) by inserting after subsection (c) the following*
17 *new subsection:*

18 *“(d) TIME-CERTAIN DEVELOPMENT.—If an adjust-*
19 *ment or revision under subsection (c) for a major auto-*
20 *mated information system that is not a national security*
21 *system provides for a period in excess of five years from*
22 *the time of program initiation to the time of a full deploy-*
23 *ment decision, the documents submitted under subsection*
24 *(a) shall include a written determination by the senior De-*

1 *partment of Defense official responsible for the program jus-*
 2 *tifying the need for the longer period.”.*

3 (b) *REPEAL OF INCONSISTENT REQUIREMENT.*—*Sec-*
 4 *tion 2445c(c)(2) of title 10, United States Code, is amend-*
 5 *ed—*

6 (1) *in subparagraph (B), by striking the semi-*
 7 *colon at the end and inserting “; or”;*

8 (2) *in subparagraph (C), by striking “; or” and*
 9 *inserting a period; and*

10 (3) *by striking subparagraph (D).*

11 **SEC. 892. REVISIONS TO PILOT PROGRAM ON ACQUISITION**
 12 **OF MILITARY PURPOSE NONDEVELOPMENTAL**
 13 **ITEMS.**

14 *Section 866 of the Ike Skelton National Defense Au-*
 15 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
 16 *10 U.S.C. 2302 note) is amended—*

17 (1) *in subsection (a)(2), by striking “with non-*
 18 *traditional defense contractors”;* and

19 (2) *in subsection (b)—*

20 (A) *in paragraph (1), by striking “awarded*
 21 *using competitive procedures in accordance with*
 22 *chapter 137 of title 10, United States Code”;* and

23 (B) *in paragraph (2), by striking*
 24 *“\$50,000,000” and inserting “\$100,000,000”.*

1 **SEC. 893. IMPROVED AUDITING OF CONTRACTS.**

2 (a) *PROHIBITION ON PERFORMANCE OF NON-DEFENSE*
3 *AUDITS BY DCAA.*—

4 (1) *IN GENERAL.*—*Effective on the date of the*
5 *enactment of this Act, the Defense Contract Audit*
6 *Agency may not provide audit support for non-De-*
7 *fense Agencies unless the Secretary of Defense certifies*
8 *that the backlog for incurred cost audits is less than*
9 *18 months of incurred cost inventory.*

10 (2) *ADJUSTMENT IN FUNDING FOR REIMBURSE-*
11 *MENTS FROM NON-DEFENSE AGENCIES.*—*The amount*
12 *appropriated and otherwise available to the Defense*
13 *Contract Audit Agency for a fiscal year beginning*
14 *after September 30, 2016, shall be reduced by an*
15 *amount equivalent to any reimbursements received by*
16 *the Agency from non-Defense Agencies for audit sup-*
17 *port provided.*

18 (b) *AMENDMENTS TO DEFENSE CONTRACT AUDIT*
19 *AGENCY ANNUAL REPORT.*—*Section 2313a(a) of title 10,*
20 *United States Code, is amended—*

21 (1) *in paragraph (2), by amending subpara-*
22 *graph (D) to read as follows:*

23 “(D) *the total costs of sustained or recovered*
24 *costs both as a total number and as a percentage*
25 *of questioned costs; and”;*

1 (2) *in paragraph (3), by striking “; and” and*
2 *inserting a semicolon;*

3 (3) *by redesignating paragraph (4) as para-*
4 *graph (5); and*

5 (4) *by inserting after paragraph (3) the fol-*
6 *lowing new paragraph:*

7 “(4) *a description of outreach actions toward in-*
8 *dustry to promote more effective use of audit re-*
9 *sources; and”.*

10 (c) *REVIEW OF ACQUISITION OVERSIGHT AND AU-*
11 *DITS.—*

12 (1) *REVIEW REQUIRED.—The Secretary of De-*
13 *fense shall review the oversight and audit structure of*
14 *the Department of Defense with the goals of—*

15 (A) *enhancing the productivity of oversight*
16 *and program and contract auditing to avoid du-*
17 *plicative audits; and*

18 (B) *streamlining of oversight reviews.*

19 (2) *RECOMMENDATIONS.—The Secretary shall*
20 *ensure streamlined oversight reviews and avoidance of*
21 *duplicative audits and make recommendations in the*
22 *report required under paragraph (3) for any nec-*
23 *essary changes in law.*

24 (3) *REPORT.—*

1 (A) *Not later than one year after the date*
2 *of the enactment of this Act, the Secretary of De-*
3 *fense shall submit to the congressional defense*
4 *committees a report on actions taken to avoid*
5 *duplicative audits and streamline oversight re-*
6 *views.*

7 (B) *The report required under this para-*
8 *graph shall include the following elements:*

9 (i) *A description of actions taken to*
10 *avoid duplicative audits and streamline*
11 *oversight reviews based on the review con-*
12 *ducted under paragraph (1).*

13 (ii) *A comparison of commercial in-*
14 *dustry accounting practices, including re-*
15 *quirements under the Sarbanes-Oxley Act of*
16 *2002 (Public Law 107–204; 15 U.S.C. 7201*
17 *et seq.), with the cost accounting standards*
18 *prescribed under chapter 15 of title 41,*
19 *United States Code, to determine if some*
20 *portions of cost accounting standards com-*
21 *pliance can be met through such practices*
22 *or requirements.*

23 (iii) *A description of standards of ma-*
24 *teriality used by the Defense Contract Audit*
25 *Agency and the Inspector General of the De-*

1 *partment of Defense for defense contract au-*
 2 *dits.*

3 *(iv) An estimate of average delay and*
 4 *range of delays in contract awards due to*
 5 *the time necessary for the Defense Contract*
 6 *Audit Agency to complete pre-award audits.*

7 *(v) The total costs of sustained or re-*
 8 *covered costs both as a total number and as*
 9 *a percentage of questioned costs.*

10 *(d) INCURRED COST INVENTORY DEFINED.—In this*
 11 *section, the term “incurred cost inventory” means the level*
 12 *of contractor incurred cost proposals in inventory from*
 13 *prior fiscal years that are currently being audited by the*
 14 *Defense Contract Audit Agency.*

15 **SEC. 894. SENSE OF CONGRESS ON EVALUATION METHOD**
 16 **FOR PROCUREMENT OF AUDIT OR AUDIT**
 17 **READINESS SERVICES.**

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

19 *(1) Given the size, scope, and complexity of the*
 20 *Department of Defense, the statutory deadline to es-*
 21 *tablish and maintain auditable financial statements,*
 22 *starting with the fiscal year 2018 financial statement,*
 23 *is one of the more challenging management tasks that*
 24 *has ever faced the Department.*

1 (2) *As the military services have never received*
2 *a clean opinion on their consolidated financial state-*
3 *ments and only recently begun auditing portions of*
4 *their financial statements, the audits of military serv-*
5 *ice financial statements will also be a complex chal-*
6 *lenge for companies selected to provide audit services.*

7 (3) *The acquisition of services by the Department*
8 *abides by many rules and parameters, one of which*
9 *is the lowest price, technically acceptable (LPTA)*
10 *evaluation method. LPTA is generally appropriate for*
11 *commercial or noncomplex services or supplies where*
12 *the requirement is clearly definable and the risk of*
13 *unsuccessful contract performance is minimal.*

14 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
15 *that, before using the lowest price, technically acceptable*
16 *evaluation method for the procurement of audit or audit*
17 *readiness services, the Secretary of Defense should establish*
18 *the values and metrics for evaluating companies offering*
19 *audit services, including financial management and audit*
20 *expertise and experience, personnel qualifications and cer-*
21 *tifications, past performance, technology, tools, and size.*

1 **SEC. 895. MITIGATING POTENTIAL UNFAIR COMPETITIVE**
2 **ADVANTAGE OF TECHNICAL ADVISORS TO AC-**
3 **QUISITION PROGRAMS.**

4 *Not later than 180 days after the date of the enactment*
5 *of this Act, the Under Secretary of Defense for Acquisition,*
6 *Technology, and Logistics shall review, and as necessary re-*
7 *verse or issue, policy guidance pertaining to the identifica-*
8 *tion, mitigation, and prevention of potential unfair com-*
9 *petitive advantage conferred to technical advisors to acqui-*
10 *sition programs.*

11 **SEC. 896. SURVEY ON THE COSTS OF REGULATORY COMPLI-**
12 **ANCE.**

13 *(a) SURVEY.—The Secretary of Defense shall conduct*
14 *a survey of contractors with the highest level of reimburse-*
15 *ments for cost type contracts with the Department of De-*
16 *fense during fiscal year 2014 to estimate industry’s cost of*
17 *regulatory compliance (as a percentage of total costs) with*
18 *Government-unique acquisition regulations and require-*
19 *ments in the categories of quality assurance, accounting*
20 *and financial management, contracting and purchasing,*
21 *program management, engineering, logistics, material*
22 *management, property administration, and other unique*
23 *requirements not imposed on contracts for commercial*
24 *items.*

25 *(b) REPORT.—Not later than 180 days after the date*
26 *of the enactment of this Act, the Secretary of Defense shall*

1 *submit to the congressional defense committees a report on*
2 *the findings of the survey conducted under subsection (a).*
3 *The data received as a result of the survey and included*
4 *in the report shall be aggregated to protect against the pub-*
5 *lic release of proprietary information.*

6 **SEC. 897. TREATMENT OF INTERAGENCY AND STATE AND**
7 **LOCAL PURCHASES WHEN THE DEPARTMENT**
8 **OF DEFENSE ACTS AS CONTRACT INTER-**
9 **MEDIARY FOR THE GENERAL SERVICES AD-**
10 **MINISTRATION.**

11 *Contracts executed by the Department of Defense as*
12 *a result of the transfer of contracts from the General Serv-*
13 *ices Administration or for which the Department serves as*
14 *an item manager for products on behalf of the General Serv-*
15 *ices Administration shall not be subject to requirements*
16 *under chapter 148 of title 10, United States Code, to the*
17 *extent such contracts are for purchases of products by other*
18 *Federal agencies or State or local governments.*

19 **SEC. 898. COMPETITION FOR RELIGIOUS SERVICES CON-**
20 **TRACTS.**

21 *The Department of Defense may not preclude a non-*
22 *profit organization from competing for a contract for reli-*
23 *gious related services on a United States military installa-*
24 *tion.*

1 **SEC. 899. PILOT PROGRAM REGARDING RISK-BASED CON-**
2 **TRACTING FOR SMALLER CONTRACT AC-**
3 **TIONS UNDER THE TRUTH IN NEGOTIATIONS**
4 **ACT.**

5 (a) *PILOT PROGRAM AUTHORIZED.*—*The Secretary of*
6 *Defense may conduct a pilot program to demonstrate the*
7 *efficacy of using risk-based techniques in requiring submis-*
8 *sion of data on a sampling basis for purposes of section*
9 *2306a of title 10, United States Code (popularly known as*
10 *the “Truth in Negotiations Act”).*

11 (b) *INCREASE IN THRESHOLDS.*—*For purposes of a*
12 *pilot program under subsection (a), \$5,000,000 shall be the*
13 *threshold applicable to requirements under paragraph (1)*
14 *of section 2306a(a) of such title, as follows:*

15 (1) *The requirement under subparagraph (A) of*
16 *such paragraph to submit cost or pricing data for a*
17 *prime contract entered into during the pilot program*
18 *period.*

19 (2) *The requirement under subparagraph (B) of*
20 *such paragraph to submit cost or pricing data for the*
21 *change or modification to a prime contract made dur-*
22 *ing the pilot program period.*

23 (3) *The requirement under subparagraph (C) of*
24 *such paragraph to submit cost or pricing data for a*
25 *subcontract entered into during the pilot program pe-*
26 *riod.*

1 (4) *The requirement under subparagraph (D) of*
2 *such paragraph to submit cost or pricing data for the*
3 *change or modification to a subcontract made during*
4 *the pilot program period.*

5 (c) *RISK-BASED CONTRACTING.—*

6 (1) *AUTHORITY TO REQUIRE SUBMISSION OF*
7 *COST OR PRICING DATA ON BELOW-THRESHOLD CON-*
8 *TRACTS.—Subject to paragraph (4), when certified*
9 *cost or pricing data are not required to be submitted*
10 *pursuant to subsection (b) for a contract or sub-*
11 *contract entered into or modified during the pilot*
12 *program period, such data may nevertheless be re-*
13 *quired to be submitted by the head of the procuring*
14 *activity, if the head of the procuring activity—*

15 (A) *determines that such data are necessary*
16 *for the evaluation by the agency of the reason-*
17 *ableness of the price of the contract, subcontract,*
18 *or modification of a contract or subcontract; or*

19 (B) *requires the submission of such data in*
20 *accordance with a risk-based contracting ap-*
21 *proach established pursuant to paragraph (3).*

22 (2) *WRITTEN DETERMINATION REQUIRED.—In*
23 *any case in which the head of the procuring activity*
24 *requires certified cost or pricing data to be submitted*
25 *under paragraph (1)(A), the head of the procuring ac-*

1 *tivity shall justify in writing the reason for such re-*
2 *quirement.*

3 (3) *RISK-BASED CONTRACTING.*—*The head of an*
4 *agency shall establish a risk-based sampling approach*
5 *under which the submission of certified cost or pric-*
6 *ing data may be required for a risk-based sample of*
7 *contracts, the price of which is expected to exceed*
8 *\$750,000 but not \$5,000,000. The authority to require*
9 *certified cost or pricing data under this paragraph*
10 *shall not apply to any contract of an offeror that has*
11 *not been awarded, for at least the one-year period*
12 *preceding the issuance of a solicitation for the con-*
13 *tract, any other contract in excess of \$5,000,000*
14 *under which the offeror was required to submit cer-*
15 *tified cost or pricing data under section 2306a of title*
16 *10, United States Code.*

17 (4) *EXCEPTION.*—*The head of the procuring ac-*
18 *tivity may not require certified cost or pricing data*
19 *to be submitted under this subsection for any contract*
20 *or subcontract, or modification of a contract or sub-*
21 *contract, covered by the exceptions in subparagraph*
22 *(A) or (B) of section 2306a(b)(1) of title 10, United*
23 *States Code.*

1 (5) *DELEGATION OF AUTHORITY PROHIBITED.*—
 2 *The head of a procuring activity may not delegate*
 3 *functions under this subsection.*

4 (d) *REPORTS.*—*Not later than January 1, 2017, and*
 5 *January 1, 2019, the Secretary of Defense shall submit to*
 6 *the congressional defense committees a report on activities*
 7 *undertaken under this section.*

8 (e) *DEFINITIONS.*—*In this section:*

9 (1) *HEAD OF AN AGENCY.*—*The term “head of an*
 10 *agency” has the meaning given the term in section*
 11 *2302 of title 10, United States Code.*

12 (2) *PILOT PROGRAM PERIOD.*—*The term “pilot*
 13 *program period” means the period beginning on Oc-*
 14 *tober 1, 2016, and ending on September 30, 2019.*

15 **TITLE IX—DEPARTMENT OF DE-**
 16 **FENSE ORGANIZATION AND**
 17 **MANAGEMENT**

*Sec. 901. Update of statutory specification of functions of the Chairman of the
 Joint Chiefs of Staff relating to joint force development activi-
 ties.*

Sec. 902. Sense of Congress on the United States Marine Corps.

1 **SEC. 901. UPDATE OF STATUTORY SPECIFICATION OF FUNC-**
2 **TIONS OF THE CHAIRMAN OF THE JOINT**
3 **CHIEFS OF STAFF RELATING TO JOINT FORCE**
4 **DEVELOPMENT ACTIVITIES.**

5 *Section 153(a)(5) of title 10, United States Code, is*
6 *amended by adding at the end the following new subpara-*
7 *graph:*

8 *“(F) Advising the Secretary on development of*
9 *joint command, control, communications, and cyber*
10 *capability, including integration and interoperability*
11 *of such capability, through requirements, integrated*
12 *architectures, data standards, and assessments.”.*

13 **SEC. 902. SENSE OF CONGRESS ON THE UNITED STATES**
14 **MARINE CORPS.**

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

16 *(1) As senior United States statesman Dr.*
17 *Henry Kissinger wrote in testimony submitted to the*
18 *Committee on Armed Services of the Senate on Janu-*
19 *ary 29, 2015, “The United States has not faced a*
20 *more diverse and complex array of crises since the*
21 *end of the Second World War.”.*

22 *(2) The rise of non-state forces and near peer*
23 *competitors has introduced destabilizing pressures*
24 *around the globe.*

25 *(3) Advances in information and weapons tech-*
26 *nology have reduced the time available for the United*

1 *States to prepare for and respond to crises against*
2 *both known and unknown threats.*

3 *(4) The importance of the maritime domain can-*
4 *not be overstated. As acknowledged in the March 2015*
5 *Navy, Marine Corps, and Coast Guard maritime*
6 *strategy, “A Cooperative Strategy for 21st Century*
7 *Seapower: Forward, Engaged, Ready”:* “Oceans are
8 *the lifeblood of the interconnected global commu-*
9 *nity. . . 90 percent of trade by volume travels across*
10 *the oceans. Approximately 70 percent of the world’s*
11 *population lives within 100 miles of the coastline.”.*

12 *(5) The United States must be prepared to rap-*
13 *idly respond to crises around the world regardless of*
14 *the nation’s fiscal health.*

15 *(6) In this global security environment, it is*
16 *critical that the nation possess a maritime force*
17 *whose mission and ethos is readiness—a fight tonight*
18 *force, forward deployed, that can respond imme-*
19 *diately to emergent crises across the full range of*
20 *military operations around the globe either from the*
21 *sea or home station.*

22 *(7) The need for such a force was recognized by*
23 *the 82nd Congress during the Korean War, when it*
24 *mandated a core mission for the nation’s leanest*

1 *force—the Marine Corps—to be most ready when the*
2 *nation is least ready.*

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

5 *(1) the Marine Corps, within the Department of*
6 *the Navy, remain the Nation’s expeditionary, crisis*
7 *response force;*

8 *(2) the need for such a force with such a capa-*
9 *bility has never been greater; and*

10 *(3) accordingly, in recognition of this need and*
11 *the wisdom of the 82nd Congress, the 114th Congress*
12 *reaffirms section 5063 of title 10, United States Code,*
13 *which states that the Marine Corps—*

14 *(A) shall—*

15 *(i) be organized to include not less*
16 *than three combat divisions and three air*
17 *wings, and such other land combat, avia-*
18 *tion, and other services as may be organic*
19 *therein;*

20 *(ii) be organized, trained, and*
21 *equipped to provide fleet marine forces of*
22 *combined arms, together with supporting*
23 *air components, for service with the fleet in*
24 *the seizure or defense of advanced naval*
25 *bases and for the conduct of such land oper-*

1 *ations as may be essential to the prosecu-*
 2 *tion of a naval campaign; and*

3 *(iii) provide detachments and organi-*
 4 *zations for service on armed vessels of the*
 5 *Navy, provide security detachments for the*
 6 *protection of naval property at naval sta-*
 7 *tions and bases, and perform such other du-*
 8 *ties as the President may direct;*

9 *but these additional duties may not detract from*
 10 *nor interfere with the operations for which the*
 11 *Marine Corps is primarily organized;*

12 *(B) shall develop, in coordination with the*
 13 *Army and the Air Force, those phases of amphib-*
 14 *ious operations that pertain to the tactics, tech-*
 15 *niques, and equipment used by landing forces;*
 16 *and*

17 *(C) is responsible, in accordance with the*
 18 *integrated joint mobilization plans, for the ex-*
 19 *pansion of peacetime components of the Marine*
 20 *Corps to meet the needs of war.*

21 **TITLE X—GENERAL PROVISIONS**

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Accounting standards to value certain property, plant, and equipment items.

Sec. 1003. Report on auditable financial statements.

Sec. 1004. Sense of Congress on sequestration.

Sec. 1005. Annual audit of financial statements of Department of Defense components by independent external auditors.

Subtitle B—Counter-Drug Activities

- Sec. 1011. Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia.*
- Sec. 1012. Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments.*
- Sec. 1013. Sense of Congress on Central America.*

Subtitle C—Naval Vessels and Shipyards

- Sec. 1021. Additional information supporting long-range plans for construction of naval vessels.*
- Sec. 1022. National Sea-Based Deterrence Fund.*
- Sec. 1023. Extension of authority for reimbursement of expenses for certain Navy mess operations afloat.*
- Sec. 1024. Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships.*
- Sec. 1025. Limitation on the use of funds for removal of ballistic missile defense capabilities from Ticonderoga class cruisers.*
- Sec. 1026. Independent assessment of United States Combat Logistic Force requirements.*

Subtitle D—Counterterrorism

- Sec. 1031. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.*
- Sec. 1032. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1033. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1034. Reenactment and modification of certain prior requirements for certifications relating to transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba, to foreign countries and other foreign entities.*
- Sec. 1035. Comprehensive detention strategy.*
- Sec. 1036. Prohibition on use of funds for realignment of forces at or closure of United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1037. Report on current detainees at United States Naval Station, Guantanamo Bay, Cuba, determined or assessed to be high risk or medium risk.*
- Sec. 1038. Reports to Congress on contact between terrorists and individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1039. Inclusion in reports to Congress of information about recidivism of individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1040. Report to Congress on terms of written agreements with foreign countries regarding transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1041. Report on use of United States Naval Station, Guantanamo Bay, Cuba, and other Department of Defense or Bureau of Prisons prisons or detention or disciplinary facilities in recruitment or other propaganda of terrorist organizations.*

- Sec. 1042. Permanent authority to provide rewards through government personnel of allied forces and certain other modifications to Department of Defense program to provide rewards.*
- Sec. 1043. Sunset on exception to congressional notification of sensitive military operations.*
- Sec. 1044. Repeal of semiannual reports on obligation and expenditure of funds for the combating terrorism program.*
- Sec. 1045. Limitation on interrogation techniques.*

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1051. Department of Defense excess property program.*
- Sec. 1052. Sale or donation of excess personal property for border security activities.*
- Sec. 1053. Management of military technicians.*
- Sec. 1054. Limitation on transfer of certain AH-64 Apache helicopters from Army National Guard to regular Army and related personnel levels.*
- Sec. 1055. Authority to provide training and support to personnel of foreign ministries of defense.*
- Sec. 1056. Information operations and engagement technology demonstrations.*
- Sec. 1057. Prohibition on use of funds for retirement of Helicopter Sea Combat Squadron 84 and 85 aircraft.*
- Sec. 1058. Limitation on availability of funds for destruction of certain landmines and report on department of defense policy and inventory of anti-personnel landmine munitions.*
- Sec. 1059. Department of Defense authority to provide assistance to secure the southern land border of the United States.*

Subtitle F—Studies and Reports

- Sec. 1060. Provision of defense planning guidance and contingency planning guidance information to Congress.*
- Sec. 1061. Expedited meetings of the National Commission on the Future of the Army.*
- Sec. 1062. Modification of certain reports submitted by Comptroller General of the United States.*
- Sec. 1063. Report on implementation of the geographically distributed force laydown in the area of responsibility of United States Pacific Command.*
- Sec. 1064. Independent study of national security strategy formulation process.*
- Sec. 1065. Report on the status of detection, identification, and disablement capabilities related to remotely piloted aircraft.*
- Sec. 1066. Report on options to accelerate the training of pilots of remotely piloted aircraft.*
- Sec. 1067. Studies of fleet platform architectures for the Navy.*
- Sec. 1068. Report on strategy to protect United States national security interests in the Arctic region.*
- Sec. 1069. Comptroller General briefing and report on major medical facility projects of Department of Veterans Affairs.*
- Sec. 1070. Submittal to Congress of munitions assessments.*
- Sec. 1071. Potential role for United States ground forces in the Western Pacific theater.*
- Sec. 1072. Repeal or revision of reporting requirements related to military personnel issues.*
- Sec. 1073. Repeal or revision of reporting requirements relating to readiness.*

- Sec. 1074. Repeal or revision of reporting requirements related to naval vessels and Merchant Marine.*
- Sec. 1075. Repeal or revision of reporting requirements related to civilian personnel.*
- Sec. 1076. Repeal or revision of reporting requirements related to nuclear proliferation and related matters.*
- Sec. 1077. Repeal or revision of reporting requirements related to acquisition.*
- Sec. 1078. Repeal or revision of miscellaneous reporting requirements.*
- Sec. 1079. Repeal of reporting requirements.*
- Sec. 1080. Termination of requirement for submittal to Congress of reports required of Department of Defense by statute.*

Subtitle G—Other Matters

- Sec. 1081. Technical and clerical amendments.*
- Sec. 1082. Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.*
- Sec. 1083. Executive agent for the oversight and management of alternative compensatory control measures.*
- Sec. 1084. Navy support of Ocean Research Advisory Panel.*
- Sec. 1085. Level of readiness of Civil Reserve Air Fleet carriers.*
- Sec. 1086. Reform and improvement of personnel security, insider threat detection and prevention, and physical security.*
- Sec. 1087. Transfer of surplus firearms to Corporation for the Promotion of Rifle Practice and Firearms Safety.*
- Sec. 1088. Modification of requirements for transferring aircraft within the Air Force inventory.*
- Sec. 1089. Reestablishment of Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack.*
- Sec. 1090. Mine countermeasures master plan and report.*
- Sec. 1091. Congressional notification and briefing requirement on ordered evacuations of United States embassies and consulates involving support provided by the Department of Defense.*
- Sec. 1092. Interagency Hostage Recovery Coordinator.*
- Sec. 1093. Sense of Congress on the inadvertent transfer of anthrax from the Department of Defense.*
- Sec. 1094. Modification of certain requirements applicable to major medical facility lease for a Department of Veterans Affairs outpatient clinic in Tulsa, Oklahoma.*
- Sec. 1095. Authorization of fiscal year 2015 major medical facility projects of the Department of Veterans Affairs.*
- Sec. 1096. Designation of construction agent for certain construction projects by Department of Veterans Affairs.*
- Sec. 1097. Department of Defense strategy for countering unconventional warfare.*

1 *Subtitle A—Financial Matters*

2 *SEC. 1001. GENERAL TRANSFER AUTHORITY.*

3 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

- 4 *(1) AUTHORITY.—Upon determination by the***
- 5 *Secretary of Defense that such action is necessary in***

1 *the national interest, the Secretary may transfer*
2 *amounts of authorizations made available to the De-*
3 *partment of Defense in this division for fiscal year*
4 *2016 between any such authorizations for that fiscal*
5 *year (or any subdivisions thereof). Amounts of au-*
6 *thorizations so transferred shall be merged with and*
7 *be available for the same purposes as the authoriza-*
8 *tion to which transferred.*

9 (2) *LIMITATION.—Except as provided in para-*
10 *graph (3), the total amount of authorizations that the*
11 *Secretary may transfer under the authority of this*
12 *section may not exceed \$4,500,000,000.*

13 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
14 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*
15 *funds between military personnel authorizations*
16 *under title IV shall not be counted toward the dollar*
17 *limitation in paragraph (2).*

18 (b) *LIMITATIONS.—The authority provided by sub-*
19 *section (a) to transfer authorizations—*

20 (1) *may only be used to provide authority for*
21 *items that have a higher priority than the items from*
22 *which authority is transferred; and*

23 (2) *may not be used to provide authority for an*
24 *item that has been denied authorization by Congress.*

1 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—A trans-
2 *fer made from one account to another under the authority*
3 *of this section shall be deemed to increase the amount au-*
4 *thorized for the account to which the amount is transferred*
5 *by an amount equal to the amount transferred.*

6 (d) *NOTICE TO CONGRESS.*—*The Secretary shall*
7 *promptly notify Congress of each transfer made under sub-*
8 *section (a).*

9 **SEC. 1002. ACCOUNTING STANDARDS TO VALUE CERTAIN**
10 **PROPERTY, PLANT, AND EQUIPMENT ITEMS.**

11 (a) *REQUIREMENT FOR CERTAIN ACCOUNTING STAND-*
12 *ARDS.*—*The Secretary of Defense shall work in coordination*
13 *with the Federal Accounting Standards Advisory Board to*
14 *establish accounting standards to value large and*
15 *unordinary general property, plant, and equipment items.*

16 (b) *DEADLINE.*—*The accounting standards required by*
17 *subsection (a) shall be established by not later than Sep-*
18 *tember 30, 2017, and be available for use for the full audit*
19 *on the financial statements of the Department of Defense*
20 *for fiscal year 2018, as required by section 1003(a) of the*
21 *National Defense Authorization Act for Fiscal Year 2014*
22 *(Public Law 113–66; 127 Stat. 842; 10 U.S.C. 2222 note).*

1 **SEC. 1003. REPORT ON AUDITABLE FINANCIAL STATE-**
2 **MENTS.**

3 *Not later than 90 days after the date of the enactment*
4 *of this Act, the Secretary of Defense shall submit to the con-*
5 *gressional defense committees a report ranking all military*
6 *departments and Defense Agencies in order of how advanced*
7 *they are in achieving auditable financial statements as re-*
8 *quired by law. The report should not include information*
9 *otherwise available in other reports to Congress.*

10 **SEC. 1004. SENSE OF CONGRESS ON SEQUESTRATION.**

11 *It is the sense of the Congress that—*

12 *(1) the fiscal challenges of the Federal Govern-*
13 *ment are a top priority for Congress, and sequestra-*
14 *tion—non-strategic, across-the-board budget cuts—re-*
15 *mains an unreasonable and inadequate budgeting tool*
16 *to address the deficits and debt of the Federal Govern-*
17 *ment;*

18 *(2) budget caps imposed by the Budget Control*
19 *Act of 2011 (Public Law 112–25) impose unaccept-*
20 *able limitations on the budget and increase risk to the*
21 *national security of the United States; and*

22 *(3) the budget caps imposed by the Budget Con-*
23 *trol Act of 2011 must be modified or eliminated*
24 *through a bipartisan legislative agreement.*

1 **SEC. 1005. ANNUAL AUDIT OF FINANCIAL STATEMENTS OF**
2 **DEPARTMENT OF DEFENSE COMPONENTS BY**
3 **INDEPENDENT EXTERNAL AUDITORS.**

4 (a) *AUDITS REQUIRED.*—For purposes of satisfying
5 the requirement under section 3521(e) of title 31, United
6 States Code, for audits of financial statements of Depart-
7 ment of Defense components identified by the Director of
8 the Office of Management and Budget under section 3515(c)
9 of such title, the Inspector General of the Department of
10 Defense shall obtain each year audits of the financial state-
11 ments of each such component by an independent external
12 auditor.

13 (b) *SELECTION OF AUDITORS.*—The selection of inde-
14 pendent external auditors for purposes of subsection (a)
15 shall be based, among other appropriate criteria, on their
16 qualifications, independence, and capacity to conduct au-
17 dits described in subsection (a) in accordance with applica-
18 ble generally accepted government auditing standards. The
19 Inspector General shall participate in the selection of the
20 independent external auditors.

21 (c) *MONITORING AUDITS.*—The Inspector General
22 shall monitor the conduct of all audits by independent ex-
23 ternal auditors under subsection (a).

24 (d) *REPORTS ON AUDITS.*—

25 (1) *IN GENERAL.*—The Inspector General shall
26 require the independent external auditors conducting

1 *audits under subsection (a) to submit a report on*
2 *their audits each year to—*

3 *(A) the Under Secretary of Defense (Comp-*
4 *troller) as the Chief Financial Officer of the De-*
5 *partment of Defense for the purposes of chapter*
6 *9 of title 31, United States Code;*

7 *(B) the Controller of the Office of Federal*
8 *Financial Management in the Office of Manage-*
9 *ment and Budget; and*

10 *(C) the appropriate committees of Congress.*

11 (2) *APPROPRIATE COMMITTEES OF CONGRESS*
12 *DEFINED.—In this subsection, the term “appropriate*
13 *committees of Congress” means—*

14 *(A) the Committee on Armed Services, the*
15 *Committee on Homeland Security and Govern-*
16 *mental Affairs, and the Committee on Appro-*
17 *priations of the Senate; and*

18 *(B) the Committee on Armed Services, the*
19 *Committee on Oversight and Government Re-*
20 *form, and the Committee on Appropriations of*
21 *the House of Representatives.*

22 (e) *RELATIONSHIP TO EXISTING LAW.—The require-*
23 *ments of this section—*

24 (1) *shall be implemented in a manner that is*
25 *consistent with the requirements of section 1008 of the*

1 *National Defense Authorization Act for Fiscal Year*
2 *2002 (Public Law 107–107; 10 U.S.C. 113 note);*

3 *(2) shall not be construed to alter the require-*
4 *ment under section 3521(e) of title 31, United States*
5 *Code, that the financial statements of the Department*
6 *of Defense as a whole be audited by the Inspector*
7 *General or by an independent external auditor, as de-*
8 *termined by the Inspector General; and*

9 *(3) shall not be construed to limit or alter the*
10 *authorities of the Comptroller General of the United*
11 *States under section 3521(g) of title 31, United States*
12 *Code.*

13 ***Subtitle B—Counter-Drug Activities***

14 ***SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNI-*** 15 ***FIED COUNTERDRUG AND COUNTERTER-*** 16 ***RORISM CAMPAIGN IN COLOMBIA.***

17 *(a) EXTENSION OF AUTHORITY.—Section 1021 of the*
18 *Ronald W. Reagan National Defense Authorization Act for*
19 *Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042),*
20 *as most recently amended by section 1011(a) of the Carl*
21 *Levin and Howard P. “Buck” McKeon National Defense*
22 *Authorization Act for Fiscal Year 2015 (Public Law 113–*
23 *291; 128 Stat. 3483), is further amended—*

24 *(1) in subsection (a), by striking “2016” and in-*
25 *serting “2017”; and*

1 (2) *in subsection (c), by striking “2016” and in-*
2 *serting “2017”.*

3 (b) *EXTENSION OF ANNUAL NOTICE TO CONGRESS ON*
4 *ASSISTANCE.—Section 1011(b) of the Carl Levin and How-*
5 *ard P. “Buck” McKeon National Defense Authorization Act*
6 *for Fiscal Year 2015 is amended by striking “(as amended*
7 *by subsection (a)) using funds available for fiscal year*
8 *2015” and inserting “using funds available for any fiscal*
9 *year”.*

10 **SEC. 1012. EXTENSION AND EXPANSION OF AUTHORITY TO**
11 **PROVIDE ADDITIONAL SUPPORT FOR**
12 **COUNTER-DRUG ACTIVITIES OF CERTAIN**
13 **FOREIGN GOVERNMENTS.**

14 (a) *EXTENSION.—Subsection (a)(2) of section 1033 of*
15 *the National Defense Authorization Act for Fiscal Year*
16 *1998 (Public Law 105–85; 111 Stat. 1881), as most recently*
17 *amended by section 1013 of the National Defense Authoriza-*
18 *tion Act for Fiscal Year 2014 (Public Law 113–66; 127*
19 *Stat. 844), is further amended by striking “2016” and in-*
20 *serting “2017”.*

21 (b) *ADDITIONAL GOVERNMENTS ELIGIBLE TO RE-*
22 *CEIVE SUPPORT.—Subsection (b) of such section 1033, as*
23 *so amended, is further amended by adding at the end of*
24 *the following new paragraphs:*

25 “(40) *Government of Kenya.*

1 “(41) *Government of Tanzania.*”.

2 (c) *REPORT ON USE OF AUTHORITY.*—

3 (1) *REPORT REQUIRED.*—Not later than 90 days
4 after the date of the enactment of this Act, the Sec-
5 retary of Defense shall submit to the appropriate com-
6 mittees of Congress a report on the authority to pro-
7 vide additional support for counter-drug activities of
8 foreign governments in section 1033 of the National
9 Defense Authorization Act for Fiscal Year 1998.

10 (2) *ELEMENTS.*—The report shall include, at a
11 minimum, the following:

12 (A) *A description of the use of the authority*
13 *over time, and of the use of the authority as in*
14 *effect during fiscal years 2014 and 2015.*

15 (B) *A description of the impetus for the ex-*
16 *ansion of the countries eligible for assistance*
17 *under the program.*

18 (C) *A description of the impetus for the in-*
19 *creases over time in the amounts of fund re-*
20 *quested for assistance under the program.*

21 (D) *A description of the processes through*
22 *which priorities are established for countries and*
23 *regions to be assisted under the program.*

24 (E) *An assessment of the advantages and*
25 *disadvantages of providing assistance under the*

1 *program on a country-by country basis rather*
2 *than providing such assistance on a global basis.*

3 *(F) A description of the funding challenges,*
4 *if any, associated with providing assistance*
5 *under the program on a country-by country*
6 *basis and with providing such assistance on a*
7 *global basis.*

8 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
9 *DEFINED.—In this subsection, the term “appropriate*
10 *committees of Congress” means—*

11 *(A) the Committee on Armed Services, the*
12 *Committee on Foreign Relations, and the Com-*
13 *mittee on Appropriations of the Senate; and*

14 *(B) the Committee on Armed Services, the*
15 *Committee on Foreign Affairs, and the Com-*
16 *mittee on Appropriations of the House of Rep-*
17 *resentatives.*

18 **SEC. 1013. SENSE OF CONGRESS ON CENTRAL AMERICA.**

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

20 (1) *The stability and security of Central Amer-*
21 *ican nations have a direct impact on the stability*
22 *and security of the United States.*

23 (2) *Over the past decade, increased stability and*
24 *security in the Republic of Colombia has displaced il-*

1 *licit trafficking to Central America, bringing with it*
2 *increased violence and instability.*

3 (3) *According to the Global Study on Homicide*
4 *2013 of the United Nations Office on Drugs and*
5 *Crime, four of the top five countries with the highest*
6 *homicide rates in the world were Central American*
7 *nations, including Honduras, Belize, El Salvador,*
8 *and Guatemala.*

9 (4) *In 2014, approximately 65,000 unaccom-*
10 *panied alien children from Central America entered*
11 *the United States through its southwest border.*

12 (5) *In November 2014, Guatemala, Honduras,*
13 *and El Salvador announced a Plan for the Alliance*
14 *for Prosperity of the Northern Triangle, which is a*
15 *comprehensive approach to address the ongoing vio-*
16 *lence and instability facing these three nations by*
17 *stimulating economic opportunities, improving public*
18 *safety and rule of law, and strengthening institutions*
19 *to increase trust in the state.*

20 (6) *The United States Government is supportive*
21 *of the Alliance for Prosperity, and President's strat-*
22 *egy for support includes \$1,000,000,000 focused on*
23 *promoting prosperity and regional economic integra-*
24 *tion, enhancing security, and promoting improved*
25 *governance.*

1 (7) *The Department of Defense continues to build*
2 *the capacity of our partners in the region to address*
3 *their security challenges and confront threats of mu-*
4 *tual concern.*

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

7 (1) *the United States should, to the extent prac-*
8 *ticable, prioritize efforts to address the threatening*
9 *levels of violence, instability, illicit trafficking, and*
10 *transnational organized crime that challenge the sov-*
11 *ereignty of Central American nations and the secu-*
12 *rity of the United States; and*

13 (2) *in order to address such issues, the Depart-*
14 *ment of Defense, to the extent practicable, should—*

15 (A) *increase its operations, as the lead*
16 *agency of the United States Government, to de-*
17 *tect and monitor aerial and maritime illicit*
18 *trafficking into the United States;*

19 (B) *increase its efforts to support aerial and*
20 *maritime illicit trafficking interdiction oper-*
21 *ations;*

22 (C) *increase its operations to build the ca-*
23 *capacity of partner nations in Central America to*
24 *confront their own security challenges;*

1 (D) support interagency programs and ac-
 2 tivities in Central America addressing insta-
 3 bility, including development, education, eco-
 4 nomic, political, and security challenges; and

5 (E) promote observance of and respect for
 6 human rights and fundamental freedoms and re-
 7 spect for civilian control of the military.

8 ***Subtitle C—Naval Vessels and***
 9 ***Shipyards***

10 ***SEC. 1021. ADDITIONAL INFORMATION SUPPORTING LONG-***
 11 ***RANGE PLANS FOR CONSTRUCTION OF***
 12 ***NAVAL VESSELS.***

13 Section 231(b)(2)(C) of title 10, United States Code,
 14 is amended by inserting “by ship class in both graphical
 15 and tabular form” after “The estimated levels of annual
 16 funding”.

17 ***SEC. 1022. NATIONAL SEA-BASED DETERRENCE FUND.***

18 (a) *ENHANCEMENT OF AUTHORITY OF SECRETARY OF*
 19 *NAVY TO USE NATIONAL SEA-BASED DETERRENCE*
 20 *FUND.*—Section 2218a of title 10, United States Code, is
 21 amended—

22 (1) by redesignating subsections (f) and (g) as
 23 subsections (i) and (j), respectively; and

24 (2) by inserting after subsection (e) the following
 25 new subsections:

1 “(f) *AUTHORITY TO ENTER INTO ECONOMIC ORDER*
2 *QUANTITY CONTRACTS.*—(1) *The Secretary of the Navy*
3 *may use funds deposited in the Fund to enter into contracts*
4 *known as ‘economic order quantity contracts’ with private*
5 *shipyards and other commercial or government entities to*
6 *achieve economic efficiencies based on production economies*
7 *for major components or subsystems. The authority under*
8 *this subsection extends to the procurement of parts, compo-*
9 *nents, and systems (including weapon systems) common*
10 *with and required for other nuclear powered vessels under*
11 *joint economic order quantity contracts.*

12 “(2) *A contract entered into under paragraph (1) shall*
13 *provide that any obligation of the United States to make*
14 *a payment under the contract is subject to the availability*
15 *of appropriations for that purpose, and that total liability*
16 *to the Government for termination of any contract entered*
17 *into shall be limited to the total amount of funding obli-*
18 *gated at time of termination.*

19 “(g) *AUTHORITY TO BEGIN MANUFACTURING AND*
20 *FABRICATION EFFORTS PRIOR TO SHIP AUTHORIZA-*
21 *TION.*—(1) *The Secretary of the Navy may use funds depos-*
22 *ited into the Fund to enter into contracts for advance con-*
23 *struction of national sea-based deterrence vessels to support*
24 *achieving cost savings through workload management, man-*
25 *ufacturing efficiencies, or workforce stability, or to phase*

1 *fabrication activities within shipyard and manage sub-tier*
2 *manufacturer capacity.*

3 “(2) *A contract entered into under paragraph (1) shall*
4 *provide that any obligation of the United States to make*
5 *a payment under the contract is subject to the availability*
6 *of appropriations for that purpose, and that total liability*
7 *to the Government for termination of any contract entered*
8 *into shall be limited to the total amount of funding obli-*
9 *gated at time of termination.*”

10 “(h) *AUTHORITY TO USE INCREMENTAL FUNDING TO*
11 *ENTER INTO CONTRACTS FOR CERTAIN ITEMS.—(1) The*
12 *Secretary of the Navy may use funds deposited into the*
13 *Fund to enter into incrementally funded contracts for ad-*
14 *vance procurement of high value, long lead time items for*
15 *nuclear powered vessels to better support construction sched-*
16 *ules and achieve cost savings through schedule reductions*
17 *and properly phased installment payments.*”

18 “(2) *A contract entered into under paragraph (1) shall*
19 *provide that any obligation of the United States to make*
20 *a payment under the contract is subject to the availability*
21 *of appropriations for that purpose, and that total liability*
22 *to the Government for termination of any contract entered*
23 *into shall be limited to the total amount of funding obli-*
24 *gated at time of termination.*”.

1 (b) *MODIFICATION AND EXTENSION OF AUTHORITY TO*
2 *TRANSFER FUNDS.*—Section 1022(b)(1) of the National De-
3 *fense Authorization Act for Fiscal Year 2015 (Public Law*
4 *113–291; 128 Stat. 3487) is amended—*

5 (1) *by striking “or 2016” and inserting “2016,*
6 *or 2017”;* and

7 (2) *by striking “for the Navy for the Ohio Re-*
8 *placement Program” and inserting “for the Depart-*
9 *ment of Defense”.*

10 **SEC. 1023. EXTENSION OF AUTHORITY FOR REIMBURSE-**
11 **MENT OF EXPENSES FOR CERTAIN NAVY**
12 **MESS OPERATIONS AFLOAT.**

13 (a) *EXTENSION.*—Subsection (b) of section 1014 of the
14 *Duncan Hunter National Defense Authorization Act for*
15 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4585),*
16 *as amended by section 1021 of the Ike Skelton National De-*
17 *fense Authorization Act for Fiscal Year 2011 (Public Law*
18 *111–383, 124 Stat. 4348), is amended by striking “Sep-*
19 *tember 30, 2015” and inserting “September 30, 2020”.*

20 (b) *TECHNICAL AND CLARIFYING AMENDMENTS.*—Sub-
21 *section (a) of such section is amended—*

22 (1) *in the matter preceding paragraph (1), by*
23 *striking “not more than” and inserting “not more*
24 *than”;* and

1 (2) in paragraph (2), by striking “Naval vessels”
2 and inserting “such vessels”.

3 **SEC. 1024. AVAILABILITY OF FUNDS FOR RETIREMENT OR**
4 **INACTIVATION OF TICONDEROGA CLASS**
5 **CRUISERS OR DOCK LANDING SHIPS.**

6 None of the funds authorized to be appropriated by this
7 Act or otherwise made available for the Department of De-
8 fense for fiscal year 2016 may be obligated or expended to
9 retire, prepare to retire, inactivate, or place in storage a
10 cruiser or dock landing ship, except as provided in section
11 1026(b) of the Carl Levin and Howard P. “Buck” McKeon
12 National Defense Authorization Act for Fiscal Year 2015
13 (Public Law 113–291; 128 Stat. 3490).

14 **SEC. 1025. LIMITATION ON THE USE OF FUNDS FOR RE-**
15 **MOVAL OF BALLISTIC MISSILE DEFENSE CA-**
16 **PABILITIES FROM TICONDEROGA CLASS**
17 **CRUISERS.**

18 None of the funds authorized to be appropriated by this
19 Act or otherwise made available for the Department of De-
20 fense may be used to remove ballistic missile defense capa-
21 bilities from any of the 5 Ticonderoga class cruisers
22 equipped with such capabilities until the Secretary of the
23 Navy certifies to the congressional defense committees that
24 the Navy has—

1 (1) *obtained the ballistic missile defense capabilities*
2 *required by the most recent Navy Force Structure*
3 *Assessment;*

4 (2) *entered into a modernization of such cruisers*
5 *that will provide an equal or improved ballistic mis-*
6 *sile defense capability; or*

7 (3) *obtained at least 40 large surface combatants*
8 *with ballistic missile defense capability.*

9 **SEC. 1026. INDEPENDENT ASSESSMENT OF UNITED STATES**

10 **COMBAT LOGISTIC FORCE REQUIREMENTS.**

11 (a) *ASSESSMENT REQUIRED.*—

12 (1) *IN GENERAL.*—*The Secretary of Defense shall*
13 *seek to enter into an agreement with a federally fund-*
14 *ed research and development center with appropriate*
15 *expertise and analytical capability to conduct an as-*
16 *essment of the anticipated future demands of the*
17 *combat logistics force ships of the Navy and the chal-*
18 *lenges such ships may face when conducting and sup-*
19 *porting future naval operations in contested maritime*
20 *environments.*

21 (2) *ELEMENTS.*—*The assessment under para-*
22 *graph (1) shall include the following:*

23 (A) *An assessment of the programmed abil-*
24 *ity of the United States Combat Logistic Force*
25 *to support the Navy and the naval forces of allies*

1 *of the United States that are operating in a dis-*
2 *persed manner and not concentrated in carrier*
3 *or expeditionary strike groups, in accordance*
4 *with the concept of distributed lethality of the*
5 *Navy.*

6 *(B) An assessment of the programmed abil-*
7 *ity of the United States Combat Logistic Force*
8 *to support the Navy and the naval forces of allies*
9 *of the United States that are engaged in major*
10 *combat operations against an adversary pos-*
11 *sessing maritime anti-access and area-denial ca-*
12 *pabilities, including anti-ship ballistic and*
13 *cruise missiles, land-based maritime strike air-*
14 *craft, submarines, and sea mines.*

15 *(C) An assessment of the programmed abil-*
16 *ity of the United States Combat Logistic Force*
17 *to support distributed and expeditionary air op-*
18 *erations from an expanded set of alternative and*
19 *austere air bases in accordance with concepts*
20 *under development by the Air Force and the Ma-*
21 *rine Corps.*

22 *(D) An assessment of gaps and deficiencies*
23 *in the capability and capacity of the United*
24 *States Combat Logistic Force to conduct and*
25 *support operations of the United States and al-*

1 *lies under the conditions described in subpara-*
2 *graphs (A), (B), and (C).*

3 *(E) Recommendations for adjustments to*
4 *the programmed ability of the United States*
5 *Combat Logistic Force to address capability and*
6 *capacity gaps and deficiencies described in sub-*
7 *paragraph (D).*

8 *(F) Any other matters the federally funded*
9 *research and development center considers appro-*
10 *priate.*

11 ***(b) REPORT REQUIRED.—***

12 *(1) IN GENERAL.—Not later than April 1, 2016,*
13 *the Secretary of Defense shall submit to the congres-*
14 *sional defense committees a report that includes the*
15 *assessment under subsection (a) and any other mat-*
16 *ters the Secretary considers appropriate.*

17 *(2) FORM.—The report required under para-*
18 *graph (1) shall be submitted in unclassified form, but*
19 *may include a classified annex.*

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

1 **Subtitle D—Counterterrorism**

2 **SEC. 1031. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
3 **OR RELEASE OF INDIVIDUALS DETAINED AT**
4 **UNITED STATES NAVAL STATION, GUANTA-**
5 **NAMO BAY, CUBA, TO THE UNITED STATES.**

6 *No amounts authorized to be appropriated or otherwise*
7 *made available for the Department of Defense may be used*
8 *during the period beginning on the date of the enactment*
9 *of this Act and ending on December 31, 2016, to transfer,*
10 *release, or assist in the transfer or release to or within the*
11 *United States, its territories, or possessions of Khalid*
12 *Sheikh Mohammed or any other detainee who—*

13 (1) *is not a United States citizen or a member*
14 *of the Armed Forces of the United States; and*

15 (2) *is or was held on or after January 20, 2009,*
16 *at United States Naval Station, Guantanamo Bay,*
17 *Cuba, by the Department of Defense.*

18 **SEC. 1032. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**
19 **OR MODIFY FACILITIES IN THE UNITED**
20 **STATES TO HOUSE DETAINEES TRANS-**
21 **FERRED FROM UNITED STATES NAVAL STA-**
22 **TION, GUANTANAMO BAY, CUBA.**

23 (a) *IN GENERAL.—No amounts authorized to be ap-*
24 *propriated or otherwise made available for the Department*
25 *of Defense may be used during the period beginning on the*

1 *date of the enactment of this Act and ending on December*
2 *31, 2016, to construct or modify any facility in the United*
3 *States, its territories, or possessions to house any individual*
4 *detained at Guantanamo for the purposes of detention or*
5 *imprisonment in the custody or under the control of the*
6 *Department of Defense unless authorized by Congress.*

7 (b) *EXCEPTION.—The prohibition in subsection (a)*
8 *shall not apply to any modification of facilities at United*
9 *States Naval Station, Guantanamo Bay, Cuba.*

10 (c) *INDIVIDUAL DETAINED AT GUANTANAMO DE-*
11 *FINED.—In this section, the term “individual detained at*
12 *Guantanamo” has the meaning given that term in section*
13 *1034(f)(2).*

14 **SEC. 1033. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
15 **OR RELEASE TO CERTAIN COUNTRIES OF IN-**
16 **DIVIDUALS DETAINED AT UNITED STATES**
17 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

18 *No amounts authorized to be appropriated or otherwise*
19 *available for the Department of Defense may be used during*
20 *the period beginning on the date of the enactment of this*
21 *Act and ending on December 31, 2016, to transfer, release,*
22 *or assist in the transfer or release of any individual de-*
23 *tained in the custody or under the control of the Depart-*
24 *ment of Defense at United States Naval Station, Guanta-*

1 *namo Bay, Cuba, to the custody or control of any country,*
2 *or any entity within such country, as follows:*

3 (1) *Libya.*

4 (2) *Somalia.*

5 (3) *Syria.*

6 (4) *Yemen.*

7 **SEC. 1034. REENACTMENT AND MODIFICATION OF CERTAIN**
8 **PRIOR REQUIREMENTS FOR CERTIFICATIONS**
9 **RELATING TO TRANSFER OF DETAINEES AT**
10 **UNITED STATES NAVAL STATION, GUANTA-**
11 **NAMO BAY, CUBA, TO FOREIGN COUNTRIES**
12 **AND OTHER FOREIGN ENTITIES.**

13 (a) *CERTIFICATION REQUIRED PRIOR TO TRANS-*
14 *FER.—*

15 (1) *IN GENERAL.—Except as provided in para-*
16 *graph (2), the Secretary of Defense may not use any*
17 *amounts authorized to be appropriated or otherwise*
18 *available to the Department of Defense to transfer*
19 *any individual detained at Guantanamo to the cus-*
20 *tody or control of the individual's country of origin,*
21 *any other foreign country, or any other foreign entity*
22 *unless the Secretary submits to the appropriate com-*
23 *mittees of Congress the certification described in sub-*
24 *section (b) not later than 30 days before the transfer*
25 *of the individual.*

1 (2) *EXCEPTION.*—*Paragraph (1) shall not apply*
2 *to any action taken by the Secretary to transfer any*
3 *individual detained at Guantanamo to effectuate an*
4 *order affecting the disposition of the individual that*
5 *is issued by a court or competent tribunal of the*
6 *United States having lawful jurisdiction (which the*
7 *Secretary shall notify the appropriate committees of*
8 *Congress of promptly after issuance).*

9 (b) *CERTIFICATION.*—*A certification described in this*
10 *subsection is a written certification made by the Secretary*
11 *that—*

12 (1) *the transfer concerned is in the national se-*
13 *curity interests of the United States;*

14 (2) *the government of the foreign country or the*
15 *recognized leadership of the foreign entity to which*
16 *the individual detained at Guantanamo concerned is*
17 *to be transferred—*

18 (A) *is not a designated state sponsor of ter-*
19 *rorism or a designated foreign terrorist organi-*
20 *zation;*

21 (B) *maintains control over each detention*
22 *facility in which the individual is to be detained*
23 *if the individual is to be housed in a detention*
24 *facility;*

1 (C) has taken or agreed to take appropriate
2 steps to substantially mitigate any risk the indi-
3 vidual could attempt to reengage in terrorist ac-
4 tivity or otherwise threaten the United States or
5 its allies or interests; and

6 (D) has agreed to share with the United
7 States any information that is related to the in-
8 dividual;

9 (3) if the country to which the individual is to
10 be transferred is a country to which the United States
11 transferred an individual who was detained at
12 United States Naval Station, Guantanamo Bay,
13 Cuba, at any time after September 11, 2001, and
14 such transferred individual subsequently engaged in
15 any terrorist activity, the Secretary has—

16 (A) considered such circumstances; and

17 (B) determined that the actions to be taken
18 as described in paragraph (2)(C) will substan-
19 tially mitigate the risk of recidivism with regard
20 to the individual to be transferred; and

21 (4) includes an intelligence assessment, in classi-
22 fied or unclassified form, of the capacity, willingness,
23 and past practices (if applicable) of the foreign coun-
24 try or foreign entity concerned in relation to the cer-
25 tification of the Secretary under this subsection.

1 (c) *COORDINATION WITH PROHIBITION ON TRANSFER*
2 *TO CERTAIN COUNTRIES.*—While the prohibition in section
3 1033 is in effect, no certification may be made under sub-
4 section (b) in connection with the transfer of an individual
5 detained at Guantanamo to a country specified in such sec-
6 tion.

7 (d) *RECORD OF COOPERATION.*—In assessing the risk
8 that an individual detained at Guantanamo will engage
9 in terrorist activity or other actions that could affect the
10 national security of the United States if released for the
11 purpose of making a certification under subsection (b), the
12 Secretary may give favorable consideration to any such in-
13 dividual—

14 (1) *who has substantially cooperated with United*
15 *States intelligence and law enforcement authorities,*
16 *pursuant to a pre-trial agreement, while in the cus-*
17 *tody of or under the effective control of the Depart-*
18 *ment of Defense; and*

19 (2) *for whom agreements and effective mecha-*
20 *nisms are in place, to the extent relevant and nec-*
21 *essary, to provide for continued cooperation with*
22 *United States intelligence and law enforcement au-*
23 *thorities.*

24 (e) *REPORT.*—Whenever the Secretary makes a certifi-
25 cation under subsection (b) with respect to an individual

1 *detained at Guantanamo, the Secretary shall submit to the*
2 *appropriate committees of Congress, together with such cer-*
3 *tification, a report that shall include, at a minimum, the*
4 *following:*

5 (1) *A detailed statement of the basis for the*
6 *transfer of the individual.*

7 (2) *An explanation why the transfer of the indi-*
8 *vidual is in the national security interests of the*
9 *United States.*

10 (3) *A description of actions taken to mitigate the*
11 *risks of reengagement by the individual as described*
12 *in subsection (b)(2)(C), including any actions taken*
13 *to address factors relevant to an applicable prior case*
14 *of reengagement described in subsection (b)(3).*

15 (4) *A copy of any Periodic Review Board find-*
16 *ings relating to the individual.*

17 (5) *A copy of the final recommendation by the*
18 *Guantanamo Detainee Review Task Force established*
19 *pursuant to Executive Order 13492 relating to the in-*
20 *dividual and, if applicable, updated information re-*
21 *lated to any change to such recommendation.*

22 (6) *An assessment whether, as of the date of the*
23 *certification, the country to which the individual is to*
24 *be transferred is facing a threat that could substan-*

1 *tially affect its ability to exercise control over the in-*
2 *dividual.*

3 *(7) A classified summary of—*

4 *(A) the individual's record of cooperation, if*
5 *any, while in the custody of or under the effec-*
6 *tive control of the Department of Defense; and*

7 *(B) any agreements and mechanisms in*
8 *place to provide for continuing cooperation.*

9 *(f) DEFINITIONS.—In this section:*

10 *(1) The term “appropriate committees of Con-*
11 *gress” means—*

12 *(A) the Committee on Armed Services, the*
13 *Committee on Foreign Relations, the Committee*
14 *on Appropriations, and the Select Committee on*
15 *Intelligence of the Senate; and*

16 *(B) the Committee on Armed Services, the*
17 *Committee on Foreign Affairs, the Committee on*
18 *Appropriations, and the Permanent Select Com-*
19 *mittee on Intelligence of the House of Represent-*
20 *atives.*

21 *(2) The term “individual detained at Guanta-*
22 *namo” means any individual located at United*
23 *States Naval Station, Guantanamo Bay, Cuba, as of*
24 *October 1, 2009, who—*

1 (A) *is not a citizen of the United States or*
2 *a member of the Armed Forces of the United*
3 *States; and*

4 (B) *is—*

5 (i) *in the custody or under the control*
6 *of the Department of Defense; or*

7 (ii) *otherwise under detention at*
8 *United States Naval Station, Guantanamo*
9 *Bay, Cuba.*

10 (3) *The term “foreign terrorist organization”*
11 *means any organization so designated by the Sec-*
12 *retary of State under section 219 of the Immigration*
13 *and Nationality Act (8 U.S.C. 1189).*

14 (4) *The term “state sponsor of terrorism” has the*
15 *meaning given that term in section 301(13) of the*
16 *Comprehensive Iran Sanctions, Accountability, and*
17 *Divestment Act of 2010 (22 U.S.C. 8541(13)).*

18 (g) *REPEAL OF SUPERSEDED REQUIREMENTS AND*
19 *LIMITATIONS.—Section 1035 of the National Defense Au-*
20 *thorization Act for Fiscal Year 2014 (Public Law 113–66;*
21 *127 Stat. 851; 10 U.S.C. 801 note) is repealed.*

22 **SEC. 1035. COMPREHENSIVE DETENTION STRATEGY.**

23 (a) *IN GENERAL.—Not later than 90 days after the*
24 *date of the enactment of this Act, the Secretary of Defense*
25 *shall, in consultation with the Attorney General and the*

1 *Director of National Intelligence, submit to the congres-*
2 *sional defense committees a report setting forth the details*
3 *of a comprehensive strategy for the detention of current and*
4 *future individuals captured and held pursuant to the Au-*
5 *thorization for Use of Military Force (Public Law 107-40)*
6 *pending the end of hostilities.*

7 **(b) ELEMENTS.**—*The report required by subsection (a)*
8 *shall contain the following:*

9 **(1)** *The specific facility or facilities that are in-*
10 *tended to be used, or modified to be used, to hold indi-*
11 *viduals for purpose of trial and incarceration after*
12 *conviction or detention and interrogation pursuant to*
13 *the law of armed conflict.*

14 **(2)** *The estimated costs associated with the deten-*
15 *tion of individuals detained for purpose of trial, in-*
16 *carceration after conviction, or continued detention*
17 *under the law of armed conflict, including the costs*
18 *of—*

19 **(A)** *improvements, additions, or changes to*
20 *each facility specified pursuant to paragraph*

21 *(1);*

22 **(B)** *construction of new facilities, if any;*

23 **(C)** *maintenance, operation, and*
24 *sustainment of any such facility;*

25 **(D)** *security;*

1 (E) military, civilian, and contractor sup-
2 port personnel; and

3 (F) other matters associated with support of
4 detention operations.

5 (3) A plan for the disposition of such individuals
6 if the authority to continue detaining an individual
7 pursuant to the law of armed conflict were to expire
8 while such individual is being detained, and an as-
9 sessment of possible actions that could be taken to
10 mitigate any adverse implications of such a scenario
11 to the national security interests of the United States.

12 (4) A plan for the disposition of individuals held
13 pursuant to the Authorization for Use of Military
14 Force who are currently detained at the United States
15 Naval Base, Guantanamo Bay, Cuba.

16 (5) A plan for the disposition of future detainees
17 held pursuant to the Authorization for Use of Mili-
18 tary Force.

19 (6) The additional authorities, if any, necessary
20 to detain an individual pursuant to the law of armed
21 conflict as an unprivileged enemy belligerent pursu-
22 ant to the Authorization for Use of Military Force
23 pending the end of hostilities or a future determina-
24 tion by the Secretary of Defense that such individual
25 no longer requires continued detention.

1 (c) *FORM.*—*The report required by subsection (a) shall*
2 *be submitted in unclassified form, but may include a classi-*
3 *fied annex.*

4 **SEC. 1036. PROHIBITION ON USE OF FUNDS FOR REALIGN-**
5 **MENT OF FORCES AT OR CLOSURE OF**
6 **UNITED STATES NAVAL STATION, GUANTA-**
7 **NAMO BAY, CUBA.**

8 (a) *PROHIBITION ON USE OF FUNDS.*—*No amounts*
9 *authorized to be appropriated or otherwise made available*
10 *for the Department of Defense for fiscal year 2016 may be*
11 *used—*

12 (1) *to close or abandon United States Naval Sta-*
13 *tion, Guantanamo Bay, Cuba;*

14 (2) *to relinquish control of Guantanamo Bay to*
15 *the Republic of Cuba; or*

16 (3) *to implement a material modification to the*
17 *Treaty Between the United States of America and*
18 *Cuba signed at Washington, D.C. on May 29, 1934*
19 *that constructively closes United States Naval Sta-*
20 *tion, Guantanamo Bay.*

21 (b) *REPORT.*—

22 (1) *REPORT REQUIRED.*—*Not later than 180*
23 *days after the date of the enactment of this Act, the*
24 *Secretary of Defense shall submit to the congressional*
25 *defense committees a report setting forth an assess-*

1 *ment of the military implications of United States*
2 *Naval Station Guantanamo Bay, Cuba.*

3 (2) *ELEMENTS.*—*The report shall include the fol-*
4 *lowing:*

5 (A) *An historical analysis of the use and*
6 *significance of the basing at United States Naval*
7 *Station, Guantanamo Bay.*

8 (B) *A description of the personnel, re-*
9 *sources, and base operations based out of United*
10 *States Naval Station, Guantanamo Bay, as of*
11 *the date of the enactment of this Act.*

12 (C) *An assessment of the role of United*
13 *States Naval Station, Guantanamo Bay, in sup-*
14 *port of the National Security Strategy, the Na-*
15 *tional Defense Strategy, and the National Mili-*
16 *tary Strategy.*

17 (D) *An assessment of the missions and mili-*
18 *tary requirements that United States Naval Sta-*
19 *tion, Guantanamo Bay, currently supports.*

20 (E) *A description of the uses of United*
21 *States Naval Station, Guantanamo Bay, by*
22 *other departments and agencies of the United*
23 *States Government.*

24 (F) *Any other matters the Secretary con-*
25 *siders appropriate.*

1 **SEC. 1037. REPORT ON CURRENT DETAINEES AT UNITED**
2 **STATES NAVAL STATION, GUANTANAMO BAY,**
3 **CUBA, DETERMINED OR ASSESSED TO BE**
4 **HIGH RISK OR MEDIUM RISK.**

5 (a) *REPORT REQUIRED.*—Not later than 60 days after
6 the date of the enactment of this Act, the Secretary of De-
7 fense shall submit to the appropriate committees and mem-
8 bers of Congress a report setting forth a list of the individ-
9 uals detained at Guantanamo as of the date of the enact-
10 ment of this Act who have been determined or assessed by
11 Joint Task Force Guantanamo, at any time before the date
12 of the report, to be a high-risk or medium-risk threat to
13 the United States, its interests, or its allies.

14 (b) *ELEMENTS.*—The report under subsection (a) shall
15 set forth, for each individual covered by the report, the fol-
16 lowing:

17 (1) *The name and country of origin.*

18 (2) *The date on which first designated or as-*
19 *essed as a high-risk or medium-risk threat to the*
20 *United States, its interests, or its allies, and an as-*
21 *essment of the justification for the designation or as-*
22 *essment.*

23 (3) *Whether, as of the date of the report, cur-*
24 *rently designated or assessed as a high-risk or me-*
25 *diuim-risk threat to the United States, its interests, or*
26 *its allies.*

1 (4) *If the designation or assessment changed be-*
2 *tween the date specified pursuant to paragraph (2)*
3 *and the date of the report—*

4 (A) *the new designation or assessment to*
5 *which changed;*

6 (B) *the year and month in which the des-*
7 *ignation or assessment changed; and*

8 (C) *information on, and a justification for,*
9 *the change in designation or assessment.*

10 (5) *To the extent practicable, without jeopard-*
11 *izing intelligence sources and methods—*

12 (A) *prior actions in support of terrorism,*
13 *hostile actions against the United States or its*
14 *allies, gross violations of human rights, and*
15 *other violations of international law; and*

16 (B) *any affiliations with al Qaeda, al*
17 *Qaeda affiliates, or other terrorist groups.*

18 (c) *FORM.—The report under subsection (a) shall be*
19 *submitted in unclassified form to the maximum extent*
20 *practicable, but may include a classified annex.*

21 (d) *DEFINITIONS.—In this section:*

22 (1) *The term “appropriate committees and mem-*
23 *bers of Congress” means—*

1 (A) *the Committee on Armed Services, the*
2 *Committee on Appropriations, and the Select*
3 *Committee on Intelligence of the Senate;*

4 (B) *the Majority Leader and the Minority*
5 *Leader of the Senate;*

6 (C) *the Committee on Armed Services, the*
7 *Committee on Appropriations, and the Perma-*
8 *nent Select Committee on Intelligence of the*
9 *House of Representatives; and*

10 (D) *the Speaker of the House of Representa-*
11 *tives and the Minority Leader of the House of*
12 *Representatives.*

13 (2) *The term “individual detained at Guanta-*
14 *namo” means any individual located at United*
15 *States Naval Station, Guantanamo Bay, Cuba, as of*
16 *October 1, 2009, who—*

17 (A) *is not a citizen of the United States or*
18 *a member of the Armed Forces of the United*
19 *States; and*

20 (B) *is—*

21 (i) *in the custody or under the control*
22 *of the Department of Defense; or*

23 (ii) *otherwise under detention at*
24 *United States Naval Station, Guantanamo*
25 *Bay, Cuba.*

1 **SEC. 1038. REPORTS TO CONGRESS ON CONTACT BETWEEN**
2 **TERRORISTS AND INDIVIDUALS FORMERLY**
3 **DETAINED AT UNITED STATES NAVAL STA-**
4 **TION, GUANTANAMO BAY, CUBA.**

5 (a) *IN GENERAL.*—Section 319(c) of the Supplemental
6 Appropriations Act, 2009 (Public Law 111–32; 123 Stat.
7 1874; 10 U.S.C. 801 note) is amended by adding at the
8 end the following new paragraph:

9 “(6) A summary of all known contact between
10 any individual formerly detained at Naval Station
11 Guantanamo Bay and any individual known or sus-
12 pected to be associated with a foreign terrorist group,
13 which contact included information or discussion
14 about planning for or conduct of hostilities against
15 the United States or its allies or the organizational,
16 logistical, or resource needs or activities of any ter-
17 rorist group or activity.”.

18 (b) *RULE OF CONSTRUCTION.*—Nothing in the amend-
19 ment made by subsection (a) shall be construed to termi-
20 nate, alter, modify, override, or otherwise affect any report-
21 ing of information required under section 319(c) of the Sup-
22 plemental Appropriations Act, 2009 before the date of the
23 enactment of this section.

1 **SEC. 1039. INCLUSION IN REPORTS TO CONGRESS OF IN-**
2 **FORMATION ABOUT RECIDIVISM OF INDIVID-**
3 **UALS FORMERLY DETAINED AT UNITED**
4 **STATES NAVAL STATION, GUANTANAMO BAY,**
5 **CUBA.**

6 *Section 319(c) of the Supplemental Appropriations*
7 *Act, 2009 (Public Law 111–32; 123 Stat. 1874; 10 U.S.C.*
8 *801 note), as amended by section 1038, is further amended*
9 *by adding at the end the following new paragraphs:*

10 *“(7) For each individual described in paragraph*
11 *(4), the date on which such individual was released*
12 *or transferred from Naval Station Guantanamo Bay*
13 *and the date on which it is confirmed that such indi-*
14 *vidual is suspected or confirmed of reengaging in ter-*
15 *rorist activities.*

16 *“(8) The average period of time described in*
17 *paragraph (7) for all the individuals described in*
18 *paragraph (4).”.*

19 **SEC. 1040. REPORT TO CONGRESS ON TERMS OF WRITTEN**
20 **AGREEMENTS WITH FOREIGN COUNTRIES RE-**
21 **GARDING TRANSFER OF DETAINEES AT**
22 **UNITED STATES NAVAL STATION, GUANTA-**
23 **NAMO BAY, CUBA.**

24 *(a) REPORT REQUIRED.—*

25 *(1) IN GENERAL.—Not later than 180 days after*
26 *the date of the enactment of this Act, the Secretary of*

1 *Defense and the Secretary of State shall jointly sub-*
2 *mit to the appropriate committees of Congress a re-*
3 *port describing the terms of any written agreement*
4 *between the United States Government and the gov-*
5 *ernment of the foreign country concerned regarding*
6 *each individual detained at Guantanamo who was*
7 *transferred to a foreign country pursuant to a nego-*
8 *tiated transfer.*

9 (2) *STATEMENT ON LACK OF WRITTEN AGREE-*
10 *MENT.—If an individual detained at Guantanamo*
11 *was transferred to a foreign country pursuant to a*
12 *negotiated transfer and no written agreement exists*
13 *between the United States Government and the gov-*
14 *ernment of the foreign country regarding the transfer*
15 *of such individual, the report under paragraph (1)*
16 *shall include an unclassified statement of that fact.*

17 (3) *ARRANGEMENTS WHEN LACK OF WRITTEN*
18 *AGREEMENT.—The report under paragraph (1) shall*
19 *also provide a description of the types and frequency*
20 *of arrangements or assurances applicable to nego-*
21 *tiated transfers covered by paragraph (2).*

22 (4) *FORM.—The report under paragraph (1)*
23 *may be submitted in classified form, except as pro-*
24 *vided in paragraph (2).*

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

1 (1) *The term “appropriate committees of Con-*
2 *gress” means—*

3 (A) *the Committee on Armed Services, the*
4 *Committee on Foreign Relations, the Committee*
5 *on Appropriations, and the Select Committee on*
6 *Intelligence of the Senate; and*

7 (B) *the Committee on Armed Services, the*
8 *Committee on Foreign Affairs, the Committee on*
9 *Appropriations, and the Permanent Select Com-*
10 *mittee on Intelligence of the House of Represent-*
11 *atives.*

12 (2) *The term “individual detained at Guanta-*
13 *namo” means any individual located at United*
14 *States Naval Station, Guantanamo Bay, Cuba, as of*
15 *October 1, 2009, who—*

16 (A) *is not a citizen of the United States or*
17 *a member of the Armed Forces of the United*
18 *States; and*

19 (B) *is—*

20 (i) *in the custody or under the control*
21 *of the Department of Defense; or*

22 (ii) *otherwise under detention at*
23 *United States Naval Station, Guantanamo*
24 *Bay, Cuba.*

1 **SEC. 1041. REPORT ON USE OF UNITED STATES NAVAL STA-**
2 **TION, GUANTANAMO BAY, CUBA, AND OTHER**
3 **DEPARTMENT OF DEFENSE OR BUREAU OF**
4 **PRISONS PRISONS OR DETENTION OR DIS-**
5 **CIPLINARY FACILITIES IN RECRUITMENT OR**
6 **OTHER PROPAGANDA OF TERRORIST ORGANI-**
7 **ZATIONS.**

8 *Not later than six months after the date of the enact-*
9 *ment of this Act, the Secretary of Defense shall, in consulta-*
10 *tion with the Director of National Intelligence, submit to*
11 *Congress a report on the use by terrorist organizations and*
12 *their leaders of images and symbols relating to United*
13 *States Naval Station, Guantanamo Bay, Cuba, and any*
14 *other Department of Defense or Bureau of Prisons prison*
15 *or other detention or disciplinary facility for recruitment*
16 *and other propaganda purposes. The report shall include*
17 *the following:*

18 (1) *a description of the use by terrorist organiza-*
19 *tions and their leaders of images and symbols relating*
20 *to United States Naval Station, Guantanamo Bay,*
21 *and any other Department of Defense or Bureau of*
22 *Prisons prison or other detention or disciplinary fa-*
23 *cility for recruitment or other propaganda purposes.*

24 (2) *A description and assessment of—*

25 (A) *the effectiveness of the use of such im-*
26 *ages and symbols for recruitment and other*

1 propaganda purposes during the period begin-
 2 ning on September 11, 2001, and ending on the
 3 date of the report; and

4 (B) the extent to which such images and
 5 symbols continue to be used for recruitment or
 6 other propaganda purposes.

7 (3) A description and assessment of the efforts of
 8 the United States Government to counter the use of
 9 such images and symbols for recruitment and other
 10 propaganda purposes and to disseminate accurate in-
 11 formation about such facilities.

12 **SEC. 1042. PERMANENT AUTHORITY TO PROVIDE REWARDS**
 13 **THROUGH GOVERNMENT PERSONNEL OF AL-**
 14 **LIED FORCES AND CERTAIN OTHER MODI-**
 15 **FICATIONS TO DEPARTMENT OF DEFENSE**
 16 **PROGRAM TO PROVIDE REWARDS.**

17 (a) *IN GENERAL.*—Subsection (c)(3) of section 127b of
 18 title 10, United States Code, is amended—

19 (1) in subparagraph (A), by striking “subpara-
 20 graphs (B) and (C)” and inserting “subparagraph
 21 (B)”;

22 (2) by striking subparagraphs (C) and (D).

23 (b) *MODIFICATION OF REPORTING REQUIREMENTS.*—
 24 Subsection (f)(2) of such section is amended—

25 (1) by striking subparagraph (D);

1 (2) by redesignating subparagraphs (E), (F),
2 and (G), as subparagraphs (D), (E), and (F), respec-
3 tively; and

4 (3) in subparagraph (D), as redesignated by
5 paragraph (2), by inserting before the period at the
6 end the following: “, including in which countries the
7 program is being operated”.

8 (c) *REPORT ON DESIGNATION OF COUNTRIES FOR*
9 *WHICH REWARDS MAY BE PAID.*—Such section is further
10 amended by adding at the end the following new subsection:

11 “(h) *REPORT ON DESIGNATION OF COUNTRIES FOR*
12 *WHICH REWARDS MAY BE PAID.*—Not later than 15 days
13 after the date on which the Secretary designates a country
14 as a country in which an operation or activity of the armed
15 forces is occurring in connection with which rewards may
16 be paid under this section, the Secretary shall submit to
17 the Committees on Armed Services of the Senate and the
18 House of Representatives a report on the designation. Each
19 report shall include the following:

20 “(1) The country so designated.

21 “(2) The reason for the designation of the coun-
22 try.

23 “(3) A justification for the designation of the
24 country for purposes of this section.”.

25 (d) *CLERICAL AMENDMENTS.*—

1 (1) *SECTION HEADING.*—*The heading of such sec-*
 2 *tion is amended to read as follows:*

3 **“§ 127b. Department of Defense rewards program”.**

4 (2) *TABLE OF SECTIONS.*—*The table of sections*
 5 *at the beginning of chapter 3 of such title is amended*
 6 *by striking the item relating to section 127b and in-*
 7 *serting the following new item:*

 “127b. Department of Defense rewards program.”.

8 **SEC. 1043. SUNSET ON EXCEPTION TO CONGRESSIONAL NO-**
 9 **TIFICATION OF SENSITIVE MILITARY OPER-**
 10 **ATIONS.**

11 *Section 130f(e) of title 10, United States Code, is*
 12 *amended—*

13 (1) *by inserting “(1)” before “The notification”;*
 14 *and*

15 (2) *by adding at the end the following new para-*
 16 *graph:*

17 “*(2) The exception in paragraph (1) shall cease to be*
 18 *in effect at the close of December 31, 2017.*”.

19 **SEC. 1044. REPEAL OF SEMIANNUAL REPORTS ON OBLIGA-**
 20 **TION AND EXPENDITURE OF FUNDS FOR THE**
 21 **COMBATING TERRORISM PROGRAM.**

22 *Section 229 of title 10, United States Code, is amend-*
 23 *ed—*

24 (1) *by striking subsection (d); and*

1 (2) *by redesignating subsection (e) as subsection*
2 *(d).*

3 **SEC. 1045. LIMITATION ON INTERROGATION TECHNIQUES.**

4 (a) *LIMITATION ON INTERROGATION TECHNIQUES TO*
5 *THOSE IN THE ARMY FIELD MANUAL.—*

6 (1) *ARMY FIELD MANUAL 2–22.3 DEFINED.—In*
7 *this subsection, the term “Army Field Manual 2–*
8 *22.3” means the Army Field Manual 2–22.3 entitled*
9 *“Human Intelligence Collector Operations” in effect*
10 *on the date of the enactment of this Act or any simi-*
11 *lar successor Army Field Manual.*

12 (2) *RESTRICTION.—*

13 (A) *IN GENERAL.—An individual described*
14 *in subparagraph (B) shall not be subjected to*
15 *any interrogation technique or approach, or any*
16 *treatment related to interrogation, that is not*
17 *authorized by and listed in the Army Field Man-*
18 *ual 2–22.3.*

19 (B) *INDIVIDUAL DESCRIBED.—An indi-*
20 *vidual described in this subparagraph is an in-*
21 *dividual who is—*

22 (i) *in the custody or under the effective*
23 *control of an officer, employee, or other*
24 *agent of the United States Government; or*

1 (ii) detained within a facility owned,
2 operated, or controlled by a department or
3 agency of the United States, in any armed
4 conflict.

5 (3) *IMPLEMENTATION.*—Interrogation techniques,
6 approaches, and treatments described in Army Field
7 Manual 2–22.3 shall be implemented strictly in ac-
8 cord with the principles, processes, conditions, and
9 limitations prescribed by Army Field Manual 2–22.3.

10 (4) *AGENCIES OTHER THAN THE DEPARTMENT*
11 *OF DEFENSE.*—If a process required by Army Field
12 Manual 2–22.3, such as a requirement of approval by
13 a specified Department of Defense official, is inap-
14 posite to a department or an agency other than the
15 Department of Defense, the head of such department
16 or agency shall ensure that a process that is substan-
17 tially equivalent to the process prescribed by Army
18 Field Manual 2–22.3 for the Department of Defense
19 is utilized by all officers, employees, or other agents
20 of such department or agency.

21 (5) *INTERROGATION BY FEDERAL LAW ENFORCE-*
22 *MENT.*—The limitations in this subsection shall not
23 apply to officers, employees, or agents of the Federal
24 Bureau of Investigation, the Department of Homeland
25 Security, or other Federal law enforcement entities.

1 (6) *UPDATE OF THE ARMY FIELD MANUAL.—*

2 (A) *REQUIREMENT TO UPDATE.—*

3 (i) *IN GENERAL.—Not sooner than*
4 *three years after the date of the enactment*
5 *of this Act, and once every three years there-*
6 *after, the Secretary of Defense, in consulta-*
7 *tion with the Attorney General, the Director*
8 *of the Federal Bureau of Investigation, and*
9 *the Director of National Intelligence, shall*
10 *complete a thorough review of Army Field*
11 *Manual 2–22.3, and revise Army Field*
12 *Manual 2–22.3, as necessary to ensure that*
13 *Army Field Manual 2–22.3 complies with*
14 *the legal obligations of the United States*
15 *and the practices for interrogation described*
16 *therein do not involve the use or threat of*
17 *force.*

18 (ii) *AVAILABILITY TO THE PUBLIC.—*

19 *Army Field Manual 2–22.3 shall remain*
20 *available to the public and any revisions to*
21 *the Army Field Manual 2–22.3 adopted by*
22 *the Secretary of Defense shall be made*
23 *available to the public 30 days prior to the*
24 *date the revisions take effect.*

1 (B) *REPORT ON BEST PRACTICES OF INTER-*
2 *ROGATIONS.*—

3 (i) *REQUIREMENT FOR REPORT.*—*Not*
4 *later than 120 days after the date of the en-*
5 *actment of this Act, the interagency body es-*
6 *tablished pursuant to Executive Order*
7 *13491 (commonly known as the High-Value*
8 *Detainee Interrogation Group) shall submit*
9 *to the Secretary of Defense, the Director of*
10 *National Intelligence, the Attorney General,*
11 *and other appropriate officials a report on*
12 *best practices for interrogation that do not*
13 *involve the use of force.*

14 (ii) *RECOMMENDATIONS.*—*The report*
15 *required by clause (i) may include rec-*
16 *ommendations for revisions to Army Field*
17 *Manual 2–22.3 based on the body of re-*
18 *search commissioned by the High-Value De-*
19 *tainee Interrogation Group.*

20 (iii) *AVAILABILITY TO THE PUBLIC.*—
21 *Not later than 30 days after the report re-*
22 *quired by clause (i) is submitted such report*
23 *shall be made available to the public.*

24 (b) *INTERNATIONAL COMMITTEE OF THE RED CROSS*
25 *ACCESS TO DETAINEES.*—

1 (1) *REQUIREMENT.*—*The head of any depart-*
2 *ment or agency of the United States Government shall*
3 *provide the International Committee of the Red Cross*
4 *with notification of, and prompt access to, any indi-*
5 *vidual detained in any armed conflict in the custody*
6 *or under the effective control of an officer, employee,*
7 *contractor, subcontractor, or other agent of the United*
8 *States Government or detained within a facility*
9 *owned, operated, or effectively controlled by a depart-*
10 *ment, agency, contractor, or subcontractor of the*
11 *United States Government, consistent with Depart-*
12 *ment of Defense regulations and policies.*

13 (2) *CONSTRUCTION.*—*Nothing in this subsection*
14 *shall be construed—*

15 (A) *to create or otherwise imply the author-*
16 *ity to detain; or*

17 (B) *to limit or otherwise affect any other*
18 *individual rights or state obligations which may*
19 *arise under United States law or international*
20 *agreements to which the United States is a*
21 *party, including the Geneva Conventions, or to*
22 *state all of the situations under which notifica-*
23 *tion to and access for the International Com-*
24 *mittee of the Red Cross is required or allowed.*

1 ***Subtitle E—Miscellaneous***
2 ***Authorities and Limitations***

3 ***SEC. 1051. DEPARTMENT OF DEFENSE EXCESS PROPERTY***
4 ***PROGRAM.***

5 (a) *WEBSITE REQUIRED.*—Section 2576a of title 10,
6 *United States Code, is amended by adding at the end the*
7 *following new subsection:*

8 “(e) *PUBLICLY ACCESSIBLE WEBSITE.*—(1) *The Sec-*
9 *retary shall create and maintain a publicly available Inter-*
10 *net website that provides information on the controlled*
11 *property transferred under this section and the recipients*
12 *of such property.*

13 “(2) *The contents of the Internet website required*
14 *under paragraph (1) shall include all publicly accessible*
15 *unclassified information pertaining to the request, transfer,*
16 *denial, and repossession of controlled property under this*
17 *section, including—*

18 “(A) *a current inventory of all controlled prop-*
19 *erty transferred to Federal and State agencies under*
20 *this section, listed by the name of the recipient and*
21 *the year of the transfer;*

22 “(B) *all pending requests for transfers of con-*
23 *trolled property under this section, including the in-*
24 *formation submitted by the Federal and State agen-*
25 *cies requesting such transfers; and*

1 “(C) all reports required to be submitted to the
2 Secretary under this section by Federal and State
3 agencies that receive controlled property under this
4 section.”.

5 (b) *CONDITIONS FOR TRANSFER*.—Subsection (b) of
6 such section is amended—

7 (1) in paragraph (3), by striking “and” at the
8 end;

9 (2) in paragraph (4), by striking the period and
10 inserting “; and”; and

11 (3) by adding at the end the following new para-
12 graphs:

13 “(5) the recipient, on an annual basis, and with
14 the authorization of the relevant local governing body
15 or authority, certifies that it has adopted publicly
16 available protocols for the appropriate use of con-
17 trolled property, the supervision of such use, and the
18 evaluation of the effectiveness of such use, including
19 auditing and accountability policies; and

20 “(6) after the completion of the assessment re-
21 quired by section 1051(e) of the National Defense Au-
22 thorization Act for Fiscal Year 2016, the recipient, on
23 an annual basis, certifies that it provides annual
24 training to relevant personnel on the maintenance,

1 *sustainment, and appropriate use of controlled prop-*
2 *erty.”.*

3 (c) *DEFINITION OF CONTROLLED PROPERTY.*—*Such*
4 *section is further amended by adding at the end the fol-*
5 *lowing new subsection:*

6 “(f) *CONTROLLED PROPERTY.*—*In this section, the*
7 *term ‘controlled property’ means any item assigned a de-*
8 *militarization code of B, C, D, E, G, or Q under Depart-*
9 *ment of Defense Manual 4160.21–M, ‘Defense Materiel Dis-*
10 *position Manual’, or any successor document.”.*

11 (d) *EXAMINATION OF TRAINING REQUIREMENTS.*—*The*
12 *Secretary of Defense shall enter into an agreement with a*
13 *federally funded research and development center for the*
14 *conduct of an assessment of the Department of Defense ex-*
15 *cess property program under section 2576a of title 10,*
16 *United States Code, as amended by this section. Such as-*
17 *essment shall include—*

18 (1) *an evaluation of the policies and controls*
19 *governing the determination of the suitability of re-*
20 *cipients of controlled property transferred under the*
21 *program, including specific recommendations relating*
22 *to the training that Federal and State agencies that*
23 *receive such property should receive, at no cost to the*
24 *Department of Defense, to ensure proficiency in the*

1 *use, maintenance, and sustainment of such property;*
2 *and*

3 *(2) an analysis of reported statistics on con-*
4 *trolled property transfers, the incidence of controlled*
5 *property that is unaccounted for, and the effectiveness*
6 *of the policies and procedures governing the return of*
7 *controlled property transferred under the program to*
8 *the Department of Defense.*

9 *(e) ONE-YEAR MANDATORY USE POLICY ASSESS-*
10 *MENT.—The Secretary of Defense shall enter into an agree-*
11 *ment with a federally funded research and development cen-*
12 *ter for the conduct of an assessment of the Department of*
13 *Defense excess property program under section 2576a of*
14 *title 10, United States Code, as amended by this section,*
15 *to determine if the requirement that all controlled property*
16 *transferred under the program be used within one year of*
17 *being transferred is achieving its intended effect. Such as-*
18 *essment shall include recommendations on process im-*
19 *provement, including legislative proposals.*

20 *(f) COMPTROLLER GENERAL ASSESSMENT.—Not later*
21 *than one year after the date of the enactment of this Act,*
22 *the Comptroller General of the United States shall conduct*
23 *an assessment of the Department of Defense excess property*
24 *program under section 2576a of title 10, United States*

1 *Code, as amended by this section. Such assessment shall in-*
 2 *clude—*

3 (1) *an evaluation of the transfer of controlled*
 4 *property under the program, including the manner in*
 5 *which the property was used by Federal and State*
 6 *agencies and the effectiveness of the Internet website*
 7 *required under subsection (e) of section 2576a of title*
 8 *10, United States Code, as added by subsection (a),*
 9 *in providing transparency to the public; and*

10 (2) *a determination of whether the transfer of*
 11 *property under the program enhances the ability of*
 12 *Federal and State agencies to carry out counter-drug*
 13 *and counter-terrorism activities in accordance with*
 14 *the purposes of the program as set forth in section*
 15 *2576a of title 10, United States Code.*

16 **SEC. 1052. SALE OR DONATION OF EXCESS PERSONAL**
 17 **PROPERTY FOR BORDER SECURITY ACTIVI-**
 18 **TIES.**

19 *Section 2576a of title 10, United States Code, as*
 20 *amended by section 1051 is further amended—*

21 (1) *in subsection (a)—*

22 (A) *in paragraph (1)(A), by striking*
 23 *“counter-drug and counter-terrorism activities”*
 24 *and inserting “counterdrug, counterterrorism,*
 25 *and border security activities”;* and

1 (B) in paragraph (2), by striking “the At-
 2 torney General and the Director of National
 3 Drug Control Policy” and inserting “the Attor-
 4 ney General, the Director of National Drug Con-
 5 trol Policy, and the Secretary of Homeland Se-
 6 curity, as appropriate”; and

7 (2) in subsection (d), by striking “counter-drug
 8 or counter-terrorism activities” and inserting
 9 “counterdrug, counterterrorism, or border security ac-
 10 tivities”.

11 **SEC. 1053. MANAGEMENT OF MILITARY TECHNICIANS.**

12 (a) *CONVERSION OF CERTAIN MILITARY TECHNICIAN*
 13 *(DUAL STATUS) POSITIONS TO CIVILIAN POSITIONS.—*

14 (1) *IN GENERAL.—The Secretary of Defense shall*
 15 *convert not fewer than 20 percent of the positions de-*
 16 *scribed in paragraph (2) as of January 1, 2017, from*
 17 *military technician (dual status) positions to posi-*
 18 *tions filled by individuals who are employed under*
 19 *section 3101 of title 5, United States Code, and are*
 20 *not military technicians.*

21 (2) *COVERED POSITIONS.—The positions de-*
 22 *scribed in this paragraph are military technician*
 23 *(dual status) positions as follows:*

24 (A) *Military technician (dual status) posi-*
 25 *tions identified as general administration, cler-*

1 ical, finance, and office service occupations in
2 the report of the Secretary of Defense under sec-
3 tion 519 of the National Defense Authorization
4 Act for Fiscal Year 2011 (Public Law 112–81;
5 125 Stat. 1397).

6 (B) Such other military technician (dual
7 status) positions as the Secretary shall specify
8 for purposes of this subsection.

9 (3) *TREATMENT OF INCUMBENTS.*—In the case of
10 a position converted under paragraph (1) for which
11 there is an incumbent employee, the Secretary may
12 fill that position, as converted, with the incumbent
13 employee without regard to any requirement con-
14 cerning competition or competitive hiring procedures.

15 (b) *PHASED-IN TERMINATION OF ARMY RESERVE, AIR*
16 *FORCE RESERVE, AND NATIONAL GUARD NON-DUAL STA-*
17 *TUS TECHNICIANS.*—

18 (1) *IN GENERAL.*—Section 10217 of title 10,
19 United States Code, is amended by adding at the end
20 the following new subsection:

21 “(e) *PHASED-IN TERMINATION OF POSITIONS.*—(1) No
22 individual may be newly hired or employed, or rehired or
23 reemployed, as a non-dual status technician for the pur-
24 poses of this section after December 31, 2016.

1 “(2) Commencing January 1, 2017, the maximum
2 number of non-dual status technicians employable by the
3 Army Reserve and by the Air Force Reserve shall be reduced
4 from the number otherwise provided by subsection (c)(1) by
5 one for each individual who retires, is separated from, or
6 otherwise ceases service as a non-dual status technician of
7 the Army Reserve or the Air Force Reserve, as the case may
8 be, after such date until the maximum number of non-dual
9 status technicians employable by the Army Reserve or the
10 Air Force Reserve, as the case may be, is zero.

11 “(3) Commencing January 1, 2017, the maximum
12 number of non-dual status technicians employable by the
13 National Guard shall be reduced from the number otherwise
14 provided by subsection (c)(2) by one for each individual
15 who retires, is separated from, or otherwise ceases service
16 as a non-dual status technician of the National Guard after
17 such date until the maximum number of non-dual status
18 technicians employable by the National Guard is zero.

19 “(4) Any individual newly hired or employed, or re-
20 hired or employed, to a position required to be filled by
21 reason of the amendment made by paragraph (1) shall be
22 an individual employed in such position under section 3101
23 of title 5, and may not be a military technician.

24 “(5) Nothing in this subsection shall be construed to
25 terminate the status as a non-dual status technician under

1 *this section after December 31, 2016, of any individual who*
 2 *is a non-dual status technician for the purposes of this sec-*
 3 *tion on that date.”.*

4 (2) *REPORT ON PHASED-IN TERMINATIONS.—Not*
 5 *later than February 1, 2016, the Secretary of Defense*
 6 *shall submit to Congress a report setting forth a plan*
 7 *for implementing the amendment made by paragraph*
 8 *(1).*

9 **SEC. 1054. LIMITATION ON TRANSFER OF CERTAIN AH-64**
 10 **APACHE HELICOPTERS FROM ARMY NA-**
 11 **TIONAL GUARD TO REGULAR ARMY AND RE-**
 12 **LATED PERSONNEL LEVELS.**

13 *Section 1712 of the National Defense Authorization*
 14 *Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
 15 *3668) is amended—*

16 (1) *in subsection (b), by striking “March 31,*
 17 *2016” and inserting “June 30, 2016”; and*

18 (2) *in subsection (e), by striking “March 31,*
 19 *2016” and inserting “June 30, 2016” both places it*
 20 *appears.*

21 **SEC. 1055. AUTHORITY TO PROVIDE TRAINING AND SUP-**
 22 **PORT TO PERSONNEL OF FOREIGN MIN-**
 23 **ISTRIES OF DEFENSE.**

24 (a) *AUTHORITY.—Section 1081 of the National De-*
 25 *fense Authorization Act for Fiscal Year 2012 (Public Law*

1 112–81; 10 U.S.C. 168 note), as amended by section 1047
2 of the Carl Levin and Howard P. “Buck” McKeon National
3 Defense Authorization Act for Fiscal Year 2015 (Public
4 Law 113–291; 128 Stat. 3494), is further amended—

5 (1) by redesignating subsections (b) through (e)
6 as subsections (c) through (f), respectively; and

7 (2) by inserting after subsection (a) the following
8 new subsection (b):

9 “(b) *TRAINING OF PERSONNEL OF FOREIGN MIN-*
10 *ISTRIES WITH SECURITY MISSIONS.*—

11 “(1) *IN GENERAL.*—*The Secretary of Defense*
12 *may, with the concurrence of the Secretary of State,*
13 *carry out a program to provide training and associ-*
14 *ated training support services to personnel of foreign*
15 *ministries of defense (or ministries with security force*
16 *oversight) or regional organizations with security*
17 *missions—*

18 “(A) *for the purpose of—*

19 “(i) *enhancing civilian oversight of*
20 *foreign security forces;*

21 “(ii) *establishing responsible defense*
22 *governance and internal controls in order to*
23 *help build effective, transparent, and ac-*
24 *countable defense institutions;*

1 “(iii) assessing organizational weak-
2 nesses and establishing a roadmap for ad-
3 dressing shortfalls; and

4 “(iv) enhancing ministerial, general or
5 joint staff, or service level core management
6 competencies; and

7 “(B) for such other purposes as the Sec-
8 retary considers appropriate, consistent with the
9 authority in subsection (a).

10 “(2) NOTICE TO CONGRESS.—Each fiscal year
11 quarter, the Secretary of Defense shall submit to the
12 appropriate committees of Congress a report on ac-
13 tivities under the program under paragraph (1) dur-
14 ing the preceding fiscal year quarter. Each report
15 shall include, for the fiscal year quarter covered by
16 such report, the following:

17 “(A) A list of activities under the program.

18 “(B) A list of any organization described in
19 paragraph (1) to which the Secretary assigned
20 employees under the program, including the
21 number of such employees so assigned, the dura-
22 tion of each assignment, a brief description of
23 each assigned employee’s activities, and a state-
24 ment of the cost of each assignment.

1 “(C) *A comprehensive justification of any*
2 *activities conducted pursuant to paragraph*
3 *(1)(B).”.*

4 **(b) TERMINATION OF AUTHORITY.**—*Subsection (c) of*
5 *such section, as redesignated by subsection (a)(1) of this sec-*
6 *tion, is amended in paragraph (1) by striking “of the Sec-*
7 *retary of Defense” and all that follows and inserting “in*
8 *this section terminates at the close of December 31, 2017.”.*

9 **(c) CONFORMING AMENDMENTS.**—*Such section is fur-*
10 *ther amended—*

11 (1) *in subsection (a), by inserting “MINISTRY OF*
12 *DEFENSE ADVISOR” before “AUTHORITY”;*

13 (2) *in subsections (d) and (e), as redesignated by*
14 *subsection (a)(1) of this section, by striking “the Com-*
15 *mittees on Armed Services and Foreign Relations of*
16 *the Senate and the Committees on Armed Services*
17 *and Foreign Affairs of the House of Representatives”*
18 *and inserting “the appropriate committees of Con-*
19 *gress”; and*

20 (3) *by adding at the end the following new sub-*
21 *section:*

22 **“(g) APPROPRIATE COMMITTEES OF CONGRESS DE-**
23 **FINED.**—*In this section, the term ‘appropriate committees*
24 *of Congress’ means—*

1 “(1) *the Committee on Armed Services and the*
2 *Committee on Foreign Relations of the Senate; and*

3 “(2) *the Committee on Armed Services and the*
4 *Committee on Foreign Affairs of the House of Rep-*
5 *resentatives.”.*

6 (d) *CLERICAL AND CONFORMING AMENDMENT TO SEC-*
7 *TION HEADING TO REFLECT NAME OF PROGRAM.—*

8 (1) *CONFORMING AMENDMENT.—The heading of*
9 *such section is amended to read as follows:*

10 **“SEC. 1081. DEFENSE INSTITUTION CAPACITY BUILDING**
11 **PROGRAM.”.**

12 (2) *CLERICAL AMENDMENT.—The table of con-*
13 *tents in section 2(b) of such Act is amended by strik-*
14 *ing the item relating to section 1081 and inserting*
15 *the following new item:*

 “*Sec. 1081. Defense Institution Capacity Building Program.*”.

16 **SEC. 1056. INFORMATION OPERATIONS AND ENGAGEMENT**
17 **TECHNOLOGY DEMONSTRATIONS.**

18 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
19 *that—*

20 (1) *military information support operations are*
21 *a critical component of the efforts of the Department*
22 *of Defense to provide commanders with capabilities to*
23 *shape the operational environment;*

24 (2) *military information support operations are*
25 *integral to armed conflict and therefore the Secretary*

1 *of Defense has broad latitude to conduct military in-*
2 *formation support operations;*

3 *(3) the Secretary of Defense should develop cre-*
4 *ative and agile concepts, technologies, and strategies*
5 *across all available media to most effectively reach*
6 *target audiences, to counter and degrade the ability of*
7 *adversaries and potential adversaries to persuade, in-*
8 *spire, and recruit inside areas of hostilities or in*
9 *other areas in direct support of the objectives of com-*
10 *manders; and*

11 *(4) the Secretary of Defense should request addi-*
12 *tional funds in future budgets to carry out military*
13 *information support operations to support the broad-*
14 *er efforts of the Government to counter violent extre-*
15 *mism.*

16 *(b) TECHNOLOGY DEMONSTRATIONS REQUIRED.—To*
17 *support the ability of the Department of Defense to provide*
18 *innovative operational concepts and technologies to shape*
19 *the informational environment, the Secretary of Defense*
20 *shall carry out a series of technology demonstrations, subject*
21 *to the availability of funds for such purpose or to a prior*
22 *approval reprogramming, to assess innovative new tech-*
23 *nologies for information operations and information en-*
24 *gagement to support the operational and strategic require-*
25 *ments of the commanders of the geographic and functional*

1 *combatant commands, including the urgent and emergent*
2 *operational needs and the operational and theater cam-*
3 *paign plans of such combatant commanders to further the*
4 *national security objectives and strategic communications*
5 *requirements of the United States.*

6 (c) *PLAN.—By not later than 180 days after the date*
7 *of the enactment of this Act, the Secretary of Defense shall*
8 *provide to the congressional defense committees a plan de-*
9 *scribing how the Department of Defense will execute the*
10 *technology demonstrations required under subsection (b).*
11 *Such plan shall include each of the following elements:*

12 (1) *A general timeline for conducting the tech-*
13 *nology demonstrations.*

14 (2) *Clearly defined goals and endstate objectives*
15 *for the demonstrations, including traceability of such*
16 *goals to the tactical, operational, or strategic require-*
17 *ments of the combatant commanders.*

18 (3) *A process for measuring the performance and*
19 *effectiveness of the demonstrations.*

20 (4) *A coordination structure to include partici-*
21 *ipation between the technology development and the*
22 *operational communities, including potentially joint,*
23 *interagency, intergovernmental, and multinational*
24 *partners.*

1 (5) *The identification of potential technologies to*
2 *support the tactical, operational, or strategic needs of*
3 *the combatant commanders.*

4 (6) *An explanation of how such technologies will*
5 *support and coordinate with elements of joint, inter-*
6 *agency, intergovernmental, and multinational part-*
7 *ners.*

8 (d) *CONGRESSIONAL NOTICE.—Upon initiating a tech-*
9 *nology demonstration under subsection (b), the Secretary*
10 *of Defense shall submit to the congressional defense commit-*
11 *tees written notice of the demonstration that includes a de-*
12 *tailed description of the demonstration, including its pur-*
13 *pose, cost, engagement medium, targeted audience, and any*
14 *other details the Secretary of Defense believes will assist the*
15 *committees in evaluating the demonstration.*

16 (e) *TERMINATION.—The authority to carry out a tech-*
17 *nology demonstration under this section shall terminate on*
18 *September 30, 2022.*

19 (f) *RULE OF CONSTRUCTION.—Nothing in this section*
20 *shall be construed to limit or alter any authority under*
21 *which the Department of Defense supports information op-*
22 *erations activities within the Department.*

1 **SEC. 1057. PROHIBITION ON USE OF FUNDS FOR RETIRE-**
2 **MENT OF HELICOPTER SEA COMBAT SQUAD-**
3 **RON 84 AND 85 AIRCRAFT.**

4 (a) *PROHIBITIONS.*—*Except as provided by subsection*
5 *(b), none of the funds authorized to be appropriated by this*
6 *Act or otherwise made available for fiscal year 2016 for the*
7 *Navy may be obligated or expended to—*

8 (1) *retire, prepare to retire, transfer, or place in*
9 *storage any Helicopter Sea Combat Squadron 84*
10 *(HSC–84) or Helicopter Sea Combat Squadron 85*
11 *(HSC–85) aircraft; or*

12 (2) *make any changes to manning levels with re-*
13 *spect to any HSC–84 or HSC–85 aircraft squadron.*

14 (b) *WAIVER.*—*The Secretary of the Navy may waive*
15 *subsection (a), if the Secretary certifies to the congressional*
16 *defense committees that the Secretary has—*

17 (1) *conducted a cost-benefit analysis identifying*
18 *savings to Department of the Navy regarding decom-*
19 *missioning or deactivation of an HSC–84 or HSC–*
20 *85 squadron;*

21 (2) *identified a replacement capability that*
22 *would be available if prioritized and directed by the*
23 *Secretary of Defense and would meet all operational*
24 *requirements, including special operational-peculiar*
25 *requirements of the combatant commands, currently*
26 *being met by the HSC–84 or HSC–85 squadrons and*

1 *aircraft to be retired, transferred, or placed in stor-*
2 *age; and*

3 *(3) deployed such capability.*

4 **SEC. 1058. LIMITATION ON AVAILABILITY OF FUNDS FOR**
5 **DESTRUCTION OF CERTAIN LANDMINES AND**
6 **REPORT ON DEPARTMENT OF DEFENSE POL-**
7 **ICY AND INVENTORY OF ANTI-PERSONNEL**
8 **LANDMINE MUNITIONS.**

9 *(a) LIMITATION.—Except as provided under subsection*
10 *(b), none of the funds authorized to be appropriated by this*
11 *Act or otherwise made available for fiscal year 2016 for the*
12 *Department of Defense may be obligated or expended for*
13 *the destruction of anti-personnel landmine munitions before*
14 *the date on which the Secretary of Defense submits the re-*
15 *port required by subsection (c).*

16 *(b) EXCEPTION FOR SAFETY.—The limitation under*
17 *subsection (a) shall not apply to any anti-personnel land-*
18 *mine munitions that the Secretary determines are unsafe*
19 *or could pose a safety risk if not demilitarized or destroyed.*

20 *(c) REPORT REQUIRED.—*

21 *(1) IN GENERAL.—Not later than 180 days after*
22 *enactment of this Act, the Secretary of Defense shall*
23 *submit to Congress a report that includes each of the*
24 *following:*

1 (A) *A description of the policy of the De-*
2 *partment of Defense regarding the use of anti-*
3 *personnel landmines, including methods for com-*
4 *manders to seek waivers to use such munitions.*

5 (B) *A 10-year projection of the inventory*
6 *levels for all anti-personnel landmine munitions*
7 *that takes into account future production of*
8 *anti-personnel landmine munitions, any plans*
9 *for demilitarization of such munitions, the age of*
10 *the munitions, storage and safety considerations,*
11 *and other factors that will impact the size of the*
12 *inventory.*

13 (C) *A 10-year projection for the cost to*
14 *achieve the inventory levels projected in subpara-*
15 *graph (B), including the cost for potential de-*
16 *militarization or disposal of such munitions.*

17 (D) *A 10-year projection for the cost to de-*
18 *velop and produce new anti-personnel landmine*
19 *munitions the Secretary determines are nec-*
20 *essary to meet the demands of current oper-*
21 *ational plans.*

22 (E) *An assessment, by the Chairman of the*
23 *Joint Chiefs of Staff, of the effects of the pro-*
24 *jected anti-personnel landmine inventory on cur-*
25 *rent operational plans.*

1 (F) Any other matters that the Secretary
2 determines should be included in the report.

3 (2) *FORM OF REPORT.*—The report required by
4 paragraph (1) shall be submitted in unclassified form,
5 but may include a classified annex.

6 (d) *ANTI-PERSONNEL LANDMINE MUNITIONS DE-*
7 *FINED.*—In this section, the term “anti-personnel landmine
8 *munitions*” includes anti-personnel landmines and sub-mu-
9 *nitions as defined by the Convention on the Prohibition of*
10 *the Use, Stockpiling, Production and Transfer of Anti-Per-*
11 *sonnel Mines and on their Destruction, as determined by*
12 *the Secretary.*

13 **SEC. 1059. DEPARTMENT OF DEFENSE AUTHORITY TO PRO-**
14 **VIDE ASSISTANCE TO SECURE THE SOUTH-**
15 **ERN LAND BORDER OF THE UNITED STATES.**

16 (a) *AUTHORITY TO PROVIDE ASSISTANCE.*—The Sec-
17 *retary of Defense may provide assistance to United States*
18 *Customs and Border Protection for purposes of increasing*
19 *ongoing efforts to secure the southern land border of the*
20 *United States.*

21 (b) *CONCURRENCE IN ASSISTANCE.*—Assistance under
22 *subsection (a) shall be provided with the concurrence of the*
23 *Secretary of Homeland Security.*

1 (c) *TYPES OF ASSISTANCE AUTHORIZED.*—*The assist-*
2 *ance provided under subsection (a) may include the fol-*
3 *lowing:*

4 (1) *Deployment of members and units of the reg-*
5 *ular and reserve components of the Armed Forces to*
6 *the southern land border of the United States.*

7 (2) *Deployment of manned aircraft, unmanned*
8 *aerial surveillance systems, and ground-based surveil-*
9 *lance systems to support continuous surveillance of*
10 *the southern land border of the United States.*

11 (3) *Intelligence analysis support.*

12 (d) *MATERIEL AND LOGISTICAL SUPPORT.*—*The Sec-*
13 *retary of Defense is authorized to deploy such materiel and*
14 *equipment and logistics support as is necessary to ensure*
15 *the effectiveness of assistance provided under subsection (a).*

16 (e) *FUNDING.*—*Of the amounts authorized to be appro-*
17 *priated for the Department of Defense by this Act, the Sec-*
18 *retary of Defense may use up to \$75,000,000 to provide as-*
19 *sistance under subsection (a).*

20 (f) *REPORTS.*—*At the end of each three-month period*
21 *during which assistance is provided under subsection (a),*
22 *the Secretary of Defense, in coordination with the Secretary*
23 *of Homeland Security, shall submit to the congressional de-*
24 *fense committees, the Committee on Homeland Security of*
25 *the House of Representatives, and the Committee on Home-*

1 *land Security and Government Affairs of the Senate a re-*
2 *port on the provision of such assistance during that period.*
3 *Each report shall include, for the period covered by the re-*
4 *port, the following:*

5 (1) *A description of the assistance provided.*

6 (2) *A description of the sources and amounts of*
7 *funds used to provide such assistance.*

8 (3) *A description of the amounts obligated to*
9 *provide such assistance.*

10 (4) *An assessment of the efficacy and cost-effec-*
11 *tiveness of such assistance in support of the Depart-*
12 *ment of Homeland Security's objectives and strategy*
13 *to address the challenges on the southern land border*
14 *of the United States and recommendations, if any, to*
15 *enhance the effectiveness of such assistance.*

16 ***Subtitle F—Studies and Reports***

17 ***SEC. 1060. PROVISION OF DEFENSE PLANNING GUIDANCE***

18 ***AND CONTINGENCY PLANNING GUIDANCE IN-***

19 ***FORMATION TO CONGRESS.***

20 (a) *IN GENERAL.*—*Section 113(g) of title 10, United*
21 *States Code, is amended by adding at the end the following*
22 *new paragraph:*

23 “(3) *At the time of the budget submission by the Presi-*
24 *dent for a fiscal year, the Secretary of Defense shall include*
25 *in the budget materials submitted to Congress for that year*

1 *summaries of the guidance developed under paragraphs (1)*
2 *and (2), as well as summaries of any plans developed in*
3 *accordance with the guidance developed under paragraph*
4 *(2). Such summaries shall be sufficient to allow the congres-*
5 *sional defense committees to evaluate fully the requirements*
6 *for military forces, acquisition programs, and operation*
7 *and maintenance funding in the President’s annual budget*
8 *request for the Department of Defense.”.*

9 **(b) REPORT REQUIRED.**—*Notwithstanding the re-*
10 *quirement under paragraph (3) of section 113(g) of title*
11 *10, United States Code, as added by subsection (a), that*
12 *the Secretary of Defense submit summaries under that*
13 *paragraph at the time of the President’s annual budget sub-*
14 *mission, by not later than 120 days after the date of the*
15 *enactment of this Act, the Secretary shall submit to the con-*
16 *gressional defense committees a report containing—*

17 *(1) summaries of the guidance developed under*
18 *paragraphs (1) and (2) of subsection (g) of section*
19 *113 of title 10, United States Code; and*

20 *(2) summaries of any plans developed in accord-*
21 *ance with the guidance developed under paragraph*
22 *(2) of such subsection.*

1 **SEC. 1061. EXPEDITED MEETINGS OF THE NATIONAL COM-**
2 **MISSION ON THE FUTURE OF THE ARMY.**

3 *Section 1702(f) of the National Defense Authorization*
4 *Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
5 *3665) is amended by adding at the end the following new*
6 *sentence: “Section 10 of the Federal Advisory Committee*
7 *Act (5 U.S.C. App. I) shall not apply to a meeting of the*
8 *Commission unless the meeting is attended by five or more*
9 *members of the Commission.”.*

10 **SEC. 1062. MODIFICATION OF CERTAIN REPORTS SUB-**
11 **MITTED BY COMPTROLLER GENERAL OF THE**
12 **UNITED STATES.**

13 *(a) REPORT ON NNSA BUDGET REQUESTS.—Section*
14 *3255(a)(2) of the National Nuclear Security Administra-*
15 *tion Act (50 U.S.C. 2455(a)(2)) is amended by inserting*
16 *before “, the Comptroller General” the following: “in an*
17 *even-numbered year, and not later than 150 days after the*
18 *date on which the Administrator submits such materials in*
19 *an odd-numbered year”.*

20 *(b) REPORT ON ENVIRONMENTAL MANAGEMENT.—Sec-*
21 *tion 3134 of the National Defense Authorization Act for Fis-*
22 *cal Year 2010 (Public Law 111–84; 123 Stat. 2713), as*
23 *amended by section 3134(a) of the National Defense Author-*
24 *ization Act for Fiscal Year 2013 (Public Law 112–239; 126*
25 *Stat. 2193), is further amended—*

1 (1) *in subsection (a), by striking “a series of*
2 *three reviews, as described in subsections (b), (c), and*
3 *(d),” and inserting “reviews as described in sub-*
4 *sections (b) and (c)”;*

5 (2) *by striking subsection (d); and*

6 (3) *by redesignating subsection (e) as subsection*
7 *(d).*

8 **SEC. 1063. REPORT ON IMPLEMENTATION OF THE GEO-**
9 **GRAPHICALLY DISTRIBUTED FORCE**
10 **LAYDOWN IN THE AREA OF RESPONSIBILITY**
11 **OF UNITED STATES PACIFIC COMMAND.**

12 (a) *REPORT REQUIRED.*—*Not later than March 1,*
13 *2016, the Secretary of Defense, in consultation with the*
14 *Commander of the United States Pacific Command, shall*
15 *submit to the congressional defense committees a report on*
16 *Department of Defense plans for implementing the geo-*
17 *graphically distributed force laydown in the area of respon-*
18 *sibility of United States Pacific Command.*

19 (b) *MATTERS TO BE INCLUDED.*—*The report required*
20 *under subsection (a) shall include the following:*

21 (1) *A description of the force laydown.*

22 (2) *A discussion of how the force laydown affects*
23 *the operational and contingency plans in the area of*
24 *responsibility of United States Pacific Command, in-*
25 *cluding a discussion on how timeliness, availability of*

1 *forces, and risk in meeting the military objectives*
2 *contained in those plans are affected.*

3 (3) *A discussion of the specific support asset re-*
4 *quirements derived from the force laydown, including*
5 *logistical sustainment, pre-positioned stocks, sea and*
6 *air lift and, command and control.*

7 (4) *A discussion of the specific infrastructure*
8 *and military construction requirements derived from*
9 *the force laydown.*

10 (5) *A discussion on how Department of Defense*
11 *plans to meet the requirements identified in para-*
12 *graphs (3) and (4), including the ability of United*
13 *States Transportation Command, the United States*
14 *Combat Logistics Force, and the Armed Forces to*
15 *meet those requirements.*

16 (6) *Any other matters the Secretary of Defense*
17 *determines to be appropriate.*

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

21 **SEC. 1064. INDEPENDENT STUDY OF NATIONAL SECURITY**

22 **STRATEGY FORMULATION PROCESS.**

23 (a) *REQUIREMENT FOR STUDY.*—*The Secretary of De-*
24 *fense shall enter into a contract with an independent re-*
25 *search entity described in subsection (c) to carry out a com-*

1 *prehensive study of the role of the Department of Defense*
2 *in the formulation of national security strategy.*

3 (b) *MATTERS COVERED.*—*The study required by sub-*
4 *section (a) shall include, at a minimum, the following:*

5 (1) *Several case studies of the role of the Depart-*
6 *ment of Defense and its process for the formulation of*
7 *previous national security strategies in place through-*
8 *out the history of the United States, with specific em-*
9 *phasis on the development and execution of previous*
10 *strategies, as well as the factors that contributed to*
11 *the development and execution of successful previous*
12 *strategies with specific emphasis on—*

13 (A) *the frequency of strategy updates;*

14 (B) *the synchronization of timelines and*
15 *content among different strategies;*

16 (C) *the prioritization of objectives;*

17 (D) *the assignment of roles and responsibil-*
18 *ities among relevant agencies;*

19 (E) *the links between strategy and*
20 *resourcing;*

21 (F) *the implementation of strategy within*
22 *the planning documents of relevant agencies;*

23 (G) *the value of a competition of ideas; and*

24 (H) *recommendations for the executive and*
25 *legislative branches on the best practices and or-*

1 *ganizational lessons learned for enabling the De-*
2 *partment of Defense to formulate long-term de-*
3 *fense strategy.*

4 *(2) A complete review and analysis of the cur-*
5 *rent national security strategy formulation process, as*
6 *it relates to the Department of Defense, including an*
7 *analysis of the following:*

8 *(A) All major Government products and*
9 *documents of national security strategy relevant*
10 *to the Department of Defense and how they fit*
11 *together, including—*

12 *(i) the National Military Strategy pre-*
13 *pared by the Chairman of the Joint Chiefs*
14 *of Staff under section 153(b)(1) of title 10,*
15 *United States Code;*

16 *(ii) the most recent quadrennial de-*
17 *fense review conducted by the Secretary of*
18 *Defense pursuant to section 118 of title 10,*
19 *United States Code;*

20 *(iii) the national security strategy re-*
21 *port required under section 108 of the Na-*
22 *tional Security Act of 1947 (50 U.S.C.*
23 *3043); and*

24 *(iv) any other relevant national secu-*
25 *rity strategy products and documents.*

1 (B) *The time periods during which the*
2 *products and documents covered by subpara-*
3 *graph (A) are prepared and published, and how*
4 *they fit together.*

5 (C) *The interaction between the White*
6 *House and the agencies that develop such prod-*
7 *ucts and documents and formulate strategy.*

8 (D) *All the current entities in the Federal*
9 *Government that contribute to the national secu-*
10 *rity strategy formulation process and how they*
11 *fit together.*

12 (c) *INDEPENDENT RESEARCH ENTITY.—The entity de-*
13 *scribed in this subsection is an independent research entity*
14 *that is a not-for-profit entity or a federally funded research*
15 *and development center with appropriate expertise and an-*
16 *alytical capability.*

17 (d) *REPORT.—Not later than 18 months after the date*
18 *of the enactment of this Act, the independent research entity*
19 *shall provide to the Secretary a report on the results of the*
20 *study. Not later than 90 days after receipt of the report,*
21 *the Secretary shall submit such report, together with any*
22 *additional views or recommendations of the Secretary, to*
23 *the congressional defense committees.*

1 **SEC. 1065. REPORT ON THE STATUS OF DETECTION, IDENTI-**
2 **FICATION, AND DISABLEMENT CAPABILITIES**
3 **RELATED TO REMOTELY PILOTED AIRCRAFT.**

4 *Not later than 60 days after the date of the enactment*
5 *of this Act, the Secretary of Defense shall submit to the con-*
6 *gressional defense committees a report addressing the suit-*
7 *ability of existing capabilities to detect, identify, and dis-*
8 *able remotely piloted aircraft operating within special use*
9 *and restricted airspace. The report shall include the fol-*
10 *lowing:*

11 *(1) An assessment of the degree to which existing*
12 *capabilities to detect, identify, and potentially disable*
13 *remotely piloted aircraft within special use and re-*
14 *stricted airspace are able to be deployed and combat*
15 *prevailing threats.*

16 *(2) An assessment of existing gaps in capabili-*
17 *ties related to the detection, identification, or disable-*
18 *ment of remotely piloted aircraft within special use*
19 *and restricted airspace.*

20 *(3) A plan that outlines the extent to which ex-*
21 *isting research and development programs within the*
22 *Department of Defense can be leveraged to fill identi-*
23 *fied capability gaps and/or the need to establish new*
24 *programs to address such gaps as are identified pur-*
25 *suant to paragraph (2).*

1 **SEC. 1066. REPORT ON OPTIONS TO ACCELERATE THE**
2 **TRAINING OF PILOTS OF REMOTELY PILOTED**
3 **AIRCRAFT.**

4 *Not later than February 1, 2016, the Secretary of the*
5 *Air Force shall submit to the congressional defense commit-*
6 *tees a report addressing the immediate and critical training*
7 *and operational needs of the remotely piloted aircraft com-*
8 *munity. The report shall include the following:*

9 (1) *An assessment of the viability of using non-*
10 *rated, civilian, contractor, or enlisted pilots to execute*
11 *remotely piloted aircraft missions.*

12 (2) *An assessment of the availability and exist-*
13 *ing utilization of special use airspace available for re-*
14 *motely piloted aircraft training and a plan for ac-*
15 *cessing additional special use airspace in order to*
16 *meet anticipated training requirements for remotely*
17 *piloted aircraft.*

18 (3) *A comprehensive training plan aimed at in-*
19 *creasing the throughput of undergraduate remotely*
20 *piloted aircraft training without sacrificing quality*
21 *and standards.*

22 (4) *Establishment of an optimum ratio for the*
23 *mix of training airframes to operational airframes in*
24 *the remotely piloted aircraft inventory necessary to*
25 *achieve manning requirements for pilots and sensor*
26 *operators and, to the extent practicable, a plan for*

1 *fielding additional remotely piloted aircraft airframes*
2 *at the formal training units in the active, National*
3 *Guard, and reserve components in accordance with*
4 *optimum ratios for MQ-9 and Global Hawk remotely*
5 *piloted aircraft.*

6 (5) *Establishment of optimum and minimum*
7 *crew ratios to combat air patrols taking into account*
8 *all tasks remotely piloted aircraft units execute and,*
9 *to the extent practicable, a plan for conducting mis-*
10 *sions in accordance with optimum ratios.*

11 (6) *Identification of any resource, legislative, or*
12 *departmental policy challenges impeding the correc-*
13 *tive action needed to reach a sustainable remotely pi-*
14 *loted aircraft operations tempo.*

15 (7) *An assessment, to the extent practicable, of*
16 *the direct and indirect impacts that the integration*
17 *of remotely piloted aircraft into the national airspace*
18 *system has on the ability to generate remotely piloted*
19 *aircraft crews.*

20 (8) *Any other matters the Secretary determines*
21 *appropriate.*

22 **SEC. 1067. STUDIES OF FLEET PLATFORM ARCHITECTURES**
23 **FOR THE NAVY.**

24 (a) *INDEPENDENT STUDIES.—*

1 (1) *IN GENERAL.*—*The Secretary of Defense shall*
2 *provide for the performance of three independent stud-*
3 *ies of alternative future fleet platform architectures*
4 *for the Navy in the 2030 timeframe.*

5 (2) *SUBMISSION TO CONGRESS.*—*Not later than*
6 *April 1, 2016, the Secretary shall submit the results*
7 *of each study to the congressional defense committees.*

8 (3) *FORM.*—*Each such study shall be submitted*
9 *in unclassified form, but may contain a classified*
10 *annex as necessary.*

11 (b) *ENTITIES TO PERFORM STUDIES.*—*The Secretary*
12 *of Defense shall provide for the studies under subsection (a)*
13 *to be performed as follows:*

14 (1) *One study shall be performed by the Depart-*
15 *ment of the Navy and shall include participants*
16 *from—*

17 (A) *the Office of Net Assessment within the*
18 *Office of the Secretary of Defense; and*

19 (B) *the Naval Surface Warfare Center*
20 *Dahlgren Division.*

21 (2) *The second study shall be performed by a fed-*
22 *erally funded research and development center.*

23 (3) *The final study shall be conducted by an*
24 *independent, non-governmental institute which is de-*
25 *scribed in section 501(c)(3) of the Internal Revenue*

1 *Code of 1986, and exempt from tax under section*
2 *501(a) of such Code, and has recognized credentials*
3 *and expertise in national security and military af-*
4 *fairs.*

5 *(c) PERFORMANCE OF STUDIES.—*

6 *(1) INDEPENDENT PERFORMANCE.—The Sec-*
7 *retary of Defense shall require the three studies under*
8 *this section to be conducted independently of each*
9 *other.*

10 *(2) MATTERS TO BE CONSIDERED.—In per-*
11 *forming a study under this section, the organization*
12 *performing the study, while being aware of the cur-*
13 *rent and projected fleet platform architectures, shall*
14 *not be limited by the current or projected fleet plat-*
15 *form architecture and shall consider the following*
16 *matters:*

17 *(A) The National Security Strategy of the*
18 *United States.*

19 *(B) Potential future threats to the United*
20 *States and to United States naval forces in the*
21 *2030 timeframe.*

22 *(C) Traditional roles and missions of*
23 *United States naval forces.*

24 *(D) Alternative roles and missions for*
25 *United States naval forces.*

1 (E) *Other government and non-government*
2 *analyses that would contribute to the study*
3 *through variations in study assumptions or po-*
4 *tential scenarios.*

5 (F) *The role of evolving technology on fu-*
6 *ture naval forces, including unmanned systems.*

7 (G) *Opportunities for reduced operation*
8 *and sustainment costs.*

9 (H) *Current and projected capabilities of*
10 *other United States armed forces that could af-*
11 *fect force structure capability and capacity re-*
12 *quirements of United States naval forces.*

13 (d) *STUDY RESULTS.*—*The results of each study under*
14 *this section shall—*

15 (1) *present the alternative fleet platform archi-*
16 *tectures considered, with assumptions and possible*
17 *scenarios identified for each;*

18 (2) *provide for presentation of minority views of*
19 *study participants; and*

20 (3) *for the recommended architecture, provide—*

21 (A) *the numbers, kinds, and sizes of vessels,*
22 *the numbers and types of associated manned and*
23 *unmanned vehicles, and the basic capabilities of*
24 *each of those platforms;*

1 (B) other information needed to understand
2 that architecture in basic form and the sup-
3 porting analysis;

4 (C) deviations from the current Annual
5 Long-Range Plan for Construction of Naval Ves-
6 sels required under section 231 of title 10,
7 United States Code;

8 (D) options to address ship classes that
9 begin decommissioning prior to 2035; and

10 (E) implications for naval aviation, includ-
11 ing the future carrier air wing and land-based
12 aviation platforms.

13 **SEC. 1068. REPORT ON STRATEGY TO PROTECT UNITED**
14 **STATES NATIONAL SECURITY INTERESTS IN**
15 **THE ARCTIC REGION.**

16 (a) *REPORT ON STRATEGY REQUIRED.*—Not later
17 than one year after the date of the enactment of this Act,
18 the Secretary of Defense shall submit to the congressional
19 defense committees a report that sets forth an updated mili-
20 tary strategy for the protection of United States national
21 security interests in the Arctic region.

22 (b) *ELEMENTS.*—The report required by subsection (a)
23 shall include the following:

24 (1) A description of United States military in-
25 terests in the Arctic region.

1 (2) *A description of operational plans and mili-*
2 *tary requirements for the protection of United States*
3 *national security interests in the Arctic region, in-*
4 *cluding United States citizens, territory, freedom of*
5 *navigation, and economic and trade interests.*

6 (3) *An identification of any operational seams*
7 *and a plan to enhance unity of effort among the com-*
8 *batant commands with responsibility for the Arctic*
9 *region, as well as among the Armed Forces.*

10 (4) *A description of the security environment in*
11 *the Arctic region, including the activities of foreign*
12 *nations operating within the Arctic region.*

13 (5) *A description of United States military ca-*
14 *pabilities required to implement the strategy required*
15 *by subsection (a).*

16 (6) *An identification of any capability gaps and*
17 *resource gaps, including in installations, infrastruc-*
18 *ture, communications and domain awareness, and*
19 *personnel in the Arctic region, that would impact the*
20 *implementation of the strategy required by subsection*
21 *(a) or the execution of any associated operational*
22 *plan, and a mitigation plan to address such gaps.*

23 (7) *An assessment of military-to-military co-*
24 *operation with partner nations that have mutual se-*
25 *curity interests in the Arctic region, including oppor-*

1 *tunities for sharing installations and maintenance fa-*
2 *cilities.*

3 *(c) FORM.—The report required by subsection (a) shall*
4 *be submitted in unclassified form, but may include a classi-*
5 *fied annex.*

6 **SEC. 1069. COMPTROLLER GENERAL BRIEFING AND RE-**
7 **PORT ON MAJOR MEDICAL FACILITY**
8 **PROJECTS OF DEPARTMENT OF VETERANS**
9 **AFFAIRS.**

10 *(a) BRIEFING.—Not later than 270 days after the date*
11 *of the enactment of this Act, the Comptroller General of the*
12 *United States shall provide to the appropriate committees*
13 *of Congress a briefing on the administration and oversight*
14 *by the Department of Veterans Affairs of contracts for the*
15 *design and construction of major medical facility projects,*
16 *as defined in section 8104(a)(3)(A) of title 38, United*
17 *States Code.*

18 *(b) REPORT.—Not later than one year after the date*
19 *of the enactment of this Act, the Comptroller General shall*
20 *submit to the appropriate committees of Congress a report*
21 *on the administration and oversight described in subsection*
22 *(a).*

23 *(c) ELEMENTS.—The briefing required by subsection*
24 *(a) and the report required by subsection (b) shall each in-*
25 *clude an examination of the following:*

1 (1) *The processes used by the Department for*
 2 *overseeing and assuring the performance of construc-*
 3 *tion design and construction contracts for major med-*
 4 *ical facility projects, as so defined.*

5 (2) *Any actions taken by the Department to im-*
 6 *prove the administration of such contracts.*

7 (3) *Such opportunities for further improvement*
 8 *of the administration of such contracts as the Comp-*
 9 *troller General considers appropriate.*

10 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 11 *FINED.—In this section, the term “appropriate committees*
 12 *of Congress” means—*

13 (1) *the Committee on Veterans’ Affairs and the*
 14 *Subcommittee on Military Construction, Veterans Af-*
 15 *airs, and Related Agencies of the Committee on Ap-*
 16 *propriations of the Senate; and*

17 (2) *the Committee on Veterans’ Affairs and the*
 18 *Subcommittee on Military Construction, Veterans Af-*
 19 *airs and Related Agencies of the Committee on Ap-*
 20 *propriations of the House of Representatives.*

21 **SEC. 1070. SUBMITTAL TO CONGRESS OF MUNITIONS AS-**
 22 **SESSMENTS.**

23 (a) *REQUIRED REPORTS.—Not later than March 1,*
 24 *2016, and annually thereafter, the Secretary of Defense*

1 *shall submit to the congressional defense committees each*
2 *of the following:*

3 (1) *The most current munitions assessments, as*
4 *defined by Department of Defense Instruction Number*
5 *3000.04, relating to the Department of Defense muni-*
6 *tions process.*

7 (2) *The most current sufficiency assessments, as*
8 *defined by such Department of Defense Instruction.*

9 (3) *The most current approved memorandum of*
10 *the Joint Requirements Oversight Council resulting*
11 *from the munitions requirements process.*

12 (b) *SUNSET.—The requirement to submit reports and*
13 *assessments under this section shall terminate on the date*
14 *that is two years after the date of the enactment of this*
15 *Act.*

16 **SEC. 1071. POTENTIAL ROLE FOR UNITED STATES GROUND**
17 **FORCES IN THE WESTERN PACIFIC THEATER.**

18 (a) *GENERAL ASSESSMENT REQUIRED.—*

19 (1) *IN GENERAL.—The Secretary of Defense and*
20 *the Chairman of the Joint Chiefs of Staff shall jointly*
21 *conduct a comprehensive assessment of potential roles*
22 *for United States ground forces in the western Pacific*
23 *in cooperation with host nations to deter and defeat*
24 *aggression in the western Pacific region.*

1 (2) *CAPABILITIES TO BE EXAMINED.*—*The Sec-*
2 *retary and the Chairman shall assess the feasibility*
3 *and potential effectiveness of mobile United States*
4 *ground forces operating jointly to facilitate—*

5 (A) *anti-access and area-denial capabilities*
6 *in contested sea lanes and airspace;*

7 (B) *air defense capabilities;*

8 (C) *electronic countermeasures capabilities;*

9 (D) *command, control, communications,*
10 *and logistics capabilities;*

11 (E) *littoral defenses; and*

12 (F) *any other capabilities the Secretary and*
13 *Chairman determine to be appropriate.*

14 (b) *COMPLETION DATE.*—*The assessment required by*
15 *this section shall be completed by not later than one year*
16 *after the date of the enactment of this Act.*

17 (c) *BRIEFING OF CONGRESS.*—*Upon the completion of*
18 *the assessments required by this section, the Secretary and*
19 *the Chairman shall provide a briefing on the assessment*
20 *to the Committees on Armed Services of the Senate and*
21 *House of Representatives.*

1 **SEC. 1072. REPEAL OR REVISION OF REPORTING REQUIRE-**
2 **MENTS RELATED TO MILITARY PERSONNEL**
3 **ISSUES.**

4 (a) *REPORT ON FOREIGN LANGUAGE PROFICIENCY IN-*
5 *CENTIVE PAY.*—Section 316a of title 37, United States
6 Code, as amended by section 615(5) of this Act, is amend-
7 ed—

8 (1) *by striking subsection (f); and*

9 (2) *by redesignating subsection (g) as subsection*
10 *(f).*

11 (b) *REPORT ON USE OF WAIVER AUTHORITY FOR*
12 *MILITARY SERVICE ACADEMY APPOINTMENTS.*—Section
13 553 of the National Defense Authorization Act for Fiscal
14 Year 2012 (Public Law 112–81; 10 U.S.C. 4346 note) is
15 amended—

16 (1) *by striking subsection (e); and*

17 (2) *by redesignating subsection (f) as subsection*
18 *(e).*

19 (c) *REPORT ON INCREASE IN JUNIOR RESERVE OFFI-*
20 *CERS' TRAINING CORPS UNITS.*—Subsection (e) of section
21 548 of the Duncan Hunter National Defense Authorization
22 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
23 4466) is repealed.

24 (d) *REPORT ON IMPLEMENTATION OF YELLOW RIBBON*
25 *REINTEGRATION PROGRAM.*—

1 (1) *REPORTING REQUIREMENT.*—Section 582(e)
2 of the *National Defense Authorization Act for Fiscal*
3 *Year 2008 (Public Law 110–181; 10 U.S.C. 10101*
4 *note) is amended by striking paragraph (4).*

5 (2) *CONFORMING REPEAL.*—Section 597 of the
6 *National Defense Authorization Act for Fiscal Year*
7 *2010 (Public Law 111–84; 10 U.S.C. 10101 note) is*
8 *repealed.*

9 (e) *REPORT ON STANDARDS OF FACILITIES.*—Section
10 1648 of the *Wounded Warrior Act (title XVI of Public Law*
11 110–181; 10 U.S.C. 1071 note) is amended by striking sub-
12 section (f).

13 (f) *REPORT ON INSPECTIONS OF FACILITIES.*—Section
14 1662 of the *Wounded Warrior Act (title XVI of Public Law*
15 110–181; 10 U.S.C. 1071 note) is amended—

16 (1) by striking “(a) *REQUIRED INSPECTIONS OF*
17 *FACIL-*
18 *ITIES.*—”; and

19 (2) by striking subsection (b).

20 (g) *REPORT ON INSPECTIONS OF OTHER FACILI-*
21 *TIES.*—Section 3307 of the *U.S. Troop Readiness, Veterans’*
22 *Care, Katrina Recovery, and Iraq Accountability Appro-*
23 *priations Act, 2007 (Public Law 110–28; 10 U.S.C. 1073*
24 *note) is amended—*

25 (1) by striking subsection (d); and

1 (2) *by redesignating subsection (e) as subsection*
 2 *(d).*

3 (h) *REPORT ON LOCAL EDUCATIONAL AGENCY ASSIST-*
 4 *ANCE RELATED TO DOD ACTIVITIES.*—*Section 574 of the*
 5 *John Warner National Defense Authorization Act for Fiscal*
 6 *Year 2007 (Public Law 109–364; 20 U.S.C. 7703b note)*
 7 *is amended—*

8 (1) *by striking subsection (c); and*

9 (2) *by redesignating subsections (d) and (e) as*
 10 *subsections (c) and (d), respectively.*

11 **SEC. 1073. REPEAL OR REVISION OF REPORTING REQUIRE-**
 12 **MENTS RELATING TO READINESS.**

13 (a) *BIANNUAL REPORTS ON ALLOCATION OF FUNDS*
 14 *WITHIN OPERATION AND MAINTENANCE BUDGET SUB-*
 15 *ACTIVITIES.*—

16 (1) *IN GENERAL.*—*Chapter 9 of title 10, United*
 17 *States Code, is amended by striking section 228.*

18 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 19 *tions at the beginning of such chapter is amended by*
 20 *striking the item relating to section 228.*

21 (b) *ANNUAL REPORT ON NAVAL PETROLEUM RE-*
 22 *SERVES.*—*Section 7431 of title 10, United States Code, is*
 23 *amended by striking subsection (c).*

24 (c) *ANNUAL REPORT ON ARMY NATIONAL GUARD COM-*
 25 *BAT READINESS.*—

1 (1) *IN GENERAL.*—Chapter 1013 of title 10,
2 *United States Code*, is amended by striking section
3 10542.

4 (2) *CLERICAL AMENDMENT.*—The table of sec-
5 tions at the beginning of such chapter is amended by
6 striking the item relating to section 10542.

7 (d) *GAO REPORT ON IN-KIND PAYMENTS.*—Section
8 2805 of the *National Defense Authorization Act for Fiscal*
9 *Year 2013 (Public Law 112–239; 126 Stat. 2149)* is re-
10 pealed.

11 (e) *INSIDER THREAT DETECTION BUDGET SUBMIS-*
12 *SION.*—Section 922 of the *National Defense Authorization*
13 *Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C.*
14 *2224 note)* is amended by striking subsection (f).

15 (f) *PRICE TREND ANALYSIS.*—Section 892 of the *Ike*
16 *Skelton National Defense Authorization Act for Fiscal Year*
17 *2011 (Public Law 111–383; 10 U.S.C. 2306a)* is repealed.

18 (g) *REPORT ON AUTHORITY FOR AIRLIFT TRANSPOR-*
19 *TATION AT DEPARTMENT OF DEFENSE RATES FOR NON-*
20 *DEPARTMENT OF DEFENSE FEDERAL CARGOES.*—Section
21 351 of the *National Defense Authorization Act for Fiscal*
22 *Year 2010 (Public Law 111–84; 123 Stat. 2262)* is amended
23 by striking subsection (b).

24 (h) *BIENNIAL REPORT ON PROCUREMENT OF MILI-*
25 *TARY WORKING DOGS.*—Section 358 of the *Duncan Hunter*

1 *National Defense Authorization Act for Fiscal Year 2009*
2 *(Public Law 110–417; 10 U.S.C. 2302 note) is amended—*

3 *(1) by striking subsection (c); and*

4 *(2) by redesignating subsection (d) as subsection*
5 *(c).*

6 *(i) REPORT ON FOREIGN LANGUAGE PROFICIENCY.—*
7 *Section 958 of the National Defense Authorization Act for*
8 *Fiscal Year 2008 (Public Law 110–181; 122 Stat. 297) is*
9 *repealed.*

10 *(j) REPORT ON ARSENAL SUPPORT PROGRAM INITIA-*
11 *TIVE.—Section 343 of the Floyd D. Spence National De-*
12 *fense Authorization Act for Fiscal Year 2001 (as enacted*
13 *into law by Public Law 106–398; 10 U.S.C. 4551 note) is*
14 *amended by striking subsection (g).*

15 *(k) GAO REVIEW OF CONTRACTOR-OPERATED CIVIL*
16 *ENGINEERING SUPPLY STORES PROGRAM.—Section 345 of*
17 *the Strom Thurmond National Defense Authorization Act*
18 *for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1978)*
19 *is amended—*

20 *(1) by striking subsection (d); and*

21 *(2) by redesignating subsection (e) as subsection*
22 *(d).*

1 **SEC. 1074. REPEAL OR REVISION OF REPORTING REQUIRE-**
 2 **MENTS RELATED TO NAVAL VESSELS AND**
 3 **MERCHANT MARINE.**

4 (a) *REPORT ON NAMING OF NAVAL VESSELS.*—Section
 5 7292 of title 10, United States Code, is amended by striking
 6 subsection (d).

7 (b) *REPORT ON TRANSFER OF VESSELS STRICKEN*
 8 *FROM NAVAL VESSEL REGISTER.*—Section 7306 of title 10,
 9 United States Code, is amended—

10 (1) by striking subsection (d); and

11 (2) by redesignating subsections (e) and (f) as
 12 subsections (d) and (e), respectively.

13 (c) *ANNUAL REPORT OF MARITIME ADMINISTRA-*
 14 *TION.*—

15 (1) *ELIMINATION OF REPORT AND REVISION OF*
 16 *REMAINING REQUIREMENT.*—Section 50111 of title
 17 46, United States Code, is amended to read as follows:

18 **“§50111. Submission of annual MARAD authorization**
 19 **request**

20 “(a) *SUBMISSION OF LEGISLATIVE PROPOSAL.*—Not
 21 later than 30 days after the date on which the President
 22 submits to Congress a budget for a fiscal year pursuant to
 23 section 1105 of title 31, the Secretary of Transportation
 24 shall submit to the Committee on Armed Services and the
 25 Committee on Transportation and Infrastructure of the
 26 House of Representatives and the Committee on Commerce,

1 *Science, and Transportation of the Senate the Maritime Ad-*
 2 *ministration authorization request for that fiscal year.*

3 “(b) *MARITIME ADMINISTRATION REQUEST DE-*
 4 *FINED.*—*In this section, the term ‘Maritime Administration*
 5 *authorization request’ means a proposal for legislation that,*
 6 *for a fiscal year—*

7 “(1) *recommends authorizations of appropria-*
 8 *tions for the Maritime Administration for that fiscal*
 9 *year, including with respect to matters described in*
 10 *subsection 109(j) of title 49 or authorized in subtitle*
 11 *V of this title; and*

12 “(2) *addresses any other matter with respect to*
 13 *the Maritime Administration that the Secretary de-*
 14 *termines is appropriate.”*

15 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 16 *tions at the beginning of chapter 501 of title 46,*
 17 *United States Code, is amended by striking the item*
 18 *relating to section 50111 and inserting the following*
 19 *new item:*

“50111. *Submission of annual MARAD authorization request.”*

20 (d) *DISCRETIONARY REPORT NO LONGER NEEDED.*—
 21 *The Secretary of the Navy is not required to submit to the*
 22 *congressional defense committees a report, or updates to*
 23 *such a report, on open architecture as described in Senate*
 24 *Report 110–077.*

1 **SEC. 1075. REPEAL OR REVISION OF REPORTING REQUIRE-**
2 **MENTS RELATED TO CIVILIAN PERSONNEL.**

3 (a) *REPORT ON PILOT PROGRAM FOR EXCHANGE OF*
4 *INFORMATION TECHNOLOGY PERSONNEL.*—Section 1110 of
5 *the National Defense Authorization Act for Fiscal Year*
6 *2010 (Public Law 111–84; 123 Stat. 2493) is amended—*

7 (1) *by striking subsection (i);*

8 (2) *by redesignating subsection (j) as subsection*
9 *(i); and*

10 (3) *in subsection (i), as so redesignated, by strik-*
11 *ing paragraph (2) and inserting the following new*
12 *paragraph:*

13 “(2) *any employee whose assignment is allowed*
14 *to continue by virtue of paragraph (1) shall be taken*
15 *into account for purposes of the numerical limitation*
16 *under subsection (h).”.*

17 (b) *REPORT ON EXPERIMENTAL PROGRAM FOR SCI-*
18 *ENTIFIC AND TECHNICAL PERSONNEL.*—Section 1101 of the
19 *Strom Thurmond National Defense Authorization Act for*
20 *Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2139)*
21 *is amended by striking subsection (g).*

1 **SEC. 1076. REPEAL OR REVISION OF REPORTING REQUIRE-**
2 **MENTS RELATED TO NUCLEAR PROLIFERA-**
3 **TION AND RELATED MATTERS.**

4 (a) *REPORT ON NUCLEAR WEAPONS COUNCIL.*—Sec-
5 *tion 179 of title 10, United States Code, is amended by*
6 *striking subsection (g).*

7 (b) *REPORT ON PROLIFERATION SECURITY INITIA-*
8 *TIVE.*—*Section 1821(b) of the Implementing Recommenda-*
9 *tions of the 9/11 Commission Act of 2007 (50 U.S.C.*
10 *2911(b)) is amended—*

11 (1) *by striking “(1) IN GENERAL.—”; and*

12 (2) *by striking paragraphs (2) and (3).*

13 (c) *BRIEFINGS ON DIALOGUE BETWEEN UNITED*
14 *STATES AND RUSSIAN FEDERATION ON NUCLEAR ARMS.*—
15 *Section 1282 of the National Defense Authorization Act for*
16 *Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2034;*
17 *22 U.S.C. 5951 note) is amended—*

18 (1) *in the section heading, by striking “BRIEF-*
19 *INGS ON DIALOGUE” and inserting “SENSE OF*
20 *CONGRESS ON AGREEMENTS”;*

21 (2) *by striking subsection (a);*

22 (3) *in subsection (b), by striking “(b) SENSE OF*
23 *CONGRESS ON CERTAIN AGREEMENTS.—”; and*

24 (4) *by striking subsection (c).*

25 (d) *IMPLEMENTATION PLAN FOR WHOLE-OF-GOVERN-*
26 *MENT VISION PRESCRIBED IN THE NATIONAL SECURITY*

1 *STRATEGY.*—Section 1072 of the National Defense Author-
2 ization Act for Fiscal Year 2012 (Public Law 112–81; 125
3 Stat. 1592; 50 U.S.C. 3043 note) is amended—

4 (1) by striking subsection (b); and

5 (2) by redesignating subsection (c) as subsection
6 (b).

7 **SEC. 1077. REPEAL OR REVISION OF REPORTING REQUIRE-**
8 **MENTS RELATED TO ACQUISITION.**

9 (a) *REPORT ON COST ASSESSMENT ACTIVITIES.*—Sec-
10 tion 2334 of title 10, United States Code, is amended—

11 (1) by striking subsection (f); and

12 (2) by redesignating subsection (g) as subsection
13 (f).

14 (b) *REPORT ON PERFORMANCE ASSESSMENTS AND*
15 *ROOT CAUSE ANALYSES.*—Section 2438 of title 10, United
16 States Code, is amended by striking subsection (f).

17 **SEC. 1078. REPEAL OR REVISION OF MISCELLANEOUS RE-**
18 **PORTING REQUIREMENTS.**

19 (a) *REPORT ON TECHNOLOGICAL MATURITY AND IN-*
20 *TEGRATION RISK OF CRITICAL TECHNOLOGIES.*—Section
21 138(b)(8) of title 10, United States Code, is amended—

22 (1) by striking subparagraph (B);

23 (2) by striking “shall—” and all that follows
24 through “assess the technological maturity” and in-

1 serting “shall periodically review and assess the tech-
2 nological maturity”; and

3 (3) by striking “; and” and inserting a period.

4 (b) *REPORT ON SYSTEMS ENGINEERING*.—Section
5 139b(d) of title 10, United States Code, is amended—

6 (1) by striking paragraph (2);

7 (2) by redesignating paragraph (3) as para-
8 graph (2);

9 (3) in paragraph (2), as so redesignated—

10 (A) by striking “or (2)”;

11 (B) in subparagraph (A), by striking “sys-
12 tems engineering master plans and”;

13 (C) in subparagraph (B), by striking “, sys-
14 tems engineering master plans,”;

15 (D) in subparagraph (C); by striking “sys-
16 tems engineering, development planning,” and
17 inserting “development planning”; and

18 (E) by redesignating subparagraph (D) as
19 subparagraph (F);

20 (4) by transferring subparagraphs (A) and (B)
21 of paragraph (4) to the end of paragraph (2), as so
22 redesignated, and redesignating those subparagraphs
23 as subparagraphs (D) and (E), respectively; and

24 (5) by striking paragraph (4).

25 (c) *REPORT ON DARPA*.—

1 (1) *REPEAL.*—Section 2352 of title 10, United
2 *States Code, is repealed.*

3 (2) *CLERICAL AMENDMENT.*—The table of sec-
4 *tions at the beginning of chapter 139 of title 10,*
5 *United States Code, is amended by striking the item*
6 *relating to section 2352.*

7 (d) *REPORTS ON STATUS OF NAVY NEXT GENERATION*
8 *ENTERPRISE NETWORKS PROGRAM.*—Section 1034 of the
9 *Duncan Hunter National Defense Authorization Act for*
10 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4593)*
11 *is repealed.*

12 **SEC. 1079. REPEAL OF REPORTING REQUIREMENTS.**

13 (a) *ANNUAL REPORT ON PRIZES FOR ADVANCED*
14 *TECHNOLOGY ACHIEVEMENTS.*—Section 2374a of title 10,
15 *United States Code, is amended—*

16 (1) *by striking subsection (e); and*

17 (2) *by redesignating subsection (f) as subsection*
18 *(e).*

19 (b) *ANNUAL IMPACT STATEMENT ON NUMBER OF*
20 *MEMBERS IN INTEGRATED DISABILITY EVALUATION SYS-*
21 *TEM ON READINESS REQUIREMENTS.*—Section 528 of the
22 *National Defense Authorization Act for Fiscal Year 2013*
23 *(Public Law 112–239; 126 Stat. 1725) is repealed.*

24 (c) *REPORT ON TASK FORCE FOR BUSINESS AND STA-*
25 *BILITY OPERATIONS IN AFGHANISTAN.*—Section 1535(a) of

1 *the Ike Skelton National Defense Authorization Act for Fis-*
2 *cal Year 2011 (Public Law 111–383; 124 Stat. 4426) is*
3 *amended by striking paragraph (6).*

4 *(d) REPORTS UNDER PUBLIC LAW 110–417.—*

5 *(1) MITIGATION OF POWER OUTAGE RISKS FOR*
6 *DEPARTMENT OF DEFENSE FACILITIES AND ACTIVI-*
7 *TIES.—Section 335 of the Duncan Hunter Nation De-*
8 *fense Authorization Act for Fiscal Year 2009 (Public*
9 *Law 110–417; 122 Stat. 4422; 10 U.S.C. 2911 note)*
10 *is amended by striking subsection (c).*

11 *(2) ANNUAL REPORTS ON CENTER OF EXCEL-*
12 *LLENCE ON TRAUMATIC EXTREMITY INJURIES AND AM-*
13 *PUTATIONS.—Section 723 of the Duncan Hunter Na-*
14 *tional Defense Authorization Act for Fiscal Year 2009*
15 *(Public Law 110–417; 122 Stat. 4508) is amended by*
16 *striking (d).*

17 *(e) BIENNIAL UPDATE OF STRATEGIC MANAGEMENT*
18 *PLAN.—Section 904(d) of the National Defense Authoriza-*
19 *tion Act for Fiscal Year 2008 (Public Law 110–181; 122*
20 *Stat. 275) is amended by striking paragraph (3).*

21 *(f) ROADMAPS AND REPORTS ON HYPERSONICS DE-*
22 *VELOPMENT.—Section 218 of the John Warner National*
23 *Defense Authorization Act for Fiscal Year 2007 (Public*
24 *Law 109–364; 10 U.S.C. 2358 note) is amended—*

1 (1) *in subsection (d), by striking paragraph (4);*

2 *and*

3 (2) *by striking subsection (f).*

4 (g) *REPORTS ON ANNUAL REVIEW OF ROLES AND MIS-*
5 *SIONS OF THE RESERVE COMPONENTS.—Section 513(h) of*
6 *the Ronald W. Reagan National Defense Authorization Act*
7 *for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1882;*
8 *10 U.S.C. 10101 note) is amended—*

9 (1) *by striking paragraph (2); and*

10 (2) *by redesignating paragraph (3) as para-*
11 *graph (2).*

12 (h) *ANNUAL SUBMITTAL OF INFORMATION REGARDING*
13 *INFORMATION TECHNOLOGY CAPITAL ASSETS.—Section*
14 *351 of the Bob Stump National Defense Authorization Act*
15 *for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 221*
16 *note) is hereby repealed.*

17 **SEC. 1080. TERMINATION OF REQUIREMENT FOR SUB-**
18 **MITTAL TO CONGRESS OF REPORTS RE-**
19 **QUIRED OF DEPARTMENT OF DEFENSE BY**
20 **STATUTE.**

21 (a) *TERMINATION.—Effective on the date that is two*
22 *years after the date of the enactment of this Act, each report*
23 *described in subsection (b) that is still required to be sub-*
24 *mitted to Congress as of such effective date shall no longer*
25 *be required to be submitted to Congress.*

1 (b) *COVERED REPORTS*.—A report described in this
2 subsection is a report that is required to be submitted to
3 Congress by the Department of Defense, or by any officer,
4 official, component, or element of the Department, by any
5 annual national defense authorization Act as of April 1,
6 2015.

7 (c) *REPORT TO CONGRESS*.—Not later than February
8 1, 2016, the Secretary of Defense shall submit to the congres-
9 sional defense committees a report that includes each of the
10 following:

11 (1) A list of all reports described in subsection
12 (b).

13 (2) For each such report, a citation to the provi-
14 sion of law under which the report is required to be
15 submitted.

16 (3) Draft legislation that would repeal each such
17 report.

18 **Subtitle G—Other Matters**

19 **SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.**

20 (a) *AMENDMENTS TO TITLE 10, UNITED STATES*
21 *CODE*.—Title 10, United States Code, is amended as fol-
22 lows:

23 (1) The tables of chapters at the beginning of
24 subtitle A, and at the beginning of part I of such sub-

1 *title, are each amended by striking the item relating*
 2 *to chapter 19 and inserting the following new item:*

“19. Cyber Matters 391”.

3 (2) *The heading of section 130e is amended to*
 4 *read as follows:*

5 **“§ 130e. Treatment under Freedom of Information Act**
 6 **of certain critical infrastructure security**
 7 **information”.**

8 (3) *The heading of section 153(a)(5) is amended*
 9 *to read as follows: “JOINT FORCE DEVELOPMENT AC-*
 10 *TIVITIES.—”.*

11 (4) *The table of sections at the beginning of*
 12 *chapter 19 is amended by striking the item relating*
 13 *to section 391 and inserting the following new item:*

“391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.”.

14 (5) *The table of sections at the beginning of sub-*
 15 *chapter I of chapter 21 is amended by inserting after*
 16 *the item relating to section 429 the following new*
 17 *item:*

“430. Tactical Exploitation of National Capabilities Executive Agent.”.

18 (6) *Section 2006a(a) is amended by striking*
 19 *“August, 1” and inserting “August 1”.*

20 (7) *Sections 2222(j)(5), 2223(c)(3), and 2315 are*
 21 *each amended by striking “section 3552(b)(5)” and*
 22 *inserting “section 3552(b)(6)”.*

1 (8) *Section 2229(d)(1) is amended by striking*
2 *“certification in writing” and inserting “a certifi-*
3 *cation in writing”.*

4 (9) *Section 2679, as transferred, redesignated,*
5 *and amended by section 351 of the National Defense*
6 *Authorization Act for Fiscal Year 2015 (Public Law*
7 *113–291; 128 Stat. 3346), is amended in subsection*
8 *(a)(1) by striking “with” before “, on a sole source”.*

9 (10) *Section 2684(d)(1) is amended by striking*
10 *“section 2023.01 of title 54” and inserting “section*
11 *302101 of title 54”.*

12 (11) *Section 2687a(d)(2) is amended by insert-*
13 *ing “fair market” before “value”.*

14 (12) *Section 2926, as added and amended by sec-*
15 *tion 901(g) of the National Defense Authorization Act*
16 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
17 *3464), is amended in subsections (a), (b), (c), and (d)*
18 *by striking “for Installations, Energy,” each place it*
19 *appears and inserting “for Energy, Installations,”.*

20 (13) *Section 9314a(b) is amended by striking*
21 *“only so long at” and inserting “only so long as”.*

22 (b) *NATIONAL DEFENSE AUTHORIZATION ACT FOR*
23 *FISCAL YEAR 2015.—Effective as of December 19, 2014,*
24 *and as if included therein as enacted, the National Defense*

1 *Authorization Act for Fiscal Year 2015 (Public Law 113–*
2 *291) is amended as follows:*

3 (1) *Section 351(b)(1) (128 Stat. 3346) is amend-*
4 *ed by striking the period at the end of subparagraph*
5 *(C) and inserting “; and”.*

6 (2) *Section 901(g)(1)(F) (128 Stat. 3465) is*
7 *amended by inserting “paragraph (4) of” before “sub-*
8 *section (b) of section 2926”.*

9 (3) *Section 1072(a)(2) (128 Stat. 3516) is*
10 *amended by inserting “in the table of sections” before*
11 *“at the beginning of”.*

12 (4) *Section 1079(a)(1) (128 Stat. 3521) is*
13 *amended by striking “section 12102 of title 42,*
14 *United States Code” and inserting “section 3 of the*
15 *Americans with Disabilities Act of 1990 (42 U.S.C.*
16 *12102)”.*

17 (5) *Section 1104(b)(2) (128 Stat. 3526) is*
18 *amended by striking “paragraph (2)” and inserting*
19 *“paragraph (1)(A)”.*

20 (6) *Section 1208 (128 Stat. 3541) is amended by*
21 *striking “of Fiscal Year” each place it appears and*
22 *inserting “for Fiscal Year”.*

23 (7) *Section 2803(a) (128 Stat. 3696) is amended*
24 *in paragraph (2) of the subsection (f) being added by*

1 *the amendment to be made by that section by insert-*
2 *ing “section” before “1105 of title 31”.*

3 (8) *Section 2832(c)(3) (128 Stat. 3704) is*
4 *amended by striking “United State Code” and insert-*
5 *ing “United States Code”.*

6 (c) *NATIONAL DEFENSE AUTHORIZATION ACT FOR*
7 *FISCAL YEAR 2009.—Section 943(d)(1) of the Duncan*
8 *Hunter National Defense Authorization Act for Fiscal Year*
9 *2009 (Public Law 110–417; 122 Stat. 4578) by striking the*
10 *second period at the end of the first sentence.*

11 (d) *NATIONAL DEFENSE AUTHORIZATION ACT FOR*
12 *FISCAL YEAR 2005.—Section 1208(f)(2) of the Ronald W.*
13 *Reagan National Defense Authorization Act for Fiscal Year*
14 *2005 (Public Law 108–375; 118 Stat. 2086), as amended*
15 *by section 1202(a) of the National Defense Authorization*
16 *Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.*
17 *363) and section 1202(c) of the National Defense Authoriza-*
18 *tion Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat*
19 *2512), is further amended—*

20 (1) *by redesignating the paragraphs (1) through*
21 (8) *added by section 1202(c) of the National Defense*
22 *Authorization Act for Fiscal Year 2010 (Public Law*
23 *111–84; 123 Stat 2512) as subparagraphs (A)*
24 *through (H), respectively; and*

1 (2) *by moving the margins of such subpara-*
 2 *graphs, as so redesignated, two ems to the right.*

3 (e) *COORDINATION WITH OTHER AMENDMENTS MADE*
 4 *BY THIS ACT.*—*For purposes of applying amendments*
 5 *made by provisions of this Act other than this section, the*
 6 *amendments made by this section shall be treated as having*
 7 *been enacted immediately before any such amendments by*
 8 *other provisions of this Act.*

9 **SEC. 1082. SITUATIONS INVOLVING BOMBINGS OF PLACES**
 10 **OF PUBLIC USE, GOVERNMENT FACILITIES,**
 11 **PUBLIC TRANSPORTATION SYSTEMS, AND IN-**
 12 **FRAStructure FACILITIES.**

13 (a) *IN GENERAL.*—*Chapter 18 of title 10, United*
 14 *States Code, is amended by adding at the end the following*
 15 *new section:*

16 **“§383. Situations involving bombings of places of**
 17 **public use, Government facilities, public**
 18 **transportation systems, and infrastruc-**
 19 **ture facilities**

20 “(a) *IN GENERAL.*—*Upon the request of the Attorney*
 21 *General, the Secretary of Defense may provide assistance*
 22 *in support of Department of Justice activities related to the*
 23 *enforcement of section 2332f of title 18 during situations*
 24 *involving bombings of places of public use, Government fa-*

1 *cilities, public transportation systems, and infrastructure*
2 *facilities.*

3 “(b) *RENDERING-SAFE SUPPORT.*—*Military explosive*
4 *ordnance disposal units providing rendering-safe support*
5 *to Department of Justice activities relating to the enforce-*
6 *ment of section 175, 229, or 2332a of title 18 in emergency*
7 *situations involving weapons of mass destruction shall pro-*
8 *vide such support in a manner consistent with the provi-*
9 *sions of section 382 of this title.*

10 “(c) *REGULATIONS.*—(1) *The Secretary of Defense and*
11 *the Attorney General shall jointly prescribe regulations con-*
12 *cerning the types of assistance that may be provided under*
13 *this section. Such regulations shall also describe the actions*
14 *that Department of Defense personnel may take in cir-*
15 *cumstances incident to the provision of assistance under*
16 *this section.*

17 “(2)(A) *Except as provided in subparagraph (B), the*
18 *regulations prescribed under paragraph (1) may not au-*
19 *thorize any of the following actions:*

20 “(i) *Arrest.*

21 “(ii) *Any direct participation in conducting a*
22 *search for or seizure of evidence related to a violation*
23 *of section 175, 229, or 2332a of title 18.*

24 “(iii) *Any direct participation in the collection*
25 *of intelligence for law enforcement purposes.*

1 “(B) Such regulations may authorize an action de-
2 scribed in subparagraph (A) to be taken under the following
3 conditions:

4 “(i) The action is considered necessary for the
5 immediate protection of human life, and civilian law
6 enforcement officials are not capable of taking the ac-
7 tion.

8 “(ii) The action is otherwise authorized under
9 subsection (a) or under otherwise applicable law.

10 “(d) *EXPLOSIVE ORDNANCE DEFINED.*—The term ‘ex-
11 plosive ordnance’—

12 “(1) means—

13 “(A) bombs and warheads;

14 “(B) guided and ballistic missiles;

15 “(C) artillery, mortar, rocket, and small
16 arms ammunition;

17 “(D) all mines, torpedoes, and depth
18 charges;

19 “(E) grenades demolition charges;

20 “(F) pyrotechnics;

21 “(G) clusters and dispensers;

22 “(H) cartridge- and propellant- actuated
23 devices;

24 “(I) electroexplosives devices;

1 “(J) clandestine and improvised explosive
2 devices; and

3 “(K) all similar or related items or compo-
4 nents explosive in nature; and

5 “(2) includes all munitions containing explo-
6 sives, propellants, nuclear fission or fusion materials,
7 and biological and chemical agents.”.

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

 “383. Situations involving bombings of places of public use, Government facilities,
 public transportation systems, and infrastructure facilities.”.

11 **SEC. 1083. EXECUTIVE AGENT FOR THE OVERSIGHT AND**
12 **MANAGEMENT OF ALTERNATIVE COMPEN-**
13 **SATORY CONTROL MEASURES.**

14 (a) *EXECUTIVE AGENT.*—

15 (1) *IN GENERAL.*—Subchapter I of chapter 21 of
16 title 10, United States Code, is amended by adding
17 at the end of the following new section:

18 **“§430a. Executive agent for management and over-**
19 **sight of alternative compensatory control**
20 **measures**

21 “(a) *EXECUTIVE AGENT.*—The Secretary of Defense
22 shall designate a senior official from among the personnel
23 of the Department of Defense to act as the Department of

1 *Defense executive agent for the management and oversight*
 2 *of alternative compensatory control measures.*

3 “(b) *ROLES, RESPONSIBILITIES, AND AUTHORITIES.*—
 4 *The Secretary shall prescribe the roles, responsibilities, and*
 5 *authorities of the executive agent designated under sub-*
 6 *section (a). Such roles, responsibilities, and authorities*
 7 *shall include the development of an annual management*
 8 *and oversight plan for Department-wide accountability and*
 9 *reporting to the congressional defense committees.”.*

10 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 11 *tions at the beginning of subchapter I of such chapter*
 12 *is amended by adding at the end the following new*
 13 *item:*

“430a. Executive agent for management and oversight of alternative compensatory control measures.”.

14 (b) *REPORTS.*—*Not later than 30 days after the close*
 15 *of each of fiscal years 2016 through 2020, the Secretary of*
 16 *Defense shall submit to the congressional defense committees*
 17 *a report on the oversight and management of alternative*
 18 *compensatory control measures. Each such report shall in-*
 19 *clude—*

20 (1) *the annual management and oversight plan*
 21 *required under section 430a(b) of title 10, United*
 22 *States Code, as added by subsection (a);*

23 (2) *a discussion of the scope and number of al-*
 24 *ternative compensatory control measures in effect;*

- 1 (3) *a brief description of each alternative com-*
2 *pensatory control measures program and of the num-*
3 *ber of individuals with access to such program; and*
4 (4) *any other matters the Secretary considers ap-*
5 *propriate.*

6 **SEC. 1084. NAVY SUPPORT OF OCEAN RESEARCH ADVISORY**
7 **PANEL.**

8 *Section 7903 of title 10, United States Code, is amend-*
9 *ed by striking subsection (c).*

10 **SEC. 1085. LEVEL OF READINESS OF CIVIL RESERVE AIR**
11 **FLEET CARRIERS.**

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

13 (1) *The National Airlift Policy states that “[t]he*
14 *national defense airlift objective is to ensure that*
15 *military and civil airlift resources will be able to*
16 *meet defense mobilization and deployment require-*
17 *ments in support of US defense and foreign policies.”.*

18 (2) *The National Airlift Policy also emphasizes*
19 *the need for “dialogue and cooperation with our na-*
20 *tional aviation industry,” and it states that “[i]t is*
21 *of particular importance that the aviation industry*
22 *be apprised by the Department of Defense of long-*
23 *term requirements for airlift in support of national*
24 *defense.”.*

1 (3) *The National Airlift Policy emphasizes the*
2 *importance of both military and civil airlift resources*
3 *and their interdependence in the fulfillment of the na-*
4 *tional defense airlift objective, and it states that the*
5 *“Department of Defense shall establish appropriate*
6 *levels for peacetime cargo airlift augmentation in*
7 *order to promote the effectiveness of Civil Reserve Air*
8 *Fleet and provide training within the military airlift*
9 *system.”.*

10 (4) *Civil Reserve Air Fleet carriers continue to*
11 *be an important component of the military airlift*
12 *system in support of United States defense and for-*
13 *ign policies.*

14 (b) *LEVEL OF READINESS OF CIVIL RESERVE AIR*
15 *FLEET CARRIERS.—*

16 (1) *IN GENERAL.—Chapter 931 of title 10,*
17 *United States Code, is amended by adding at the end*
18 *the following new section:*

19 **“§9517. Level of readiness of Civil Reserve Air Fleet**
20 **carriers**

21 *“The Civil Reserve Air Fleet program is an important*
22 *component of the military airlift system in support of*
23 *United States defense and foreign policies, and it is the pol-*
24 *icy of the United States to maintain the readiness and*
25 *interoperability of Civil Reserve Air Fleet carriers by pro-*

1 *viding appropriate levels of peacetime airlift augmentation*
2 *to maintain networks and infrastructure, exercise the sys-*
3 *tem, and interface effectively within the military airlift sys-*
4 *tem.”.*

5 (2) *CLERICAL AMENDMENT.—The table of sec-*
6 *tions at the beginning of such chapter is amended by*
7 *adding at the end the following new item:*

“9517. Level of Readiness of Civil Reserve Air Fleet carriers.”.

8 (3) *DEFINITION OF CIVIL RESERVE AIR FLEET*
9 *PROGRAM.—Section 9511 of title 10, United States*
10 *Code, is amended by adding at the end the following*
11 *new paragraph:*

12 *“(12) The term ‘Civil Reserve Air Fleet program’*
13 *means the program developed by the Department of*
14 *Defense through which the Department of Defense*
15 *augments its airlift capability by use of civil air-*
16 *craft.”.*

17 (c) *REPORT REQUIREMENT.—On the day the Presi-*
18 *dent submits the budget to Congress for each of fiscal years*
19 *2017 and 2018, the Secretary of Defense shall submit to*
20 *Congress a report that sets forth, for each fiscal year during*
21 *the period covered by the current future-years defense pro-*
22 *gram under section 221 of title 10, United States Code, each*
23 *of the following, expressed separately for passenger and*
24 *cargo airlift services:*

1 (1) *The results (including analytical and jus-*
2 *tification materials) of an assessment, conducted in*
3 *consultation with the Civil Reserve Air Fleet carriers,*
4 *of the level of commercial airlift augmentation nec-*
5 *essary to maintain the readiness and interoperability*
6 *of such carriers, maintain networks and infrastruc-*
7 *ture, exercise the system, and facilitate the regular*
8 *interfacing between such carriers and the military*
9 *airlift system, which shall include—*

10 (A) *a projection of the number of block*
11 *hours necessary to achieve such levels of commer-*
12 *cial airlift augmentation;*

13 (B) *a strategic plan for achieving such level*
14 *of commercial airlift augmentation; and*

15 (C) *an explanation of any deviation from*
16 *the previous fiscal year's assessment of the pro-*
17 *jected number of block hours under subparagraph*
18 *(A).*

19 (2) *A comparison (including analytical and jus-*
20 *tification materials and explanations of any devi-*
21 *ations) of the forecasted number of block hours for*
22 *each fiscal year of the period covered by the report*
23 *with the projected number of block hours under para-*
24 *graph (1)(A) for each such fiscal year.*

1 **SEC. 1086. REFORM AND IMPROVEMENT OF PERSONNEL SE-**
2 **CURITY, INSIDER THREAT DETECTION AND**
3 **PREVENTION, AND PHYSICAL SECURITY.**

4 (a) *PERSONNEL SECURITY AND INSIDER THREAT*
5 *PROTECTION IN DEPARTMENT OF DEFENSE.—*

6 (1) *PLANS AND SCHEDULES.—Consistent with*
7 *the Memorandum of the Secretary of Defense dated*
8 *March 18, 2014, regarding the recommendations of*
9 *the reviews of the Washington Navy Yard shooting,*
10 *the Secretary of Defense shall develop plans and*
11 *schedules—*

12 (A) *to implement a continuous evaluation*
13 *capability for the national security population*
14 *for which clearance adjudications are conducted*
15 *by the Department of Defense Central Adjudica-*
16 *tion Facility, in coordination with the heads of*
17 *other relevant agencies;*

18 (B) *to produce a Department-wide insider*
19 *threat strategy and implementation plan, which*
20 *includes—*

21 (i) *resourcing for the Defense Insider*
22 *Threat Management and Analysis Center*
23 *and component insider threat programs,*
24 *and*

25 (ii) *alignment of insider threat protec-*
26 *tion programs with continuous evaluation*

1 *capabilities and processes for personnel se-*
2 *curity;*

3 *(C) to centralize the authority, account-*
4 *ability, and programmatic integration respon-*
5 *sibilities, including fiscal control, for personnel*
6 *security and insider threat protection under the*
7 *Under Secretary of Defense for Intelligence;*

8 *(D) to develop a defense security enterprise*
9 *reform investment strategy to ensure a con-*
10 *sistent, long-term focus on funding to strengthen*
11 *all of the Department's security and insider*
12 *threat programs, policies, functions, and infor-*
13 *mation technology capabilities, including detect-*
14 *ing threat behaviors conveyed in the cyber do-*
15 *main, in a manner that keeps pace with evolving*
16 *threats and risks;*

17 *(E) to resource and expedite deployment of*
18 *the Identity Management Enterprise Services*
19 *Architecture; and*

20 *(F) to implement the recommendations con-*
21 *tained in the study conducted by the Director of*
22 *Cost Analysis and Program Evaluation required*
23 *by section 907 of the National Defense Author-*
24 *ization Act for Fiscal Year 2014 (Public Law*
25 *113-66; 10 U.S.C. 1564 note), including, specifi-*

1 *cally, the recommendations to centrally manage*
2 *and regulate Department of Defense requests for*
3 *personnel security background investigations.*

4 (2) *REPORTING REQUIREMENT.*—*Not later than*
5 *180 days after the date of the enactment of this Act,*
6 *the Secretary of Defense shall submit to the appro-*
7 *priate committees of Congress a report describing the*
8 *plans and schedules required under paragraph (1).*

9 (b) *PHYSICAL AND LOGICAL ACCESS.*—*Not later than*
10 *270 days after the date of the enactment of this Act—*

11 (1) *the Secretary of Defense shall define physical*
12 *and logical access standards, capabilities, and proc-*
13 *esses applicable to all personnel with access to De-*
14 *partment of Defense installations and information*
15 *technology systems, including—*

16 (A) *periodic or regularized background or*
17 *records checks appropriate to the type of physical*
18 *or logical access involved, the security level, the*
19 *category of individuals authorized, and the level*
20 *of access to be granted;*

21 (B) *standards and methods for verifying the*
22 *identity of individuals seeking access; and*

23 (C) *electronic attribute-based access controls*
24 *that are appropriate for the type of access and*

1 *facility or information technology system in-*
2 *volved;*

3 *(2) the Director of the Office of Management and*
4 *Budget and the Chair of the Performance Account-*
5 *ability Council, in coordination with the Secretary of*
6 *Defense, the Administrator of General Services, and,*
7 *when appropriate, the Director of National Intel-*
8 *ligence, and in consultation with representatives from*
9 *stakeholder organizations, shall design a capability to*
10 *share and apply electronic identity information*
11 *across the Government to enable real-time, risk-man-*
12 *aged physical and logical access decisions; and*

13 *(3) the Director of the Office of Management and*
14 *Budget, in conjunction with the Director of the Office*
15 *of Personnel Management and in consultation with*
16 *representatives from stakeholder organizations, shall*
17 *establish investigative and adjudicative standards for*
18 *the periodic or regularized reevaluation of the eligi-*
19 *bility of an individual to retain credentials issued*
20 *pursuant to Homeland Security Presidential Direc-*
21 *tive 12 (dated August 27, 2004), as appropriate, but*
22 *not less frequently than the authorization period of*
23 *the issued credentials.*

1 (c) *SECURITY ENTERPRISE MANAGEMENT.*—Not later
2 than 180 days after the date of enactment of this Act, the
3 Director of the Office of Management and Budget shall—

4 (1) formalize the Security, Suitability, and
5 Credentialing Line of Business; and

6 (2) submit to the appropriate congressional com-
7 mittee a report that describes plans—

8 (A) for oversight by the Office of Manage-
9 ment and Budget of activities of the executive
10 branch of the Government for personnel security,
11 suitability, and credentialing;

12 (B) to designate enterprise shared services
13 to optimize investments;

14 (C) to define and implement data standards
15 to support common electronic access to critical
16 Government records; and

17 (D) to reduce the burden placed on Govern-
18 ment data providers by centralizing requests for
19 records access and ensuring proper sharing of the
20 data with appropriate investigative and adju-
21 dicative elements.

22 (d) *RECIPROCITY MANAGEMENT.*—Not later than two
23 years after the date of the enactment of this Act, the Chair
24 of the Performance Accountability Council shall ensure
25 that—

1 (1) *a centralized system is available to serve as*
2 *the reciprocity management system for the Federal*
3 *Government; and*

4 (2) *the centralized system described in para-*
5 *graph (1) is aligned with, and incorporates results*
6 *from, continuous evaluation and other enterprise re-*
7 *form initiatives.*

8 (e) *REPORTING REQUIREMENTS IMPLEMENTATION.—*
9 *Not later than 180 days after the date of enactment of this*
10 *Act, the Chair of the Performance Accountability Council,*
11 *in coordination with the Security Executive Agent, the*
12 *Suitability Executive Agent, and the Secretary of Defense,*
13 *shall jointly develop a plan to—*

14 (1) *implement the Security Executive Agent Di-*
15 *rective on common, standardized employee and con-*
16 *tractor security reporting requirements;*

17 (2) *establish and implement uniform reporting*
18 *requirements for employees and Federal contractors,*
19 *according to risk, relative to the safety of the work-*
20 *force and protection of the most sensitive information*
21 *of the Government; and*

22 (3) *ensure that reported information is shared*
23 *appropriately.*

24 (f) *ACCESS TO CRIMINAL HISTORY RECORDS FOR NA-*
25 *TIONAL SECURITY AND OTHER PURPOSES.—*

1 (1) *DEFINITION.*—Section 9101(a) of title 5,
2 *United States Code, is amended by adding at the end*
3 *the following:*

4 “(7) *The terms ‘Security Executive Agent’ and*
5 *‘Suitability Executive Agent’ mean the Security Exec-*
6 *utive Agent and the Suitability Executive Agent, re-*
7 *spectively, established under Executive Order 13467*
8 *(73 Fed. Reg. 38103), or any successor thereto.”.*

9 (2) *COVERED AGENCIES.*—Section 9101(a)(6) of
10 *title 5, United States Code, is amended by adding at*
11 *the end the following:*

12 “(G) *The Department of Homeland Secu-*
13 *rity.*

14 “(H) *The Office of the Director of National*
15 *Intelligence.*

16 “(I) *An Executive agency that—*

17 “(i) *is authorized to conduct back-*
18 *ground investigations under a Federal stat-*
19 *ute; or*

20 “(ii) *is delegated authority to conduct*
21 *background investigations in accordance*
22 *with procedures established by the Security*
23 *Executive Agent or the Suitability Execu-*
24 *utive Agent under subsection (b) or (c)(iv) of*

1 *section 2.3 of Executive Order 13467 (73*
2 *Fed. Reg. 38103), or any successor thereto.*

3 *“(J) A contractor that conducts a back-*
4 *ground investigation on behalf of an agency de-*
5 *scribed in subparagraphs (A) through (I).”.*

6 (3) *APPLICABLE PURPOSES OF INVESTIGA-*
7 *TIONS.—Section 9101(b)(1) of title 5, United States*
8 *Code, is amended—*

9 (A) *by redesignating subparagraphs (A)*
10 *through (D) as clauses (i) through (iv), respec-*
11 *tively, and adjusting the margins accordingly;*

12 (B) *in the matter preceding clause (i), as*
13 *redesignated—*

14 (i) *by striking “the head of”;*

15 (ii) *by inserting “all” before “criminal*
16 *history record information”;* and

17 (iii) *by striking “for the purpose of de-*
18 *termining eligibility for any of the fol-*
19 *lowing:” and inserting “, in accordance*
20 *with Federal Investigative Standards joint-*
21 *ly promulgated by the Suitability Executive*
22 *Agent and Security Executive Agent, for the*
23 *purpose of—*

24 *“(A) determining eligibility for—”;*

25 (C) *in clause (i), as redesignated—*

1 (i) by striking “Access” and inserting
2 “access”; and

3 (ii) by striking the period and insert-
4 ing a semicolon;

5 (D) in clause (i), as redesignated—

6 (i) by striking “Assignment” and in-
7 serting “assignment”; and

8 (ii) by striking the period and insert-
9 ing “or positions;”;

10 (E) in clause (iii), as redesignated—

11 (i) by striking “Acceptance” and in-
12 serting “acceptance”; and

13 (ii) by striking the period and insert-
14 ing “; or”;

15 (F) in clause (iv), as redesignated—

16 (i) by striking “Appointment” and in-
17 serting “appointment”;

18 (ii) by striking “or a critical or sen-
19 sitive position”; and

20 (iii) by striking the period and insert-
21 ing “; or”; and

22 (G) by adding at the end the following:

23 “(B) conducting a basic suitability or fitness as-
24 sessment for Federal or contractor employees, using
25 Federal Investigative Standards jointly promulgated

1 *by the Security Executive Agent and the Suitability*
2 *Executive Agent in accordance with—*

3 *“(i) Executive Order 13467 (73 Fed. Reg.*
4 *38103), or any successor thereto; and*

5 *“(ii) the Office of Management and Budget*
6 *Memorandum ‘Assignment of Functions Relating*
7 *to Coverage of Contractor Employee Fitness in*
8 *the Federal Investigative Standards’, dated De-*
9 *cember 6, 2012;*

10 *“(C) credentialing under the Homeland Security*
11 *Presidential Directive 12 (dated August 27, 2004);*
12 *and*

13 *“(D) Federal Aviation Administration checks re-*
14 *quired under—*

15 *“(i) the Federal Aviation Administration*
16 *Drug Enforcement Assistance Act of 1988 (sub-*
17 *title E of title VII of Public Law 100–690; 102*
18 *Stat. 4424) and the amendments made by that*
19 *Act; or*

20 *“(ii) section 44710 of title 49.”.*

21 *(4) BIOMETRIC AND BIOGRAPHIC SEARCHES.—*
22 *Section 9101(b)(2) of title 5, United States Code, is*
23 *amended to read as follows:*

24 *“(2)(A) A State central criminal history record deposi-*
25 *tory shall allow a covered agency to conduct both biometric*

1 *and biographic searches of criminal history record informa-*
2 *tion.*

3 “(B) *Nothing in subparagraph (A) shall be construed*
4 *to prohibit the Federal Bureau of Investigation from requir-*
5 *ing a request for criminal history record information to be*
6 *accompanied by the fingerprints of the individual who is*
7 *the subject of the request.”.*

8 (5) *USE OF MOST COST-EFFECTIVE SYSTEM.—*
9 *Section 9101(e) of title 5, United States Code, is*
10 *amended by adding at the end the following:*

11 “(6) *If a criminal justice agency is able to provide the*
12 *same information through more than 1 system described in*
13 *paragraph (1), a covered agency may request information*
14 *under subsection (b) from the criminal justice agency, and*
15 *require the criminal justice agency to provide the informa-*
16 *tion, using the system that is most cost-effective for the Fed-*
17 *eral Government.”.*

18 (6) *SEALED OR EXPUNGED RECORDS; JUVENILE*
19 *RECORDS.—*

20 (A) *IN GENERAL.—Section 9101(a)(2) of*
21 *title 5, United States Code, is amended by strik-*
22 *ing the third sentence and inserting the fol-*
23 *lowing: “The term includes those records of a*
24 *State or locality sealed pursuant to law if such*
25 *records are accessible by State and local crimi-*

1 *nal justice agencies for the purpose of conducting*
2 *background checks.”.*

3 (B) *REGULATIONS.—*

4 (i) *DEFINITION.—In this subpara-*
5 *graph, the terms “Security Executive*
6 *Agent” and “Suitability Executive Agent”*
7 *mean the Security Executive Agent and the*
8 *Suitability Executive Agent, respectively,*
9 *established under Executive Order 13467*
10 *(73 Fed. Reg. 38103), or any successor*
11 *thereto.*

12 (ii) *DEVELOPMENT; PROMULGATION.—*

13 *The Security Executive Agent shall—*

14 (I) *not later than 45 days after*
15 *the date of enactment of this Act, and*
16 *in conjunction with the Suitability Ex-*
17 *ecutive Agent and the Attorney Gen-*
18 *eral, begin developing regulations to*
19 *implement the amendments made by*
20 *subparagraph (A); and*

21 (II) *not later than 120 days after*
22 *the date of enactment of this Act, pro-*
23 *mulgate regulations to implement the*
24 *amendments made by subparagraph*
25 *(A).*

1 (C) *SENSE OF CONGRESS.—It is the sense of*
2 *Congress that the Federal Government should not*
3 *uniformly reject applicants for employment with*
4 *the Federal Government or Federal contractors*
5 *based on—*

6 (i) *sealed or expunged criminal*
7 *records; or*

8 (ii) *juvenile records.*

9 (7) *INTERACTION WITH LAW ENFORCEMENT AND*
10 *INTELLIGENCE AGENCIES ABROAD.—Section 9101 of*
11 *title 5, United States Code, is amended by adding at*
12 *the end the following:*

13 “*(g) Upon request by a covered agency and in accord-*
14 *ance with the applicable provisions of this section, the Dep-*
15 *uty Assistant Secretary of State for Overseas Citizens Serv-*
16 *ices shall make available criminal history record informa-*
17 *tion collected by the Deputy Assistant Secretary with re-*
18 *spect to an individual who is under investigation by the*
19 *covered agency regarding any interaction of the individual*
20 *with a law enforcement agency or intelligence agency of a*
21 *foreign country.”.*

22 (8) *CLARIFICATION OF SECURITY REQUIREMENTS*
23 *FOR CONTRACTORS CONDUCTING BACKGROUND INVES-*
24 *TIGATIONS.—Section 9101 of title 5, United States*

1 Code, as amended by this subsection, is amended by
2 adding at the end the following:

3 “(h) If a contractor described in subsection (a)(6)(J)
4 uses an automated information delivery system to request
5 criminal history record information, the contractor shall
6 comply with any necessary security requirements for access
7 to that system.”.

8 (9) CLARIFICATION REGARDING ADVERSE AC-
9 TIONS.—Section 7512 of title 5, United States Code,
10 is amended—

11 (A) in subparagraph (D), by striking “or”;

12 (B) in subparagraph (E), by striking the
13 period and inserting “, or”; and

14 (C) by adding at the end the following:

15 “(F) a suitability action taken by the Office
16 under regulations prescribed by the Office, subject to
17 the rules prescribed by the President under this title
18 for the administration of the competitive service.”.

19 (10) ANNUAL REPORT BY SUITABILITY AND SE-
20 CURITY CLEARANCE PERFORMANCE ACCOUNTABILITY
21 COUNCIL.—Section 9101 of title 5, United States
22 Code, as amended by this subsection, is amended by
23 adding at the end the following:

24 “(i) The Suitability and Security Clearance Perform-
25 ance Accountability Council established under Executive

1 *Order 13467 (73 Fed. Reg. 38103), or any successor thereto,*
2 *shall submit to the Committee on Armed Services, the Com-*
3 *mittee on Homeland Security and Governmental Affairs,*
4 *the Committee on Appropriations, and the Select Com-*
5 *mittee on Intelligence of the Senate, and the Committee on*
6 *Armed Services, the Committee on Oversight and Govern-*
7 *ment Reform, the Committee on Appropriations, and the*
8 *Permanent Select Committee on Intelligence of the House*
9 *of Representatives, an annual report that—*

10 “(1) describes efforts of the Council to integrate
11 *Federal, State, and local systems for sharing criminal*
12 *history record information;*

13 “(2) analyzes the extent and effectiveness of Fed-
14 *eral education programs regarding criminal history*
15 *record information;*

16 “(3) provides an update on the implementation
17 *of best practices for sharing criminal history record*
18 *information, including ongoing limitations experi-*
19 *enced by investigators working for or on behalf of a*
20 *covered agency with respect to access to State and*
21 *local criminal history record information; and*

22 “(4) provides a description of limitations on the
23 *sharing of information relevant to a background in-*
24 *vestigation, other than criminal history record infor-*
25 *mation, between—*

1 “(A) investigators working for or on behalf
2 of a covered agency; and

3 “(B) State and local law enforcement agen-
4 cies.”.

5 (11) GAO REPORT ON ENHANCING INTEROPER-
6 ABILITY AND REDUCING REDUNDANCY IN FEDERAL
7 CRITICAL INFRASTRUCTURE PROTECTION ACCESS CON-
8 TROL, BACKGROUND CHECK, AND CREDENTIALING
9 STANDARDS.—

10 (A) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the
12 Comptroller General of the United States shall
13 submit to the congressional defense committees,
14 the Committee on Homeland Security of the
15 House of Representatives, and the Committee on
16 Homeland Security and Governmental Affairs of
17 the Senate a report on the background check, ac-
18 cess control, and credentialing requirements of
19 Federal programs for the protection of critical
20 infrastructure and key resources.

21 (B) CONTENTS.—The Comptroller General
22 shall include in the report required under sub-
23 paragraph (A)—

24 (i) a summary of the major character-
25 istics of each such Federal program, includ-

1 *ing the types of infrastructure and resources*
2 *covered;*

3 *(ii) a comparison of the requirements,*
4 *whether mandatory or voluntary in nature,*
5 *for regulated entities under each such pro-*
6 *gram to—*

7 *(I) conduct background checks on*
8 *employees, contractors, and other indi-*
9 *viduals;*

10 *(II) adjudicate the results of a*
11 *background check, including the utili-*
12 *zation of a standardized set of dis-*
13 *qualifying offenses or the consideration*
14 *of minor, non-violent, or juvenile of-*
15 *fenses; and*

16 *(III) establish access control sys-*
17 *tems to deter unauthorized access, or*
18 *provide a security credential for any*
19 *level of access to a covered facility or*
20 *resource;*

21 *(iii) a review of any efforts that the*
22 *Screening Coordination Office of the De-*
23 *partment of Homeland Security has under-*
24 *taken or plans to undertake to harmonize or*
25 *standardize background check, access con-*

1 *trol, or credentialing requirements for crit-*
2 *ical infrastructure and key resource protec-*
3 *tion programs overseen by the Department;*
4 *and*

5 *(iv) recommendations, developed in*
6 *consultation with appropriate stakeholders,*
7 *regarding—*

8 *(I) enhancing the interoperability*
9 *of security credentials across critical*
10 *infrastructure and key resource protec-*
11 *tion programs;*

12 *(II) eliminating the need for re-*
13 *dundant background checks or creden-*
14 *tials across existing critical infrastruc-*
15 *ture and key resource protection pro-*
16 *grams;*

17 *(III) harmonizing, where appro-*
18 *priate, the standards for identifying*
19 *potentially disqualifying criminal of-*
20 *fenses and the weight assigned to*
21 *minor, nonviolent, or juvenile offenses*
22 *in adjudicating the results of a com-*
23 *pleted background check; and*

24 *(IV) the development of common,*
25 *risk-based standards with respect to the*

1 *background check, access control, and*
2 *security credentialing requirements for*
3 *critical infrastructure and key resource*
4 *protection programs.*

5 *(g) DEFINITIONS.—In this section—*

6 *(1) the term “appropriate committees of Con-*
7 *gress” means—*

8 *(A) the congressional defense committees;*

9 *(B) the Select Committee on Intelligence*
10 *and the Committee on Homeland Security and*
11 *Governmental Affairs of the Senate; and*

12 *(C) the Permanent Select Committee on In-*
13 *telligence, the Committee on Oversight and Gov-*
14 *ernment Reform, and the Committee on Home-*
15 *land Security of the House of Representatives;*
16 *and*

17 *(2) the term “Performance Accountability Coun-*
18 *cil” means the Suitability and Security Clearance*
19 *Performance Accountability Council established under*
20 *Executive Order 13467 (73 Fed. Reg. 38103), or any*
21 *successor thereto.*

1 **SEC. 1087. TRANSFER OF SURPLUS FIREARMS TO CORPORA-**
2 **TION FOR THE PROMOTION OF RIFLE PRAC-**
3 **TICE AND FIREARMS SAFETY.**

4 *(a) AUTHORIZATION OF TRANSFER OF SURPLUS FIRE-*
5 *ARMS TO CORPORATION FOR THE PROMOTION OF RIFLE*
6 *PRACTICE AND FIREARMS SAFETY.—*

7 *(1) IN GENERAL.—Section 40728 of title 36,*
8 *United States Code, is amended by adding at the end*
9 *the following new subsection:*

10 *“(h) AUTHORIZED TRANSFERS.—(1) Subject to para-*
11 *graph (2), the Secretary may transfer to the corporation,*
12 *in accordance with the procedure prescribed in this sub-*
13 *chapter, surplus caliber .45 M1911/M1911A1 pistols and*
14 *spare parts and related accessories for those pistols that,*
15 *on the date of the enactment of this subsection, are under*
16 *the control of the Secretary and are surplus to the require-*
17 *ments of the Department of the Army, and such material*
18 *as may be recovered by the Secretary pursuant to section*
19 *40728A(a) of this title. The Secretary shall determine a rea-*
20 *sonable schedule for the transfer of such surplus pistols.*

21 *“(2) The Secretary may not transfer more than 10,000*
22 *surplus caliber .45 M1911/M1911A1 pistols to the corpora-*
23 *tion during any year and may only transfer such pistols*
24 *as long as pistols described in paragraph (1) remain avail-*
25 *able for transfer.”.*

1 (2) *TECHNICAL AND CONFORMING AMEND-*
2 *MENTS.—Such title is further amended—*

3 (A) *in section 40728A—*

4 (i) *by striking “rifles” each place it*
5 *appears and inserting “surplus firearms”;*
6 *and*

7 (ii) *in subsection (a), by striking “sec-*
8 *tion 40731(a)” and inserting “section*
9 *40732(a)”;*

10 (B) *in section 40729(a)—*

11 (i) *in paragraph (1), by striking “sec-*
12 *tion 40728(a)” and inserting “subsections*
13 *(a) and (h) of section 40728”;*

14 (ii) *in paragraph (2), by striking*
15 *“40728(a)” and inserting “subsections (a)*
16 *and (h) of section 40728”; and*

17 (iii) *in paragraph (4), by inserting*
18 *“and caliber .45 M1911/M1911A1 surplus*
19 *pistols” after “caliber .30 and caliber .22*
20 *rimfire rifles”;*

21 (C) *in section 40732—*

22 (i) *by striking “caliber .22 rimfire and*
23 *caliber .30 surplus rifles” both places it ap-*
24 *pears and inserting “surplus caliber .22*
25 *rimfire rifles, caliber .30 surplus rifles, and*

1 *caliber .45 M1911/M1911A1 surplus pis-*
 2 *tols*"; and

3 *(ii) in subsection (b), by striking "is*
 4 *over 18 years of age" and inserting "is le-*
 5 *gally of age"; and*

6 *(D) in section 40733—*

7 *(i) by striking "Section 922(a)(1)-(3)*
 8 *and (5)" and inserting "(a) IN GENERAL.—*
 9 *Except as provided in subsection (b), section*
 10 *922(a)(1)-(3) and (5)"; and*

11 *(ii) by adding at the end the following*
 12 *new subsection:*

13 *"(b) EXCEPTION.—With respect to firearms other than*
 14 *caliber .22 rimfire and caliber .30 rifles, the corporation*
 15 *shall obtain a license as a dealer in firearms and abide*
 16 *by all requirements imposed on persons licensed under*
 17 *chapter 44 of title 18, including maintaining acquisition*
 18 *and disposition records, and conducting background*
 19 *checks."*

20 *(b) PILOT PROGRAM.—*

21 *(1) ONE-YEAR AUTHORITY.—The Secretary of the*
 22 *Army may carry out a one-year pilot program under*
 23 *which the Secretary may transfer to the Corporation*
 24 *for the Promotion of Rifle Practice and Firearms*

1 *Safety not more than 10,000 firearms described in*
2 *paragraph (2).*

3 (2) *FIREARMS DESCRIBED.*—*The firearms de-*
4 *scribed in this paragraph are surplus caliber .45*
5 *M1911/M1911A1 pistols and spare parts and related*
6 *accessories for those pistols that, on the date of the en-*
7 *actment of this section, are under the control of the*
8 *Secretary and are surplus to the requirements of the*
9 *Department of the Army.*

10 (3) *TRANSFER REQUIREMENTS.*—*Transfers of*
11 *surplus caliber .45 M1911/M1911A1 pistols from the*
12 *Army to the Corporation under the pilot program*
13 *shall be made in accordance with subchapter II of*
14 *chapter 407 of title 36, United States Code.*

15 (4) *REPORTS TO CONGRESS.*—

16 (A) *INTERIM REPORT.*—*Not later than 90*
17 *days after the Secretary initiates the pilot pro-*
18 *gram under this subsection, the Secretary shall*
19 *submit to Congress an interim report on the*
20 *pilot program.*

21 (B) *FINAL REPORT.*—*Not later than 15*
22 *days after the Secretary completes the pilot pro-*
23 *gram under this subsection, the Secretary shall*
24 *submit to Congress a final report on the pilot*
25 *program.*

1 (C) *CONTENTS OF REPORT.*—*Each report*
 2 *required by this subsection shall include, for the*
 3 *period covered by the report—*

4 (i) *the number of firearms described in*
 5 *subsection (a)(2) transferred under the pilot*
 6 *program; and*

7 (ii) *information on any crimes com-*
 8 *mited using firearms transferred under the*
 9 *pilot program.*

10 (c) *LIMITATION ON TRANSFER OF SURPLUS CALIBER*
 11 *.45 M1911/M1911A1 PISTOLS.*—*The Secretary may not*
 12 *transfer firearms described in subsection (b)(2) under sub-*
 13 *chapter II of chapter 407 of title 36, United States Code,*
 14 *until the date that is 60 days after the date of the submittal*
 15 *of the final report required under subsection (b)(4)(B).*

16 **SEC. 1088. MODIFICATION OF REQUIREMENTS FOR TRANS-**
 17 **FERRING AIRCRAFT WITHIN THE AIR FORCE**
 18 **INVENTORY.**

19 (a) *MODIFICATION OF REQUIREMENTS.*—*Section 345*
 20 *of the National Defense Authorization Act for Fiscal Year*
 21 *2011 (Public Law 111–383; 10 U.S.C. 8062 note) is amend-*
 22 *ed—*

23 (1) *in subsection (a)—*

24 (A) *by striking the first sentence and insert-*
 25 *ing the following: “Before making an aircraft*

1 *transfer described in subsection (c), the Secretary*
 2 *of the Air Force shall ensure that a written*
 3 *agreement regarding such transfer has been en-*
 4 *tered into between the Chief of Staff of the Air*
 5 *Force and the Director of the Air National*
 6 *Guard or the Chief of Air Force Reserve.”; and*

7 *(B) in paragraph (3), by striking “depot”;*
 8 *(2) by striking subsection (b) and inserting the*
 9 *following new subsection:*

10 *“(b) SUBMITTAL OF AGREEMENTS TO THE DEPART-*
 11 *MENT OF DEFENSE AND CONGRESS.—The Secretary of the*
 12 *Air Force may not take any action to transfer an aircraft*
 13 *until the Secretary—*

14 *“(1) ensures that the Air Force has complied*
 15 *with Department of Defense regulations applicable to*
 16 *the transfer; and*

17 *“(2) for a transfer described in subsection (c)(1),*
 18 *submits to the congressional defense committees an*
 19 *agreement entered into pursuant to subsection (a) re-*
 20 *garding the transfer of the aircraft.”; and*

21 *(3) by adding at the end the following new sub-*
 22 *sections:*

23 *“(c) COVERED AIRCRAFT TRANSFERS.—*

24 *“(1) COVERED TRANSFERS.—An aircraft trans-*
 25 *fer described in this subsection is the transfer (other*

1 *than as specified in paragraph (2)) from a reserve*
2 *component of the Air Force to the regular component*
3 *of the Air Force of—*

4 *“(A) the permanent assignment of an air-*
5 *craft that terminates a reserve component’s equi-*
6 *table interest in the aircraft; or*

7 *“(B) possession of an aircraft for a period*
8 *in excess of 90 days.*

9 *“(2) EXCEPTIONS.—Paragraph (1) does not*
10 *apply to the following:*

11 *“(A) A routine temporary transfer of pos-*
12 *session of an aircraft from a reserve component*
13 *that is made solely for the benefit of the reserve*
14 *component for the purpose of maintenance, up-*
15 *grade, conversion, modification, or testing and*
16 *evaluation.*

17 *“(B) A routine permanent transfer of as-*
18 *signment of an aircraft that terminates a reserve*
19 *component’s equitable interest in the aircraft if*
20 *notice of the transfer has previously been pro-*
21 *vided to the congressional defense committees and*
22 *the transfer has been approved by the Secretary*
23 *of Defense pursuant to Department of Defense*
24 *regulations.*

1 “(C) A transfer described in paragraph
2 (1)(A) when there is a reciprocal permanent as-
3 signment of an aircraft from the regular compo-
4 nent of the Air Force to the reserve component
5 that does not degrade the capability of, or reduce
6 the total number of, aircraft assigned to the re-
7 serve component.

8 “(d) RETURN OF AIRCRAFT AFTER ROUTINE TEM-
9 PORARY TRANSFER.—In the case of an aircraft transferred
10 from a reserve component of the Air Force to the regular
11 component of the Air Force for which an agreement under
12 subsection (a) is not required by reason of subsection
13 (c)(2)(A), possession of the aircraft shall be transferred back
14 to the reserve component upon completion of the work de-
15 scribed in subsection (c)(2)(A).”.

16 (b) CONFORMING AMENDMENT.—Section 345(a)(7) of
17 the National Defense Authorization Act for Fiscal Year
18 2011 (Public Law 111–383; 10 U.S.C. 8062 note) is amend-
19 ed by striking “Commander of the Air Force Reserve Com-
20 mand” and inserting “Chief of Air Force Reserve”.

21 (c) TECHNICAL AMENDMENTS TO DELETE REF-
22 ERENCES TO AIRCRAFT OWNERSHIP.—Section 345(a) of the
23 National Defense Authorization Act for Fiscal Year 2011
24 (Public Law 111–383; 10 U.S.C. 8062 note) is amended in

1 paragraphs (2)(A), (2)(C), and (3) by striking “the owner-
2 ship of”.

3 **SEC. 1089. REESTABLISHMENT OF COMMISSION TO ASSESS**
4 **THE THREAT TO THE UNITED STATES FROM**
5 **ELECTROMAGNETIC PULSE ATTACK.**

6 (a) *REESTABLISHMENT.*—*The commission established*
7 *pursuant to title XIV of the Floyd D. Spence National De-*
8 *fense Authorization Act for Fiscal Year 2001 (as enacted*
9 *into law by Public Law 106–398; 114 Stat. 1654A–345),*
10 *and reestablished pursuant to section 1052 of the National*
11 *Defense Authorization Act for Fiscal Year 2006 (Public*
12 *Law 109–163; 50 U.S.C. 2301 note), known as the Commis-*
13 *sion to Assess the Threat to the United States from Electro-*
14 *magnetic Pulse Attack, is hereby reestablished.*

15 (b) *MEMBERSHIP.*—*Service on the Commission is vol-*
16 *untary, and Commissioners may elect to terminate their*
17 *service on the Commission. If a Commissioner is unwilling*
18 *or unable to serve on the Commission, the Secretary of De-*
19 *fense, in consultation with the chairmen and ranking mem-*
20 *bers of the Committees on Armed Services of the House of*
21 *Representatives and the Senate, shall appoint a new mem-*
22 *ber to fill that vacancy.*

23 (c) *COMMISSION CHARTER DEFINED.*—*In this section,*
24 *the term “Commission charter” means title XIV of the*
25 *Floyd D. Spence National Defense Authorization Act for*

1 *Fiscal Year 2001 (as enacted into law by Public Law 106–*
2 *398; 114 Stat. 1654A–345 et seq.), as amended by section*
3 *1052 of the National Defense Authorization Act for Fiscal*
4 *Year 2006 (Public Law 109–163; 50 U.S.C. 2301 note) and*
5 *section 1073 of the John Warner National Defense Act for*
6 *Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2403).*

7 (d) *EXPANDED PURPOSE.*—Section 1401(b) of the
8 *Commission charter (114 Stat. 1654A–345) is amended by*
9 *inserting before the period at the end the following: “, from*
10 *non-nuclear EMP weapons, from natural EMP generated*
11 *by geomagnetic storms, and from proposed uses in the mili-*
12 *tary doctrines of potential adversaries of using EMP weap-*
13 *ons in combination with other attack vectors.”.*

14 (e) *DUTIES OF COMMISSION.*—Section 1402 of the
15 *Commission charter (114 Stat. 1654A–346) is amended to*
16 *read as follows:*

17 **“SEC. 1402. DUTIES OF COMMISSION.**

18 *“The Commission shall assess the following:*

19 *“(1) The vulnerability of electric-dependent mili-*
20 *tary systems in the United States to a manmade or*
21 *natural EMP event, giving special attention to the*
22 *progress made by the Department of Defense, other*
23 *Government departments and agencies of the United*
24 *States, and entities of the private sector in taking*
25 *steps to protect such systems from such an event.*

1 “(2) *The evolving current and future threat from*
2 *state and non-state actors of a manmade EMP attack*
3 *employing nuclear or non-nuclear weapons.*

4 “(3) *New technologies, operational procedures,*
5 *and contingency planning that can protect electronics*
6 *and military systems from the effects a manmade or*
7 *natural EMP event.*

8 “(4) *Among the States, if State grids are pro-*
9 *tected against manmade or natural EMP, which*
10 *States should receive highest priority for protecting*
11 *critical defense assets.*

12 “(5) *The degree to which vulnerabilities of crit-*
13 *ical infrastructure systems create cascading*
14 *vulnerabilities for military systems.”.*

15 (f) *REPORT.—Section 1403 of the Commission charter*
16 *(114 Stat. 1654A–345) is amended by striking “September*
17 *30, 2007” and inserting “June 30, 2017”.*

18 (g) *TERMINATION.—Section 1049 of the Commission*
19 *charter (114 Stat. 1654A–348) is amended by inserting be-*
20 *fore the period at the end the following: “, as amended by*
21 *the National Defense Authorization Act for Fiscal Year*
22 *2016”.*

23 **SEC. 1090. MINE COUNTERMEASURES MASTER PLAN AND**
24 **REPORT.**

25 (a) *MASTER PLAN REQUIRED.—*

1 (1) *PLAN REQUIRED.*—At the same time the
2 budget is submitted to Congress for each of fiscal
3 years 2018 through 2023, the Secretary of the Navy
4 shall submit to the congressional defense committees a
5 mine countermeasures (in this section referred to as
6 “MCM”) master plan.

7 (2) *ELEMENTS.*—Each MCM master plan sub-
8 mitted under paragraph (1) shall include each of the
9 following:

10 (A) An evaluation of the capabilities, capaci-
11 ties, requirements, and readiness levels of the de-
12 fensive capabilities of the Navy for MCM, includ-
13 ing an assessment of—

14 (i) the dedicated MCM force; and

15 (ii) the capabilities of ships, aircraft,
16 and submarines that are not yet dedicated
17 to MCM but could be modified to carry
18 MCM capabilities.

19 (B) An evaluation of the ability of com-
20 manders—

21 (i) to properly command and control
22 air and surface MCM forces from the fleet
23 to the unit level; and

24 (ii) to provide necessary operational
25 and tactical control and awareness of such

1 *forces to facilitate mission accomplishment*
2 *and defense.*

3 *(C) An assessment of—*

4 *(i) technologies having promising po-*
5 *tential to improve MCM; and*

6 *(ii) programs for transitioning such*
7 *technologies from the testing and evaluation*
8 *phases to procurement.*

9 *(D) A fiscal plan to support the master*
10 *plan through the Future Years Defense Plan.*

11 *(E) A plan for inspection of each asset with*
12 *MCM responsibilities, requirements, and capa-*
13 *bilities, which shall include proposed methods to*
14 *ensure the material readiness of each asset and*
15 *the training level of the force, a general sum-*
16 *mary, and readiness trends.*

17 *(3) FORM OF SUBMISSION.—Each MCM master*
18 *plan submitted under paragraph (1) shall be in un-*
19 *classified form, but may include a classified annex*
20 *addressing the capability and capacity to meet oper-*
21 *ational plans and contingency requirements.*

22 *(b) REPORT TO CONGRESS.—*

23 *(1) REPORT REQUIRED.—Not later than one*
24 *year after the date of the enactment of this Act, the*
25 *Secretary of the Navy shall submit to the congres-*

1 sional defense committees a report that contains the
2 recommendations of the Secretary—

3 (A) regarding MCM force structure; and

4 (B) ensuring the operational effectiveness of
5 the surface MCM force through 2025 based on
6 current capabilities and capacity, replacement
7 schedules, and service life extensions or retire-
8 ment schedules.

9 (2) *ELEMENTS.*—The report submitted under
10 paragraph (1) shall include the following:

11 (A) An assessment of the MCM vessels, in-
12 cluding the decommissioned MCM-1 and MCM-
13 2 ships and the potential of such ships for re-
14 serve operating status.

15 (B) An assessment of the Littoral Combat
16 Ship MCM mission package increment one per-
17 formance against the initial operational test and
18 evaluation criteria.

19 (C) An assessment of other commercially
20 available MCM systems that could supplement or
21 supplant Littoral Combat Ship MCM mission
22 package systems.

1 **SEC. 1091. CONGRESSIONAL NOTIFICATION AND BRIEFING**
2 **REQUIREMENT ON ORDERED EVACUATIONS**
3 **OF UNITED STATES EMBASSIES AND CON-**
4 **SULATES INVOLVING SUPPORT PROVIDED BY**
5 **THE DEPARTMENT OF DEFENSE.**

6 (a) *NOTIFICATION REQUIREMENT.*—*The Secretary of*
7 *Defense and the Secretary of State shall provide notification*
8 *to the appropriate congressional committees as soon as*
9 *practicable upon the initiation of an ordered evacuation of*
10 *a United States embassy or consulate involving support*
11 *provided by the Department of Defense.*

12 (b) *BRIEFING REQUIREMENT.*—*The Secretary of De-*
13 *fense and the Secretary of State shall provide a briefing*
14 *to the appropriate congressional committees not later than*
15 *15 days after the initiation of an ordered evacuation of a*
16 *United States embassy or consulate involving support pro-*
17 *vided by the Department of Defense.*

18 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
19 *FINED.*—*In this section, the term “appropriate congres-*
20 *sional committees” means—*

21 (1) *the congressional defense committees; and*

22 (2) *the Committee on Foreign Relations of the*
23 *Senate and the Committee on Foreign Affairs of the*
24 *House of Representatives.*

1 **SEC. 1092. INTERAGENCY HOSTAGE RECOVERY COORDI-**
2 **NATOR.**

3 (a) *INTERAGENCY HOSTAGE RECOVERY COORDI-*
4 *NATOR.*—

5 (1) *IN GENERAL.*—*Not later than 60 days after*
6 *the date of the enactment of this Act, the President*
7 *shall designate an existing Federal official to coordi-*
8 *nate efforts to secure the release of United States per-*
9 *sons who are hostages held abroad. For purposes of*
10 *carrying out the duties described in paragraph (2),*
11 *such official shall have the title of “Interagency Hos-*
12 *tage Recovery Coordinator”.*

13 (2) *DUTIES.*—*The Coordinator shall have the fol-*
14 *lowing duties:*

15 (A) *Coordinate activities of the Federal*
16 *Government relating to each hostage situation*
17 *described in paragraph (1) to ensure efforts to*
18 *secure the release of hostages are properly*
19 *resourced and correct lines of authority are es-*
20 *tablished and maintained.*

21 (B) *Chair a fusion cell consisting of appro-*
22 *priate personnel of the Federal Government with*
23 *purview over each hostage situation described in*
24 *paragraph (1).*

25 (C) *Ensure sufficient representation of each*
26 *Federal agency and department at each fusion*

1 *cell established under subparagraph (B) and*
2 *issue procedures for adjudication and appeal.*

3 *(D) Develop processes and procedures to*
4 *keep family members of hostages described in*
5 *paragraph (1) informed of the status of such hos-*
6 *tages, inform such family members of updates*
7 *that do not compromise the national security of*
8 *the United States, and coordinate with the Fed-*
9 *eral Government's family engagement coordi-*
10 *nator or other designated senior representative.*

11 ***(b) QUARTERLY REPORT AND BRIEFING.—***

12 ***(1) REPORT.—***

13 ***(A) IN GENERAL.—****On a quarterly basis, the*
14 *Coordinator shall submit to the appropriate con-*
15 *gressional committees a report that includes a*
16 *summary of each hostage situation described in*
17 *subsection (a)(1).*

18 ***(B) FORM OF REPORT.—****Each report under*
19 *this subparagraph (A) may be submitted in clas-*
20 *sified or unclassified form.*

21 ***(2) BRIEFING.—****On a quarterly basis, the Coor-*
22 *dinator shall provide to the Senators representing the*
23 *State, and the Member, Delegate, or Resident Com-*
24 *missioner of the House of Representatives representing*
25 *the district, where a hostage described in subsection*

1 (a)(1) resides a briefing with respect to the status of
2 such hostage.

3 (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*
4 *DEFINED.—In this section, the term “appropriate*
5 *congressional committees” means—*

6 (A) *the Committee on Armed Services, the*
7 *Committee on the Judiciary, the Permanent Se-*
8 *lect Committee on Intelligence, and the Com-*
9 *mittee on Foreign Affairs of the House of Rep-*
10 *resentatives; and*

11 (B) *the Committee on Armed Services, the*
12 *Committee on the Judiciary, the Select Com-*
13 *mittee on Intelligence, and the Committee on*
14 *Foreign Relations of the Senate.*

15 **SEC. 1093. SENSE OF CONGRESS ON THE INADVERTENT**
16 **TRANSFER OF ANTHRAX FROM THE DEPART-**
17 **MENT OF DEFENSE.**

18 *It is the sense of Congress that—*

19 (1) *the inadvertent transfer of live Bacillus*
20 *anthracis, also known as anthrax, from an Army lab-*
21 *oratory to numerous laboratories located in many*
22 *States and several countries that was discovered in*
23 *May 2015 represents a serious safety lapse;*

24 (2) *the Department of Defense, in cooperation*
25 *with the Centers for Disease Control and Prevention,*

1 *should continue to investigate the cause of this lapse*
 2 *and determine what protective protocols should be*
 3 *strengthened;*

4 *(3) the Department of Defense should reassess all*
 5 *Select Agent standards on a regular basis to ensure*
 6 *they are current and effective to prevent a reoccur-*
 7 *rence; and*

8 *(4) the Department of Defense should keep Con-*
 9 *gress apprised of the investigation, any potential pub-*
 10 *lic health or safety risk, corrective actions taken, and*
 11 *plans to regularly reassess standards.*

12 **SEC. 1094. MODIFICATION OF CERTAIN REQUIREMENTS AP-**
 13 **PLICABLE TO MAJOR MEDICAL FACILITY**
 14 **LEASE FOR A DEPARTMENT OF VETERANS AF-**
 15 **FAIRS OUTPATIENT CLINIC IN TULSA, OKLA-**
 16 **HOMA.**

17 *Section 601(b) of the Veterans Access, Choice, and Ac-*
 18 *countability Act of 2014 (Public Law 113–146; 128 Stat.*
 19 *1793) is amended—*

20 *(1) by striking “IN TULSA.—” and all that fol-*
 21 *lows through “In carrying out” and inserting “IN*
 22 *TULSA.—In carrying out”;*

23 *(2) by striking paragraph (2);*

24 *(3) by redesignating subparagraphs (A) through*
 25 *(E) as paragraphs (1) through (5), respectively, and*

1 *adjusting the indentation of the margin of such para-*
2 *graphs, as so redesignated, two ems to the left;*

3 *(4) in paragraph (1), as so redesignated, by*
4 *striking “140,000 gross square feet” and inserting*
5 *“140,000 net usable square feet”;*

6 *(5) in paragraph (2), as so redesignated, by*
7 *striking “not more than the average” and all that fol-*
8 *lows and inserting “not more than the average of*
9 *equivalent medical facility leases executed by the De-*
10 *partment of Veterans Affairs over the last five years,*
11 *plus 20 percent;”;* and

12 *(6) in paragraph (5), as so redesignated, by*
13 *striking “30-year life cycle” and inserting “20-year*
14 *life cycle”.*

15 **SEC. 1095. AUTHORIZATION OF FISCAL YEAR 2015 MAJOR**
16 **MEDICAL FACILITY PROJECTS OF THE DE-**
17 **PARTMENT OF VETERANS AFFAIRS.**

18 *(a) AUTHORIZATION.—The Secretary of Veterans Af-*
19 *airs may carry out the following major medical facility*
20 *projects in fiscal year 2015, with each project to be carried*
21 *out in an amount not to exceed the amount specified for*
22 *that project:*

23 *(1) Construction of a community living center,*
24 *outpatient clinic, renovated domiciliary, and renova-*

1 *tion of existing buildings in Canandaigua, New York,*
2 *in an amount not to exceed \$158,980,000.*

3 *(2) Seismic corrections to the mental health and*
4 *community living center in Long Beach, California,*
5 *in an amount not to exceed \$126,100,000.*

6 *(3) Seismic correction of 12 buildings in West*
7 *Los Angeles, California, in an amount not to exceed*
8 *\$70,500,000.*

9 *(4) Construction of a spinal cord injury building*
10 *and seismic corrections in San Diego, California, in*
11 *an amount not to exceed \$205,840,000.*

12 *(b) AUTHORIZATION OF APPROPRIATIONS.—There is*
13 *authorized to be appropriated to the Secretary of Veterans*
14 *Affairs for fiscal year 2015 or the year in which funds are*
15 *appropriated for the Construction, Major Projects, account,*
16 *a total of \$561,420,000 for the projects authorized in sub-*
17 *section (a).*

18 **SEC. 1096. DESIGNATION OF CONSTRUCTION AGENT FOR**
19 **CERTAIN CONSTRUCTION PROJECTS BY DE-**
20 **PARTMENT OF VETERANS AFFAIRS.**

21 *(a) IN GENERAL.—The Secretary of Veterans Affairs*
22 *shall seek to enter into an agreement subject to subsections*
23 *(b), (c), and (e) of section 1535 of title 31, United States*
24 *Code, with the Army Corps of Engineers or another entity*
25 *of the Federal Government to serve, on a reimbursable basis,*

1 *as the construction agent for the construction, alteration,*
2 *or acquisition of any medical facility of the Department*
3 *of Veterans Affairs specifically authorized by Congress after*
4 *the date of the enactment of this Act that involves a total*
5 *expenditure of more than \$100,000,000, excluding any ac-*
6 *quisition by exchange.*

7 **(b) AGREEMENT.**—*Under the agreement entered into*
8 *under subsection (a), the construction agent shall provide*
9 *design, procurement, and construction management services*
10 *for the construction, alteration, and acquisition of medical*
11 *facilities of the Department.*

12 **SEC. 1097. DEPARTMENT OF DEFENSE STRATEGY FOR**
13 **COUNTERING UNCONVENTIONAL WARFARE.**

14 **(a) STRATEGY REQUIRED.**—*The Secretary of Defense*
15 *shall, in consultation with the Chairman of the Joint Chiefs*
16 *of Staff and the heads of other appropriate departments and*
17 *agencies of the United States Government, develop a strat-*
18 *egy for the Department of Defense to counter unconven-*
19 *tional warfare threats posed by adversarial state and non-*
20 *state actors.*

21 **(b) ELEMENTS.**—*The strategy required under sub-*
22 *section (a) shall include each of the following:*

23 **(1)** *An articulation of the activities that con-*
24 *stitute unconventional warfare threats to the United*
25 *States and allies.*

1 (2) *A clarification of the roles and responsibil-*
2 *ities of the Department of Defense in providing indi-*
3 *cations and warning of, and protection against, acts*
4 *of unconventional warfare.*

5 (3) *An analysis of the adequacy of current au-*
6 *thorities and command structures necessary for coun-*
7 *tering unconventional warfare.*

8 (4) *An articulation of the goals and objectives of*
9 *the Department of Defense with respect to countering*
10 *unconventional warfare threats.*

11 (5) *An articulation of related or required inter-*
12 *agency capabilities and whole-of-Government activi-*
13 *ties required by the Department of Defense to support*
14 *a counter-unconventional warfare strategy.*

15 (6) *Recommendations for improving the counter-*
16 *unconventional warfare capabilities, authorities, and*
17 *command structures of the Department of Defense.*

18 (7) *Recommendations for improving interagency*
19 *coordination and support mechanisms with respect to*
20 *countering unconventional warfare threats.*

21 (8) *Recommendations for the establishment of*
22 *joint doctrine to support counter-unconventional war-*
23 *fare capabilities within the Department of Defense.*

24 (9) *Any other matters the Secretary of Defense*
25 *considers appropriate.*

1 (c) *SUBMITTAL TO CONGRESS.*—Not later than 180
 2 days after the date of the enactment of this Act, the Sec-
 3 retary of Defense shall submit to the congressional defense
 4 committees the strategy required by subsection (a). The
 5 strategy shall be submitted in unclassified form, but may
 6 include a classified annex.

7 (d) *UNCONVENTIONAL WARFARE DEFINED.*—In this
 8 section, the term “unconventional warfare” means activities
 9 conducted to enable a resistance movement or insurgency
 10 to coerce, disrupt, or overthrow a government or occupying
 11 power by operating through or with an underground, auxil-
 12 iary, or guerrilla force in a denied area.

13 **TITLE XI—CIVILIAN PERSONNEL**
 14 **MATTERS**

Sec. 1101. Procedures for reduction in force of Department of Defense civilian personnel.

Sec. 1102. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

Sec. 1103. Extension of rate of overtime pay for Department of the Navy employees performing work aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan.

Sec. 1104. Modification to temporary authorities for certain positions at Department of Defense research and engineering facilities.

Sec. 1105. Required probationary period for new employees of the Department of Defense.

Sec. 1106. Delay of periodic step increase for civilian employees of the Department of Defense based upon unacceptable performance.

Sec. 1107. United States Cyber Command workforce.

Sec. 1108. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

Sec. 1109. Pilot program on dynamic shaping of the workforce to improve the technical skills and expertise at certain Department of Defense laboratories.

Sec. 1110. Pilot program on temporary exchange of financial management and acquisition personnel.

Sec. 1111. Pilot program on enhanced pay authority for certain acquisition and technology positions in the Department of Defense.

Sec. 1112. Pilot program on direct hire authority for veteran technical experts into the defense acquisition workforce.

Sec. 1113. Direct hire authority for technical experts into the defense acquisition workforce.

1 **SEC. 1101. PROCEDURES FOR REDUCTION IN FORCE OF DE-**
 2 **PARTMENT OF DEFENSE CIVILIAN PER-**
 3 **SONNEL.**

4 (a) *PROCEDURES.*—Section 1597 of title 10, United
 5 States Code, is amended by adding at the end the following
 6 new subsection:

7 “(f) *REDUCTIONS BASED PRIMARILY ON PERFORM-*
 8 *ANCE.*—The Secretary of Defense shall establish procedures
 9 to provide that, in implementing any reduction in force for
 10 civilian positions in the Department of Defense in the com-
 11 petitive service or the excepted service, the determination
 12 of which employees shall be separated from employment in
 13 the Department shall be made primarily on the basis of
 14 performance, as determined under any applicable perform-
 15 ance management system.”.

16 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
 17 that the Secretary of Defense should proceed with the col-
 18 laborative work with employee representatives on the “New
 19 Beginnings” performance management and workforce in-
 20 centive system authorized under section 1113 of the Na-
 21 tional Defense Authorization Act for Fiscal Year 2010 (Pub-

1 *lic Law 111–84; 5 U.S.C. 9902 note) and begin implemen-*
2 *tation of the new system at the earliest possible date.*

3 **SEC. 1102. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
4 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
5 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
6 **FICIAL DUTY IN A COMBAT ZONE.**

7 *Paragraph (2) of section 1603(a) of the Emergency*
8 *Supplemental Appropriations Act for Defense, the Global*
9 *War on Terror, and Hurricane Recovery, 2006 (Public Law*
10 *109–234; 120 Stat. 443), as added by section 1102 of the*
11 *Duncan Hunter National Defense Authorization Act for*
12 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)*
13 *and as most recently amended by section 1102 of the Na-*
14 *tional Defense Authorization Act for Fiscal Year 2015 (Pub-*
15 *lic Law 113–291; 128 Stat. 3525), is further amended by*
16 *striking “2016” and inserting “2017”.*

17 **SEC. 1103. EXTENSION OF RATE OF OVERTIME PAY FOR DE-**
18 **PARTMENT OF THE NAVY EMPLOYEES PER-**
19 **FORMING WORK ABOARD OR DOCKSIDE IN**
20 **SUPPORT OF THE NUCLEAR-POWERED AIR-**
21 **CRAFT CARRIER FORWARD DEPLOYED IN**
22 **JAPAN.**

23 *Section 5542(a)(6)(B) of title 5, United States Code,*
24 *is amended by striking “September 30, 2015” and inserting*
25 *“September 30, 2017”.*

1 **SEC. 1104. MODIFICATION TO TEMPORARY AUTHORITIES**
2 **FOR CERTAIN POSITIONS AT DEPARTMENT**
3 **OF DEFENSE RESEARCH AND ENGINEERING**
4 **FACILITIES.**

5 *Section 1107 of the National Defense Authorization*
6 *Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat.*
7 *888) is amended—*

8 *(1) in subsection (a), by adding at the end the*
9 *following:*

10 *“(4) NONCOMPETITIVE CONVERSION TO PERMA-*
11 *NENT APPOINTMENT.—With respect to any student*
12 *appointed by the director of an STRL under para-*
13 *graph (3) to a temporary or term appointment, upon*
14 *graduation from the applicable institution of higher*
15 *education (as defined in such paragraph), the director*
16 *may noncompetitively convert such student to a per-*
17 *manent appointment within the STRL without re-*
18 *gard to the provisions of subchapter I of chapter 33*
19 *of title 5, United States Code (other than sections*
20 *3303 and 3328 of such title), provided the student*
21 *meets all eligibility and Office of Personnel Manage-*
22 *ment qualification requirements for the position.”;*

23 *(2) in subsection (c)(1), by striking “3 percent”*
24 *and inserting “6 percent”;*

25 *(3) in subsection (c)(2), by striking “1 percent”*
26 *and inserting “3 percent”; and*

1 (4) in subsection (f)(2), by striking “1 percent”
2 and inserting “2 percent”.

3 **SEC. 1105. REQUIRED PROBATIONARY PERIOD FOR NEW**
4 **EMPLOYEES OF THE DEPARTMENT OF DE-**
5 **FENSE.**

6 (a) *REQUIRED PROBATIONARY PERIOD.*—

7 (1) *IN GENERAL.*—Chapter 81 of title 10, United
8 States Code, is amended by adding at the end the fol-
9 lowing new section:

10 **“§ 1599e. Probationary period for employees**

11 “(a) *IN GENERAL.*—Notwithstanding sections 3321
12 and 3393(d) of title 5, the appointment of a covered em-
13 ployee shall become final only after such employee has
14 served a probationary period of two years. The Secretary
15 concerned may extend a probationary period under this
16 subsection at the discretion of such Secretary.

17 “(b) *DEFINITIONS.*—In this section:

18 “(1) The term ‘covered employee’ means any in-
19 dividual—

20 “(A) appointed to a permanent position
21 within the competitive service at the Department
22 of Defense; or

23 “(B) appointed as a career appointee (as
24 that term is defined in section 3132(a)(4) of title

1 5) *within the Senior Executive Service at the*
2 *Department.*

3 “(2) *The term ‘Secretary concerned’ includes the*
4 *Secretary of Defense with respect to employees of the*
5 *Department of Defense who are not employees of a*
6 *military department.*

7 “(c) *EMPLOYMENT BECOMES FINAL.—Upon the expi-*
8 *ration of a covered employee’s probationary period under*
9 *subsection (a), the supervisor of the employee shall deter-*
10 *mine whether the appointment becomes final based on regu-*
11 *lations prescribed for such purpose by the Secretary of De-*
12 *fense.*

13 “(d) *APPLICATION OF CHAPTER 75 OF TITLE 5 FOR*
14 *EMPLOYEES IN THE COMPETITIVE SERVICE.—With respect*
15 *to any individual described in subsection (b)(1)(A) and to*
16 *whom this section applies, section 7501(1) and section*
17 *7511(a)(1)(A)(ii) of title 5 shall be applied to such indi-*
18 *vidual by substituting ‘completed 2 years’ for ‘completed 1*
19 *year’ in each instance it appears.”.*

20 “(2) *CLERICAL AMENDMENT.—The table of sec-*
21 *tions at the beginning of chapter 81 of such title is*
22 *amended by adding at the end the following new item:*
23 *“1599e. Probationary period for employees.”.*

24 “(b) *APPLICATION.—The amendment made by sub-*
25 *section (a) shall apply to any covered employee (as that*
 term is defined in section 1599e of title 10, United States

1 Code, as added by such subsection) appointed after the date
2 of the enactment of this section.

3 (c) *CONFORMING AMENDMENTS.*—Title 5, United
4 States Code, is amended—

5 (1) in section 3321(c), by inserting at the end be-
6 fore the period the following: “, or any individual
7 covered by section 1599e of title 10”;

8 (2) in section 3393(d), by adding at the end the
9 following: “The preceding sentence shall not apply to
10 any individual covered by section 1599e of title 10.”;

11 (3) in section 7501(1), by striking “or who” and
12 inserting “or, except as provided in section 1599e of
13 title 10, who”;

14 (4) in section 7511(a)(1)(A)(ii), by inserting
15 “except as provided in section 1599e of title 10,” be-
16 fore “who”; and

17 (5) in section 7541(1)(A), by inserting “or sec-
18 tion 1599e of title 10” after “this title”.

19 **SEC. 1106. DELAY OF PERIODIC STEP INCREASE FOR CIVIL-**
20 **IAN EMPLOYEES OF THE DEPARTMENT OF DE-**
21 **FENSE BASED UPON UNACCEPTABLE PER-**
22 **FORMANCE.**

23 (a) *DELAY.*—Under procedures established by the Sec-
24 retary of Defense, upon a determination by the Secretary
25 that the work of an employee is not at an acceptable level

1 of competence, the period of time during which the work
2 of the employee is not at an acceptable level of competence
3 shall not count toward completion of the period of service
4 required for purposes of subsection (a) of section 5335 of
5 title 5, United States Code, or subsection (e)(1) or (e)(2)
6 of section 5343 of such title.

7 (b) *APPLICABILITY TO PERIODS OF SERVICE.*—Sub-
8 section (a) shall not apply with respect to any period of
9 service performed before the date of the enactment of this
10 Act.

11 **SEC. 1107. UNITED STATES CYBER COMMAND WORKFORCE.**

12 (a) *IN GENERAL.*—Chapter 81 of title 10, United
13 States Code, as amended by section 1105, is further amend-
14 ed by adding at the end the following new section:

15 **“§ 1599f. United States Cyber Command recruitment**
16 **and retention**

17 “(a) *GENERAL AUTHORITY.*—(1) *The Secretary of De-*
18 *fense may—*

19 “(A) *establish, as positions in the excepted serv-*
20 *ice, such qualified positions in the Department of De-*
21 *fense as the Secretary determines necessary to carry*
22 *out the responsibilities of the United States Cyber*
23 *Command, including—*

24 “(i) *positions held by staff of the head-*
25 *quarters of the United States Cyber Command;*

1 “(ii) positions held by elements of the
2 United States Cyber Command enterprise relat-
3 ing to cyberspace operations, including elements
4 assigned to the Joint Task Force-Department of
5 Defense Information Networks; and

6 “(iii) positions held by elements of the mili-
7 tary departments supporting the United States
8 Cyber Command;

9 “(B) appoint an individual to a qualified posi-
10 tion (after taking into consideration the availability
11 of preference eligibles for appointment to the posi-
12 tion); and

13 “(C) subject to the requirements of subsections
14 (b) and (c), fix the compensation of an individual for
15 service in a qualified position.

16 “(2) The authority of the Secretary under this sub-
17 section applies without regard to the provisions of any other
18 law relating to the appointment, number, classification, or
19 compensation of employees.

20 “(b) BASIC PAY.—(1) In accordance with this section,
21 the Secretary shall fix the rates of basic pay for any quali-
22 fied position established under subsection (a)—

23 “(A) in relation to the rates of pay provided for
24 employees in comparable positions in the Department,
25 in which the employee occupying the comparable posi-

1 *tion performs, manages, or supervises functions that*
2 *execute the cyber mission of the Department; and*

3 *“(B) subject to the same limitations on max-*
4 *imum rates of pay established for such employees by*
5 *law or regulation.*

6 *“(2) The Secretary may—*

7 *“(A) consistent with section 5341 of title 5,*
8 *adopt such provisions of that title to provide for pre-*
9 *vailing rate systems of basic pay; and*

10 *“(B) apply those provisions to qualified posi-*
11 *tions for employees in or under which the Department*
12 *may employ individuals described by section*
13 *5342(a)(2)(A) of such title.*

14 *“(c) ADDITIONAL COMPENSATION, INCENTIVES, AND*
15 *ALLOWANCES.—(1) The Secretary may provide employees*
16 *in qualified positions compensation (in addition to basic*
17 *pay), including benefits, incentives, and allowances, con-*
18 *sistent with, and not in excess of the level authorized for,*
19 *comparable positions authorized by title 5.*

20 *“(2) An employee in a qualified position whose rate*
21 *of basic pay is fixed under subsection (b)(1) shall be eligible*
22 *for an allowance under section 5941 of title 5 on the same*
23 *basis and to the same extent as if the employee was an em-*
24 *ployee covered by such section, including eligibility condi-*

1 *tions, allowance rates, and all other terms and conditions*
2 *in law or regulation.*

3 “(d) *IMPLEMENTATION PLAN REQUIRED.*—*The au-*
4 *thority granted in subsection (a) shall become effective 30*
5 *days after the date on which the Secretary of Defense pro-*
6 *vides to the congressional defense committees a plan for im-*
7 *plementation of such authority. The plan shall include the*
8 *following:*

9 “(1) *An assessment of the current scope of the*
10 *positions covered by the authority.*

11 “(2) *A plan for the use of the authority.*

12 “(3) *An assessment of the anticipated workforce*
13 *needs of the United States Cyber Command across the*
14 *future-years defense plan.*

15 “(4) *Other matters as appropriate.*

16 “(e) *COLLECTIVE BARGAINING AGREEMENTS.*—*Noth-*
17 *ing in subsection (a) may be construed to impair the con-*
18 *tinued effectiveness of a collective bargaining agreement*
19 *with respect to an office, component, subcomponent, or*
20 *equivalent of the Department that is a successor to an office,*
21 *component, subcomponent, or equivalent of the Department*
22 *covered by the agreement before the succession.*

23 “(f) *REQUIRED REGULATIONS.*—*The Secretary, in co-*
24 *ordination with the Director of the Office of Personnel Man-*

1 agement, shall prescribe regulations for the administration
2 of this section.

3 “(g) ANNUAL REPORT.—(1) Not later than one year
4 after the date of the enactment of this section and not less
5 frequently than once each year thereafter until the date that
6 is five years after the date of the enactment of this section,
7 the Director of the Office of Personnel Management, in co-
8 ordination with the Secretary, shall submit to the appro-
9 priate committees of Congress a detailed report on the ad-
10 ministration of this section during the most recent one-year
11 period.

12 “(2) Each report submitted under paragraph (1) shall
13 include, for the period covered by the report, the following:

14 “(A) A discussion of the process used in accept-
15 ing applications, assessing candidates, ensuring ad-
16 herence to veterans’ preference, and selecting appli-
17 cants for vacancies to be filled by an individual for
18 a qualified position.

19 “(B) A description of the following:

20 “(i) How the Secretary plans to fulfill the
21 critical need of the Department to recruit and
22 retain employees in qualified positions.

23 “(ii) The measures that will be used to
24 measure progress.

1 “(iii) Any actions taken during the report-
2 ing period to fulfill such critical need.

3 “(C) A discussion of how the planning and ac-
4 tions taken under subparagraph (B) are integrated
5 into the strategic workforce planning of the Depart-
6 ment.

7 “(D) The metrics on actions occurring during
8 the reporting period, including the following:

9 “(i) The number of employees in qualified
10 positions hired, disaggregated by occupation,
11 grade, and level or pay band.

12 “(ii) The placement of employees in quali-
13 fied positions, disaggregated by military depart-
14 ment, Defense Agency, or other component with-
15 in the Department.

16 “(iii) The total number of veterans hired.

17 “(iv) The number of separations of employ-
18 ees in qualified positions, disaggregated by occu-
19 pation and grade and level or pay band.

20 “(v) The number of retirements of employees
21 in qualified positions, disaggregated by occupa-
22 tion, grade, and level or pay band.

23 “(vi) The number and amounts of recruit-
24 ment, relocation, and retention incentives paid

1 to employees in qualified positions, disaggregated
2 by occupation, grade, and level or pay band.

3 “(E) A description of the training provided to
4 supervisors of employees in qualified positions at the
5 Department on the use of the new authorities.

6 “(h) *THREE-YEAR PROBATIONARY PERIOD.*—The pro-
7 bationary period for all employees hired under the author-
8 ity established in this section shall be three years.

9 “(i) *INCUMBENTS OF EXISTING COMPETITIVE SERVICE*
10 *POSITIONS.*—(1) An individual occupying a position on the
11 date of the enactment of this section that is selected to be
12 converted to a position in the excepted service under this
13 section shall have the right to refuse such conversion.

14 “(2) After the date on which an individual who refuses
15 a conversion under paragraph (1) stops serving in the posi-
16 tion selected to be converted, the position may be converted
17 to a position in the excepted service.

18 “(j) *DEFINITIONS.*—In this section:

19 “(1) The term ‘appropriate committees of Con-
20 gress’ means—

21 “(A) the Committee on Armed Services, the
22 Committee on Homeland Security and Govern-
23 mental Affairs, and the Committee on Appro-
24 priations of the Senate; and

1 “(B) *the Committee on Armed Services, the*
2 *Committee on Oversight and Government Re-*
3 *form, and the Committee on Appropriations of*
4 *the House of Representatives.*

5 “(2) *The term ‘collective bargaining agreement’*
6 *has the meaning given that term in section*
7 *7103(a)(8) of title 5.*

8 “(3) *The term ‘excepted service’ has the meaning*
9 *given that term in section 2103 of title 5.*

10 “(4) *The term ‘preference eligible’ has the mean-*
11 *ing given that term in section 2108(3) of title 5.*

12 “(5) *The term ‘qualified position’ means a posi-*
13 *tion, designated by the Secretary for the purpose of*
14 *this section, in which the individual occupying such*
15 *position performs, manages, or supervises functions*
16 *that execute the responsibilities of the United States*
17 *Cyber Command relating to cyber operations.*

18 “(6) *The term ‘Senior Executive Service’ has the*
19 *meaning given that term in section 2101a of title 5.”.*

20 (b) *CONFORMING AMENDMENT.—Section 3132(a)(2) of*
21 *title 5, United States Code, is amended in the matter fol-*
22 *lowing subparagraph (E)—*

23 (1) *in clause (ii), by striking “or” at the end;*

24 (2) *in clause (iii), by inserting “or” after the*
25 *semicolon; and*

1 (3) by inserting after clause (iii) the following
2 new clause:

3 “(iv) any position established as a qualified po-
4 sition in the excepted service by the Secretary of De-
5 fense under section 1599f of title 10;”.

6 (c) *CLERICAL AMENDMENT.*—The table of sections at
7 the beginning of chapter 81 of title 10, United States Code,
8 as amended by section 1105, is further amended by adding
9 at the end the following new item:

 “1599f. United States Cyber Command recruitment and retention.”.

10 **SEC. 1108. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
11 **ANNUAL LIMITATION ON PREMIUM PAY AND**
12 **AGGREGATE LIMITATION ON PAY FOR FED-**
13 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
14 **SEAS.**

15 Effective January 1, 2016, section 1101(a) of the Dun-
16 can Hunter National Defense Authorization Act for Fiscal
17 Year 2009 (Public Law 110–417; 122 Stat. 4615), as most
18 recently amended by section 1101 of the Carl Levin and
19 Howard P. “Buck” McKeon National Defense Authoriza-
20 tion Act for Fiscal Year 2015 (Public Law 113–291), is
21 further amended by striking “through 2015” and inserting
22 “through 2016”.

1 **SEC. 1109. PILOT PROGRAM ON DYNAMIC SHAPING OF THE**
2 **WORKFORCE TO IMPROVE THE TECHNICAL**
3 **SKILLS AND EXPERTISE AT CERTAIN DEPART-**
4 **MENT OF DEFENSE LABORATORIES.**

5 (a) *PILOT PROGRAM REQUIRED.*—*The Secretary of*
6 *Defense shall establish a pilot program to utilize the au-*
7 *thorities specified in subsection (b) at the Department of*
8 *Defense laboratories specified in subsection (c) to provide*
9 *the directors of such laboratories the authority to dynami-*
10 *cally shape the mix of technical skills and expertise in the*
11 *workforces of such laboratories in order to achieve one or*
12 *more of the following:*

13 (1) *To meet organizational and Department-des-*
14 *ignated missions in the most cost-effective and effi-*
15 *cient manner.*

16 (2) *To upgrade and enhance the scientific qual-*
17 *ity of the workforces of such laboratories.*

18 (3) *To shape such workforces to better respond to*
19 *such missions.*

20 (4) *To reduce the average unit cost of such*
21 *workforces.*

22 (b) *WORKFORCE SHAPING AUTHORITIES.*—*The au-*
23 *thorities that shall be available for use by the director of*
24 *a Department of Defense laboratory under the pilot pro-*
25 *gram are the following:*

1 (1) *FLEXIBLE LENGTH AND RENEWABLE TERM*
2 *TECHNICAL APPOINTMENTS.*—

3 (A) *IN GENERAL.*—*Subject to the provisions*
4 *of this paragraph, authority otherwise available*
5 *to the director by law (and within the available*
6 *budgetary resources of the laboratory) to appoint*
7 *qualified scientific and technical personnel who*
8 *are not currently Department of Defense civilian*
9 *employees into any scientific or technical posi-*
10 *tion in the laboratory for a period of more than*
11 *one year but not more than six years.*

12 (B) *BENEFITS.*—*Personnel appointed under*
13 *this paragraph shall be provided with benefits*
14 *comparable to those provided to similar employ-*
15 *ees at the laboratory concerned, including profes-*
16 *sional development opportunities, eligibility for*
17 *all laboratory awards programs, and designation*
18 *as “status applicants” for the purposes of eligi-*
19 *bility for positions in the Federal service.*

20 (C) *EXTENSION OF APPOINTMENTS.*—*The*
21 *appointment of any individual under this para-*
22 *graph may be extended without limit in up to*
23 *six year increments at any time during any*
24 *term of service under such conditions as the di-*

1 *rector concerned shall establish for purposes of*
2 *this paragraph.*

3 (D) *CONSTRUCTION WITH CERTAIN LIMITA-*
4 *TION.—For purposes of determining the work-*
5 *force size of a laboratory in connection with*
6 *compliance with section 955 of the National De-*
7 *fense Authorization Act for Fiscal Year 2013*
8 *(Public Law 112–239; 126 Stat. 1896; 10 U.S.C.*
9 *129a note), any individual serving in an ap-*
10 *pointment under this paragraph shall be treated*
11 *as a fractional employee of the laboratory, which*
12 *fraction is—*

13 (i) *the current term of appointment of*
14 *the individual under this paragraph; di-*
15 *vided by*

16 (ii) *the average length of tenure of a*
17 *career employee at the laboratory, as cal-*
18 *culated at the end of the last fiscal year*
19 *ending before the date of the most recent ap-*
20 *pointment or extension of the individual*
21 *under this paragraph.*

22 (2) *REEMPLOYMENT OF ANNUITANTS.—Authori-*
23 *ties to authorize the director of any science and tech-*
24 *nology reinvention laboratory (in this section referred*
25 *to as “STRL”) to reemploy annuitants in accordance*

1 with section 9902(g) of title 5, United States Code,
2 except that as a condition for reemployment the direc-
3 tor may authorize the deduction from the pay of any
4 annuitant so reemployed of an amount up to the
5 amount of the annuity otherwise payable to such an-
6 nuitant allocable to the period of actual employment
7 of such annuitant, which amount shall be determined
8 in a manner specified by the director for purposes of
9 this paragraph to ensure the most cost effective execu-
10 tion of designated missions by the laboratory while
11 retaining critical technical skills.

12 (3) *EARLY RETIREMENT INCENTIVES.*—Authori-
13 ties to authorize the director of any STRL to author-
14 ize voluntary early retirement of employees in accord-
15 ance with section 8336 of title 5, United States Code,
16 without regard to section 8336(d)(2)(D) or 3522 of
17 such title, and with employees so separated volun-
18 tarily from service.

19 (4) *SEPARATION INCENTIVE PAY.*—Authorities to
20 authorize the director of any STRL to pay voluntary
21 separation pay to employees in accordance with sec-
22 tion 8414(b)(1)(B) of title 5, United States Code,
23 without regard to clause (iv) or (v) of such section or
24 section 3522 of such title, and with—

1 (A) employees so separated voluntarily from
2 service under regulations prescribed by the Sec-
3 retary of Defense for purposes of the pilot pro-
4 gram; and

5 (B) payments to employees so separated au-
6 thorized under section 3523 of such title without
7 regard to—

8 (i) the plan otherwise required by sec-
9 tion 3522 of such title; and

10 (ii) paragraph (1) or (3) of section
11 3523(b) of such title.

12 (c) LABORATORIES.—The Department of Defense lab-
13 oratories specified in this subsection are the laboratories
14 specified in section 1105(a) of the National Defense Author-
15 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
16 Stat. 2486; 10 U.S.C. 2358 note).

17 (d) EXPIRATION.—

18 (1) IN GENERAL.—The authority in this section
19 shall expire on December 31, 2023.

20 (2) CONTINUATION OF AUTHORITIES EXERCISED
21 BEFORE TERMINATION.—The expiration in paragraph
22 (1) shall not be construed to effect the continuation
23 after the date specified in paragraph (1) of any term
24 of employment or other benefit authorized under this

1 *section before that date in accordance with the terms*
 2 *of such authorization.*

3 **SEC. 1110. PILOT PROGRAM ON TEMPORARY EXCHANGE OF**
 4 **FINANCIAL MANAGEMENT AND ACQUISITION**
 5 **PERSONNEL.**

6 (a) *IN GENERAL.*—*The Secretary of Defense may*
 7 *carry out a pilot program to assess the feasibility and ad-*
 8 *visability of the temporary assignment of covered employees*
 9 *of the Department of Defense to nontraditional defense con-*
 10 *tractors and of covered employees of such contractors to the*
 11 *Department.*

12 (b) *COVERED EMPLOYEES; NONTRADITIONAL DE-*
 13 *FENSE CONTRACTORS.*—

14 (1) *COVERED EMPLOYEES.*—*An employee of the*
 15 *Department of Defense or a nontraditional Defense*
 16 *contractor is a covered employee for purposes of this*
 17 *section if the employee—*

18 (A) *works in the field of financial manage-*
 19 *ment or in the acquisition field;*

20 (B) *is considered by the Secretary of De-*
 21 *fense to be an exceptional employee; and*

22 (C) *is compensated at not less than the GS-*
 23 *11 level (or the equivalent).*

24 (2) *NONTRADITIONAL DEFENSE CONTRACTORS.*—

25 *For purposes of this section, the term “nontraditional*

1 *defense contractor” has the meaning given that term*
2 *in section 2302(9) of title 10, United States Code.*

3 *(c) AGREEMENTS.—*

4 *(1) IN GENERAL.—The Secretary of Defense shall*
5 *provide for a written agreement among the Depart-*
6 *ment of Defense, the nontraditional defense contractor*
7 *concerned, and the employee concerned regarding the*
8 *terms and conditions of the employee’s assignment*
9 *under this section.*

10 *(2) ELEMENTS.—An agreement under this sub-*
11 *section—*

12 *(A) shall require, in the case of an employee*
13 *of the Department, that upon completion of the*
14 *assignment, the employee will serve in the civil*
15 *service for a period at least equal to three times*
16 *the length of the assignment, unless the employee*
17 *is sooner involuntarily separated from the service*
18 *of the employee’s agency; and*

19 *(B) shall provide that if the employee of the*
20 *Department or of the contractor (as the case may*
21 *be) fails to carry out the agreement, or if the em-*
22 *ployee is voluntarily separated from the service*
23 *of the employee’s agency before the end of the pe-*
24 *riod stated in the agreement, the employee shall*
25 *be liable to the United States for payment of all*

1 *expenses of the assignment unless that failure or*
2 *voluntary separation was for good and sufficient*
3 *reason, as determined by the Secretary.*

4 (3) *DEBT TO THE UNITED STATES.*—*An amount*
5 *for which an employee is liable under paragraph*
6 *(2)(B) shall be treated as a debt due the United*
7 *States. The Secretary may waive, in whole or in part,*
8 *collection of such a debt based on a determination*
9 *that the collection would be against equity and good*
10 *conscience and not in the best interests of the United*
11 *States.*

12 (d) *TERMINATION.*—*An assignment under this section*
13 *may, at any time and for any reason, be terminated by*
14 *the Department of Defense or the nontraditional defense*
15 *contractor concerned.*

16 (e) *DURATION.*—*An assignment under this section*
17 *shall be for a period of not less than three months and not*
18 *more than one year.*

19 (f) *STATUS OF FEDERAL EMPLOYEES ASSIGNED TO*
20 *CONTRACTORS.*—*An employee of the Department of Defense*
21 *who is assigned to a nontraditional defense contractor*
22 *under this section shall be considered, during the period of*
23 *assignment, to be on detail to a regular work assignment*
24 *in the Department for all purposes. The written agreement*
25 *established under subsection (c) shall address the specific*

1 *terms and conditions related to the employee's continued*
2 *status as a Federal employee.*

3 (g) *TERMS AND CONDITIONS FOR PRIVATE SECTOR*
4 *EMPLOYEES.—An employee of a nontraditional defense*
5 *contractor who is assigned to a Department of Defense orga-*
6 *nization under this section—*

7 (1) *shall continue to receive pay and benefits*
8 *from the contractor from which such employee is as-*
9 *signed;*

10 (2) *shall be deemed to be an employee of the De-*
11 *partment of Defense for the purposes of—*

12 (A) *chapter 73 of title 5, United States*
13 *Code;*

14 (B) *sections 201, 203, 205, 207, 208, 209,*
15 *603, 606, 607, 643, 654, 1905, and 1913 of title*
16 *18, United States Code, and any other conflict of*
17 *interest statute;*

18 (C) *sections 1343, 1344, and 1349(b) of title*
19 *31, United States Code;*

20 (D) *chapter 171 and section 1346(b) of title*
21 *28, United States Code (popularly known as the*
22 *Federal Tort Claims Act), and any other Federal*
23 *tort liability statute;*

24 (E) *the Ethics in Government Act of 1978*
25 *(5 U.S.C. App. 101 et seq.);*

1 (F) chapter 21 of title 41, United States
2 Code; and

3 (G) subchapter I of chapter 81 of title 5,
4 United States Code, relating to compensation for
5 work-related injuries; and

6 (3) may not have access, while the employee is
7 assigned to a Department organization, to any trade
8 secrets or to any other nonpublic information which
9 is of commercial value to the contractor from which
10 such employee is assigned.

11 (h) *PROHIBITION AGAINST CHARGING CERTAIN COSTS*
12 *TO FEDERAL GOVERNMENT.*—A nontraditional defense con-
13 tractor may not charge the Department of Defense or any
14 other agency of the Federal Government, as direct or indi-
15 rect costs under a Federal contract, the costs of pay or bene-
16 fits paid by the contractor to an employee assigned to a
17 Department organization under this section for the period
18 of the assignment.

19 (i) *CONSIDERATION.*—In providing for assignments of
20 employees under this section, the Secretary of Defense shall
21 take into consideration the question of how assignments
22 might best be used to help meet the needs of the Department
23 of Defense with respect to the training of employees in fi-
24 nancial management or in acquisition.

25 (j) *NUMERICAL LIMITATIONS.*—

1 (1) *DEPARTMENT EMPLOYEES.*—*The number of*
2 *employees of the Department of Defense who may be*
3 *assigned to nontraditional defense contractors under*
4 *this section at any given time may not exceed the fol-*
5 *lowing:*

6 (A) *Five employees in the field of financial*
7 *management.*

8 (B) *Five employees in the acquisition field.*

9 (2) *NONTRADITIONAL DEFENSE CONTRACTOR EM-*
10 *PLOYEES.*—*The total number of nontraditional de-*
11 *fense contractor employees who may be assigned to the*
12 *Department under this section at any given time may*
13 *not exceed 10 such employees.*

14 (k) *TERMINATION OF AUTHORITY FOR ASSIGN-*
15 *MENTS.*—*No assignment of an employee may commence*
16 *under this section after September 30, 2019.*

17 **SEC. 1111. PILOT PROGRAM ON ENHANCED PAY AUTHORITY**
18 **FOR CERTAIN ACQUISITION AND TECH-**
19 **NOLOGY POSITIONS IN THE DEPARTMENT OF**
20 **DEFENSE.**

21 (a) *PILOT PROGRAM AUTHORIZED.*—*The Secretary of*
22 *Defense may carry out a pilot program to assess the feasi-*
23 *bility and advisability of using the pay authority specified*
24 *in subsection (d) to fix the rate of basic pay for positions*
25 *described in subsection (c) in order to assist the Office of*

1 *the Secretary of Defense and the military departments in*
2 *attracting and retaining high-quality acquisition and tech-*
3 *nology experts in positions responsible for managing and*
4 *developing complex, high-cost, technological acquisition ef-*
5 *forts of the Department of Defense.*

6 (b) *APPROVAL REQUIRED.—The pilot program may be*
7 *carried out only with approval as follows:*

8 (1) *Approval of the Under Secretary of Defense*
9 *for Acquisition, Technology, and Logistics, in the case*
10 *of positions in the Office of the Secretary of Defense.*

11 (2) *Approval of the Service Acquisition Execu-*
12 *tive of the military department concerned, in the case*
13 *of positions in a military department.*

14 (c) *POSITIONS.—The positions described in this sub-*
15 *section are positions that—*

16 (1) *require expertise of an extremely high level in*
17 *a scientific, technical, professional, or acquisition*
18 *management field; and*

19 (2) *are critical to the successful accomplishment*
20 *of an important acquisition or technology develop-*
21 *ment mission.*

22 (d) *RATE OF BASIC PAY.—The pay authority specified*
23 *in this subsection is authority as follows:*

24 (1) *Authority to fix the rate of basic pay for a*
25 *position at a rate not to exceed 150 percent of the rate*

1 of basic pay payable for level I of the Executive
2 Schedule, upon the approval of the Under Secretary
3 of Defense for Acquisition, Technology, and Logistics
4 or the Service Acquisition Executive concerned, as ap-
5 plicable.

6 (2) Authority to fix the rate of basic pay for a
7 position at a rate in excess of 150 percent of the rate
8 of basic pay payable for level I of the Executive
9 Schedule, upon the approval of the Secretary of De-
10 fense.

11 (e) LIMITATIONS.—

12 (1) IN GENERAL.—The authority in subsection
13 (a) may be used only to the extent necessary to com-
14 petitively recruit or retain individuals exceptionally
15 well qualified for positions described in subsection (c).

16 (2) NUMBER OF POSITIONS.—The authority in
17 subsection (a) may not be used with respect to more
18 than five positions in the Office of the Secretary of
19 Defense and more than five positions in each military
20 department at any one time.

21 (3) TERM OF POSITIONS.—The authority in sub-
22 section (a) may be used only for positions having
23 terms less than five years.

24 (f) TERMINATION.—

1 (1) *IN GENERAL.*—*The authority to fix rates of*
2 *basic pay for a position under this section shall ter-*
3 *minate on October 1, 2020.*

4 (2) *CONTINUATION OF PAY.*—*Nothing in para-*
5 *graph (1) shall be construed to prohibit the payment*
6 *after October 1, 2020, of basic pay at rates fixed*
7 *under this section before that date for positions whose*
8 *terms continue after that date.*

9 **SEC. 1112. PILOT PROGRAM ON DIRECT HIRE AUTHORITY**
10 **FOR VETERAN TECHNICAL EXPERTS INTO**
11 **THE DEFENSE ACQUISITION WORKFORCE.**

12 (a) *PILOT PROGRAM.*—*The Secretary of Defense may*
13 *carry out a pilot program to assess the feasibility and ad-*
14 *visability of appointing qualified veteran candidates to po-*
15 *sitions described in subsection (b) in the defense acquisition*
16 *workforce of the military departments without regard to the*
17 *provisions of subchapter I of chapter 33 of title 5, United*
18 *States Code. The Secretary shall carry out the pilot pro-*
19 *gram in each military department through the service ac-*
20 *quisition executive of such military department.*

21 (b) *POSITIONS.*—*The positions described in this sub-*
22 *section are scientific, technical, engineering, and mathe-*
23 *matics positions, including technicians, within the defense*
24 *acquisition workforce.*

1 (c) *LIMITATION.*—*Authority under subsection (a) may*
2 *not, in any calendar year and with respect to any military*
3 *department, be exercised with respect to a number of can-*
4 *didates greater than the number equal to 1 percent of the*
5 *total number of positions in the acquisition workforce of*
6 *that military department that are filled as of the close of*
7 *the fiscal year last ending before the start of such calendar*
8 *year.*

9 (d) *DEFINITIONS.*—*In this section:*

10 (1) *The term “employee” has the meaning given*
11 *that term in section 2105 of title 5, United States*
12 *Code.*

13 (2) *The term “veteran” has the meaning given*
14 *that term in section 101 of title 38, United States*
15 *Code.*

16 (e) *TERMINATION.*—

17 (1) *IN GENERAL.*—*The authority to appoint can-*
18 *didates to positions under the pilot program shall ex-*
19 *pire on the date that is five years after the date of*
20 *the enactment of this Act.*

21 (2) *EFFECT ON EXISTING APPOINTMENTS.*—*The*
22 *termination by paragraph (1) of the authority in sub-*
23 *section (a) shall not affect any appointment made*
24 *under that authority before the termination date spec-*

1 *ified in paragraph (1) in accordance with the terms*
2 *of such appointment.*

3 **SEC. 1113. DIRECT HIRE AUTHORITY FOR TECHNICAL EX-**
4 **PERTS INTO THE DEFENSE ACQUISITION**
5 **WORKFORCE.**

6 (a) *AUTHORITY.*—*Each Secretary of a military de-*
7 *partment may appoint qualified candidates possessing a*
8 *scientific or engineering degree to positions described in*
9 *subsection (b) for that military department without regard*
10 *to the provisions of subchapter I of chapter 33 of title 5,*
11 *United States Code.*

12 (b) *APPLICABILITY.*—*Positions described in this sub-*
13 *section are scientific and engineering positions within the*
14 *defense acquisition workforce.*

15 (c) *LIMITATION.*—*Authority under this section may*
16 *not, in any calendar year and with respect to any military*
17 *department, be exercised with respect to a number of can-*
18 *didates greater than the number equal to 5 percent of the*
19 *total number of scientific and engineering positions within*
20 *the acquisition workforce of that military department that*
21 *are filled as of the close of the fiscal year last ending before*
22 *the start of such calendar year.*

23 (d) *NATURE OF APPOINTMENT.*—*Any appointment*
24 *under this section shall be treated as an appointment on*

1 a full-time equivalent basis, unless such appointment is
 2 made on a term or temporary basis.

3 (e) *EMPLOYEE DEFINED.*—In this section, the term
 4 “employee” has the meaning given that term in section
 5 2105 of title 5, United States Code.

6 (f) *TERMINATION.*—The authority to make appoint-
 7 ments under this section shall not be available after Decem-
 8 ber 31, 2020.

9 **TITLE XII—MATTERS RELATING**
 10 **TO FOREIGN NATIONS**

Subtitle A—Assistance and Training

Sec. 1201. One-year extension of logistical support for coalition forces supporting certain United States military operations.

Sec. 1202. Strategic framework for Department of Defense security cooperation.

Sec. 1203. Redesignation, modification, and extension of National Guard State Partnership Program.

Sec. 1204. Extension of authority for non-reciprocal 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.

Sec. 1206. One-year extension of funding limitations for authority to build the capacity of foreign security forces.

Sec. 1207. Authority to provide support to national military forces of allied countries for counterterrorism operations in Africa.

Sec. 1208. Reports on training of foreign military intelligence units provided by the Department of Defense.

Sec. 1209. Prohibition on security assistance to entities in Yemen controlled by the Houthi movement.

Subtitle B—Matters Relating to Afghanistan and Pakistan

Sec. 1211. Extension and modification of Commanders’ Emergency Response Program.

Sec. 1212. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.

Sec. 1213. Additional matter in semiannual report on enhancing security and stability in Afghanistan.

Sec. 1214. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

Sec. 1215. Extension of authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan.

Sec. 1216. Modification of protection for Afghan allies.

Subtitle C—Matters Relating to Syria and Iraq

- Sec. 1221. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.*
- Sec. 1222. Strategy for the Middle East and to counter violent extremism.*
- Sec. 1223. Modification of authority to provide assistance to counter the Islamic State of Iraq and the Levant.*
- Sec. 1224. Reports on United States Armed Forces deployed in support of Operation Inherent Resolve.*
- Sec. 1225. Matters relating to support for the vetted Syrian opposition.*
- Sec. 1226. Support to the Government of Jordan and the Government of Lebanon for border security operations.*
- Sec. 1227. Sense of Congress on the security and protection of Iranian dissidents living in Camp Liberty, Iraq.*

Subtitle D—Matters Relating to Iran

- Sec. 1231. Modification and extension of annual report on the military power of Iran.*
- Sec. 1232. Sense of Congress on the Government of Iran's malign activities.*
- Sec. 1233. Report on military-to-military engagements with Iran.*
- Sec. 1234. Security guarantees to countries in the Middle East.*
- Sec. 1235. Rule of construction.*

Subtitle E—Matters Relating to the Russian Federation

- Sec. 1241. Notifications 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.*
- Sec. 1242. Notifications of deployment of nuclear weapons by Russian Federation to territory of Ukrainian Republic or Russian territory of Kaliningrad.*
- Sec. 1243. Measures in response to non-compliance by the Russian Federation with its obligations under the INF Treaty.*
- Sec. 1244. Modification of notification and assessment of proposal to modify or introduce new aircraft or sensors for flight by the Russian Federation under the Open Skies Treaty.*
- Sec. 1245. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.*
- Sec. 1246. Limitation on military cooperation between the United States and the Russian Federation.*
- Sec. 1247. Report on implementation of the New START Treaty.*
- Sec. 1248. Additional matters in annual report on military and security developments involving the Russian Federation.*
- Sec. 1249. Report on alternative capabilities to procure and sustain nonstandard rotary wing aircraft historically procured through Rosoboronexport.*
- Sec. 1250. Ukraine Security Assistance Initiative.*
- Sec. 1251. Training for Eastern European national military forces in the course of multilateral exercises.*

Subtitle F—Matters Relating to the Asia-Pacific Region

- Sec. 1261. Strategy to promote United States interests in the Indo-Asia-Pacific region.*

Sec. 1262. Requirement to submit Department of Defense policy regarding foreign disclosure or technology release of Aegis Ashore capability to Japan.

Sec. 1263. South China Sea Initiative.

Subtitle G—Other Matters

Sec. 1271. Two-year extension and modification of authorization for non-conventional assisted recovery capabilities.

Sec. 1272. Amendment to the annual report under Arms Control and Disarmament Act.

Sec. 1273. Extension of authorization to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.

Sec. 1274. Modification of authority for support of special operations to combat terrorism.

Sec. 1275. Limitation on availability of funds to implement the Arms Trade Treaty.

Sec. 1276. Report on the security relationship between the United States and the Republic of Cyprus.

Sec. 1277. Sense of Congress on European defense and the North Atlantic Treaty Organization.

Sec. 1278. Briefing on the sale of certain fighter aircraft to Qatar.

Sec. 1279. United States-Israel anti-tunnel cooperation.

Sec. 1280. NATO Special Operations Headquarters.

Sec. 1281. Increased presence of United States ground forces in Eastern Europe to deter aggression on the border of the North Atlantic Treaty Organization.

1 ***Subtitle A—Assistance and***
 2 ***Training***

3 ***SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT***
 4 ***FOR COALITION FORCES SUPPORTING CER-***
 5 ***TAIN UNITED STATES MILITARY OPERATIONS.***

6 *Section 1234 of the National Defense Authorization*
 7 *Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.*
 8 *394), as most recently amended by section 1223(a) of the*
 9 *Carl Levin and Howard P. “Buck” McKeon National De-*
 10 *fense Authorization Act for Fiscal Year 2015 (Public Law*
 11 *113–291; 128 Stat. 3548), is further amended—*

1 (1) *in subsection (a), by striking “fiscal year*
2 *2015” and inserting “fiscal year 2016”;*

3 (2) *in subsection (d), by striking “during the pe-*
4 *riod beginning on October 1, 2014, and ending on De-*
5 *cember 31, 2015” and inserting “during the period*
6 *beginning on October 1, 2015, and ending on Decem-*
7 *ber 31, 2016”;* and

8 (3) *in subsection (e)(1), by striking “December*
9 *31, 2015” and inserting “December 31, 2016”.*

10 **SEC. 1202. STRATEGIC FRAMEWORK FOR DEPARTMENT OF**
11 **DEFENSE SECURITY COOPERATION.**

12 (a) *STRATEGIC FRAMEWORK.—*

13 (1) *IN GENERAL.—The Secretary of Defense, in*
14 *consultation with the Secretary of State, shall develop*
15 *and issue to the Department of Defense a strategic*
16 *framework for Department of Defense security co-*
17 *operation to guide prioritization of resources and ac-*
18 *tivities.*

19 (2) *ELEMENTS.—The strategic framework re-*
20 *quired by paragraph (1) shall include the following:*

21 (A) *Discussion of the strategic goals of De-*
22 *partment of Defense security cooperation pro-*
23 *grams, overall and by combatant command, and*
24 *the extent to which these programs—*

1 (i) support broader strategic priorities
2 of the Department of Defense; and

3 (ii) complement and are coordinated
4 with Department of State security assist-
5 ance programs to achieve United States
6 Government goals globally, regionally, and,
7 if appropriate, within specific programs.

8 (B) Identification of the primary objectives,
9 priorities, and desired end-states of Department
10 of Defense security cooperation programs.

11 (C) Identification of challenges to achieving
12 the primary objectives, priorities, and desired
13 end-states identified under subparagraph (B),
14 including—

15 (i) constraints on Department of De-
16 fense resources, authorities, and personnel;

17 (ii) partner nation variables and con-
18 ditions, such as political will, absorptive ca-
19 pacity, corruption, and instability risk,
20 that impact the likelihood of a security co-
21 operation program achieving its primary
22 objectives, priorities, and desired end-states;

23 (iii) constraints or limitations due to
24 bureaucratic impediments, interagency
25 processes, or congressional requirements;

1 (iv) validation of requirements; and
2 (v) assessment, monitoring, and eval-
3 uation.

4 (D) A methodology for assessing the effec-
5 tiveness of Department of Defense security co-
6 operation programs in making progress toward
7 achieving the primary objectives, priorities, and
8 desired end-states identified under subparagraph
9 (B), including an identification of key bench-
10 marks for such progress.

11 (E) Any other matters the Secretary of De-
12 fense determines appropriate.

13 (3) *FREQUENCY.*—The Secretary of Defense shall,
14 at a minimum, update the strategic framework re-
15 quired by paragraph (1) on a biennial basis and shall
16 update or supplement the strategic framework as ap-
17 propriate to address emerging priorities.

18 (b) *REPORT.*—

19 (1) *IN GENERAL.*—Not later than 180 days after
20 the date of the enactment of this Act, and on a bien-
21 nial basis thereafter, the Secretary of Defense, in con-
22 sultation with the Secretary of State, shall submit to
23 the appropriate congressional committees a report on
24 the strategic framework required by subsection (a).

1 (2) *FORM.*—The report required by paragraph
2 (1) shall be submitted in an unclassified form, but
3 may include a classified annex.

4 (3) *DEFINITION.*—In this subsection, the term
5 “appropriate congressional committees” means—

6 (A) the congressional defense committees;

7 and

8 (B) the Committee on Foreign Relations of
9 the Senate and the Committee on Foreign Affairs
10 of the House of Representatives.

11 (c) *SUNSET.*—This section shall cease to be effective on
12 the date that is 6 years after the date of the enactment of
13 this Act.

14 **SEC. 1203. REDESIGNATION, MODIFICATION, AND EXTEN-**
15 **SION OF NATIONAL GUARD STATE PARTNER-**
16 **SHIP PROGRAM.**

17 (a) *REDESIGNATION.*—The heading of section 1205 of
18 the National Defense Authorization Act for Fiscal Year
19 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107
20 note) is amended to read as follows:

21 **“SEC. 1205. DEPARTMENT OF DEFENSE STATE PARTNER-**
22 **SHIP PROGRAM.”.**

23 (b) *SCOPE OF AUTHORITY.*—Subsection (a) of such sec-
24 tion is amended—

1 (1) *in paragraph (1), by striking “a program of*
2 *exchanges” and all that follows and inserting “a pro-*
3 *gram of activities described in paragraph (2), to sup-*
4 *port the security cooperation objectives of the United*
5 *States, between members of the National Guard of a*
6 *State or territory and any of the following:*

7 “(A) *The military forces of a foreign coun-*
8 *try.*

9 “(B) *The security forces of a foreign coun-*
10 *try.*

11 “(C) *Governmental organizations of a for-*
12 *ign country whose primary functions include*
13 *disaster response or emergency response.”; and*

14 (2) *by striking paragraph (2) and inserting the*
15 *following new paragraph (2):*

16 “(2) *STATE PARTNERSHIP.—Each program es-*
17 *tablished under this subsection shall be known as a*
18 *‘State Partnership’.*”

19 (c) *LIMITATION.—Subsection (b) of such section is*
20 *amended by striking “activity under a program” and all*
21 *that follows through “State or territory,” and inserting “ac-*
22 *tivity with forces referred to in subsection (a)(1)(B) or orga-*
23 *nizations described in subsection (a)(1)(C) under a pro-*
24 *gram established under subsection (a)”.*

1 (d) *COORDINATION OF ACTIVITIES.*—*Such section is*
2 *further amended—*

3 (1) *by redesignating subsections (c) through (g)*
4 *as subsections (d) through (h), respectively; and*

5 (2) *by inserting after subsection (b) the following*
6 *new subsection (c):*

7 “(c) *COORDINATION OF ACTIVITIES.*—*The Chief of the*
8 *National Guard Bureau shall designate a director for each*
9 *State and territory to be responsible for the coordination*
10 *of activities under a program established under subsection*
11 *(a) for such State or territory and reporting on activities*
12 *under the program.”.*

13 (e) *ANNUAL REPORT.*—*Paragraph (2)(B) of subsection*
14 *(f) of such section, as redesignated by subsection (d)(1) of*
15 *this section, is amended—*

16 (1) *in clause (iii), by inserting “or other govern-*
17 *ment organizations” after “and security forces”;*

18 (2) *in clause (iv), by adding before the period at*
19 *the the following: “and country”;*

20 (3) *in clause (v), by striking “training” and in-*
21 *serting “activities”;* and

22 (4) *by adding at the end the following:*

23 “(vi) *An assessment of the extent to*
24 *which the activities conducted during the*

1 *previous year met the objectives described in*
2 *clause (v).”.*

3 (f) *STATE PARTNERSHIP PROGRAM FUND.—*

4 (1) *ASSESSMENT OF ESTABLISHMENT OF*
5 *FUND.—Not later than 180 days after the date of the*
6 *enactment of this Act, the Under Secretary of Defense*
7 *for Policy and the Under Secretary of Defense (Comp-*
8 *troller) shall jointly submit to the congressional de-*
9 *fense committees a report setting forth a joint assess-*
10 *ment of the feasibility and advisability of establishing*
11 *a central fund to manage funds for programs and ac-*
12 *tivities under the Department of Defense State Part-*
13 *nership Program under section 1205 of the National*
14 *Defense Authorization Act for Fiscal Year 2014, as*
15 *amended by this section.*

16 (2) *RECOMMENDATION FOR LEGISLATIVE AC-*
17 *TION.—If the report under paragraph (1) concludes*
18 *that the establishment of a fund as described in that*
19 *paragraph is feasible and advisable, the Secretary of*
20 *Defense shall include with the materials submitted to*
21 *Congress in support of the budget of the President for*
22 *fiscal year 2017 pursuant to section 1105 of title 31,*
23 *United States Code, a recommendation for such legis-*
24 *lation as the Secretary considers appropriate to estab-*
25 *lish the fund.*

1 (g) *CONFORMING AMENDMENTS.*—Paragraph (2)(A) of
2 subsection (f) of such section, as redesignated by subsection
3 (d)(1) of this section, is amended—

4 (1) by striking “a program” and inserting “each
5 program”; and

6 (2) by striking “the program” and inserting
7 “such program”.

8 (h) *RECIPIENTS OF REPORTS AND NOTIFICATIONS.*—
9 Paragraph (1) of subsection (h) of such section, as redesign-
10 nated by subsection (d)(1) of this section, is amended by
11 striking subparagraphs (A) and (B) and inserting the fol-
12 lowing new subparagraphs (A) and (B):

13 “(A) the Committee on Armed Services, the
14 Committee on Foreign Relations, and the Com-
15 mittee on Appropriations of the Senate; and

16 “(B) the Committee on Armed Services, the
17 Committee on Foreign Affairs, and the Com-
18 mittee on Appropriations of the House of Rep-
19 resentatives.”.

20 (i) *FIVE-YEAR EXTENSION.*—Subsection (i) of such sec-
21 tion is amended by striking “September 30, 2016” and in-
22 serting “September 30, 2021”.

1 **SEC. 1204. EXTENSION OF AUTHORITY FOR NON-RECIP-**
2 **ROCAL EXCHANGES OF DEFENSE PERSONNEL**
3 **BETWEEN THE UNITED STATES AND FOREIGN**
4 **COUNTRIES.**

5 *Section 1207(f) of the National Defense Authorization*
6 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
7 *2514; 10 U.S.C. 168 note), as amended by section 1202 of*
8 *the National Defense Authorization Act for Fiscal Year*
9 *2013 (Public Law 112–239; 126 Stat. 1980), is further*
10 *amended by striking “September 30, 2016” and inserting*
11 *“December 31, 2021”.*

12 **SEC. 1205. MONITORING AND EVALUATION OF OVERSEAS**
13 **HUMANITARIAN, DISASTER, AND CIVIC AID**
14 **PROGRAMS OF THE DEPARTMENT OF DE-**
15 **FENSE.**

16 *(a) IN GENERAL.—Of the amounts authorized to be*
17 *appropriated by this Act for Overseas Humanitarian, Dis-*
18 *aster, and Civic Aid, the Secretary of Defense is authorized*
19 *to use up to 5 percent of such amounts to conduct moni-*
20 *toring and evaluation of programs that are funded using*
21 *such amounts during fiscal year 2016.*

22 *(b) BRIEFING.—Not later than 90 days after the date*
23 *of the enactment of this Act, the Secretary of Defense shall*
24 *provide a briefing to the appropriate congressional commit-*
25 *tees on mechanisms to evaluate the programs conducted*
26 *pursuant to the authorities listed in subsection (a).*

1 (c) *DEFINITION.*—*In this section, the term “appropriate congressional committees” means the following:*

3 (1) *The congressional defense committees.*

4 (2) *The Committee on Foreign Relations of the*
5 *Senate and the Committee on Foreign Affairs of the*
6 *House of Representatives.*

7 **SEC. 1206. ONE-YEAR EXTENSION OF FUNDING LIMITA-**
8 **TIONS FOR AUTHORITY TO BUILD THE CA-**
9 **PACITY OF FOREIGN SECURITY FORCES.**

10 *Section 1205(d) of the Carl Levin and Howard P.*
11 *“Buck” McKeon National Defense Authorization Act for*
12 *Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3536)*
13 *is amended—*

14 (1) *in paragraph (1)—*

15 (A) *by striking “for fiscal year 2015” and*
16 *all that follows through “section 4301” and in-*
17 *serting “for fiscal year 2015 or 2016 for the De-*
18 *partment of Defense for operation and mainte-*
19 *nance”; and*

20 (B) *by inserting “, in such fiscal year” be-*
21 *fore the period; and*

22 (2) *in paragraph (2), by striking “for fiscal year*
23 *2015” and inserting “for a fiscal year specified in*
24 *that paragraph”.*

1 **SEC. 1207. AUTHORITY TO PROVIDE SUPPORT TO NATIONAL**
2 **MILITARY FORCES OF ALLIED COUNTRIES**
3 **FOR COUNTERTERRORISM OPERATIONS IN**
4 **AFRICA.**

5 (a) *IN GENERAL.*—*The Secretary of Defense is author-*
6 *ized, in coordination with the Secretary of State, to provide,*
7 *on a nonreimbursable basis, logistic support, supplies, and*
8 *services to the national military forces of an allied country*
9 *conducting counterterrorism operations in Africa if the Sec-*
10 *retary of Defense determines that the provision of such logis-*
11 *tic support, supplies, and services, on a nonreimbursable*
12 *basis, is—*

13 (1) *in the national security interests of the*
14 *United States; and*

15 (2) *critical to the timely and effective participa-*
16 *tion of such national military forces in such oper-*
17 *ations.*

18 (b) *NOTICE TO CONGRESS ON SUPPORT PROVIDED.*—
19 *Not later than 15 days after providing logistic support, sup-*
20 *plies, or services under subsection (a), the Secretary of De-*
21 *fense shall submit to the congressional defense committees*
22 *a notice setting forth the following:*

23 (1) *The determination of the Secretary specified*
24 *in subsection (a).*

25 (2) *The type of logistic support, supplies, or serv-*
26 *ices provided.*

1 (3) *The national military forces supported.*

2 (4) *The purpose of the operations for which such*
3 *support was provided, and the objectives of such sup-*
4 *port.*

5 (5) *The estimated cost of such support.*

6 (6) *The intended duration of such support.*

7 (c) *LIMITATIONS.—*

8 (1) *IN GENERAL.—The Secretary of Defense may*
9 *not use the authority in subsection (a) to provide any*
10 *type of support that is otherwise prohibited by any*
11 *other provision of law.*

12 (2) *AMOUNT.—The aggregate amount of logistic*
13 *support, supplies, and services provided under sub-*
14 *section (a) in any fiscal year may not exceed*
15 *\$100,000,000.*

16 (d) *REPORTS.—Not later than six months after the*
17 *date of the enactment of this Act, and every six months*
18 *thereafter through the expiration date in subsection (f) of*
19 *the authority provided by this section, the Secretary of De-*
20 *fense shall submit to the congressional defense committees*
21 *a report setting forth a description of the use of the author-*
22 *ity provided by this section during the six-month period*
23 *ending on the date of such report. Each report shall include*
24 *the following:*

1 (1) *An assessment of the extent to which the sup-*
2 *port provided under this section during the period*
3 *covered by such report facilitated the national mili-*
4 *tary forces of allied countries so supported in con-*
5 *ducting counterterrorism operations in Africa.*

6 (2) *A description of any efforts by countries that*
7 *received such support to address, as practicable, the*
8 *requirements of their forces for logistics support, sup-*
9 *plies, or services for conducting counterterrorism op-*
10 *erations in Africa, including under acquisition and*
11 *cross-servicing agreements.*

12 (e) *LOGISTIC SUPPORT, SUPPLIES, AND SERVICES DE-*
13 *FINED.*—*In this section, the term “logistic support, sup-*
14 *plies, and services” has the meaning given that term in sec-*
15 *tion 2350(1) of title 10, United States Code.*

16 (f) *EXPIRATION.*—*The authority provided by this sec-*
17 *tion may not be exercised after September 30, 2018.*

18 **SEC. 1208. REPORTS ON TRAINING OF FOREIGN MILITARY**
19 **INTELLIGENCE UNITS PROVIDED BY THE DE-**
20 **PARTMENT OF DEFENSE.**

21 (a) *REPORTS REQUIRED.*—*Not later than 30 days*
22 *after each calendar half-year beginning on or after the date*
23 *of the enactment of this Act and ending with the second*
24 *calendar half-year of 2017, the Under Secretary of Defense*
25 *for Intelligence shall submit to the Committees of Armed*

1 *Services of the Senate and the House of Representatives a*
2 *report setting forth the following:*

3 (1) *All the training of foreign military intel-*
4 *ligence units provided by the Department during the*
5 *calendar half-year covered by such report.*

6 (2) *The authority or authorities under which the*
7 *training described in paragraph (1) was provided.*

8 (b) *FORM.*—*Each report under subsection (a) should*
9 *be submitted in classified form.*

10 **SEC. 1209. PROHIBITION ON SECURITY ASSISTANCE TO EN-**

11 **TITIES IN YEMEN CONTROLLED BY THE**

12 **HOUTHİ MOVEMENT.**

13 (a) *PROHIBITION.*—*No amounts authorized to be ap-*
14 *propriated for fiscal year 2016 for the Department of De-*
15 *fense by this Act may be used to provide security assistance*
16 *to an entity in Yemen that is controlled by members of the*
17 *Houthi movement.*

18 (b) *NATIONAL SECURITY EXCEPTION.*—

19 (1) *IN GENERAL.*—*The prohibition in subsection*
20 *(a) shall not apply if the Secretary of Defense deter-*
21 *mines, with the concurrence of the Secretary of State,*
22 *that the provision of security assistance as described*
23 *in that subsection is important to the national secu-*
24 *rity interests of the United States.*

1 (2) *NOTICE AND WAIT.*—*If security assistance as*
2 *described in subsection (a) is provided pursuant to an*
3 *exception under paragraph (1), not later than 15*
4 *days before such assistance is so provided, the Sec-*
5 *retary of Defense and the Secretary of State shall*
6 *jointly submit to the appropriate committees of Con-*
7 *gress a notice on the provision of such assistance, to-*
8 *gether with an assessment by the Director of National*
9 *Intelligence on whether any entity controlled by mem-*
10 *bers of the Houthi movement to be provided such as-*
11 *sistance is also receiving direct assistance from the*
12 *Government of Iran.*

13 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
14 *DEFINED.*—*In this subsection, the term “appropriate*
15 *committees of Congress” means—*

16 (A) *the Committee on Armed Services, the*
17 *Committee on Foreign Relations, and the Com-*
18 *mittee on Appropriations of the Senate; and*

19 (B) *the Committee on Armed Services, the*
20 *Committee on Foreign Affairs, and the Com-*
21 *mittee on Appropriations of the House of Rep-*
22 *resentatives.*

1 ***Subtitle B—Matters Relating to***
2 ***Afghanistan and Pakistan***

3 ***SEC. 1211. EXTENSION AND MODIFICATION OF COM-***
4 ***MANDERS' EMERGENCY RESPONSE PROGRAM.***

5 (a) *ONE-YEAR EXTENSION.*—Section 1201 of the Na-
6 tional Defense Authorization Act for Fiscal Year 2012 (Pub-
7 lic Law 112–81; 125 Stat. 1619), as most recently amended
8 by section 1221 of the Carl Levin and Howard P. “Buck”
9 McKeon National Defense Authorization Act for Fiscal Year
10 2015 (Public Law 113–291; 128 Stat. 3546), is further
11 amended by striking “fiscal year 2015” in subsections (a),
12 (b), and (f) and inserting “fiscal year 2016”.

13 (b) *RESTRICTION ON AMOUNT OF PAYMENTS.*—Sub-
14 section (e) of such section 1201, as so amended, is further
15 amended by striking “\$2,000,000” and inserting
16 “\$500,000”.

17 (c) *SUBMITTAL OF REVISED GUIDANCE.*—Not later
18 than 15 days after the date of the enactment of this Act,
19 the Secretary of Defense shall submit to the congressional
20 defense committees a copy of the guidance issued by the Sec-
21 retary to the Armed Forces concerning the Commanders’
22 Emergency Response Program in Afghanistan as revised to
23 take into account the amendments made by this section.

24 (d) *AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS*
25 *INJURY AND LOSS IN IRAQ.*—

1 (1) *IN GENERAL.*—During fiscal year 2016,
2 amounts available pursuant to section 1201 of the
3 *National Defense Authorization Act for Fiscal Year*
4 2012, as amended by this section, shall also be avail-
5 able for *ex gratia* payments for damage, personal in-
6 jury, or death that is incident to combat operations
7 of the *Armed Forces in Iraq*.

8 (2) *NOTICE AND WAIT.*—The authority in this
9 subsection may not be used until 30 days after the
10 date on which the *Secretary of Defense* submits to the
11 congressional defense committees a report setting forth
12 the following:

13 (A) *The amount that will be used for pay-*
14 ments pursuant to this subsection.

15 (B) *The manner in which claims for pay-*
16 ments shall be verified.

17 (C) *The officers or officials who shall be au-*
18 thorized to approve claims for payments.

19 (D) *The manner in which payments shall*
20 be made.

21 (3) *LIMITATION ON AMOUNT AVAILABLE.*—The
22 total amount of payments made pursuant to this sub-
23 section in fiscal year 2016 may not exceed
24 \$5,000,000.

1 (4) *AUTHORITIES APPLICABLE TO PAYMENT.*—
2 *Any payment made pursuant to this subsection shall*
3 *be made in accordance with the authorities and limi-*
4 *tations in section 8121 of the Department of Defense*
5 *Appropriations Act, 2015 (division C of Public Law*
6 *113–235), other than subsection (h) of such section.*

7 (5) *CONSTRUCTION WITH RESTRICTION ON*
8 *AMOUNT OF PAYMENTS.*—*For purposes of the applica-*
9 *tion of subsection (e) of such section 1201, as so*
10 *amended, to any payment pursuant to this sub-*
11 *section, such payment shall be deemed to be a project*
12 *described by such subsection (e).*

13 **SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY**
14 **FOR REIMBURSEMENT OF CERTAIN COALI-**
15 **TION NATIONS FOR SUPPORT PROVIDED TO**
16 **UNITED STATES MILITARY OPERATIONS.**

17 (a) *EXTENSION.*—*Subsection (a) of section 1233 of the*
18 *National Defense Authorization Act for Fiscal Year 2008*
19 *(Public Law 110–181; 122 Stat. 393), as most recently*
20 *amended by section 1222 of the Carl Levin and Howard*
21 *P. “Buck” McKeon National Defense Authorization Act for*
22 *Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3547),*
23 *is further amended by striking “fiscal year 2015” and in-*
24 *serting “fiscal year 2016”.*

1 (b) *LIMITATION ON AMOUNTS AVAILABLE.*—*Subsection*
2 *(d)(1) of such section, as so amended, is further amended—*

3 (1) *in the second sentence, by striking “during*
4 *fiscal year 2015 may not exceed \$1,200,000,000” and*
5 *inserting “during fiscal year 2016 may not exceed*
6 *\$1,160,000,000”; and*

7 (2) *in the third sentence, by striking “during fis-*
8 *cal year 2015 may not exceed \$1,000,000,000” and*
9 *inserting “during fiscal year 2016 may not exceed*
10 *\$900,000,000”.*

11 (c) *EXTENSION OF NOTICE REQUIREMENT RELATING*
12 *TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PRO-*
13 *VIDED BY PAKISTAN.*—*Section 1232(b)(6) of the National*
14 *Defense Authorization Act for Fiscal Year 2008 (122 Stat.*
15 *393), as most recently amended by section 1222(d) of the*
16 *Carl Levin and Howard P. “Buck” McKeon National De-*
17 *fense Authorization Act for Fiscal Year 2015 (128 Stat.*
18 *3548), is further amended by striking “September 30, 2015”*
19 *and inserting “September 30, 2016”.*

20 (d) *EXTENSION OF LIMITATION ON REIMBURSEMENT*
21 *OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.*—
22 *Section 1227(d)(1) of the National Defense Authorization*
23 *Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*
24 *2001), as most recently amended by section 1222(e) of the*
25 *Carl Levin and Howard P. “Buck” McKeon National De-*

1 *fense Authorization Act for Fiscal Year 2015 (128 Stat.*
2 *3548), is further amended by striking “fiscal year 2015”*
3 *and inserting “fiscal year 2016”.*

4 *(e) ADDITIONAL LIMITATION ON REIMBURSEMENT OF*
5 *PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the*
6 *total amount of reimbursements and support authorized for*
7 *Pakistan during fiscal year 2016 pursuant to the third sen-*
8 *tence of section 1233(d)(1) of the National Defense Author-*
9 *ization Act for Fiscal Year 2008 (as amended by subsection*
10 *(b)(2)), \$350,000,000 shall not be eligible for the waiver*
11 *under section 1227(d)(2) of the National Defense Authoriza-*
12 *tion Act for Fiscal Year 2013 (126 Stat. 2001) unless the*
13 *Secretary of Defense certifies to the congressional defense*
14 *committees that—*

15 *(1) Pakistan continues to conduct military oper-*
16 *ations in North Waziristan that are contributing to*
17 *significantly disrupting the safe haven and freedom of*
18 *movement of the Haqqani Network in Pakistan;*

19 *(2) Pakistan has taken steps to demonstrate its*
20 *commitment to prevent the Haqqani Network from*
21 *using North Waziristan as a safe haven; and*

22 *(3) the Government of Pakistan actively coordi-*
23 *nates with the Government of Afghanistan to restrict*
24 *the movement of militants, such as the Haqqani Net-*
25 *work, along the Afghanistan-Pakistan border.*

1 (f) *AVAILABILITY OF CERTAIN FUNDS FOR STABILITY*
2 *ACTIVITIES IN FATA.*—

3 (1) *IN GENERAL.*—*In addition to the total*
4 *amount of reimbursements and support authorized for*
5 *Pakistan during fiscal year 2016 pursuant to the*
6 *third sentence of section 1233(d)(1) of the National*
7 *Defense Authorization Act for Fiscal Year 2008 (as so*
8 *amended), of the total amount of funds made avail-*
9 *able for the Department of Defense for fiscal year*
10 *2016 for overseas contingency operations for oper-*
11 *ation and maintenance, Defense-wide activities,*
12 *\$100,000,000 may be available for stability activities*
13 *undertaken by Pakistan in the Federally Adminis-*
14 *tered Tribal Areas (FATA), including the provision of*
15 *funds to the Pakistan military and the Pakistan*
16 *Frontier Corps Khyber Pakhtunkhwa for activities*
17 *undertaken in support of the following:*

18 (A) *Building and maintaining border out-*
19 *posts.*

20 (B) *Strengthening cooperative efforts be-*
21 *tween the Pakistan military and the Afghan Na-*
22 *tional Defense Security Forces in activities that*
23 *include—*

24 (i) *bilateral meetings to enhance border*
25 *security coordination;*

1 (ii) *sustaining critical infrastructure*
2 *within the Federally Administered Tribal*
3 *Areas, such as maintaining key ground*
4 *lines of communication;*

5 (iii) *increasing training for the Paki-*
6 *stan Frontier Corps Khyber Pakhtunkhwa;*
7 *and*

8 (iv) *training to improve interoper-*
9 *ability between the Pakistan military and*
10 *the Pakistan Frontier Corps Khyber*
11 *Pakhtunkhwa.*

12 (2) *LIMITATION.—*

13 (A) *IN GENERAL.—Funds available under*
14 *paragraph (1) may not be obligated or expended*
15 *until the Secretary of Defense certifies to the con-*
16 *gressional defense committees that the conditions*
17 *described in subparagraphs (A) and (B) of sec-*
18 *tion 1227(d)(1) of the National Defense Author-*
19 *ization Act for Fiscal Year 2013 (126 Stat.*
20 *2001), as amended by subsection (d), have been*
21 *met.*

22 (B) *WAIVER.—The Secretary of Defense*
23 *may waive the limitation in subparagraph (A)*
24 *if the Secretary certifies to the congressional de-*
25 *fense committees in writing that the waiver is in*

1 *the national security interests of the United*
2 *States and includes with such certification a jus-*
3 *tification for the waiver.*

4 (3) *REPORT.—Not later than December 31, 2017,*
5 *the Secretary of Defense shall submit to the appro-*
6 *priate congressional committees a report on the ex-*
7 *penditure of funds available under paragraph (1), in-*
8 *cluding a description of the following:*

9 (A) *The purpose for which such funds were*
10 *expended.*

11 (B) *Each organization on whose behalf such*
12 *funds were expended, including the amount ex-*
13 *pendent on such organization and the number of*
14 *members of such organization trained with such*
15 *amount.*

16 (C) *Any limitation imposed on the expendi-*
17 *ture of funds under that paragraph, including*
18 *on any recipient of funds or any use of funds ex-*
19 *pendent.*

20 (4) *APPROPRIATE CONGRESSIONAL COMMITTEES*
21 *DEFINED.—In this subsection, the term “appropriate*
22 *congressional committees” has the meaning given that*
23 *term in section 1233(g) of the National Defense Au-*
24 *thorization Act for Fiscal Year 2008.*

1 **SEC. 1213. ADDITIONAL MATTER IN SEMIANNUAL REPORT**
2 **ON ENHANCING SECURITY AND STABILITY IN**
3 **AFGHANISTAN.**

4 *Section 1225(b) of the Carl Levin and Howard P.*
5 *“Buck” McKeon National Defense Authorization Act for*
6 *Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3550)*
7 *is amended by adding at the end the following new para-*
8 *graph:*

9 *“(7) ASSESSMENT OF RISKS ASSOCIATED WITH*
10 *DRAWDOWN OF UNITED STATES FORCES.—An assess-*
11 *ment of the risks to the mission in Afghanistan asso-*
12 *ciated with any drawdown of United States forces*
13 *that occurred during the period covered by such re-*
14 *port.”.*

15 **SEC. 1214. EXTENSION OF AUTHORITY TO ACQUIRE PROD-**
16 **UCTS AND SERVICES PRODUCED IN COUN-**
17 **TRIES ALONG A MAJOR ROUTE OF SUPPLY TO**
18 **AFGHANISTAN.**

19 *Section 801(f) of the National Defense Authorization*
20 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
21 *2399), as most recently amended by section 832(a) of the*
22 *National Defense Authorization Act for Fiscal Year 2014*
23 *(Public Law 113–66; 127 Stat. 814), is further amended*
24 *by striking “December 31, 2015” and inserting “December*
25 *31, 2016”.*

1 **SEC. 1215. EXTENSION OF AUTHORITY TO TRANSFER DE-**
2 **FENSE ARTICLES AND PROVIDE DEFENSE**
3 **SERVICES TO THE MILITARY AND SECURITY**
4 **FORCES OF AFGHANISTAN.**

5 (a) *EXTENSION.*—Subsection (h) of section 1222 of the
6 *National Defense Authorization Act for Fiscal Year 2013*
7 *(Public Law 112–239; 126 Stat. 1992)*, as amended by sec-
8 *tion 1231 of the Carl Levin and Howard P. “Buck”*
9 *McKeon National Defense Authorization Act for Fiscal Year*
10 *2015 (Public Law 113–291; 128 Stat. 3556)*, is further
11 *amended by striking “December 31, 2015” and inserting*
12 *“December 31, 2016”.*

13 (b) *QUARTERLY REPORTS.*—Subsection (f)(1) of such
14 *section, as so amended, is further amended by striking*
15 *“March 31, 2016” and inserting “March 31, 2017”.*

16 (c) *EXCESS DEFENSE ARTICLES.*—Subsection (i)(2) of
17 *such section, as so amended, is further amended by striking*
18 *“and 2015” each place it appears and inserting “, 2015,*
19 *and 2016”.*

20 **SEC. 1216. MODIFICATION OF PROTECTION FOR AFGHAN**
21 **ALLIES.**

22 (a) *COVERED AFGHANS.*—

23 (1) *TERM OF EMPLOYMENT.*—Clause (ii) of sec-
24 *tion 602(b)(2)(A) of the Afghan Allies Protection Act*
25 *of 2009 (8 U.S.C. 1101 note) is amended by striking*
26 *“year—” and inserting “year, or, if submitting a pe-*

1 *tition after September 30, 2015, for a period of not*
2 *less than 2 years—”.*

3 (2) *TECHNICAL AMENDMENTS.—*

4 (A) *SUCCESSOR NAME FOR INTERNATIONAL*
5 *SECURITY ASSISTANCE FORCE.—Subclause (II) of*
6 *section 602(b)(2)(A)(ii) of the Afghan Allies Pro-*
7 *tection Act of 2009 (8 U.S.C. 1101 note) is*
8 *amended—*

9 (i) *in the matter preceding item (aa),*
10 *by striking “Force” and inserting “Force*
11 *(or any successor name for such Force)”;*

12 (ii) *in item (aa), by striking “Force,”*
13 *and inserting “Force (or any successor*
14 *name for such Force),”;* and

15 (iii) *in item (bb), by striking “Force;”*
16 *and inserting “Force (or any successor*
17 *name for such Force);”.*

18 (B) *SHORT TITLE.—Section 601 of the Af-*
19 *ghan Allies Protection Act of 2009 is amended*
20 *by striking “This Act” and inserting “This*
21 *title”.*

22 (C) *EXECUTIVE AGENCY REFERENCE.—Sec-*
23 *tion 602(c)(4) of the Afghan Allies Protection Act*
24 *of 2009 is amended by striking “section 4 of the*
25 *Office of Federal Procurement Policy Act (41*

1 *U.S.C. 403)*” and inserting “*section 133 of title*
2 *41, United States Code*”.

3 **(b) NUMERICAL LIMITATIONS.**—*Subparagraph (F) of*
4 *section 602(b)(3) of the Afghan Allies Protection Act of 2009*
5 *(8 U.S.C. 1101 note) is amended—*

6 (1) *in the heading, by striking “2015 AND*
7 *2016” and inserting “2015, 2016, AND 2017”;*

8 (2) *in the matter preceding clause (i)—*

9 (A) *by striking “and ending on September*
10 *30, 2016”, and inserting “until such time that*
11 *available special immigrant visas under sub-*
12 *paragraphs (D) and (E) and this subparagraph*
13 *are exhausted,” and*

14 (B) *by striking “4,000.” and inserting*
15 *“7,000.”;*

16 (3) *in clause (i), by striking “September 30,*
17 *2015;” and inserting “December 31, 2016;”;*

18 (4) *in clause (ii), by striking “December 31,*
19 *2015;” and inserting “December 31, 2016;”;* and

20 (5) *in clause (iii), by striking “March 31, 2017.”*
21 *and inserting “the date such visas are exhausted.”.*

22 **(c) REPORTS AND SENSE OF CONGRESS.**—*Section*
23 *602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C.*
24 *1101 note) is amended by adding at the end the following:*

1 “(15) *REPORTS INFORMING THE CONCLUSION OF*
2 *THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.—*
3 *Not later than June 1, 2016, and every six months*
4 *thereafter, the Secretary of Defense, in conjunction*
5 *with the Secretary of State, shall submit to the Com-*
6 *mittee on Armed Services and the Committee on the*
7 *Judiciary of the Senate and the Committee on Armed*
8 *Services and the Committee on the Judiciary of the*
9 *House of Representatives a report that contains—*

10 “(A) *a description of the United States force*
11 *presence in Afghanistan during the previous 6*
12 *months;*

13 “(B) *a description of the projected United*
14 *States force presence in Afghanistan;*

15 “(C) *the number of citizens or nationals of*
16 *Afghanistan who were employed by or on behalf*
17 *of the entities described in paragraph (2)(A)(ii)*
18 *during the previous 6 months; and*

19 “(D) *the projected number of such citizens*
20 *or nationals who will be employed by or on be-*
21 *half of such entities.*

22 “(16) *SENSE OF CONGRESS.—It is the sense of*
23 *Congress that the necessity of providing special immi-*
24 *grant status under this subsection should be assessed*
25 *at regular intervals by the Committee on Armed Serv-*

1 *ices of the Senate and the Committee on Armed Serv-*
 2 *ices of the House of Representatives, taking into ac-*
 3 *count the scope of the current and planned presence*
 4 *of United States troops in Afghanistan, the current*
 5 *and prospective numbers of citizens and nationals of*
 6 *Afghanistan employed by or on behalf of the entities*
 7 *described in paragraph (2)(A)(ii), and the security*
 8 *climate in Afghanistan.”.*

9 ***Subtitle C—Matters Relating to***
 10 ***Syria and Iraq***

11 ***SEC. 1221. EXTENSION OF AUTHORITY TO SUPPORT OPER-***
 12 ***ATIONS AND ACTIVITIES OF THE OFFICE OF***
 13 ***SECURITY COOPERATION IN IRAQ.***

14 *(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of*
 15 *section 1215 of the National Defense Authorization Act for*
 16 *Fiscal Year 2012 (10 U.S.C. 113 note) is amended by strik-*
 17 *ing “fiscal year 2015” and inserting “fiscal year 2016”.*

18 *(b) AMOUNT AVAILABLE.—Such section is further*
 19 *amended—*

20 *(1) in subsection (c), by striking “fiscal year*
 21 *2015” and all that follows and inserting “fiscal year*
 22 *2016 may not exceed \$80,000,000.”; and*

23 *(2) in subsection (d), by striking “fiscal year*
 24 *2015” and inserting “fiscal year 2016”.*

1 (c) *SUPERSEDING REPORT REQUIREMENTS.*—Sub-
2 section (g) of such section is amended to read as follows:

3 “(g) *REPORTS.*—

4 “(1) *IN GENERAL.*—Not later than September 30,
5 2015, and every 180 days thereafter until the author-
6 ity in this section expires, the Secretary of Defense
7 shall, in consultation with the Secretary of State, sub-
8 mit to the appropriate committees of Congress a re-
9 port on the activities of the Office of Security Co-
10 operation in Iraq.

11 “(2) *ELEMENTS.*—Each report under this sub-
12 section shall include the following:

13 “(A) A current description of capability
14 gaps in the security forces of Iraq, including ca-
15 pability gaps relating to intelligence matters,
16 protection of Iraq airspace, and logistics and
17 maintenance, and a current description of the
18 extent, if any, to which the Government of Iraq
19 has requested assistance in addressing such capa-
20 bility gaps.

21 “(B) A current description of the activities
22 of the Office of Security Cooperation in Iraq and
23 the extent, if any, to which the programs con-
24 ducted by the Office in conjunction with other
25 United States programs (such as the Foreign

1 *Military Financing program, the Foreign Mili-*
2 *tary Sales program, and the assistance provided*
3 *pursuant to section 1236 of the Carl Levin and*
4 *Howard P. ‘Buck’ McKeon National Defense Au-*
5 *thorization Act for Fiscal Year 2015 (Public*
6 *Law 113–291)) will address the capability gaps*
7 *described pursuant to subparagraph (A).*

8 “(C) *A current description of how the ac-*
9 *tivities of the Office of Security Cooperation in*
10 *Iraq are coordinated with, and complement and*
11 *enhance, the assistance provided pursuant to sec-*
12 *tion 1236 of the Carl Levin and Howard P.*
13 *‘Buck’ McKeon National Defense Authorization*
14 *Act for Fiscal Year 2015.*

15 “(D) *A current description of end use moni-*
16 *toring programs, and any other programs or*
17 *procedures, used to improve accountability for*
18 *equipment provided to the Government of Iraq.*

19 “(E) *A current description of the measures*
20 *of effectiveness used to evaluate the activities of*
21 *the Office of the Security Cooperation in Iraq,*
22 *and an analysis of any determinations to ex-*
23 *pand, alter, or terminate specific activities of the*
24 *Office based on such evaluations.*

1 “(F) A current evaluation of the effective-
2 ness of the training described in subsection (f)(2)
3 in promoting respect for human rights, military
4 professionalism, and respect for legitimate civil-
5 ian authority in Iraq.

6 “(3) *APPROPRIATE COMMITTEES OF CONGRESS*
7 *DEFINED.*—In this subsection, the term ‘appropriate
8 committees of Congress’ means—

9 “(A) the Committee on Armed Services, the
10 Committee on Foreign Relations, and the Com-
11 mittee on Appropriations of the Senate; and

12 “(B) the Committee on Armed Services, the
13 Committee on Foreign Affairs, and the Com-
14 mittee on Appropriations of the House of Rep-
15 resentatives.”.

16 **SEC. 1222. STRATEGY FOR THE MIDDLE EAST AND TO**
17 **COUNTER VIOLENT EXTREMISM.**

18 (a) *STRATEGY REQUIRED.*—Not later than February
19 15, 2016, the Secretary of Defense and the Secretary of
20 State shall jointly submit to the appropriate committees of
21 Congress a strategy for the Middle East and to counter vio-
22 lent extremism.

23 (b) *ELEMENTS.*—The strategy required by subsection
24 (a) shall include the following:

1 (1) *A description of the objectives and end state*
2 *for the United States in the Middle East and with re-*
3 *spect to violent extremism.*

4 (2) *A description of the roles and responsibilities*
5 *of the Department of State in the strategy.*

6 (3) *A description of the roles and responsibilities*
7 *of the Department of Defense in the strategy.*

8 (4) *A description of actions to prevent the weak-*
9 *ening and failing of states in the Middle East.*

10 (5) *A description of actions to counter violent ex-*
11 *tremism.*

12 (6) *A description of the resources required by the*
13 *Department of Defense to counter ISIL's illicit oil*
14 *revenues.*

15 (7) *A list of the state and non-state actors that*
16 *must be engaged to counter violent extremism.*

17 (8) *A description of the coalition required to*
18 *carry out the strategy, and the expected lines of effort*
19 *of such a coalition.*

20 (9) *An assessment of United States efforts to dis-*
21 *rupt and prevent foreign fighters traveling to Syria*
22 *and Iraq and to disrupt and prevent foreign fighters*
23 *in Syria and Iraq traveling to the United States.*

1 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
2 *FINED.*—*In the section, the term “appropriate committees*
3 *of Congress” means—*

4 (1) *the Committee on Armed Services, the Com-*
5 *mittee on Foreign Relations, and the Committee on*
6 *Appropriations of the Senate; and*

7 (2) *the Committee on Armed Services, the Com-*
8 *mittee on Foreign Affairs, and the Committee on Ap-*
9 *propriations of the House of Representatives.*

10 **SEC. 1223. MODIFICATION OF AUTHORITY TO PROVIDE AS-**
11 **SISTANCE TO COUNTER THE ISLAMIC STATE**
12 **OF IRAQ AND THE LEVANT.**

13 (a) *SENSE OF CONGRESS.*—*It is the sense of the Con-*
14 *gress that—*

15 (1) *the Islamic State of Iraq and the Levant*
16 *(ISIL) poses an acute threat to the people and terri-*
17 *torial integrity of Iraq, including the Iraqi Kurdistan*
18 *Region, Iraqi Sunni communities, and Iraq’s reli-*
19 *gious and ethnic minorities, and to the security and*
20 *stability of the Middle East and beyond the region;*

21 (2) *defeating ISIL is critical to maintaining a*
22 *unified Iraq in which all faiths, sects, and ethnicities*
23 *are afforded equal protection and full integration into*
24 *the Government and society of Iraq; and*

1 (3) *the United States should, in coordination*
2 *with coalition partners, provide, in an expeditious*
3 *and responsive manner and without undue delay, the*
4 *military and other security forces of or associated*
5 *with the Government of Iraq, including Kurdish and*
6 *tribal security forces and other local security forces,*
7 *with a national security mission, with defense arti-*
8 *cles, defense services, and related training to more ef-*
9 *fectively partner with the United States and other*
10 *international coalition members to defeat ISIL.*

11 **(b) QUARTERLY PROGRESS REPORT.—**

12 **(1) IN GENERAL.—***Subsection (d) of section 1236*
13 *of the Carl Levin and Howard P. “Buck” McKeon*
14 *National Defense Authorization Act for Fiscal Year*
15 *2015 (Public Law 113–291; 128 Stat. 3559) is*
16 *amended—*

17 **(A)** *in the matter preceding paragraph (1),*
18 *by striking “30 days” and inserting “90 days”;*
19 *and*

20 **(B)** *by adding at the end the following:*

21 **“(11) A list of the forces or elements of forces**
22 *that are restricted from receiving assistance under*
23 *subsection (a), other than the forces or elements of*
24 *forces with respect to which the Secretary of Defense*
25 *has exercised the waiver authority under subsection*

1 (j), as a result of vetting required by subsection (e)
2 or section 2249e of title 10, United States Code, and
3 a detailed description of the reasons for such restric-
4 tion, including for each force or element, as applica-
5 ble, the following:

6 “(A) Information relating to gross violation
7 of human rights committed by such force or ele-
8 ment, including the time-frame of the alleged
9 violation.

10 “(B) The source of the information de-
11 scribed in subparagraph (A) and an assessment
12 of the veracity of the information.

13 “(C) The association of such force or ele-
14 ment with terrorist groups or groups associated
15 with the Government of Iran.

16 “(D) The amount and type of any assist-
17 ance provided to such force or element by the
18 Government of Iran.”.

19 (2) *EFFECTIVE DATE.*—The amendments made
20 by paragraph (1) shall take effect on the date of the
21 enactment of this Act and shall apply with respect to
22 reports required to be submitted pursuant to sub-
23 section (d) of section 1236 of the Carl Levin and
24 Howard P. “Buck” McKeon National Defense Author-

1 *ization Act for Fiscal Year 2015, as so amended, on*
2 *or after such date of enactment.*

3 (c) *FUNDING.*—*Subsection (g) of such section is*
4 *amended by striking the first sentence and inserting the fol-*
5 *lowing: “Of the amounts authorized to be appropriated in*
6 *the National Defense Authorization Act for Fiscal Year*
7 *2016 for Overseas Contingency Operations in title XV for*
8 *fiscal year 2016, there are authorized to be appropriated*
9 *\$715,000,000 to carry out this section.”.*

10 (d) *WAIVER AUTHORITY.*—*Subsection (j) of such sec-*
11 *tion is amended—*

12 (1) *in paragraph (1)—*

13 (A) *in subparagraph (B)(ii), by striking by*
14 *striking “Sections 40 and 40A” and inserting*
15 *“Section 40A”; and*

16 (B) *by adding at the end the following:*

17 “(C) *ADDITIONAL WAIVER AUTHORITY.*—

18 “(i) *IN GENERAL.*—*For purposes of the*
19 *provision of assistance described in sub-*
20 *section (l)(2), the Secretary of Defense may*
21 *waive any provision of law described in*
22 *clause (ii) if the Secretary satisfies the re-*
23 *quirements described in clauses (i) and (ii)*
24 *of subparagraph (A) with respect to such*
25 *waiver.*

1 “(ii) *PROVISIONS OF LAW.*—*The provi-*
2 *sions of law described in this clause are the*
3 *following:*

4 “(I) *Any provision of law de-*
5 *scribed in subparagraph (B).*

6 “(II) *Any eligibility requirement*
7 *under section 3 of the Arms Export*
8 *Control Act (22 U.S.C. 2753).*

9 “(III) *Any eligibility requirement*
10 *under chapter 2 of part II of the For-*
11 *ign Assistance Act of 1961 (22 U.S.C.*
12 *2311 et seq.).”*; and

13 (2) *in paragraph (2), by striking “For purposes”*
14 *and all that follows through “described in paragraph*
15 *(1)(B)” and inserting “The President may waive any*
16 *provision of law other than a provision of law de-*
17 *scribed in paragraph (1)(B) for purposes of the provi-*
18 *sion of assistance pursuant to subsection (a) and any*
19 *provision of law other than a provision of law de-*
20 *scribed in subsection (1)(C) for purposes of the provi-*
21 *sion of assistance described in subsection (l)(2)”.*

22 (e) *ASSESSMENT AND AUTHORITY TO ASSIST DI-*
23 *RECTLY CERTAIN COVERED GROUPS.*—*Such section, as so*
24 *amended, is further amended by adding at the end the fol-*
25 *lowing:*

1 “(l) *ASSESSMENT AND AUTHORITY TO ASSIST DI-*
2 *RECTLY CERTAIN COVERED GROUPS.*—

3 “(1) *ASSESSMENT.*—

4 “(A) *IN GENERAL.*—Not later than 120
5 *days after the date of the enactment of the Na-*
6 *tional Defense Authorization Act for Fiscal Year*
7 *2016, the Secretary of Defense and the Secretary*
8 *of State shall jointly submit to the appropriate*
9 *congressional committees an assessment of the ex-*
10 *tent to which the Government of Iraq is increas-*
11 *ing political inclusiveness, addressing the griev-*
12 *ances of ethnic and sectarian minorities, and en-*
13 *hancing minority integration in the political*
14 *and military structures in Iraq.*

15 “(B) *FACTORS TO BE CONSIDERED IN MAK-*
16 *ING ASSESSMENT.*—In making the assessment de-
17 *scribed in subparagraph (A), the Secretary of*
18 *Defense and the Secretary of State shall consider*
19 *the following factors:*

20 “(i) *The extent to which the Govern-*
21 *ment of Iraq is taking steps to reduce sup-*
22 *port among the Iraqi people for the Islamic*
23 *State of Iraq and the Levant (ISIL) and*
24 *improve stability in Iraq.*

1 “(ii) *The progress of efforts to enact*
2 *legislation establishing the Iraqi National*
3 *Guard, particularly in predominantly*
4 *Sunni regions.*

5 “(iii) *The extent to which the Govern-*
6 *ment of Iraq is expanding the representa-*
7 *tion of minorities in adequate numbers in*
8 *government security organizations and pro-*
9 *viding for the training and equipping of*
10 *such forces.*

11 “(iv) *Whether the Government of Iraq*
12 *is ending support for Shia militias under*
13 *the command and control of, or associated*
14 *with, the Government of Iran, and stopping*
15 *abuses of elements of the Iraqi population*
16 *by such militias.*

17 “(v) *Whether the Government of Iraq is*
18 *ensuring that supplies, equipment, and*
19 *weaponry supplied by the United States are*
20 *appropriately distributed to security forces*
21 *with a national security mission in Iraq,*
22 *including the Kurdish Peshmerga, Sunni*
23 *tribal security forces and local security*
24 *forces with a national security mission,*

1 *and, once established, the Iraqi Sunni Na-*
2 *tional Guard.*

3 “(vi) *Whether the Government of Iraq*
4 *is addressing grievances regarding the ar-*
5 *rest and detention without trial of ethnic*
6 *and sectarian minorities or is taking steps*
7 *to prosecute such individuals that are de-*
8 *tained in a fair, transparent, and prompt*
9 *manner.*

10 “(vii) *Such other factors as the Secre-*
11 *taries consider appropriate.*

12 “(C) *UPDATE.—The Secretary of Defense*
13 *and the Secretary of State shall submit to the*
14 *appropriate congressional committees an update*
15 *of the assessment required under subparagraph*
16 *(A) not later than 180 days after the date on*
17 *which the assessment is submitted to the appro-*
18 *priate congressional committees under subpara-*
19 *graph (A).*

20 “(D) *SUBMISSION.—The assessment re-*
21 *quired under subparagraph (A) and the update*
22 *of the assessment authorized under subparagraph*
23 *(C) may be submitted as part of the quarterly re-*
24 *port required under subsection (d).*

1 “(2) *ASSISTANCE DIRECTLY TO CERTAIN COV-*
2 *ERED GROUPS.—*

3 “(A) *IN GENERAL.—If the President, taking*
4 *into account the results of the assessment re-*
5 *quired under paragraph (1)(A) or the update re-*
6 *quired under paragraph (1)(C), determines and*
7 *notifies the appropriate congressional committees*
8 *that the Government of Iraq has failed to take*
9 *substantial action to increase political inclusive-*
10 *ness, address the grievances of ethnic and sec-*
11 *tarian minorities, and enhance minority inte-*
12 *gration in the political and military structures*
13 *in Iraq, the Secretary of Defense, in coordination*
14 *with the Secretary of State, is authorized to pro-*
15 *vide, in coordination to the extent practicable*
16 *with the Government of Iraq, assistance under*
17 *the authority of subsection (a) directly to the*
18 *groups described in subparagraph (D) for the*
19 *purpose of supporting international coalition ef-*
20 *forts against ISIL.*

21 “(B) *ADMINISTRATIVE PROVISIONS.—In*
22 *carrying out subparagraph (A), the Secretary of*
23 *Defense may—*

24 “(i) *re-allocate the amount of assist-*
25 *ance authorized under subsection (a) to in-*

1 crease the share of such assistance provided
2 to the groups described in subparagraph
3 (D); and

4 “(ii) exercise the waiver authority pro-
5 vided in subsection (j)(1)(C) with respect to
6 providing assistance to the groups described
7 in subparagraph (D).

8 “(C) *COST-SHARING REQUIREMENT INAP-*
9 *PLICABLE.*—The cost-sharing requirement of sub-
10 section (k) shall not apply with respect to funds
11 that are obligated or expended under this sub-
12 section for assistance provided directly to the
13 groups described in subparagraph (D).

14 “(D) *COVERED GROUPS.*—The groups de-
15 scribed in this subparagraph are—

16 “(i) the Kurdish Peshmerga; and

17 “(ii) Sunni tribal security forces, or
18 other local security forces, with a national
19 security mission.”.

20 (f) *PROHIBITION ON ASSISTANCE AND REPORT ON*
21 *EQUIPMENT OR SUPPLIES TRANSFERRED TO OR ACQUIRED*
22 *BY VIOLENT EXTREMIST ORGANIZATIONS.*—

23 (1) *PROHIBITION.*—Assistance authorized under
24 section 1236 of the Carl Levin and Howard P.
25 “Buck” McKeon National Defense Authorization Act

1 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
2 *3558), as so amended, may not be provided to the*
3 *Government of Iraq after the date that is 90 days*
4 *after the date of the enactment of this Act unless the*
5 *Secretary of Defense certifies to the appropriate con-*
6 *gressional committees, after the date of the enactment*
7 *of this Act, that the Government of Iraq has taken*
8 *such actions as may be reasonably necessary to safe-*
9 *guard against such assistance being transferred to or*
10 *acquired by violent extremist organizations.*

11 (2) *REPORT.—*

12 (A) *REPORT REQUIRED.—Not later than 30*
13 *days after the date on which the Secretary of De-*
14 *fense makes any determination that equipment*
15 *or supplies provided pursuant to section 1236(a)*
16 *of the Carl Levin and Howard P. “Buck”*
17 *McKeon National Defense Authorization Act for*
18 *Fiscal Year 2015 (Public Law 113–291; 128*
19 *Stat. 3558), as so amended, have been trans-*
20 *ferred to or acquired by a violent extremist orga-*
21 *nization, the Secretary shall submit to the ap-*
22 *propriate congressional committees a report that*
23 *contains a description of the determination of*
24 *the Secretary and the transfer to or acquisition*
25 *by the violent extremist organization.*

1 (B) *ELEMENTS.*—Each report under para-
2 graph (1) shall include, with respect to the trans-
3 fer covered by the report, the following:

4 (i) *An assessment of the type and*
5 *quantity of equipment or supplies trans-*
6 *ferred to the violent extremist organization.*

7 (ii) *A description of the criteria used*
8 *to determine that the organization is a vio-*
9 *lent extremist organization.*

10 (iii) *A description, if known, of how*
11 *the equipment or supplies were transferred*
12 *to or acquired by the violent extremist orga-*
13 *nization.*

14 (iv) *If the equipment or supplies are*
15 *determined to remain under the current*
16 *control of the violent extremist organization,*
17 *a description of the organization, including*
18 *its relationship, if any, to the security forces*
19 *of the Government of Iraq.*

20 (v) *A description of the end use moni-*
21 *toring or other policies and procedures in*
22 *place in order to prevent equipment or sup-*
23 *plies to be transferred to or acquired by vio-*
24 *lent extremist organizations.*

25 (3) *DEFINITIONS.*—In this subsection:

1 (A) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.*—*The term “appropriate congressional*
3 *committees” means—*

4 (i) *the congressional defense commit-*
5 *tees; and*

6 (ii) *the Committee on Foreign Rela-*
7 *tions of the Senate and the Committee on*
8 *Foreign Affairs of the House of Representa-*
9 *tives.*

10 (B) *VIOLENT EXTREMIST ORGANIZATION.*—
11 *The term “violent extremist organization” means*
12 *an organization that—*

13 (i) *is a foreign terrorist organization*
14 *designated by the Secretary of State under*
15 *section 219 of the Immigration and Nation-*
16 *ality Act (8 U.S.C. 1189) or is associated*
17 *with a foreign terrorist organization; or*

18 (ii) *is known to be under the command*
19 *and control of, or is associated with, the*
20 *Government of Iran.*

21 **SEC. 1224. REPORTS ON UNITED STATES ARMED FORCES**
22 **DEPLOYED IN SUPPORT OF OPERATION IN-**
23 **HERENT RESOLVE.**

24 (a) *REPORTS REQUIRED.*—*Not later than 30 days*
25 *after the date of the enactment of this Act, and every 90*

1 *days thereafter, the Secretary of Defense shall submit to the*
2 *congressional defense committees a report on United States*
3 *Armed Forces deployed in support of Operation Inherent*
4 *Resolve.*

5 (b) *ELEMENTS.—Each report under subsection (a)*
6 *shall include the following:*

7 (1) *The total number of members of the United*
8 *States Armed Forces deployed in support of Oper-*
9 *ation Inherent Resolve for the most recent month for*
10 *which data is available, delineated by Armed Force*
11 *and component (including whether regular, National*
12 *Guard, or Reserve).*

13 (2) *An estimate for the three-month period fol-*
14 *lowing the date on which the report is submitted of*
15 *the total number of members of the United States*
16 *Armed Forces expected to be deployed in support of*
17 *Operation Inherent Resolve, delineated by Armed*
18 *Force and component (including whether regular, Na-*
19 *tional Guard, or Reserve).*

20 (3) *A description of the authorities and limita-*
21 *tions on the number of United States Armed Forces*
22 *deployed in support of Operation Inherent Resolve.*

23 (4) *A description of military functions that are*
24 *and are not subject to the authorities and limitations*
25 *described in paragraph (3).*

1 (5) *Any changes to the authorities and limita-*
2 *tions described in paragraph (3) and the rationale for*
3 *such changes.*

4 (6) *Any other matters the Secretary considers*
5 *appropriate.*

6 (c) *SUNSET.—The requirement to submit reports*
7 *under this section shall terminate on the earlier of—*

8 (1) *the date on which Operation Inherent Resolve*
9 *terminates; or*

10 (2) *the date that is five years after the date of*
11 *the enactment of this Act.*

12 **SEC. 1225. MATTERS RELATING TO SUPPORT FOR THE VET-**
13 **TED SYRIAN OPPOSITION.**

14 (a) *REPORT ON POTENTIAL SUPPORT REQUIRED.—*

15 (1) *IN GENERAL.—Not later than 90 days after*
16 *the date of the enactment of this Act, the Secretary of*
17 *Defense shall submit to the appropriate congressional*
18 *committees a report setting forth a description of the*
19 *military support the Secretary considers necessary to*
20 *provide to recipients of assistance under section 1209*
21 *of the Carl Levin and Howard P. “Buck” McKeon*
22 *National Defense Authorization Act for Fiscal Year*
23 *2015 (Public Law 113–291; 128 Stat. 3541) upon*
24 *their return to Syria to ensure their ability to meet*
25 *the intended purposes of such assistance.*

1 (2) *COVERED POTENTIAL SUPPORT.*—*The sup-*
2 *port the Secretary may consider necessary to provide*
3 *for purposes of the report required by paragraph (1)*
4 *is the following:*

5 (A) *Logistical support.*

6 (B) *Defensive supportive fire.*

7 (C) *Intelligence.*

8 (D) *Medical support.*

9 (E) *Any other support the Secretary con-*
10 *siders appropriate for purposes of the report.*

11 (3) *ELEMENTS.*—*The report required by para-*
12 *graph (1) shall include the following:*

13 (A) *For each type of support the Secretary*
14 *considers necessary to provide as described in*
15 *paragraph (1), a description of the actions to be*
16 *taken by the Secretary to ensure that such sup-*
17 *port would not benefit any of the following:*

18 (i) *The Islamic State of Iraq and*
19 *Syria (ISIS), the Jabhat Al-Nusra Front,*
20 *al-Qaeda, the Khorasan Group, or any other*
21 *violent extremist organization*

22 (ii) *The Syrian Arab Army or any*
23 *group or organization supporting President*
24 *Bashir Assad.*

1 (B) *An estimate of the cost of providing*
2 *such support.*

3 (b) *STRATEGY FOR SYRIA.—*

4 (1) *IN GENERAL.—Not later than 90 days after*
5 *the date of the enactment of this Act, the Secretary of*
6 *Defense shall, in coordination with the Secretary of*
7 *State, submit to the appropriate congressional com-*
8 *mittees a strategy for Syria.*

9 (2) *ELEMENTS.—The strategy required by para-*
10 *graph (1) shall include the following:*

11 (A) *A description of the means by which as-*
12 *stance provided to appropriately vetted ele-*
13 *ments of the Syrian opposition and other appro-*
14 *priately vetted Syrian groups and individuals*
15 *will achieve the purposes set forth in section*
16 *1209(a) of the Carl Levin and Howard P.*
17 *“Buck” McKeon National Defense Authorization*
18 *Act for Fiscal Year 2015.*

19 (B) *A description of the political and mili-*
20 *tary objectives and end states for Syria.*

21 (C) *A description of means by which the as-*
22 *stance will support the political and military*
23 *objectives and end states for Syria.*

1 (D) *An explanation of the manner in which*
 2 *the military campaign in Syria and Iraq is in-*
 3 *tegrated.*

4 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 5 *FINED.—In subsections (a) and (b), the term “appropriate*
 6 *congressional committees” has the meaning given that term*
 7 *in section 1209(e)(2) of the Carl Levin and Howard P.*
 8 *“Buck” McKeon National Defense Authorization Act for*
 9 *Fiscal Year 2015.*

10 (d) *ADDITIONAL MATTERS FOR QUARTERLY*
 11 *PROGRESS REPORTS ON ASSISTANCE TO THE VETTED OP-*
 12 *POSITION.—*

13 (1) *ADDITIONAL MATTERS.—Subsection (d) of*
 14 *section 1209 of the Carl Levin and Howard P.*
 15 *“Buck” McKeon National Defense Authorization Act*
 16 *for Fiscal Year 2015 is amended—*

17 (A) *in paragraph (10), by striking “and”*
 18 *at the end;*

19 (B) *in paragraph (11) by striking the pe-*
 20 *riod at the end and inserting a semicolon; and*

21 (C) *by adding at the end the following new*
 22 *paragraphs:*

23 “(12) *a description of support, if any, provided*
 24 *to appropriately vetted recipients pursuant to sub-*

1 *section (a) while those forces are located in Syria, in-*
2 *cluding—*

3 *“(A) logistics support;*

4 *“(B) defense supporting fire;*

5 *“(C) intelligence; and*

6 *“(D) medical support; and*

7 *“(13) a description of the number of appro-*
8 *priately vetted recipients located in Syria, the ap-*
9 *proximate locations in which they are operating, and*
10 *the number of known casualties among such recipi-*
11 *ents.”.*

12 *(2) EFFECTIVE DATE.—The amendments made*
13 *by paragraph (1) shall take effect on the date of the*
14 *enactment of this Act, and shall apply with respect to*
15 *quarterly reports submitted under subsection (d) of*
16 *section 1209 of the Carl Levin and Howard P.*
17 *“Buck” McKeon National Defense Authorization Act*
18 *for Fiscal Year 2015 after that date.*

19 *(e) INFORMATION ACCOMPANYING REPROGRAMMING*
20 *REQUESTS.—Subsection (f) of such section is amended—*

21 *(1) by striking “The Secretary of Defense” and*
22 *inserting the following:*

23 *“(1) IN GENERAL.—The Secretary of Defense”;*
24 *and*

1 (2) *by adding at the end the following new para-*
2 *graph:*

3 “(2) *INFORMATION ACCOMPANYING REPROGRAM-*
4 *MING REQUESTS.—Each request under paragraph (1)*
5 *shall include the following:*

6 “(A) *The amount, type, and purpose of as-*
7 *sistance to be funded pursuant to such request.*

8 “(B) *The budget, implementation timeline*
9 *with milestones, and anticipated delivery sched-*
10 *ule for such assistance.”.*

11 **SEC. 1226. SUPPORT TO THE GOVERNMENT OF JORDAN**
12 **AND THE GOVERNMENT OF LEBANON FOR**
13 **BORDER SECURITY OPERATIONS.**

14 (a) *AUTHORITY TO PROVIDE SUPPORT.—*

15 (1) *IN GENERAL.—The Secretary of Defense,*
16 *with the concurrence of the Secretary of State, is au-*
17 *thorized to provide support on a reimbursement basis*
18 *to the Government of Jordan and the Government of*
19 *Lebanon for purposes of supporting and enhancing ef-*
20 *forts of the armed forces of Jordan and the armed*
21 *forces of Lebanon to increase security and sustain in-*
22 *creased security along the border of Jordan and the*
23 *border of Lebanon with Syria and Iraq, as applica-*
24 *ble.*

1 (2) *FREQUENCY.*—Support may be provided
2 under this subsection on a quarterly basis.

3 (b) *FUNDS AVAILABLE FOR SUPPORT.*—The following
4 amounts made be used to provide support under the author-
5 ity of subsection (a):

6 (1) *Amounts authorized to be appropriated for*
7 *fiscal year 2016 and available for reimbursement of*
8 *certain coalition nations for support provided to*
9 *United States military operations pursuant to section*
10 *1233 of the National Defense Authorization Act for*
11 *fiscal year 2008 (Public Law 110–181; 122 Stat.*
12 *393).*

13 (2) *Amounts authorized to be appropriated for*
14 *fiscal year 2016 for the Counterterrorism Partner-*
15 *ships Fund pursuant to section 1534 of the Carl*
16 *Levin and Howard P. “Buck” McKeon National De-*
17 *fense Authorization Act for fiscal year 2015 (Public*
18 *Law 113–291; 128 Stat. 3616).*

19 (c) *LIMITATIONS.*—

20 (1) *LIMITATION ON AMOUNT.*—The total amount
21 of support provided under the authority of subsection
22 (a) may not exceed \$150,000,000 for any country
23 specified in subsection (a) in any fiscal year.

24 (2) *SUPPORT TO THE GOVERNMENT OF LEB-*
25 *ANON.*—Support provided under the authority of sub-

1 *section (a) to the Government of Lebanon may be*
2 *used only for the armed forces of Lebanon, and may*
3 *not be used for or to reimburse Hezbollah or any*
4 *forces other than the armed forces of Lebanon.*

5 (3) *PROHIBITION ON CONTRACTUAL OBLIGA-*
6 *TIONS.—The Secretary of Defense may not enter into*
7 *any contractual obligation to provide support under*
8 *the authority of subsection (a).*

9 (4) *DETERMINATION REQUIRED.—The Secretary*
10 *of Defense may not provide support to a country spec-*
11 *ified in subsection (a) if the Secretary determines that*
12 *the government of such country fails to increase secu-*
13 *rity and sustain increased security along the border*
14 *of Jordan and the border of Lebanon with Syria and*
15 *Iraq, as applicable.*

16 (d) *NOTICE BEFORE EXERCISE.—Not later than 15*
17 *days before providing support under the authority of sub-*
18 *section (a), the Secretary of Defense shall submit to the spec-*
19 *ified congressional committees a report setting forth a full*
20 *description of the support to be provided, including the*
21 *amount of support to be provided, and the timeline for the*
22 *provision of such support.*

23 (e) *SPECIFIED CONGRESSIONAL COMMITTEES.—In the*
24 *section, the term “specified congressional committees”*
25 *means—*

1 (1) *the congressional defense committees; and*

2 (2) *the Committee on Foreign Relations of the*
3 *Senate and the Committee on Foreign Affairs of the*
4 *House of Representatives.*

5 (f) *EXPIRATION OF AUTHORITY.*—*No support may be*
6 *provided under the authority of subsection (a) after Decem-*
7 *ber 31, 2018.*

8 **SEC. 1227. SENSE OF CONGRESS ON THE SECURITY AND**
9 **PROTECTION OF IRANIAN DISSIDENTS LIV-**
10 **ING IN CAMP LIBERTY, IRAQ.**

11 *It is the sense of Congress that the United States*
12 *should—*

13 (1) *take prompt and appropriate steps in ac-*
14 *cordance with international agreements to promote*
15 *the physical security and protection of residents of*
16 *Camp Liberty, Iraq;*

17 (2) *urge the Government of Iraq to uphold its*
18 *commitments to the United States to ensure the safety*
19 *and well-being of those living in Camp Liberty;*

20 (3) *urge the Government of Iraq to ensure con-*
21 *tinued and reliable access to food, clean water, med-*
22 *ical assistance, electricity and other energy needs, and*
23 *any other equipment and supplies necessary to sus-*
24 *tain the residents during periods of attack or siege by*
25 *external forces;*

1 (4) oppose the extradition of Camp Liberty resi-
2 dents to Iran;

3 (5) assist the international community in imple-
4 menting a plan to provide for the safe, secure, and
5 permanent relocation of Camp Liberty residents, in-
6 cluding a detailed outline of steps that would need to
7 be taken by recipient countries, the United States, the
8 Nations High Commissioner for Refugees (UNHCR),
9 and the Camp residents to relocate residents to other
10 countries;

11 (6) encourage continued close cooperation be-
12 tween the residents of Camp Liberty and the authori-
13 ties in the relocation process; and

14 (7) assist the United Nations High Commis-
15 sioner for Refugees in expediting the ongoing resettle-
16 ment of all residents of Camp Liberty to safe loca-
17 tions outside Iraq.

18 ***Subtitle D—Matters Relating to***
19 ***Iran***

20 ***SEC. 1231. MODIFICATION AND EXTENSION OF ANNUAL RE-***
21 ***PORT ON THE MILITARY POWER OF IRAN.***

22 (a) *ELEMENT ON CYBER CAPABILITIES IN DESCRIP-*
23 *TION OF STRATEGY.—Paragraph (1) of subsection (b) of*
24 *section 1245 of the National Defense Authorization Act for*

1 *Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is*
2 *amended—*

3 (1) *in subparagraph (B), by striking “and” at*
4 *the end;*

5 (2) *in subparagraph (C), by striking the period*
6 *at the end and inserting “; and”; and*

7 (3) *by adding at the end the following new sub-*
8 *paragraph:*

9 “(D) *Iranian strategy regarding offensive*
10 *cyber capabilities and defensive cyber capabili-*
11 *ties.”.*

12 (b) *ELEMENTS ON CYBER CAPABILITIES IN ASSESS-*
13 *MENTS OF UNCONVENTIONAL FORCES.—Paragraph (3) of*
14 *such subsection, as amended by section 1232(a) of the Na-*
15 *tional Defense Authorization Act for Fiscal Year 2014 (Pub-*
16 *lic Law 113–66; 127 Stat. 920), is further amended—*

17 (1) *in subparagraph (D), by striking “and” at*
18 *the end;*

19 (2) *in subparagraph (E), by striking the period*
20 *at the end and inserting a semicolon; and*

21 (3) *by adding at the end the following new sub-*
22 *paragraphs:*

23 “(F) *offensive cyber capabilities and defen-*
24 *sive cyber capabilities; and*

1 “(G) Iranian ability to manipulate the in-
2 formation environment both domestically and
3 against the interests of the United States and its
4 allies.”.

5 (c) *MATTERS TO BE INCLUDED.*—Such subsection is
6 further amended by adding at the end the following:

7 “(5) An assessment of transfers to Iran of mili-
8 tary equipment, technology, and training from non-
9 Iranian sources.”.

10 (d) *TERMINATION.*—Subsection (d) of such section
11 1245, as amended by section 1277 of the Carl Levin and
12 Howard P. “Buck” McKeon National Defense Authoriza-
13 tion Act for Fiscal Year 2015 (Public Law 113–291; 128
14 Stat. 3592), is further amended by striking “December 31,
15 2016” and inserting “December 31, 2025”.

16 (e) *EFFECTIVE DATE.*—The amendments made by this
17 section shall take effect on the date of the enactment of this
18 Act, and shall apply with respect to reports required to be
19 submitted under section 1245 of the National Defense Au-
20 thorization Act for Fiscal Year 2010, as so amended, after
21 that date.

22 **SEC. 1232. SENSE OF CONGRESS ON THE GOVERNMENT OF**
23 **IRAN’S MALIGN ACTIVITIES.**

24 *It is the sense of Congress that—*

1 (1) *Iran continues to conduct a range of malign*
2 *military and intelligence activities in the region and*
3 *around the globe which constitute a significant threat*
4 *to regional stability and the national security inter-*
5 *ests of the United States and our allies and partners;*

6 (2) *Iran continues funding its conventional and*
7 *unconventional military development, including its*
8 *ballistic missile development programs, and its acqui-*
9 *sition of destabilizing conventional weapons, which*
10 *requires the United States to continue to support and*
11 *build the collective capacity of our allies and partners*
12 *in the region to address threats;*

13 (3) *the sale of advanced weaponry, including ad-*
14 *vance air defense systems, to the Government of Iran*
15 *increases the risk of further destabilizing the region;*

16 (4) *Iran's malign activities, continued state*
17 *sponsorship of terrorism, and the violation of the*
18 *human rights of the Iranian people justify continued*
19 *pressure by the United States; and*

20 (5) *the United States should continue to enhance*
21 *the region's security architecture, build our partners'*
22 *capacity to respond to external aggression, increase*
23 *the interoperability of our respective military forces,*
24 *and continue to better integrate their advanced capa-*
25 *bilities.*

1 **SEC. 1233. REPORT ON MILITARY-TO-MILITARY ENGAGE-**
2 **MENTS WITH IRAN.**

3 (a) *REPORT REQUIRED.*—Not later than one year
4 after the date of the enactment of this Act, and annually
5 thereafter for 2 years, the Secretary of Defense shall submit
6 to the appropriate congressional committees a report on—

7 (1) any military-to-military engagements con-
8 ducted by the Armed Forces or Department of Defense
9 civilians with representatives of the military or para-
10 military forces (including the IRGC Quds Force) of
11 the Islamic Republic of Iran during the one-year pe-
12 riod ending on the date of the submission of the re-
13 port; and

14 (2) any policy changes to such military-to-mili-
15 tary engagements with the armed forces of Iran.

16 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—In
17 this section, the term “appropriate congressional commit-
18 tees” means—

19 (1) the congressional defense committees; and

20 (2) the Committee on Foreign Relations of the
21 Senate and the Committee on Foreign Affairs of the
22 House of Representatives.

23 **SEC. 1234. SECURITY GUARANTEES TO COUNTRIES IN THE**
24 **MIDDLE EAST.**

25 (a) *IN GENERAL.*—Not later than 120 days after the
26 date of the enactment of this Act, the Secretary of Defense

1 *and the Secretary of State shall submit to the appropriate*
2 *congressional committees a report that summarizes any*
3 *agreement, in effect as of the date that is 15 days before*
4 *the date of the submittal of the report, that provides security*
5 *commitments by the United States to any country in the*
6 *Middle East, including the member countries of the Gulf*
7 *Cooperation Council.*

8 **(b) ANALYSIS.**—*Not later than 90 days after the date*
9 *of the enactment of this Act, the Chairman of the Joint*
10 *Chiefs of Staff shall provide the Secretary of Defense with*
11 *an analysis of the United States military force structure*
12 *and posture required to meet any current agreement that*
13 *provides security commitments in the Middle East, includ-*
14 *ing to member countries of the Gulf Cooperation Council.*
15 *The Secretary shall include such analysis, without revision,*
16 *in the report required by subsection (a), together with such*
17 *additional views as the Secretary considers appropriate.*

18 **(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
19 **FINED.**—*In this section, the term “appropriate congress-*
20 *sional committees” means—*

- 21 **(1)** *the Committee on Armed Services and the*
22 *Committee on Foreign Relations of the Senate; and*
23 **(2)** *the Committee on Armed Services and the*
24 *Committee on Foreign Affairs of the House of Rep-*
25 *resentatives.*

1 **SEC. 1235. RULE OF CONSTRUCTION.**

2 *Nothing in this Act shall be construed as authorizing*
3 *the use of force against Iran.*

4 ***Subtitle E—Matters Relating to the***
5 ***Russian Federation***

6 **SEC. 1241. NOTIFICATIONS RELATING TO TESTING, PRO-**
7 **DUCTION, DEPLOYMENT, AND SALE OR**
8 **TRANSFER TO OTHER STATES OR NON-STATE**
9 **ACTORS OF THE CLUB-K CRUISE MISSILE SYS-**
10 **TEM BY THE RUSSIAN FEDERATION.**

11 *(a) NOTIFICATIONS.—Not later than seven days after*
12 *the Secretary determines that there is reasonable grounds*
13 *to believe that the Russian Federation has tested, initially*
14 *deployed, or sold or transferred to another state or non-state*
15 *actor the Club-K cruise missile system, the Secretary shall*
16 *submit to the appropriate committees of Congress a notifi-*
17 *cation of such determination.*

18 *(b) DEPARTMENT OF DEFENSE PLANNING.—The*
19 *Chairman of the Joint Chiefs of Staff shall include in mili-*
20 *tary planning options for responding to the military threat*
21 *posed by the Russian Federation testing, deployment, or*
22 *sale or transfer to other states or non-state actors the Club-*
23 *K cruise missile system.*

24 *(c) DEFINITIONS.—In this section:*

1 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—

2 The term “appropriate committees of Congress”
3 means—

4 (A) *the congressional defense committees;*
5 and

6 (B) *the Committee on Foreign Relations of*
7 *the Senate and the Committee on Foreign Affairs*
8 *of the House of Representatives.*

9 (2) *CLUB-K CRUISE MISSILE SYSTEM.*—The term
10 “Club-K cruise missile system” means the Club-K
11 cruise missile “container launcher” weapons system.

12 (d) *SUNSET.*—The provisions of this section shall not
13 be in effect on and after the date that is 5 years after the
14 date of the enactment of this Act.

15 **SEC. 1242. NOTIFICATIONS OF DEPLOYMENT OF NUCLEAR**
16 **WEAPONS BY RUSSIAN FEDERATION TO TER-**
17 **RITORY OF UKRAINIAN REPUBLIC OR RUS-**
18 **SIAN TERRITORY OF KALININGRAD.**

19 (a) *NOTIFICATIONS.*—

20 (1) *UPON DEPLOYMENT.*—Not later than seven
21 days after the Secretary of Defense determines that
22 there is reasonable grounds to believe that the Russian
23 Federation has deployed covered weapons systems
24 onto the territory of the Ukrainian Republic, or has
25 deployed covered weapons systems onto the Russian

1 *territory of Kaliningrad, the Secretary shall submit*
2 *to the appropriate congressional committees a notifi-*
3 *cation of such determination.*

4 (2) *FORM.—A notification required under para-*
5 *graph (1) shall be submitted in unclassified form, but*
6 *may contain a classified annex if necessary.*

7 (b) *DEPARTMENT OF DEFENSE PLANNING.—The*
8 *Chairman of the Joint Chiefs of Staff shall include in mili-*
9 *tary planning options for responding to the military threat*
10 *posed by the Russian Federation deploying covered weapons*
11 *systems onto the territory of the Ukrainian Republic, or de-*
12 *ploying covered weapons system onto the Russian territory*
13 *of Kaliningrad, including opportunities for allied coopera-*
14 *tion in developing such responses based on consultation*
15 *with such allies.*

16 (c) *DEFINITIONS.—In this section:*

17 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
18 *TEES.—The term “appropriate congressional commit-*
19 *tees” means—*

20 (A) *the congressional defense committees;*

21 *and*

22 (B) *the Committee on Foreign Relations of*
23 *the Senate and the Committee on Foreign Affairs*
24 *of the House of Representatives.*

1 (2) *COVERED WEAPONS SYSTEMS.*—*The term*
2 *“covered weapons systems” means weapons systems*
3 *that can perform both conventional and nuclear mis-*
4 *sions, nuclear weapon delivery systems, and nuclear*
5 *warheads.*

6 (d) *SUNSET.*—*The provisions of this section shall not*
7 *be in effect on and after the date that is 5 years after the*
8 *date of the enactment of this Act.*

9 **SEC. 1243. MEASURES IN RESPONSE TO NON-COMPLIANCE**
10 **BY THE RUSSIAN FEDERATION WITH ITS OB-**
11 **LIGATIONS UNDER THE INF TREATY.**

12 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
13 *that—*

14 (1) *the development and deployment of a nuclear*
15 *ground-launched cruise missile by the Russian Fed-*
16 *eration is in violation of the INF Treaty, and the*
17 *Russian Federation should return to compliance with*
18 *the INF Treaty;*

19 (2) *the increasing role for nuclear weapons in*
20 *the Russian Federation’s military strategy, and the*
21 *continuing violation of the INF Treaty threatens the*
22 *viability of the INF Treaty;*

23 (3) *efforts taken by the President to compel the*
24 *Russian Federation to return to compliance with the*
25 *INF Treaty, including by developing military and*

1 *nonmilitary options, must be persistent and are in*
2 *the best interests of the United States, but cannot be*
3 *open-ended;*

4 *(4) not only should the Russian Federation end*
5 *its cheating with respect to the INF Treaty, but also*
6 *its illegal occupation of the sovereign territory of an-*
7 *other nation, its plans for stationing nuclear weapons*
8 *on that nation's territory, and its cheating and viola-*
9 *tion of as many as eight of its 12 arms control obliga-*
10 *tions and agreements; and*

11 *(5) there are several United States military re-*
12 *quirements that would be addressed by the develop-*
13 *ment and deployment of systems currently prohibited*
14 *by the INF Treaty.*

15 *(b) NOTIFICATIONS OF RUSSIAN FEDERATION VIOLA-*
16 *TIONS OF INF TREATY.—*

17 *(1) IN GENERAL.—The President shall submit to*
18 *the appropriate congressional committees a notifica-*
19 *tion of—*

20 *(A) whether the Russian Federation has*
21 *flight-tested, deployed, or possesses a military*
22 *system that has achieved an initial operating ca-*
23 *pability that is either a ground-launched bal-*
24 *listic missile or ground-launched cruise missile*

1 with a flight-tested range of between 500 and
2 5,500 kilometers; and

3 (B) whether the Russian Federation has
4 begun steps to return to full compliance with the
5 INF Treaty, including by agreeing to inspections
6 and verification measures necessary to achieve
7 high confidence that any missile described in
8 subparagraph (A) will be eliminated, as required
9 by the INF Treaty upon its entry into force.

10 (2) *DEADLINE.*—The notification required under
11 paragraph (1) shall be submitted not later than 30
12 days after the date of the enactment of this Act and
13 not later than 30 days after the date on which the
14 Russian Federation meets any of the conditions de-
15 scribed in subparagraphs (A) and (B) of paragraph
16 (1).

17 (3) *FORM.*—The notification required under
18 paragraph (1) shall be submitted in unclassified form,
19 but may include a classified annex.

20 (c) *NOTIFICATION OF COORDINATION WITH ALLIES*
21 *REGARDING INF TREATY.*—

22 (1) *IN GENERAL.*—Not later than 120 days after
23 the date of the enactment, and every 120-day period
24 thereafter for a period of 5 years, the Secretary of De-
25 fense and the Chairman of the Joint Chiefs of Staff

1 *shall jointly, in coordination with the Secretary of*
2 *State and the Director of National Intelligence, sub-*
3 *mit to the appropriate congressional committees a no-*
4 *tification on the status and content of updates pro-*
5 *vided to the North Atlantic Treaty Organization*
6 *(NATO) and allies of the United States in East Asia,*
7 *on the Russian Federation's flight testing, operating*
8 *capability and deployment of ground launched bal-*
9 *listic missiles or ground-launched cruise missiles with*
10 *a flight-tested range of between 500 and 5,500 kilo-*
11 *meters, including updates on the status and a de-*
12 *scription of efforts with such allies to develop collec-*
13 *tive responses (including economic and military re-*
14 *sponses) to arms control violations of the Russian*
15 *Federation (including violations of the INF Treaty).*

16 (2) *FORM.—The notification required under*
17 *paragraph (1) shall be submitted in unclassified form,*
18 *but may include a classified annex.*

19 (d) *MILITARY RESPONSE OPTIONS TO RUSSIAN FED-*
20 *ERATION VIOLATION OF INF TREATY.—*

21 (1) *IN GENERAL.—If, as of the date of the enact-*
22 *ment of this Act, the Russian Federation has not*
23 *begun taking measures to return to full compliance*
24 *with the INF Treaty, including by agreeing to*
25 *verification measures necessary to achieve high con-*

1 *fidence that any ground-launched ballistic missile or*
2 *ground-launched cruise missile with a flight-tested*
3 *range of between 500 and 5,500 kilometers will be*
4 *eliminated, the Secretary of Defense shall, not later*
5 *than 120 days after that date, submit to the appro-*
6 *priate congressional committees a plan for the devel-*
7 *opment of the following military capabilities:*

8 *(A) Counterforce capabilities to prevent in-*
9 *termediate-range ground-launched ballistic mis-*
10 *sile and cruise missile attacks, whether or not*
11 *such capabilities are in compliance with the INF*
12 *Treaty and including capabilities that may be*
13 *acquired from allies of the United States.*

14 *(B) Countervailing strike capabilities to en-*
15 *hance the forces of the United States or allies of*
16 *the United States, whether or not such capabili-*
17 *ties are in compliance with the INF Treaty and*
18 *including capabilities that may be acquired from*
19 *allies of the United States.*

20 *(C) Active defenses to defend against inter-*
21 *mediate-range ground-launched cruise missile at-*
22 *tacks.*

23 *(2) COST AND SCHEDULE ESTIMATES.—The Sec-*
24 *retary of Defense shall include in the plan required*
25 *by paragraph (1), with respect to each military capa-*

1 *bility described in subparagraphs (A), (B), and (C)*
2 *of that paragraph, an estimate of cost and the ap-*
3 *proximate time for achieving a Milestone A decision,*
4 *if such a decision is required.*

5 (3) *AVAILABILITY OF FUNDS.—Using amounts*
6 *authorized to be appropriated for fiscal year 2016 by*
7 *section 201 and available for research, development,*
8 *test, and evaluation, Defense-wide, or otherwise made*
9 *available, the Secretary of Defense shall carry out the*
10 *development of capabilities pursuant to paragraph*
11 *(1) that are recommended by the Chairman of the*
12 *Joint Chiefs of Staff to meet military requirements*
13 *and current capability gaps with respect to missiles*
14 *described in paragraph (1). In making such a rec-*
15 *ommendation, the Chairman shall give priority to*
16 *such capabilities that the Chairman determines could*
17 *be tested and fielded most expediently, with the most*
18 *priority given to capabilities that the Chairman de-*
19 *termines could be fielded in two years.*

20 (4) *OTHER RESPONSE OPTIONS.—The Secretary*
21 *of Defense shall also include in the plan required by*
22 *paragraph (1) such other options as the Secretary of*
23 *Defense or the Secretary of State consider useful to*
24 *encourage the Russian Federation to return to full*
25 *compliance with the INF Treaty or necessary to re-*

1 *respond to the failure of the Russian Federation to re-*
2 *turn to full compliance with the INF Treaty.*

3 (5) *REPORTS ON DEVELOPMENT.—*

4 (A) *IN GENERAL.—During each 180-day pe-*
5 *riod beginning on the date on which funds are*
6 *first obligated to develop capabilities under*
7 *paragraph (1), the Chairman of the Joint Chiefs*
8 *of Staff shall submit to the appropriate congres-*
9 *sional committees a report on such capabilities,*
10 *including the costs of development (and esti-*
11 *mated total costs of each system if pursued to de-*
12 *ployment) and the time for development flight*
13 *testing and deployment.*

14 (B) *SUNSET.—The provisions of subpara-*
15 *graph (A) shall not be in effect after the date on*
16 *which the President certifies to the appropriate*
17 *congressional committees that the INF Treaty is*
18 *no longer in force or the Russian Federation has*
19 *fully returned to compliance with its obligations*
20 *under the INF Treaty.*

21 (6) *REPORT ON DEPLOYMENT.—Not later than*
22 *180 days after the date of the enactment of this Act,*
23 *the Secretary of Defense shall, in coordination with*
24 *the Secretary of State, submit to the appropriate con-*
25 *gressional committees a report on the following:*

1 (A) *Potential deployment locations of the*
2 *military capabilities described in paragraph (1)*
3 *in East Asia and Eastern Europe, including*
4 *any potential basing agreements that may be re-*
5 *quired to facilitate such deployments.*

6 (B) *Any required safety and security meas-*
7 *ures, estimates of potential costs of deployments*
8 *described in subparagraph (A) and an assess-*
9 *ment of whether or not such deployments in*
10 *Eastern Europe may require a decision of the*
11 *North Atlantic Council.*

12 (e) *DEFINITIONS.—In this section:*

13 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
14 *TEES.—The term “appropriate congressional commit-*
15 *tees” means—*

16 (A) *the Committee on Armed Services, the*
17 *Committee on Foreign Relations, the Committee*
18 *on Appropriations, and the Select Committee on*
19 *Intelligence of the Senate; and*

20 (B) *the Committee on Armed Services, the*
21 *Committee on Foreign Affairs, the Committee on*
22 *Appropriations, and the Permanent Select Com-*
23 *mittee on Intelligence of the House of Represent-*
24 *atives.*

1 (2) *INF TREATY*.—The term “*INF Treaty*”
 2 means the *Treaty Between the United States of Amer-*
 3 *ica and the Union of Soviet Socialist Republics on*
 4 *the Elimination of Their Intermediate-Range and*
 5 *Shorter-Range Missiles, commonly referred to as the*
 6 *Intermediate-Range Nuclear Forces (INF) Treaty,*
 7 *signed at Washington, December 8, 1987, and entered*
 8 *into force June 1, 1988.*

9 **SEC. 1244. MODIFICATION OF NOTIFICATION AND ASSESS-**
 10 **MENT OF PROPOSAL TO MODIFY OR INTRO-**
 11 **DUCE NEW AIRCRAFT OR SENSORS FOR**
 12 **FLIGHT BY THE RUSSIAN FEDERATION**
 13 **UNDER THE OPEN SKIES TREATY.**

14 (a) *IN GENERAL*.—Section 1242(b) of the *Carl Levin*
 15 *and Howard P. “Buck” McKeon National Defense Author-*
 16 *ization Act for Fiscal Year 2015 (Public Law 113–291; 128*
 17 *Stat. 3563) is amended—*

18 (1) *in paragraph (1), by striking “30 days” and*
 19 *inserting “90 days”; and*

20 (2) *in paragraph (2)—*

21 (A) *in the paragraph caption, by striking*
 22 *“ELEMENT” and inserting “ELEMENTS”; and*

23 (B) *by adding at the end the following new*
 24 *sentence: “The assessment shall also include an*
 25 *assessment of the proposal by the commander of*

1 *each combatant command potentially affected by*
2 *the proposal, including an assessment of the po-*
3 *tential effects of the proposal on operations and*
4 *any potential vulnerabilities raised by the pro-*
5 *posal.”.*

6 **(b) LIMITATION ON AVAILABILITY OF FUNDS.**—*Not*
7 *more than 75 percent of the funds authorized to be appro-*
8 *priated by this Act or otherwise made available for fiscal*
9 *year 2016 for research, development, test, and evaluation,*
10 *Air Force, for arms control implementation (PE 0305145F)*
11 *may be obligated or expended until the Secretary of Defense,*
12 *in coordination with the Secretary of State, submits to the*
13 *appropriate committees of Congress a report on the fol-*
14 *lowing:*

15 *(1) A description of any meetings of the Open*
16 *Skies Consultative Commission during the prior year.*

17 *(2) A description of any agreements entered into*
18 *during such meetings of the Open Skies Consultative*
19 *Commission.*

20 *(3) A description of any future year proposals*
21 *for modifications to the aircraft or sensors of any*
22 *State Party to the Open Skies Treaty that will be*
23 *subject to the Open Skies Treaty.*

24 **(c) DEFINITIONS.**—*In this section:*

1 (1) *The term “appropriate committees of Con-*
2 *gress” means—*

3 (A) *the Committee on Armed Services, the*
4 *Committee on Foreign Relations, and the Com-*
5 *mittee on Appropriations of the Senate; and*

6 (B) *the Committee on Armed Services, the*
7 *Committee on Foreign Affairs, and the Com-*
8 *mittee on Appropriations of the House of Rep-*
9 *resentatives.*

10 (2) *The term “Open Skies Treaty” means the*
11 *Treaty on Open Skies, done at Helsinki March 24,*
12 *1992, and entered into force January 1, 2002.*

13 **SEC. 1245. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
14 **LATING TO SOVEREIGNTY OF THE RUSSIAN**
15 **FEDERATION OVER CRIMEA.**

16 (a) *PROHIBITION.—None of the funds authorized to be*
17 *appropriated by this Act or otherwise made available for*
18 *fiscal year 2016 for the Department of Defense may be obli-*
19 *gated or expended to implement any activity that recognizes*
20 *the sovereignty of the Russian Federation over Crimea.*

21 (b) *WAIVER.—The Secretary of Defense may waive the*
22 *restriction on the obligation or expenditure of funds re-*
23 *quired by subsection (a) if the Secretary—*

24 (1) *determines that to do so is in the national*
25 *interest of the United States; and*

1 (2) *submits to the Committee on Armed Services*
2 *of the Senate and the Committee on Armed Services*
3 *of the House of Representatives a notification of the*
4 *waiver at the time the waiver is invoked.*

5 **SEC. 1246. LIMITATION ON MILITARY COOPERATION BE-**
6 **TWEEN THE UNITED STATES AND THE RUS-**
7 **SIAN FEDERATION.**

8 (a) *LIMITATION.*—None of the funds authorized to be
9 *appropriated for fiscal year 2016 for the Department of De-*
10 *fense may be used for any bilateral military-to-military co-*
11 *operation between the Governments of the United States*
12 *and the Russian Federation until the Secretary of Defense,*
13 *in coordination with the Secretary of State, certifies to the*
14 *appropriate congressional committees that—*

15 (1) *the Russian Federation has ceased its occu-*
16 *pation of Ukrainian territory and its aggressive ac-*
17 *tivities that threaten the sovereignty and territorial*
18 *integrity of Ukraine and members of the North Atlan-*
19 *tic Treaty Organization; and*

20 (2) *the Russian Federation is abiding by the*
21 *terms of and taking steps in support of the Minsk*
22 *Protocols regarding a ceasefire in eastern Ukraine.*

23 (b) *NONAPPLICABILITY.*—*The limitation in subsection*
24 (a) *shall not apply to—*

1 (1) *any activities necessary to ensure the compli-*
2 *ance of the United States with its obligations or the*
3 *exercise of rights of the United States under any bi-*
4 *lateral or multilateral arms control or nonprolifera-*
5 *tion agreement or any other treaty obligation of the*
6 *United States; and*

7 (2) *any activities required to provide logistical*
8 *or other support to the conduct of United States or*
9 *North Atlantic Treaty Organization military oper-*
10 *ations in Afghanistan or the withdrawal from Af-*
11 *ghanistan.*

12 (c) *WAIVER.—The Secretary of Defense may waive the*
13 *limitation in subsection (a) if the Secretary of Defense, in*
14 *coordination with the Secretary of State—*

15 (1) *determines that the waiver is in the national*
16 *security interest of the United States; and*

17 (2) *submits to the appropriate congressional*
18 *committees—*

19 (A) *a notification that the waiver is in the*
20 *national security interest of the United States*
21 *and a description of the national security inter-*
22 *est covered by the waiver; and*

23 (B) *a report explaining why the Secretary*
24 *of Defense cannot make the certification under*
25 *subsection (a).*

1 (d) *EXCEPTION FOR CERTAIN MILITARY BASES.*—The
2 *certification requirement specified in paragraph (1) of sub-*
3 *section (a) shall not apply to military bases of the Russian*
4 *Federation in Ukraine’s Crimean peninsula operating in*
5 *accordance with its 1997 agreement on the Status and Con-*
6 *ditions of the Black Sea Fleet Stationing on the Territory*
7 *of Ukraine.*

8 (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
9 *FINED.*—*In this section, the term “appropriate congress-*
10 *sional committees” means—*

11 (1) *the Committee on Armed Services and the*
12 *Committee on Foreign Relations of the Senate; and*

13 (2) *the Committee on Armed Services and the*
14 *Committee on Foreign Affairs of the House of Rep-*
15 *resentatives.*

16 **SEC. 1247. REPORT ON IMPLEMENTATION OF THE NEW**
17 **START TREATY.**

18 (a) *REPORT.*—

19 (1) *IN GENERAL.*—*During each year described in*
20 *paragraph (2), the President shall transmit to the ap-*
21 *propriate congressional committees a report explain-*
22 *ing the reasons that the continued implementation of*
23 *the New START Treaty is in the national security*
24 *interests of the United States.*

1 (2) *YEAR DESCRIBED.*—*A year described in this*
2 *paragraph is a year in which the President imple-*
3 *ments the New START Treaty and determines that*
4 *any of the following circumstances apply:*

5 (A) *The Russian Federation illegally occu-*
6 *pies Ukrainian territory.*

7 (B) *The Russian Federation is not respect-*
8 *ing the sovereignty of all Ukrainian territory.*

9 (C) *The Russian Federation is not in full*
10 *compliance with the INF treaty.*

11 (D) *The Russian Federation is not in com-*
12 *pliance with the CFE Treaty and has not lifted*
13 *its suspension of Russian observance of its treaty*
14 *obligations.*

15 (E) *The Russian Federation is not reducing*
16 *its deployed strategic delivery vehicles.*

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

18 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
19 *TEES.*—*The term “appropriate congressional commit-*
20 *tees” means—*

21 (A) *the Committee on Armed Services and*
22 *the Committee on Foreign Relations of the Sen-*
23 *ate; and*

1 (B) *the Committee on Armed Services and*
2 *the Committee on Foreign Affairs of the House*
3 *of Representatives.*

4 (2) *CFE TREATY.*—*The term “CFE Treaty”*
5 *means the Treaty on Conventional Armed Forces in*
6 *Europe, signed at Paris November 19, 1990, and en-*
7 *tered into force July 17, 1992.*

8 (3) *INF TREATY.*—*The term “INF Treaty”*
9 *means the Treaty Between the United States of Amer-*
10 *ica and the Union of Soviet Socialist Republics on*
11 *the Elimination of Their Intermediate-Range and*
12 *Shorter-Range Missiles, commonly referred to as the*
13 *Intermediate-Range Nuclear Forces (INF) Treaty,*
14 *signed at Washington December 8, 1987, and entered*
15 *into force June 1, 1988.*

16 (4) *NEW START TREATY.*—*The term “New*
17 *START Treaty” means the Treaty between the*
18 *United States of America and the Russian Federation*
19 *on Measures for the Further Reduction and Limita-*
20 *tion of Strategic Offensive Arms, signed on April 8,*
21 *2010, and entered into force on February 5, 2011.*

1 **SEC. 1248. ADDITIONAL MATTERS IN ANNUAL REPORT ON**
2 **MILITARY AND SECURITY DEVELOPMENTS IN-**
3 **VOLVING THE RUSSIAN FEDERATION.**

4 (a) *ADDITIONAL MATTERS.*—*Subsection (b) of section*
5 *1245 of the Carl Levin and Howard P. “Buck” McKeon*
6 *National Defense Authorization Act for Fiscal Year 2015*
7 *(Public Law 113–291; 128 Stat. 3566) is amended—*

8 (1) *by redesignating paragraphs (4) through (15)*
9 *as paragraphs (7) through (18), respectively; and*

10 (2) *by inserting after paragraph (3) the fol-*
11 *lowing new paragraphs (4), (5), and (6):*

12 “(4) *An assessment of the force structure and ca-*
13 *pacilities of Russian military forces stationed in each*
14 *of the Arctic, Kaliningrad, and Crimea, including a*
15 *description of any changes to such force structure or*
16 *capabilities during the one-year period ending on the*
17 *date of such report and with a particular emphasis*
18 *on the anti-access and area denial capabilities of such*
19 *forces.*

20 “(5) *An assessment of Russian military strategy*
21 *and objectives for the Arctic region.*

22 “(6) *A description of the status of testing, pro-*
23 *duction, deployment, and sale or transfer to other*
24 *states or non-state actors of the Club-K cruise missile*
25 *system by the Russian Federation.”.*

1 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
2 *section (a) shall take effect on the date of the enactment*
3 *of this Act, and shall apply with respect to reports sub-*
4 *mitted under section 1245 of the Carl Levin and Howard*
5 *P. “Buck” McKeon National Defense Authorization Act for*
6 *Fiscal Year 2015 after that date.*

7 **SEC. 1249. REPORT ON ALTERNATIVE CAPABILITIES TO**
8 **PROCURE AND SUSTAIN NONSTANDARD RO-**
9 **TARY WING AIRCRAFT HISTORICALLY PRO-**
10 **CURED THROUGH ROSOBORONEXPORT.**

11 (a) *REPORT ON ASSESSMENT OF ALTERNATIVE CAPA-*
12 *BILITIES.*—*Not later than one year after the date of the en-*
13 *actment of this Act, the Under Secretary of Defense for Ac-*
14 *quisition, Technology, and Logistics shall, in consultation*
15 *with the Chairman of the Joint Chiefs of Staff, submit to*
16 *the congressional defense committees a report setting forth*
17 *an assessment, obtained by the Under Secretary for pur-*
18 *poses of the report, of the feasibility and advisability of*
19 *using alternative industrial base capabilities to procure*
20 *and sustain, with parts and service, nonstandard rotary*
21 *wing aircraft historically acquired through*
22 *Rosoboronexport, or nonstandard rotary wing aircraft that*
23 *are in whole or in part reliant upon Rosoboronexport for*
24 *continued sustainment, in order to benefit United States*
25 *national security interests.*

1 (b) *INDEPENDENT ASSESSMENT.*—*The assessment ob-*
2 *tained for purposes of subsection (a) shall be conducted by*
3 *a federally funded research and development center*
4 *(FFRDC), or another appropriate independent entity with*
5 *expertise in the procurement and sustainment of complex*
6 *weapon systems, selected by the Under Secretary for pur-*
7 *poses of the assessment.*

8 (c) *ELEMENTS.*—*The assessment obtained for purposes*
9 *of subsection (a) shall include the following:*

10 (1) *An identification and assessment of inter-*
11 *national industrial base capabilities, other than*
12 *Rosoboronexport, to provide one or more of the fol-*
13 *lowing:*

14 (A) *Means of procuring nonstandard rotary*
15 *wing aircraft historically procured through*
16 *Rosoboronexport.*

17 (B) *Reliable and timely supply of required*
18 *and appropriate parts, spares, and consumables*
19 *of such aircraft.*

20 (C) *Certifiable maintenance of such air-*
21 *craft, including major periodic overhauls, dam-*
22 *age repair, and modifications.*

23 (D) *Access to required reference data on*
24 *such aircraft, including technical manuals and*
25 *service bulletins.*

1 (E) *Credible certification of airworthiness of*
2 *such aircraft through physical inspection, not-*
3 *withstanding any current administrative re-*
4 *quirements to the contrary.*

5 (2) *An assessment (including an assessment of*
6 *associated costs and risks) of alterations to adminis-*
7 *trative processes of the United States Government*
8 *that may be required to procure any of the capabili-*
9 *ties specified in paragraph (1), including waivers to*
10 *Department of Defense or Department of State re-*
11 *quirements applicable to foreign military sales or al-*
12 *terations to procedures for approval of airworthiness*
13 *certificates.*

14 (3) *An assessment of the potential economic im-*
15 *port to Rosoboronexport of procuring nonstandard ro-*
16 *tary wing aircraft described in paragraph (1)(A)*
17 *through entities other than Rosoboronexport.*

18 (4) *An assessment of the risks and benefits of*
19 *using the entities identified pursuant to paragraph*
20 *(1)(A) to procure aircraft described in that para-*
21 *graph.*

22 (5) *Such other matters as the Under Secretary*
23 *considers appropriate.*

24 (d) *USE OF PREVIOUS STUDIES.—The entity con-*
25 *ducting the assessment for purposes of subsection (a) may*

1 *use and incorporate information from previous studies on*
2 *matters appropriate to the assessment.*

3 (e) *FORM OF REPORT.*—*The report under subsection*
4 *(a) shall be submitted in unclassified form, but may include*
5 *a classified annex.*

6 **SEC. 1250. UKRAINE SECURITY ASSISTANCE INITIATIVE.**

7 (a) *AUTHORITY TO PROVIDE ASSISTANCE.*—*Of the*
8 *amounts authorized to be appropriated for fiscal year 2016*
9 *by title XV and available for overseas contingency oper-*
10 *ations as specified in the funding tables in division D,*
11 *\$300,000,000 shall be available to the Secretary of Defense,*
12 *in coordination with the Secretary of State, to provide ap-*
13 *propriate security assistance and intelligence support, in-*
14 *cluding training, equipment, and logistics support, supplies*
15 *and services, to military and other security forces of the*
16 *Government of Ukraine for the purposes as follows:*

17 (1) *To enhance the capabilities of the military*
18 *and other security forces of the Government of*
19 *Ukraine to defend against further aggression.*

20 (2) *To assist Ukraine in developing the combat*
21 *capability to defend its sovereignty and territorial in-*
22 *tegrity.*

23 (3) *To support the Government of Ukraine in de-*
24 *fending itself against actions by Russia and Russian-*

1 *backed separatists that violate the ceasefire agree-*
2 *ments of September 4, 2014, and February 11, 2015.*

3 *(b) APPROPRIATE SECURITY ASSISTANCE AND INTEL-*
4 *LIGENCE SUPPORT.—For purposes of subsection (a), appro-*
5 *priate security assistance and intelligence support includes*
6 *the following:*

7 *(1) Real time or near real time actionable intel-*
8 *ligence, including by lease of such capabilities from*
9 *United States commercial entities.*

10 *(2) Lethal assistance such as anti-armor weapon*
11 *systems, mortars, crew-served weapons and ammuni-*
12 *tion, grenade launchers and ammunition, and small*
13 *arms and ammunition.*

14 *(3) Counter-artillery radars, including medium-*
15 *range and long-range counter-artillery radars that*
16 *can detect and locate long-range artillery.*

17 *(4) Unmanned aerial tactical surveillance sys-*
18 *tems.*

19 *(5) Cyber capabilities.*

20 *(6) Counter-electronic warfare capabilities such*
21 *as secure communications equipment and other elec-*
22 *tronic protection systems.*

23 *(7) Other electronic warfare capabilities.*

1 (8) *Training required to maintain and employ*
2 *systems and capabilities described in paragraphs (1)*
3 *through (7).*

4 (9) *Training for critical combat operations such*
5 *as planning, command and control, small unit tac-*
6 *tics, counter-artillery tactics, logistics, countering im-*
7 *provised explosive devices, battle-field first aid, post-*
8 *combat treatment, and medical evacuation.*

9 (c) *AVAILABILITY OF FUNDS.—*

10 (1) *TRAINING.—Up to 20 percent of the amount*
11 *available pursuant to subsection (a) may be used to*
12 *support training pursuant to section 1207 of the Na-*
13 *tional Defense Authorization Act for Fiscal Year 2012*
14 *(22 U.S.C. 2151 note), relating to the Global Security*
15 *Contingency Fund.*

16 (2) *DEFENSIVE LETHAL ASSISTANCE.—Subject to*
17 *paragraph (3), of the amount available pursuant to*
18 *subsection (a), \$50,000,000 shall be available only for*
19 *lethal assistance described in paragraphs (2) and (3)*
20 *of subsection (b).*

21 (3) *OTHER PURPOSES.—The amount described*
22 *in paragraph (2) shall be available for purposes other*
23 *than lethal assistance referred to in that paragraph*
24 *commencing on the date that is six months after the*
25 *date of the enactment of this Act if the Secretary of*

1 *Defense, with the concurrence of the Secretary of*
2 *State, certifies to the congressional defense committees*
3 *that the use of such amount for purposes of such le-*
4 *thal assistance is not in the national security inter-*
5 *ests of the United States. The purposes for which the*
6 *amount may be used pursuant to this paragraph in-*
7 *clude the following:*

8 *(A) Assistance or support to national-level*
9 *security forces of other Partnership for Peace na-*
10 *tions that the Secretary of Defense determines to*
11 *be appropriate to assist in preserving their sov-*
12 *ereignty and territorial integrity against Rus-*
13 *sian aggression.*

14 *(B) Exercises and training support of na-*
15 *tional-level security forces of Partnership for*
16 *Peace nations or the Government of Ukraine that*
17 *the Secretary of Defense determines to be appro-*
18 *priate to assist in preserving their sovereignty*
19 *and territorial integrity against Russian aggres-*
20 *sion.*

21 *(d) UNITED STATES INVENTORY AND OTHER*

22 *SOURCES.—*

23 *(1) IN GENERAL.—In addition to any assistance*
24 *provided pursuant to subsection (a), the Secretary of*
25 *Defense is authorized, with the concurrence of the Sec-*

1 *retary of State, to make available to the Government*
2 *of Ukraine weapons and other defense articles, from*
3 *the United States inventory and other sources, and*
4 *defense services, in such quantity as the Secretary of*
5 *Defense determines to be appropriate to achieve the*
6 *purposes specified in subsection (a).*

7 (2) *REPLACEMENT.—Amounts for the replace-*
8 *ment of any items provided to the Government of*
9 *Ukraine pursuant to paragraph (1) shall be derived*
10 *from the amount available pursuant to subsection (a)*
11 *or amounts authorized to be appropriated for the De-*
12 *partment of Defense for overseas contingency oper-*
13 *ations for weapons procurement.*

14 (e) *CONSTRUCTION OF AUTHORIZATION.—Nothing in*
15 *this section shall be construed to constitute a specific statu-*
16 *tory authorization for the introduction of United States*
17 *Armed Forces into hostilities or into situations wherein hos-*
18 *tilities are clearly indicated by the circumstances.*

19 (f) *TERMINATION OF AUTHORITY.—Assistance may*
20 *not be provided under the authority in this section after*
21 *December 31, 2017.*

22 (g) *EXTENSION OF REPORTS ON MILITARY ASSIST-*
23 *ANCE TO UKRAINE.—Section 1275(e) of the Carl Levin and*
24 *Howard P. “Buck” McKeon National Defense Authoriza-*
25 *tion Act for Fiscal Year 2015 (Public Law 113–291; 128*

1 *Stat. 3592) is amended by striking “January 31, 2017”*
2 *and inserting “December 31, 2017”.*

3 **SEC. 1251. TRAINING FOR EASTERN EUROPEAN NATIONAL**
4 **MILITARY FORCES IN THE COURSE OF MULTI-**
5 **LATERAL EXERCISES.**

6 (a) *AUTHORITY.*—*The Secretary of Defense may pro-*
7 *vide the training specified in subsection (b), and pay the*
8 *incremental expenses incurred by a country as the direct*
9 *result of participation in such training, for the national*
10 *military forces provided for under subsection (c).*

11 (b) *TYPES OF TRAINING.*—*The training provided to*
12 *the national military forces of a country under subsection*
13 *(a) shall be limited to training that is—*

14 (1) *provided in the course of the conduct of a*
15 *multilateral exercise in which the United States*
16 *Armed Forces are a participant;*

17 (2) *comparable to or complimentary of the types*
18 *of training the United States Armed Forces receive in*
19 *the course of such multilateral exercise; and*

20 (3) *for any purpose as follows:*

21 (A) *To enhance and increase the interoper-*
22 *ability of the military forces to be trained to in-*
23 *crease their ability to participate in coalition ef-*
24 *forts led by the United States or the North At-*
25 *lantic Treaty Organization (NATO).*

1 (B) *To increase the capacity of such mili-*
2 *tary forces to respond to external threats.*

3 (C) *To increase the capacity of such mili-*
4 *tary forces to respond to hybrid warfare.*

5 (D) *To increase the capacity of such mili-*
6 *tary forces to respond to calls for collective ac-*
7 *tion within the North Atlantic Treaty Organiza-*
8 *tion.*

9 (c) *ELIGIBLE COUNTRIES.—*

10 (1) *IN GENERAL.—Training may be provided*
11 *under subsection (a) to the national military forces of*
12 *the countries determined by the Secretary of Defense,*
13 *with the concurrence of the Secretary of State, to be*
14 *appropriate recipients of such training from among*
15 *the countries as follows:*

16 (A) *Countries that are a signatory to the*
17 *Partnership for Peace Framework Documents,*
18 *but not a member of the North Atlantic Treaty*
19 *Organization.*

20 (B) *Countries that became a member of the*
21 *North Atlantic Treaty Organization after Janu-*
22 *ary 1, 1999.*

23 (2) *ELIGIBLE COUNTRIES.—Before providing*
24 *training under subsection (a), the Secretary of De-*
25 *fense shall, in coordination with the Secretary of*

1 *State, submit to the Committees on Armed Services of*
2 *the Senate and the House of Representatives a list of*
3 *the countries determined pursuant to paragraph (1)*
4 *to be eligible for the provision of training under sub-*
5 *section (a).*

6 *(d) FUNDING OF INCREMENTAL EXPENSES.—*

7 *(1) ANNUAL FUNDING.—Of the amounts specified*
8 *in paragraph (2) for a fiscal year, up to a total of*
9 *\$28,000,000 may be used to pay incremental expenses*
10 *under subsection (a) in that fiscal year.*

11 *(2) AMOUNTS.—The amounts specified in this*
12 *paragraph are as follows:*

13 *(A) Amounts authorized to be appropriated*
14 *for a fiscal year for operation and maintenance,*
15 *Army, and available for the Combatant Com-*
16 *mands Direct Support Program for that fiscal*
17 *year.*

18 *(B) Amounts authorized to be appropriated*
19 *for a fiscal year for operation and maintenance,*
20 *Defense-wide, and available for the Wales Initia-*
21 *tive Fund for that fiscal year.*

22 *(3) AVAILABILITY OF FUNDS FOR ACTIVITIES*
23 *ACROSS FISCAL YEARS.—Amounts available in a fis-*
24 *cal year pursuant to this subsection may be used for*

1 *incremental expenses of training that begins in that*
2 *fiscal year and ends in the next fiscal year.*

3 *(e) BRIEFING TO CONGRESS ON USE OF AUTHORITY.—*

4 *Not later than 90 days after the end of each fiscal year in*
5 *which the authority in subsection (a) is used, the Secretary*
6 *shall brief the Committees on Armed Services of the Senate*
7 *and the House of Representatives on the use of the authority*
8 *during such fiscal year, including each country with which*
9 *training under the authority was conducted and the types*
10 *of training provided.*

11 *(f) CONSTRUCTION OF AUTHORITY.—The authority*

12 *provided in subsection (a) is in addition to any other au-*
13 *thority provided by law authorizing the provision of train-*
14 *ing for the national military forces of a foreign country,*
15 *including section 2282 of title 10, United States Code.*

16 *(g) INCREMENTAL EXPENSES DEFINED.—In this sec-*

17 *tion, the term “incremental expenses” means the reasonable*
18 *and proper cost of the goods and services that are consumed*
19 *by a country as a direct result of that country’s participa-*
20 *tion in training under the authority of this section, includ-*
21 *ing rations, fuel, training ammunition, and transportation.*
22 *Such term does not include pay, allowances, and other nor-*
23 *mal costs of a country’s personnel.*

24 *(h) TERMINATION OF AUTHORITY.—The authority*

25 *under this section shall terminate on September 30, 2017.*

1 *Any activity under this section initiated before that date*
2 *may be completed, but only using funds available for fiscal*
3 *years 2016 through 2017.*

4 ***Subtitle F—Matters Relating to the***
5 ***Asia-Pacific Region***

6 ***SEC. 1261. STRATEGY TO PROMOTE UNITED STATES INTER-***
7 ***ESTS IN THE INDO-ASIA-PACIFIC REGION.***

8 *(a) STRATEGY.—Not later than March 1, 2017, the*
9 *President shall develop an overall strategy to promote*
10 *United States interests in the Indo-Asia-Pacific region.*
11 *Such strategy shall be informed by, but not limited to, the*
12 *following:*

13 *(1) The national security strategy of the United*
14 *States for 2015 set forth in the national security*
15 *strategy report required under section 108(a)(3) of the*
16 *National Security Act of 1947 (50 U.S.C.*
17 *5043(a)(3)), as such strategy relates to United States*
18 *interests in the Indo-Asia-Pacific region.*

19 *(2) The 2014 Quadrennial Defense Review, as it*
20 *relates to United States interests in the Indo-Asia-Pa-*
21 *cific region.*

22 *(3) The 2015 Quadrennial Diplomacy and De-*
23 *velopment Review, as it relates to United States in-*
24 *terests in the Indo-Asia-Pacific region.*

1 (4) *The strategy to prioritize United States de-*
2 *fense interests in the Asia-Pacific region as contained*
3 *in the report required by section 1251(a) of the Na-*
4 *tional Defense Authorization Act for Fiscal Year 2015*
5 *(Public Law 113–291).*

6 (5) *The integrated, multi-year planning and*
7 *budget strategy for a rebalancing of United States*
8 *policy in Asia submitted to Congress pursuant to sec-*
9 *tion 7043(a) of the Department of State, Foreign Op-*
10 *erations, and Related Programs Appropriations Act,*
11 *2014 (division K of the Consolidated Appropriations*
12 *Act, 2014 (Public Law 113–76)).*

13 (b) *PRESIDENTIAL POLICY DIRECTIVE.—The Presi-*
14 *dent shall issue a Presidential Policy Directive to appro-*
15 *priate departments and agencies of the United States Gov-*
16 *ernment that contains the strategy developed under sub-*
17 *section (a) and includes implementing guidance to such de-*
18 *partments and agencies.*

19 (c) *RELATION TO AGENCY PRIORITY GOALS AND AN-*
20 *NUAL BUDGET.—*

21 (1) *AGENCY PRIORITY GOALS.—In identifying*
22 *agency priority goals under section 1120(b) of title*
23 *31, United States Code, for each appropriate depart-*
24 *ment and agency of the United States Government,*
25 *the head of such department or agency, or as other-*

1 *wise determined by the Director of the Office of Man-*
2 *agement and Budget, shall take into consideration the*
3 *strategy developed under subsection (a) and the Presi-*
4 *dential Policy Directive issued under subsection (b).*

5 (2) *ANNUAL BUDGET.*—*The President, acting*
6 *through the Director of the Office of Management and*
7 *Budget, shall ensure that the annual budget submitted*
8 *to Congress under section 1105 of title 31, United*
9 *States Code, includes a separate section that clearly*
10 *highlights programs and projects that are being fund-*
11 *ed in the annual budget that relate to the strategy de-*
12 *veloped under subsection (a) and the Presidential Pol-*
13 *icy Directive issued under subsection (b).*

14 **SEC. 1262. REQUIREMENT TO SUBMIT DEPARTMENT OF DE-**
15 **FENSE POLICY REGARDING FOREIGN DISCLO-**
16 **SURE OR TECHNOLOGY RELEASE OF AEGIS**
17 **ASHORE CAPABILITY TO JAPAN.**

18 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
19 *that a decision by the Government of Japan to purchase*
20 *Aegis Ashore for its self-defense, given that it already pos-*
21 *sesses sea-based Aegis weapons system-equipped naval ves-*
22 *sels, could create a significant opportunity for promoting*
23 *interoperability and integration of air- and missile defense*
24 *capability, could provide for force multiplication benefits,*

1 *and could potentially alleviate force posture requirements*
2 *on multi-mission assets.*

3 (b) *REQUIREMENT TO SUBMIT POLICY.*—*Not later*
4 *than 30 days after the date of the enactment of this Act,*
5 *the Secretary of Defense shall submit to the appropriate*
6 *congressional committees a copy of the Department of De-*
7 *fense policy regarding foreign disclosure or technology re-*
8 *lease of Aegis Ashore capability to Japan.*

9 (c) *DEFINITION.*—*In this section, the term “appro-*
10 *priate congressional committees” means—*

11 (1) *the congressional defense committees; and*

12 (2) *the Committee on Foreign Relations of the*
13 *Senate and the Committee on Foreign Affairs of the*
14 *House of Representatives.*

15 **SEC. 1263. SOUTH CHINA SEA INITIATIVE.**

16 (a) *ASSISTANCE AND TRAINING.*—

17 (1) *IN GENERAL.*—*The Secretary of Defense is*
18 *authorized, with the concurrence of the Secretary of*
19 *State, for the purpose of increasing maritime security*
20 *and maritime domain awareness of foreign countries*
21 *along the South China Sea—*

22 (A) *to provide assistance to national mili-*
23 *tary or other security forces of such countries*
24 *that have among their functional responsibilities*
25 *maritime security missions; and*

1 (B) to provide training to ministry, agency,
2 and headquarters level organizations for such
3 forces.

4 (2) *DESIGNATION OF ASSISTANCE AND TRAIN-*
5 *ING.*—The provision of assistance and training under
6 this section may be referred to as the “South China
7 Sea Initiative”.

8 (b) *RECIPIENT COUNTRIES.*—The foreign countries
9 that may be provided assistance and training under sub-
10 section (a) are the following:

11 (1) *Indonesia.*

12 (2) *Malaysia,*

13 (3) *The Philippines.*

14 (4) *Thailand.*

15 (5) *Vietnam.*

16 (c) *TYPES OF ASSISTANCE AND TRAINING.*—

17 (1) *AUTHORIZED ELEMENTS OF ASSISTANCE.*—
18 Assistance provided under subsection (a)(1)(A) may
19 include the provision of equipment, supplies, train-
20 ing, and small-scale military construction.

21 (2) *REQUIRED ELEMENTS OF ASSISTANCE AND*
22 *TRAINING.*—Assistance and training provided under
23 subsection (a) shall include elements that promote the
24 following:

1 (A) *Observance of and respect for human*
2 *rights and fundamental freedoms.*

3 (B) *Respect for legitimate civilian authority*
4 *within the country to which the assistance is*
5 *provided.*

6 (d) *PRIORITIES FOR ASSISTANCE AND TRAINING.—In*
7 *developing programs for assistance or training to be pro-*
8 *vided under subsection (a), the Secretary of Defense shall*
9 *accord a priority to assistance, training, or both that will*
10 *enhance the maritime capabilities of the recipient foreign*
11 *country, or a regional organization of which the recipient*
12 *country is a member, to respond to emerging threats to*
13 *maritime security.*

14 (e) *INCREMENTAL EXPENSES OF PERSONNEL OF CER-*
15 *TAIN OTHER COUNTRIES FOR TRAINING.—*

16 (1) *AUTHORITY FOR PAYMENT.—If the Secretary*
17 *of Defense determines that the payment of incre-*
18 *mental expenses in connection with training described*
19 *in subsection (a)(1)(B) will facilitate the participa-*
20 *tion in such training of organization personnel of for-*
21 *foreign countries specified in paragraph (2), the Sec-*
22 *retary may use amounts available under subsection*
23 *(f) for assistance and training under subsection (a)*
24 *for the payment of such incremental expenses.*

1 (2) *COVERED COUNTRIES.*—*The foreign countries*
2 *specified in this paragraph are the following:*

3 (A) *Brunei.*

4 (B) *Singapore.*

5 (C) *Taiwan.*

6 (f) *AVAILABILITY OF FUNDS.*—

7 (1) *IN GENERAL.*—*Of the amounts authorized to*
8 *be appropriated for fiscal year 2016 for the Depart-*
9 *ment of Defense, \$50,000,000 may be available for the*
10 *provision of assistance and training under subsection*
11 *(a).*

12 (2) *NOTICE ON SOURCE OF FUNDS.*—*If the Sec-*
13 *retary of Defense uses funds available to the Depart-*
14 *ment pursuant to paragraph (1) to provide assistance*
15 *and training under subsection (a) during a fiscal*
16 *half-year of fiscal year 2016, not later than 30 days*
17 *after the end of such fiscal half-year, the Secretary*
18 *shall submit to the congressional defense committees a*
19 *notice on the account or accounts providing such*
20 *funds.*

21 (g) *NOTICE TO CONGRESS ON ASSISTANCE AND TRAIN-*
22 *ING.*—

23 (1) *IN GENERAL.*—*Not later than 15 days before*
24 *exercising the authority under subsection (a) or (e)*
25 *with respect to a recipient foreign country, the Sec-*

1 *retary of Defense shall submit to the appropriate com-*
2 *mittees of Congress a notification containing the fol-*
3 *lowing:*

4 *(A) The recipient foreign country.*

5 *(B) A detailed justification of the program*
6 *for the provision of the assistance or training*
7 *concerned, and its relationship to United States*
8 *security interests.*

9 *(C) The budget for the program, including*
10 *a timetable of planned expenditures of funds to*
11 *implement the program, an implementation*
12 *timeline for the program with milestones (in-*
13 *cluding anticipated delivery schedules for any*
14 *assistance under the program), the military de-*
15 *partment or component responsible for manage-*
16 *ment of the program, and the anticipated com-*
17 *pletion date for the program.*

18 *(D) A description of the arrangements, if*
19 *any, to support host nation sustainment of any*
20 *capability developed pursuant to the program,*
21 *and the source of funds to support sustainment*
22 *efforts and performance outcomes to be achieved*
23 *under the program beyond its completion date, if*
24 *applicable.*

1 (E) A description of the program objectives
2 and an assessment framework to be used to de-
3 velop capability and performance metrics associ-
4 ated with operational outcomes for the recipient
5 force.

6 (F) Such other matters as the Secretary
7 considers appropriate.

8 (2) *APPROPRIATE COMMITTEES OF CONGRESS*
9 *DEFINED.*—In this subsection, the term “appropriate
10 committees of Congress” means—

11 (A) the Committee on Armed Services, the
12 Committee on Foreign Relations, and the Com-
13 mittee on Appropriations of the Senate; and

14 (B) the Committee on Armed Services, the
15 Committee on Foreign Affairs, and the Com-
16 mittee on Appropriations of the House of Rep-
17 resentatives.

18 (h) *EXPIRATION.*—Assistance and training may not be
19 provided under this section after September 30, 2020.

20 **Subtitle G—Other Matters**

21 **SEC. 1271. TWO-YEAR EXTENSION AND MODIFICATION OF** 22 **AUTHORIZATION FOR NON-CONVENTIONAL** 23 **ASSISTED RECOVERY CAPABILITIES.**

24 (a) *EXTENSION.*—Subsection (h) of section 943 of the
25 Duncan Hunter National Defense Authorization Act for

1 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579),*
2 *as most recently amended by section 1261(a) of the Carl*
3 *Levin and Howard P. “Buck” McKeon National Defense*
4 *Authorization Act for Fiscal Year 2015 (Public Law 113–*
5 *291), is further amended by striking “2016” and inserting*
6 *“2018”.*

7 (b) *REVISION TO ANNUAL LIMITATION ON FUNDS.—*
8 *Subsection (a) of such section 943 is amended—*

9 (1) *by striking “Upon” and inserting the fol-*
10 *lowing:*

11 “(1) *IN GENERAL.—Upon*”;

12 (2) *by striking “an amount” and all that follows*
13 *through “may be” and inserting “amounts appro-*
14 *priated or otherwise made available for the Depart-*
15 *ment of Defense for operation and maintenance may*
16 *be”; and*

17 (3) *by adding at the end the following new para-*
18 *graph:*

19 “(2) *ANNUAL LIMIT.—The total amount made*
20 *available for support of non-conventional assisted re-*
21 *covery activities under this subsection in any fiscal*
22 *year may not exceed \$25,000,000.”.*

23 (c) *OVERSIGHT.—Subsection (b) of such section 943 is*
24 *amended—*

1 (1) *by striking “(b) PROCEDURES.—The Sec-*
2 *retary” and inserting the following:*

3 “*(b) PROCEDURES AND OVERSIGHT.—*

4 “*(1) PROCEDURES.—The Secretary*”; and

5 “*(2) by adding at the end the following new para-*
6 *graph:*

7 “*(2) PROGRAMMATIC AND POLICY OVERSIGHT.—*

8 *The Assistant Secretary of Defense for Special Oper-*
9 *ations and Low-Intensity Conflict shall have primary*
10 *programmatic and policy oversight of non-conven-*
11 *tional assisted recovery activities authorized by this*
12 *section.”.*

13 **SEC. 1272. AMENDMENT TO THE ANNUAL REPORT UNDER**
14 **ARMS CONTROL AND DISARMAMENT ACT.**

15 *Subsection (e) of section 403 of the Arms Control and*
16 *Disarmament Act (22 U.S.C. 2593a) is amended to read*
17 *as follows:*

18 “*(e) ANNUAL REPORT.—*

19 “*(1) IN GENERAL.—Not later than June 15 of*
20 *each year described in paragraph (2), the Director of*
21 *National Intelligence shall submit to the appropriate*
22 *congressional committees a report that contains a de-*
23 *tailed assessment, consistent with the provision of*
24 *classified information and intelligence sources and*
25 *methods, of the adherence of other nations to obliga-*

1 *tions undertaken in all arms control, nonprolifera-*
2 *tion, and disarmament agreements or commitments to*
3 *which the United States is a party, including infor-*
4 *mation of cases in which any such nation has behaved*
5 *inconsistently with respect to its obligations under-*
6 *taken in such agreements or commitments.*

7 *“(2) COVERED YEAR.—A year described in this*
8 *paragraph is a year in which the President fails to*
9 *submit the report required by subsection (a) by not*
10 *later than April 15 of such year.*

11 *“(3) FORM.—The report required by this sub-*
12 *section shall be submitted in unclassified form, but*
13 *may contain a classified annex if necessary.”.*

14 **SEC. 1273. EXTENSION OF AUTHORIZATION TO CONDUCT**
15 **ACTIVITIES TO ENHANCE THE CAPABILITY OF**
16 **FOREIGN COUNTRIES TO RESPOND TO INCI-**
17 **DENTS INVOLVING WEAPONS OF MASS DE-**
18 **STRUCTION.**

19 *Section 1204(h) of the National Defense Authorization*
20 *Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat.*
21 *897; 10 U.S.C. 401 note) is amended by striking “Sep-*
22 *tember 30, 2017” and inserting “September 30, 2019”.*

1 **SEC. 1274. MODIFICATION OF AUTHORITY FOR SUPPORT OF**
2 **SPECIAL OPERATIONS TO COMBAT TER-**
3 **RORISM.**

4 (a) *AUTHORITY.*—Subsection (a) of section 1208 of the
5 *Ronald W. Reagan National Defense Authorization Act for*
6 *Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086),*
7 *as most recently amended by section 1208(a) of the Carl*
8 *Levin and Howard P. “Buck” McKeon National Defense*
9 *Authorization Act for Fiscal Year 2015 (Public Law 113–*
10 *291; 128 Stat. 3541), is further amended by striking*
11 *“\$75,000,000” and inserting “\$85,000,000”.*

12 (b) *NOTIFICATION.*—Subsection (c)(1) of such section
13 *1208, as most recently amended by section 1202(b) of the*
14 *National Defense Authorization Act for Fiscal Year 2010*
15 *(Public Law 111–84; 123 Stat. 2511), is further amended—*

16 (1) *by striking “Upon using” and inserting “Not*
17 *later than 15 days before exercising”;*

18 (2) *by striking “for support” and inserting “to*
19 *initiate support”;*

20 (3) *by inserting after “for such an operation,”*
21 *the following: “or not later than 48 hours after exer-*
22 *cising such authority provided in subsection (a) if the*
23 *Secretary of Defense determines that extraordinary*
24 *circumstances that impact the national security of the*
25 *United States exist,”; and*

1 (4) by striking “expeditiously, and in any event
2 within 48 hours,”.

3 (c) *ANNUAL REPORT.*—Subsection (f)(1) of such sec-
4 tion 1208, as most recently amended by section 1202(c) of
5 the National Defense Authorization Act for Fiscal Year
6 2010 (Public Law 111–84; 123 Stat. 2512), is further
7 amended by striking “Not later than 120 days after the
8 close of each fiscal year during which subsection (a) is in
9 effect” and inserting “Not later than 180 days after the date
10 of the enactment of the National Defense Authorization Act
11 for Fiscal Year 2016, and every 180 days thereafter”.

12 (d) *EFFECTIVE DATE.*—The amendments made by
13 subsections (a) and (b) take effect on the date of the enact-
14 ment of this Act and apply with respect to each fiscal year
15 that begins on or after such date of enactment.

16 **SEC. 1275. LIMITATION ON AVAILABILITY OF FUNDS TO IM-**
17 **PLEMENT THE ARMS TRADE TREATY.**

18 (a) *IN GENERAL.*—None of the funds authorized to be
19 appropriated by this Act or otherwise made available for
20 fiscal year 2016 for the Department of Defense may be obli-
21 gated or expended to implement the Arms Trade Treaty,
22 or to make any change to existing programs, projects, or
23 activities as approved by Congress in furtherance of, pursu-
24 ant to, or otherwise to implement the Arms Trade Treaty,
25 unless the Arms Trade Treaty has received the advice and

1 *consent of the Senate and has been the subject of imple-*
2 *menting legislation, as required, by Congress.*

3 (b) *RULE OF CONSTRUCTION.*—*Nothing in this section*
4 *shall be construed to preclude the Department of Defense*
5 *from assisting foreign countries in bringing their laws and*
6 *regulations up to United States standards.*

7 **SEC. 1276. REPORT ON THE SECURITY RELATIONSHIP BE-**
8 **TWEEN THE UNITED STATES AND THE REPUB-**
9 **LIC OF CYPRUS.**

10 (a) *IN GENERAL.*—*Not later than 120 days after the*
11 *date of the enactment of this Act, the Secretary of Defense*
12 *and the Secretary of State shall jointly submit to the appro-*
13 *priate congressional committees a report on the security re-*
14 *lationship between the United States and the Republic of*
15 *Cyprus.*

16 (b) *ELEMENTS.*—*The report required under subsection*
17 (a) *shall include the following elements:*

18 (1) *A description of ongoing military and secu-*
19 *rity cooperation between the United States and the*
20 *Republic of Cyprus.*

21 (2) *A discussion of potential steps for enhancing*
22 *the bilateral security relationship between the United*
23 *States and Cyprus, including steps to enhance the*
24 *military and security capabilities of the Republic of*
25 *Cyprus.*

1 (3) *An analysis of the effect on the bilateral secu-*
 2 *rity relationship of the United States policy to deny*
 3 *applications for licenses and other approvals for the*
 4 *export of defense articles and defense services to the*
 5 *armed forces of Cyprus.*

6 (4) *An analysis of the extent to which such*
 7 *United States policy is consistent with overall United*
 8 *States security and policy objectives in the region.*

9 (5) *An assessment of the potential impact of lift-*
 10 *ing such United States policy.*

11 (c) *DEFINITION.—In this section, the term “appro-*
 12 *priate congressional committees” means—*

13 (1) *the congressional defense committees; and*

14 (2) *the Committee on Foreign Relations of the*
 15 *Senate and the Committee on Foreign Affairs of the*
 16 *House of Representatives.*

17 **SEC. 1277. SENSE OF CONGRESS ON EUROPEAN DEFENSE**

18 **AND THE NORTH ATLANTIC TREATY ORGANI-**

19 **ZATION.**

20 *It is the sense of Congress that—*

21 (1) *it is in the national security and fiscal inter-*
 22 *ests of the United States that prompt efforts should be*
 23 *undertaken by North Atlantic Treaty Organization*
 24 *allies to meet defense budget commitments made in*

1 *Declaration 14 of the Wales Summit Declaration of*
2 *September 2014;*

3 *(2) thoughtful and coordinated defense invest-*
4 *ments by European allies in military capabilities*
5 *would add deterrence value to the posture of the North*
6 *Atlantic Treaty Organization against Russian aggres-*
7 *sion and terrorist organizations and more appro-*
8 *priately balance the share of Atlantic defense spend-*
9 *ing;*

10 *(3) the United States Government should con-*
11 *tinue to support the open-door policy of the North At-*
12 *lantic Treaty Organization, declared at the 2014*
13 *Summit in Wales that “NATO’s open-door will re-*
14 *main open to all European democracies which share*
15 *the values of our Alliance, which are willing and able*
16 *to assume the responsibilities and obligations of mem-*
17 *bership, which are in a position to further the prin-*
18 *ciples of the Treaty, and whose inclusion will con-*
19 *tribute to the security of the North Atlantic area”;*
20 *and*

21 *(4) the United States Government should—*

22 *(A) continue to work with aspirant coun-*
23 *tries to prepare such countries for entry into the*
24 *North Atlantic Treaty Organization;*

1 (B) work with the Republic of Kosovo to
2 prepare the country for entrance into the Part-
3 nership for Peace (PfP) program;

4 (C) continue supporting a Membership Ac-
5 tion Plan (MAP) for Georgia;

6 (D) encourage leaders of Macedonia and
7 Greece to find a mutually agreeable solution to
8 the name dispute between the two countries; and

9 (E) support North Atlantic Treaty Organi-
10 zation membership for Montenegro.

11 **SEC. 1278. BRIEFING ON THE SALE OF CERTAIN FIGHTER**
12 **AIRCRAFT TO QATAR.**

13 (a) *BRIEFING REQUIRED.*—Not later than 30 days
14 after the date of the enactment of this Act, the Secretary
15 of Defense, shall, in consultation with the Secretary of
16 State, provide the appropriate committees of Congress a
17 briefing on the risks and benefits of the sale of fighter air-
18 craft to Qatar pursuant to the July 2013 Letter of Request
19 from the Government of Qatar.

20 (b) *ELEMENTS.*—The briefing required by subsection
21 (a) shall include the following elements:

22 (1) A description of the assumptions regarding
23 the increase to Qatar air force capabilities as a result
24 of the sale described in subsection (a).

1 (2) *A description of the assumptions regarding*
2 *the impact of the items sold to Qatar pursuant to the*
3 *sale on the preservation by Israel of a qualitative*
4 *military edge.*

5 (3) *An estimated timeline for final adjudication*
6 *of the decision to approve the sale.*

7 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
8 *FINED.—In this section, the term “appropriate committees*
9 *of Congress” means—*

10 (1) *the Committee on Armed Services and the*
11 *Committee on Foreign Relations of the Senate; and*

12 (2) *the Committee on Armed Services and the*
13 *Committee on Foreign Affairs of the House of Rep-*
14 *resentatives.*

15 **SEC. 1279. UNITED STATES-ISRAEL ANTI-TUNNEL COOPERA-**
16 **TION.**

17 (a) *AUTHORITY TO ESTABLISH ANTI-TUNNEL CAPA-*
18 *BILITIES PROGRAM WITH ISRAEL.—*

19 (1) *IN GENERAL.—The Secretary of Defense,*
20 *upon request of the Ministry of Defense of Israel and*
21 *in consultation with the Secretary of State and the*
22 *Director of National Intelligence, is authorized to*
23 *carry out research, development, test, and evaluation,*
24 *on a joint basis with Israel, to establish anti-tunnel*
25 *capabilities to detect, map, and neutralize under-*

1 *ground tunnels that threaten the United States or*
2 *Israel. Any activities carried out pursuant to such*
3 *authority shall be conducted in a manner that appro-*
4 *priately protects sensitive information and United*
5 *States and Israel national security interests.*

6 (2) *REPORT.—The activities described in para-*
7 *graph (1) and subsection (b) may be carried out after*
8 *the Secretary of Defense submits to the appropriate*
9 *committees of Congress a report setting forth the fol-*
10 *lowing:*

11 (A) *A memorandum of agreement between*
12 *the United States and Israel regarding sharing*
13 *of research and development costs for the capa-*
14 *bilities described in paragraph (1), and any sup-*
15 *porting documents.*

16 (B) *A certification that the memorandum of*
17 *agreement—*

18 (i) *requires sharing of costs of projects,*
19 *including in-kind support, between the*
20 *United States and Israel;*

21 (ii) *establishes a framework to nego-*
22 *tiate the rights to any intellectual property*
23 *developed under the memorandum of agree-*
24 *ment; and*

1 (iii) requires the United States Gov-
2 ernment to receive semiannual reports on
3 expenditure of funds, if any, by the Govern-
4 ment of Israel, including a description of
5 what the funds have been used for, when
6 funds were expended, and an identification
7 of entities that expended the funds.

8 (b) *SUPPORT IN CONNECTION WITH PROGRAM.*—

9 (1) *IN GENERAL.*—The Secretary of Defense is
10 authorized to provide maintenance and sustainment
11 support to Israel for the anti-tunnel capabilities re-
12 search, development, test, and evaluation activities
13 authorized in subsection (a)(1). Such authority in-
14 cludes authority to install equipment necessary to
15 carry out such research, development, test, and eval-
16 uation.

17 (2) *REPORT.*—Support may not be provided
18 under paragraph (1) until 15 days after the Secretary
19 submits to the appropriate committees of Congress a
20 report setting forth a detailed description of the sup-
21 port to be provided.

22 (3) *MATCHING CONTRIBUTION.*—Support may
23 not be provided under this subsection unless the Gov-
24 ernment of Israel contributes an amount not less than
25 the amount of support to be so provided to the pro-

1 *gram, project, or activity for which the support is to*
2 *be so provided.*

3 (4) *ANNUAL LIMITATION ON AMOUNT.—The*
4 *amount of support provided under this subsection in*
5 *any year may not exceed \$25,000,000.*

6 (c) *LEAD AGENCY.—The Secretary of Defense shall*
7 *designate an appropriate research and development entity*
8 *of a military department as the lead agency of the Depart-*
9 *ment of Defense in carrying out this section.*

10 (d) *SEMIANNUAL REPORTS.—The Secretary of Defense*
11 *shall submit to the appropriate committees of Congress on*
12 *a semiannual basis a report that contains a copy of the*
13 *most recent semiannual report provided by the Government*
14 *of Israel to the Department of Defense pursuant to sub-*
15 *section (a)(2)(B)(iii).*

16 (e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
17 *FINED.—In this section, the term “appropriate committees*
18 *of Congress” means—*

19 (1) *the Committee on Armed Services, the Com-*
20 *mittee on Foreign Relations, the Committee on Home-*
21 *land Security, the Committee on Appropriations, and*
22 *the Select Committee on Intelligence of the Senate;*
23 *and*

24 (2) *the Committee on Armed Services, the Com-*
25 *mittee on Foreign Affairs, the Committee on Home-*

1 *land Security, the Committee on Appropriations, and*
2 *the Permanent Select Committee on Intelligence of the*
3 *House of Representatives.*

4 *(f) SUNSET.—The authority in this section to carry*
5 *out activities described in subsection (a), and to provide*
6 *support described in subsection (b), shall expire on Decem-*
7 *ber 31, 2018.*

8 **SEC. 1280. NATO SPECIAL OPERATIONS HEADQUARTERS.**

9 *Section 1244(a) of the National Defense Authorization*
10 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
11 *2541), as most recently amended by section 1272(a) of the*
12 *National Defense Authorization Act for Fiscal Year 2013*
13 *(Public Law 112–239; 126 Stat. 2023), is further amended*
14 *by striking “each of fiscal years 2013, 2014, and 2015” and*
15 *inserting “each of fiscal years 2013 through 2020”.*

16 **SEC. 1281. INCREASED PRESENCE OF UNITED STATES**
17 **GROUND FORCES IN EASTERN EUROPE TO**
18 **DETER AGGRESSION ON THE BORDER OF THE**
19 **NORTH ATLANTIC TREATY ORGANIZATION.**

20 *(a) REPORT.—Not later than 120 days after the date*
21 *of the enactment of this Act, the Secretary of Defense shall,*
22 *in consultation with the Secretary of State, submit to the*
23 *appropriate committees of Congress a report setting forth*
24 *an assessment of options for expanding the presence of*
25 *United States ground forces of the size of a Brigade Combat*

1 *Team in Eastern Europe to respond, along with European*
2 *allies and partners, to the security challenges posed by Rus-*
3 *sia and increase the combat capability of forces able to re-*
4 *spond to unconventional or hybrid warfare tactics such as*
5 *those used by the Russian Federation in Crimea and East-*
6 *ern Ukraine.*

7 (b) *ELEMENTS.—The report under this section shall*
8 *include the following:*

9 (1) *An evaluation of the optimal location or lo-*
10 *cations of the enhanced ground force presence de-*
11 *scribed in subsection (a) that considers such factors*
12 *as—*

13 (A) *proximity, suitability, and availability*
14 *of maneuver and gunnery training areas;*

15 (B) *transportation capabilities;*

16 (C) *availability of facilities, including for*
17 *potential equipment storage and prepositioning;*

18 (D) *ability to conduct multinational train-*
19 *ing and exercises;*

20 (E) *a site or sites for prepositioning of*
21 *equipment, a rotational presence or permanent*
22 *presence of troops, or a combination of options;*
23 *and*

24 (F) *costs.*

1 (2) *A description of any initiatives by other*
2 *members of the North Atlantic Treaty Organization,*
3 *or other European allies and partners, for enhancing*
4 *force presence on a permanent or rotational basis in*
5 *Eastern Europe to match or exceed the potential in-*
6 *creased presence of United States ground forces in the*
7 *region.*

8 (c) *ADDITIONAL ELEMENT ON REDUCTION IN TROOP*
9 *LEVELS OR MATERIEL.—In addition to the matters speci-*
10 *fied in subsection (b), the report under this section shall*
11 *also include an assessment of any impacts on United States*
12 *national security interests in Europe of any proposed Bri-*
13 *gade-sized or other significant reduction in United States*
14 *troop levels or materiel in Europe.*

15 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
16 *FINED.—In this section, the term “appropriate committees*
17 *of Congress” means—*

18 (1) *the Committee on Armed Services, the Com-*
19 *mittee on Foreign Relations, and the Committee on*
20 *Appropriations of the Senate; and*

21 (2) *the Committee on Armed Services, the Com-*
22 *mittee on Foreign Affairs, and the Committee on Ap-*
23 *propriations of the House of Representatives.*

1 **TITLE XIII—COOPERATIVE**
 2 **THREAT REDUCTION**

Sec. 1301. Specification of Cooperative Threat Reduction funds.

Sec. 1302. Funding allocations.

3 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-**
 4 **DUCTION FUNDS.**

5 (a) *FISCAL YEAR 2016 COOPERATIVE THREAT REDUC-*
 6 *TION FUNDS DEFINED.*—*In this title, the term “fiscal year*
 7 *2016 Cooperative Threat Reduction funds” means the funds*
 8 *appropriated pursuant to the authorization of appropria-*
 9 *tions in section 301 and made available by the funding*
 10 *table in section 4301 for the Department of Defense Cooper-*
 11 *ative Threat Reduction Program established under section*
 12 *1321 of the Department of Defense Cooperative Threat Re-*
 13 *duction Act (50 U.S.C. 3711).*

14 (b) *AVAILABILITY OF FUNDS.*—*Funds appropriated*
 15 *pursuant to the authorization of appropriations in section*
 16 *301 and made available by the funding table in section*
 17 *4301 for the Department of Defense Cooperative Threat Re-*
 18 *duction Program shall be available for obligation for fiscal*
 19 *years 2016, 2017, and 2018.*

20 **SEC. 1302. FUNDING ALLOCATIONS.**

21 *Of the \$358,496,000 authorized to be appropriated to*
 22 *the Department of Defense for fiscal year 2016 in section*
 23 *301 and made available by the funding table in section*
 24 *4301 for the Department of Defense Cooperative Threat Re-*

1 *duction Program established under section 1321 of the De-*
 2 *partment of Defense Cooperative Threat Reduction Act (50*
 3 *U.S.C. 3711), the following amounts may be obligated for*
 4 *the purposes specified:*

5 (1) *For strategic offensive arms elimination,*
 6 *\$1,289,000.*

7 (2) *For chemical weapons destruction, \$942,000.*

8 (3) *For global nuclear security, \$20,555,000.*

9 (4) *For cooperative biological engagement,*
 10 *\$264,618,000.*

11 (5) *For proliferation prevention, \$38,945,000.*

12 (6) *For threat reduction engagement, \$2,827,000.*

13 (7) *For activities designated as Other Assess-*
 14 *ments/Administrative Costs, \$29,320,000.*

15 **TITLE XIV—OTHER**
 16 **AUTHORIZATIONS**

Subtitle A—Military Programs

Sec. 1401. Working capital funds.

Sec. 1402. National Defense Sealift Fund.

Sec. 1403. Chemical Agents and Munitions Destruction, Defense.

Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-wide.

Sec. 1405. Defense Inspector General.

Sec. 1406. Defense Health Program.

Sec. 1407. National Sea-Based Deterrence Fund.

Subtitle B—National Defense Stockpile

Sec. 1411. 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 cessation or suspension of distribution of funds from Department of Defense working-capital funds.

Sec. 1422. Working-capital fund reserve account for petroleum market price fluctuations.

Subtitle D—Other Matters

Sec. 1431. Authority for transfer of funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

Sec. 1432. Authorization of appropriations for Armed Forces Retirement Home.

1 ***Subtitle A—Military Programs***

2 ***SEC. 1401. WORKING CAPITAL FUNDS.***

3 *Funds are hereby authorized to be appropriated for fis-*
4 *cal year 2016 for the use of the Armed Forces and other*
5 *activities and agencies of the Department of Defense for*
6 *providing capital for working capital and revolving funds,*
7 *as specified in the funding table in section 4501.*

8 ***SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.***

9 *Funds are hereby authorized to be appropriated for fis-*
10 *cal year 2016 for the National Defense Sealift Fund, as*
11 *specified in the funding table in section 4501.*

12 ***SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUC-***
13 ***TION, DEFENSE.***

14 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
15 *hereby authorized to be appropriated for the Department*
16 *of Defense for fiscal year 2016 for expenses, not otherwise*
17 *provided for, for Chemical Agents and Munitions Destruc-*
18 *tion, Defense, as specified in the funding table in section*
19 *4501.*

20 *(b) USE.—Amounts authorized to be appropriated*
21 *under subsection (a) are authorized for—*

1 (1) *the destruction of lethal chemical agents and*
2 *munitions in accordance with section 1412 of the De-*
3 *partment of Defense Authorization Act, 1986 (50*
4 *U.S.C. 1521); and*

5 (2) *the destruction of chemical warfare materiel*
6 *of the United States that is not covered by section*
7 *1412 of such Act.*

8 **SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG AC-**
9 **TIVITIES, DEFENSE-WIDE.**

10 *Funds are hereby authorized to be appropriated for the*
11 *Department of Defense for fiscal year 2016 for expenses, not*
12 *otherwise provided for, for Drug Interdiction and Counter-*
13 *Drug Activities, Defense-wide, as specified in the funding*
14 *table in section 4501.*

15 **SEC. 1405. DEFENSE INSPECTOR GENERAL.**

16 *Funds are hereby authorized to be appropriated for the*
17 *Department of Defense for fiscal year 2016 for expenses, not*
18 *otherwise provided for, for the Office of the Inspector Gen-*
19 *eral of the Department of Defense, as specified in the fund-*
20 *ing table in section 4501.*

21 **SEC. 1406. DEFENSE HEALTH PROGRAM.**

22 *Funds are hereby authorized to be appropriated for fis-*
23 *cal year 2016 for the Defense Health Program, as specified*
24 *in the funding table in section 4501, for use of the Armed*
25 *Forces and other activities and agencies of the Department*

1 of Defense in providing for the health of eligible bene-
2 ficiaries.

3 **SEC. 1407. NATIONAL SEA-BASED DETERRENCE FUND.**

4 *There are authorized to be appropriated to the Na-*
5 *tional Sea-Based Deterrence Fund such sums as may be*
6 *necessary for fiscal year 2017.*

7 ***Subtitle B—National Defense***
8 ***Stockpile***

9 **SEC. 1411. EXTENSION OF DATE FOR COMPLETION OF DE-**
10 **STRUCTION OF EXISTING STOCKPILE OF LE-**
11 **THAL CHEMICAL AGENTS AND MUNITIONS.**

12 *Section 1412(b)(3) of the Department of Defense Au-*
13 *thorization Act, 1986 (Public Law 99–145; 50 U.S.C. 1521)*
14 *is amended by striking “December 31, 2017” and inserting*
15 *“December 31, 2023”.*

16 ***Subtitle C—Working-Capital Funds***

17 **SEC. 1421. LIMITATION ON CESSATION OR SUSPENSION OF**
18 **DISTRIBUTION OF FUNDS FROM DEPART-**
19 **MENT OF DEFENSE WORKING-CAPITAL**
20 **FUNDS.**

21 *Section 2208 of title 10, United States Code, is amend-*
22 *ed by adding at the end the following new subsection:*

23 *“(s) LIMITATION ON CESSATION OR SUSPENSION OF*
24 *DISTRIBUTION OF FUNDS FOR CERTAIN WORKLOAD.—(1)*
25 *Except as provided in paragraph (2), the Secretary of De-*

1 *fense or the Secretary of a military department is not au-*
2 *thorized—*

3 “(A) *to suspend the employment of indirectly*
4 *funded Government employees of the Department of*
5 *Defense who are paid for out of working-capital funds*
6 *by ceasing or suspending the distribution of such*
7 *funds; or*

8 “(B) *to cease or suspend the distribution of funds*
9 *from a working-capital fund for a current project un-*
10 *dertaken to carry out the functions or activities of the*
11 *Department.*

12 “(2) *Paragraph (1) shall not apply with respect to a*
13 *working-capital fund if—*

14 “(A) *the working-capital fund is insolvent; or*

15 “(B) *there are insufficient funds in the working-*
16 *capital fund to pay labor costs for the current project*
17 *concerned.*

18 “(3) *The Secretary of Defense or the Secretary of a*
19 *military department may waive the limitation in para-*
20 *graph (1) if such Secretary determines that the waiver is*
21 *in the national security interests of the United States.*

22 “(4) *This subsection shall not be construed to provide*
23 *for the exclusion of any particular category of employees*
24 *of the Department of Defense from furlough due to absence*
25 *of or inadequate funding.”.*

1 **SEC. 1422. WORKING-CAPITAL FUND RESERVE ACCOUNT**
 2 **FOR PETROLEUM MARKET PRICE FLUCTUA-**
 3 **TIONS.**

4 *Section 2208 of title 10, United States Code, as amend-*
 5 *ed by section 1421, is further amended by adding at the*
 6 *end the following new subsection:*

7 *“(t) MARKET FLUCTUATION ACCOUNT.—(1) From*
 8 *amounts available for Working Capital Fund, Defense, the*
 9 *Secretary shall reserve up to \$1,000,000,000, to remain*
 10 *available without fiscal year limitation, for petroleum mar-*
 11 *ket price fluctuations. Such amounts may only be disbursed*
 12 *if the Secretary determines such a disbursement is necessary*
 13 *to absorb volatile market changes in fuel prices without af-*
 14 *fecting the standard price charged for fuel.*

15 *“(2) A budget request for the anticipated costs of fuel*
 16 *may not take into account the availability of funds reserved*
 17 *under paragraph (1).”.*

18 ***Subtitle D—Other Matters***

19 **SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
 20 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
 21 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
 22 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
 23 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

24 *(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the*
 25 *funds authorized to be appropriated for section 1406 and*
 26 *available for the Defense Health Program for operation and*

1 maintenance, \$120,387,000 may be transferred by the Sec-
2 retary of Defense to the Joint Department of Defense–De-
3 partment of Veterans Affairs Medical Facility Demonstra-
4 tion Fund established by subsection (a)(1) of section 1704
5 of the National Defense Authorization Act for Fiscal Year
6 2010 (Public Law 111–84; 123 Stat. 2571). For purposes
7 of subsection (a)(2) of such section 1704, any funds so
8 transferred shall be treated as amounts authorized and ap-
9 propriated specifically for the purpose of such a transfer.

10 (b) *USE OF TRANSFERRED FUNDS.*—For the purposes
11 of subsection (b) of such section 1704, facility operations
12 for which funds transferred under subsection (a) may be
13 used are operations of the Captain James A. Lovell Federal
14 Health Care Center, consisting of the North Chicago Vet-
15 erans Affairs Medical Center, the Navy Ambulatory Care
16 Center, and supporting facilities designated as a combined
17 Federal medical facility under an operational agreement
18 covered by section 706 of the Duncan Hunter National De-
19 fense Authorization Act for Fiscal Year 2009 (Public Law
20 110–417; 122 Stat. 4500).

21 **SEC. 1432. AUTHORIZATION OF APPROPRIATIONS FOR**
22 **ARMED FORCES RETIREMENT HOME.**

23 *There is hereby authorized to be appropriated for fiscal*
24 *year 2016 from the Armed Forces Retirement Home Trust*

1 *Fund the sum of \$64,300,000 for the operation of the Armed*
 2 *Forces Retirement Home.*

3 **TITLE XV—AUTHORIZATION OF**
 4 **ADDITIONAL APPROPRIA-**
 5 **TIONS FOR OVERSEAS CON-**
 6 **TINGENCY OPERATIONS**

Subtitle A—Authorization of Appropriations

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

Subtitle B—Financial Matters

- Sec. 1521. Treatment as additional authorizations.*
Sec. 1522. Special transfer authority.

Subtitle C—Limitations, Reports, and Other Matters

- Sec. 1531. Afghanistan Security Forces Fund.*
Sec. 1532. Joint Improvised Explosive Device Defeat Fund.
Sec. 1533. Availability of Joint Improvised Explosive Device Defeat Fund for
training of foreign security forces to defeat improvised explosive
devices.
Sec. 1534. Comptroller General report on use of certain funds provided for oper-
ation and maintenance.

7 **Subtitle A—Authorization of**
 8 **Appropriations**

9 **SEC. 1501. PURPOSE AND TREATMENT OF CERTAIN AU-**
 10 **THORIZATIONS OF APPROPRIATIONS.**

11 (a) *PURPOSE.*—*The purpose of this subtitle is to au-*
 12 *thorize appropriations for the Department of Defense for*
 13 *fiscal year 2016 to provide additional funds—*

1 (1) *for overseas contingency operations being*
2 *carried out by the Armed Forces, in such amounts as*
3 *may be designated as provided in section*
4 *251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
5 *gency Deficit Control Act of 1985; and*

6 (2) *pursuant to section 1504, for expenses, not*
7 *otherwise provided for, for operation and mainte-*
8 *nance, as specified in the funding table in section*
9 *4303.*

10 (b) *SUPPORT OF BASE BUDGET REQUIREMENTS;*
11 *TREATMENT.—*

12 (1) *IN GENERAL.—Funds identified in para-*
13 *graph (2) of subsection (a) are being authorized to be*
14 *appropriated in support of base budget requirements*
15 *as requested by the President for fiscal year 2016 pur-*
16 *suant to section 1105(a) of title 31, United States*
17 *Code.*

18 (2) *APPORTIONMENT.—The Director of the Office*
19 *of Management and Budget shall apportion the funds*
20 *identified in paragraph (2) of subsection (a) to the*
21 *Department of Defense without restriction, limitation,*
22 *or constraint on the execution of such funds in sup-*
23 *port of base requirements, including any restriction,*
24 *limitation, or constraint imposed by, or described in,*
25 *the document entitled “Criteria for War/Overseas*

1 *Contingency Operations Funding Requests” trans-*
2 *mitted by the Director to the Department of Defense*
3 *on September 9, 2010, or any successor or related*
4 *guidance.*

5 (3) *EXECUTION AND USE.—The Secretary of De-*
6 *fense shall apportion, use, and execute the funds ap-*
7 *portioned by the Director of the Office of Management*
8 *and Budget as described in paragraph (2) of this sub-*
9 *section without restriction, limitation, or constraint*
10 *on the execution of such funds in support of base re-*
11 *quirements, including any restriction, limitation, or*
12 *constraint specifically described in paragraph (2) of*
13 *this subsection.*

14 **SEC. 1502. PROCUREMENT.**

15 *Funds are hereby authorized to be appropriated for fis-*
16 *cal year 2016 for procurement accounts for the Army, the*
17 *Navy and the Marine Corps, the Air Force, and Defense-*
18 *wide activities, as specified in the funding table in section*
19 *4102.*

20 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
21 **TION.**

22 *Funds are hereby authorized to be appropriated for fis-*
23 *cal year 2016 for the use of the Department of Defense for*
24 *research, development, test, and evaluation, as specified in*
25 *the funding table in section 4202.*

1 **SEC. 1504. OPERATION AND MAINTENANCE.**

2 *Funds are hereby authorized to be appropriated for fis-*
3 *cal year 2016 for the use of the Armed Forces and other*
4 *activities and agencies of the Department of Defense for ex-*
5 *penses, not otherwise provided for, for operation and main-*
6 *tenance, as specified in—*

7 *(1) the funding table in section 4302, or*

8 *(2) the funding table in section 4303.*

9 **SEC. 1505. MILITARY PERSONNEL.**

10 *Funds are hereby authorized to be appropriated for fis-*
11 *cal year 2016 for the use of the Armed Forces and other*
12 *activities and agencies of the Department of Defense for ex-*
13 *penses, not otherwise provided for, for military personnel,*
14 *as specified in the funding table in section 4402.*

15 **SEC. 1506. WORKING CAPITAL FUNDS.**

16 *Funds are hereby authorized to be appropriated for fis-*
17 *cal year 2016 for the use of the Armed Forces and other*
18 *activities and agencies of the Department of Defense for*
19 *providing capital for working capital and revolving funds,*
20 *as specified in the funding table in section 4502.*

21 **SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG AC-**
22 **TIVITIES, DEFENSE-WIDE.**

23 *Funds are hereby authorized to be appropriated for the*
24 *Department of Defense for fiscal year 2016 for expenses, not*
25 *otherwise provided for, for Drug Interdiction and Counter-*

1 *Drug Activities, Defense-wide, as specified in the funding*
2 *table in section 4502.*

3 **SEC. 1508. DEFENSE INSPECTOR GENERAL.**

4 *Funds are hereby authorized to be appropriated for the*
5 *Department of Defense for fiscal year 2016 for expenses, not*
6 *otherwise provided for, for the Office of the Inspector Gen-*
7 *eral of the Department of Defense, as specified in the fund-*
8 *ing table in section 4502.*

9 **SEC. 1509. DEFENSE HEALTH PROGRAM.**

10 *Funds are hereby authorized to be appropriated for the*
11 *Department of Defense for fiscal year 2016 for expenses, not*
12 *otherwise provided for, for the Defense Health Program, as*
13 *specified in the funding table in section 4502.*

14 **SEC. 1510. COUNTERTERRORISM PARTNERSHIPS FUND.**

15 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
16 *hereby authorized to be appropriated for the Department*
17 *of Defense for fiscal year 2016 for expenses, not otherwise*
18 *provided for, for the Counterterrorism Partnerships Fund,*
19 *as specified in the funding table in section 4502.*

20 *(b) DURATION OF AVAILABILITY.—Amounts appro-*
21 *priated pursuant to the authorization of appropriations in*
22 *subsection (a) shall remain available for obligation through*
23 *September 30, 2017.*

1 ***Subtitle B—Financial Matters***

2 ***SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.***

3 *The amounts authorized to be appropriated by this*
4 *title are in addition to amounts otherwise authorized to be*
5 *appropriated by this Act.*

6 ***SEC. 1522. SPECIAL TRANSFER AUTHORITY.***

7 ***(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—***

8 ***(1) AUTHORITY.—****Upon determination by the*
9 *Secretary of Defense that such action is necessary in*
10 *the national interest, the Secretary may transfer*
11 *amounts of authorizations made available to the De-*
12 *partment of Defense in this title for fiscal year 2016*
13 *between any such authorizations for that fiscal year*
14 *(or any subdivisions thereof).*

15 ***(2) EFFECT OF TRANSFER.—****Amounts of author-*
16 *izations transferred under this subsection shall be*
17 *merged with and be available for the same purposes*
18 *as the authorization to which transferred.*

19 ***(3) LIMITATIONS.—****The total amount of author-*
20 *izations that the Secretary may transfer under the*
21 *authority of this subsection may not exceed*
22 *\$3,500,000,000.*

23 ***(4) EXCEPTION.—****In the case of the authoriza-*
24 *tion of appropriations contained in section 1504 that*
25 *is provided for the purpose specified in section*

1 1501(a)(2), the transfer authority provided under sec-
2 tion 1001, rather than the transfer authority provided
3 by this subsection, shall apply to any transfer of
4 amounts of such authorization.

5 (b) *TERMS AND CONDITIONS.*—Transfers under this
6 section shall be subject to the same terms and conditions
7 as transfers under section 1001.

8 (c) *ADDITIONAL AUTHORITY.*—The transfer authority
9 provided by this section is in addition to the transfer au-
10 thority provided under section 1001.

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

13 ***SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.***

14 (a) *CONTINUATION OF PRIOR AUTHORITIES AND NO-*
15 *TICE AND REPORTING REQUIREMENTS.*—Funds available
16 to the Department of Defense for the Afghanistan Security
17 Forces Fund for fiscal year 2016 shall be subject to the con-
18 ditions contained in subsections (b) through (g) of section
19 1513 of the National Defense Authorization Act for Fiscal
20 Year 2008 (Public Law 110–181; 122 Stat. 428), as amend-
21 ed by section 1531(b) of the Ike Skelton National Defense
22 Authorization Act for Fiscal Year 2011 (Public Law 111–
23 383; 124 Stat. 4424).

24 (b) *EQUIPMENT DISPOSITION.*—

1 (1) *ACCEPTANCE OF CERTAIN EQUIPMENT.*—Sub-
2 ject to paragraph (2), the Secretary of Defense may
3 accept equipment that is procured using amounts in
4 the Afghanistan Security Forces Fund authorized
5 under this Act and is intended for transfer to the se-
6 curity forces of Afghanistan, but is not accepted by
7 such security forces.

8 (2) *CONDITIONS ON ACCEPTANCE OF EQUIP-*
9 *MENT.*—Before accepting any equipment under the
10 authority provided by paragraph (1), the Commander
11 of United States forces in Afghanistan shall make a
12 determination that the equipment was procured for
13 the purpose of meeting requirements of the security
14 forces of Afghanistan, as agreed to by both the Gov-
15 ernment of Afghanistan and the United States, but is
16 no longer required by such security forces or was
17 damaged before transfer to such security forces.

18 (3) *ELEMENTS OF DETERMINATION.*—In making
19 a determination under paragraph (2) regarding
20 equipment, the Commander of United States forces in
21 Afghanistan shall consider alternatives to Secretary of
22 Defense acceptance of the equipment. An explanation
23 of each determination, including the basis for the de-
24 termination and the alternatives considered, shall be

1 *included in the relevant quarterly report required*
2 *under paragraph (5).*

3 (4) *TREATMENT AS DEPARTMENT OF DEFENSE*
4 *STOCKS.—Equipment accepted under the authority*
5 *provided by paragraph (1) may be treated as stocks*
6 *of the Department of Defense upon notification to the*
7 *congressional defense committees of such treatment.*

8 (5) *QUARTERLY REPORTS ON EQUIPMENT DIS-*
9 *POSITION.—Not later than 90 days after the date of*
10 *the enactment of this Act and every 90-day period*
11 *thereafter during which the authority provided by*
12 *paragraph (1) is exercised, the Secretary of Defense*
13 *shall submit to the congressional defense committees a*
14 *report describing the equipment accepted under this*
15 *subsection, section 1531(d) of the National Defense*
16 *Authorization Act for Fiscal Year 2014 (Public Law*
17 *113–66; 127 Stat. 938; 10 U.S.C. 2302 note), and sec-*
18 *tion 1532(b) of the Carl Levin and Howard P.*
19 *“Buck” McKeon National Defense Authorization Act*
20 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
21 *3612) during the period covered by the report. Each*
22 *report shall include a list of all equipment that was*
23 *accepted during the period covered by the report and*
24 *treated as stocks of the Department and copies of the*

1 *determinations made under paragraph (2), as re-*
2 *quired by paragraph (3).*

3 *(c) PLAN TO PROMOTE SECURITY OF AFGHAN*
4 *WOMEN.—*

5 *(1) REPORTING REQUIREMENT.—The Secretary*
6 *of Defense, with the concurrence of the Secretary of*
7 *State, shall include in the report required under sec-*
8 *tion 1225 of the Carl Levin and Howard P. “Buck”*
9 *McKeon National Defense Authorization Act for Fis-*
10 *cal Year 2015 (Public Law 113–291; 128 Stat.*
11 *3550)—*

12 *(A) an assessment of the security of Afghan*
13 *women and girls, including information regard-*
14 *ing efforts to increase the recruitment and reten-*
15 *tion of women in the Afghan National Security*
16 *Forces; and*

17 *(B) an assessment of the implementation of*
18 *the plans for the recruitment, integration, reten-*
19 *tion, training, treatment, and provision of ap-*
20 *propriate facilities and transportation for*
21 *women in the Afghan National Security Forces,*
22 *including the challenges associated with such im-*
23 *plementation and the steps being taken to ad-*
24 *dress those challenges.*

25 *(2) PLAN REQUIRED.—*

1 (A) *IN GENERAL.*—*The Secretary of De-*
2 *fense, with the concurrence of the Secretary of*
3 *State, shall support, to the extent practicable, the*
4 *efforts of the Government of Afghanistan to pro-*
5 *mote the security of Afghan women and girls*
6 *during and after the security transition process*
7 *through the development and implementation by*
8 *the Government of Afghanistan of an Afghan-led*
9 *plan that should include the elements described*
10 *in this paragraph.*

11 (B) *TRAINING.*—*The Secretary of Defense,*
12 *with the concurrence of the Secretary of State*
13 *and working with the NATO-led Resolute Sup-*
14 *port mission, should encourage the Government*
15 *of Afghanistan to develop—*

16 (i) *measures for the evaluation of the*
17 *effectiveness of existing training for Afghan*
18 *National Security Forces on this issue;*

19 (ii) *a plan to increase the number of*
20 *female security officers specifically trained*
21 *to address cases of gender-based violence, in-*
22 *cluding ensuring the Afghan National Po-*
23 *lice’s Family Response Units have the nec-*
24 *essary resources and are available to women*
25 *across Afghanistan;*

1 (iii) mechanisms to enhance the capac-
2 ity for units of National Police's Family
3 Response Units to fulfill their mandate as
4 well as indicators measuring the oper-
5 ational effectiveness of these units;

6 (iv) a plan to address the development
7 of accountability mechanisms for Afghani-
8 stan National Army and Afghanistan Na-
9 tional Police personnel who violate codes of
10 conduct related to the human rights of
11 women and girls, including female members
12 of the Afghan National Security Forces; and

13 (v) a plan to develop training for the
14 Afghanistan National Army and the Af-
15 ghanistan National Police to increase
16 awareness and responsiveness among Af-
17 ghanistan National Army and Afghanistan
18 National Police personnel regarding the
19 unique security challenges women confront
20 when serving in those forces.

21 (C) *ENROLLMENT AND TREATMENT.*—The
22 Secretary of Defense, with the concurrence of the
23 Secretary of State and in cooperation with the
24 Afghan Ministries of Defense and Interior, shall
25 seek to assist the Government of Afghanistan in

1 *including as part of the plan developed under*
2 *subparagraph (A) the development and imple-*
3 *mentation of a plan to increase the number of fe-*
4 *male members of the Afghanistan National Army*
5 *and the Afghanistan National Police and to pro-*
6 *mote their equal treatment, including through*
7 *such steps as providing appropriate equipment,*
8 *modifying facilities, and ensuring literacy and*
9 *gender awareness training for recruits.*

10 (D) *ALLOCATION OF FUNDS.—*

11 (i) *IN GENERAL.—Of the funds avail-*
12 *able to the Department of Defense for the*
13 *Afghan Security Forces Fund for fiscal year*
14 *2016, it is the goal that \$25,000,000, but in*
15 *no event less than \$10,000,000, shall be used*
16 *for—*

17 (i) *the recruitment, integration,*
18 *retention, training, and treatment of*
19 *women in the Afghan National Secu-*
20 *rity Forces; and*

21 (ii) *the recruitment, training,*
22 *and contracting of female security per-*
23 *sonnel for future elections.*

1 (ii) *TYPES OF PROGRAMS AND ACTIVI-*
2 *TIES.—Such programs and activities may*
3 *include—*

4 (I) *efforts to recruit women into*
5 *the Afghan National Security Forces,*
6 *including the special operations forces;*

7 (II) *programs and activities of the*
8 *Afghan Ministry of Defense Directorate*
9 *of Human Rights and Gender Integra-*
10 *tion and the Afghan Ministry of Inte-*
11 *rior Office of Human Rights, Gender*
12 *and Child Rights;*

13 (III) *development and dissemina-*
14 *tion of gender and human rights edu-*
15 *cational and training materials and*
16 *programs within the Afghan Ministry*
17 *of Defense and the Afghan Ministry of*
18 *Interior;*

19 (IV) *efforts to address harassment*
20 *and violence against women within the*
21 *Afghan National Security Forces;*

22 (V) *improvements to infrastruc-*
23 *ture that address the requirements of*
24 *women serving in the Afghan National*
25 *Security Forces, including appropriate*

1 *equipment for female security and po-*
2 *lice forces, and transportation for po-*
3 *licewomen to their station;*

4 *(VI) support for Afghanistan Na-*
5 *tional Police Family Response Units;*
6 *and*

7 *(VII) security provisions for high-*
8 *profile female police and army officers.*

9 **SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT**
10 **FUND.**

11 *(a) USE AND TRANSFER OF FUNDS.—Subsections (b)*
12 *and (c) of section 1514 of the John Warner National De-*
13 *fense Authorization Act for Fiscal Year 2007 (Public Law*
14 *109–364; 120 Stat. 2439), as in effect before the amend-*
15 *ments made by section 1503 of the Duncan Hunter Na-*
16 *tional Defense Authorization Act for Fiscal Year 2009 (Pub-*
17 *lic Law 110–417; 122 Stat. 4649), shall apply to the funds*
18 *made available for fiscal year 2016 to the Department of*
19 *Defense for the Joint Improvised Explosive Device Defeat*
20 *Fund.*

21 *(b) EXTENSION OF INTERDICTION OF IMPROVISED EX-*
22 *PLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—*
23 *Section 1532(c) of the National Defense Authorization Act*
24 *for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057)*
25 *is amended—*

1 (1) *in paragraph (1), by inserting “and for fis-*
2 *cal year 2016,” after “fiscal year 2013”; and*

3 (2) *in paragraph (4), as most recently amended*
4 *by section 1533(c) of the Carl Levin and Howard P.*
5 *“Buck” McKeon National Defense Authorization Act*
6 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
7 *3615), by striking “December 31, 2015” and inserting*
8 *“December 31, 2016”.*

9 (c) *PLAN FOR TRANSITION.—Not later than January*
10 *31, 2016, the Secretary of Defense shall submit to the con-*
11 *gressional defense committees a plan and timeline for each*
12 *of the following:*

13 (1) *The full and complete transition of the ac-*
14 *tivities, functions, and resources of the Joint Impro-*
15 *vised-Threat Defeat Agency to an office under the au-*
16 *thority, direction, and control of a military depart-*
17 *ment or a Defense Agency in existence as of October*
18 *1, 2015.*

19 (2) *The transition of the Joint Improvised Ex-*
20 *plosive Device Defeat Fund to a successor fund that*
21 *provides for the continuation of current flexibility in*
22 *funding the activities supported and enabled by the*
23 *Fund.*

24 (3) *The transition of the Counter-Improvised Ex-*
25 *plosive Device Operations/Intelligence Integration*

1 *Center of the Joint Improvised-Threat Defeat Agency*
2 *to an element of a military department or a Defense*
3 *Agency in existence as of October 1, 2015.*

4 (4) *The transition of the research, development,*
5 *and acquisition activities of the Joint Improvised-*
6 *Threat Defeat Agency to an element of a military de-*
7 *partment or a Defense Agency in existence as of Octo-*
8 *ber 1, 2015.*

9 (d) *FINAL IMPLEMENTATION PLAN AND TIMELINE.—*

10 (1) *PLAN AND TIMELINE REQUIRED.—Not later*
11 *than 270 days after the date of the enactment of this*
12 *Act, the Secretary of Defense shall submit to the con-*
13 *gressional defense committees a plan and timeline*
14 *that—*

15 (A) *incorporates the plans and timelines re-*
16 *quired by paragraphs (1) through (4) of sub-*
17 *section (c); and*

18 (B) *provides for the completion of the im-*
19 *plementation of such plans by not later than*
20 *September 30, 2016.*

21 (2) *SUMMARY DESCRIPTION OF NECESSARY AC-*
22 *TIONS.—In submitting the plan and timeline required*
23 *by this subsection, the Secretary shall also submit a*
24 *summary description of the actions to be taken by the*
25 *Department of Defense to complete implementation of*

1 *the plans and timelines required by paragraphs (1)*
2 *through (4) of subsection (c) by September 30, 2016.*

3 (3) *COMPLIANCE WITH DEADLINES.—*

4 (A) *LIMITATION ON AVAILABILITY OF*
5 *FUNDS.—Except as provided in subparagraph*
6 *(B), if the Secretary does not submit the plan*
7 *and timeline required by paragraph (1) before*
8 *the deadline specified in that paragraph, or does*
9 *not complete implementation of such plan before*
10 *the deadline specified in subparagraph (B) of*
11 *that paragraph, none of the funds available to*
12 *the Department of Defense for the Joint Impro-*
13 *vised Explosive Device Defeat Fund may be obli-*
14 *gated after September 30, 2016.*

15 (B) *EXCEPTION.—Subparagraph (A) shall*
16 *not apply to the obligation of funds referred to*
17 *in such subparagraph after September 30, 2016,*
18 *for operations or operational support activities*
19 *determined by the Secretary to be critical to*
20 *force protection in overseas contingency oper-*
21 *ations.*

22 (e) *PROHIBITION ON USE OF FUNDS FOR IMPLEMEN-*
23 *TATION OF COMBAT SUPPORT AGENCY DETERMINATION.—*

24 (1) *PROHIBITION.—None of the funds authorized*
25 *to be appropriated for the Department of Defense may*

1 *be obligated or expended to implement administrative,*
2 *organizational, facility, or non-operational changes*
3 *necessary to carry out the Joint Improvised-Threat*
4 *Defeat Agency transition and consolidation.*

5 (2) *RULE OF CONSTRUCTION.*—*Nothing in para-*
6 *graph (1) shall be construed to mean that ongoing ac-*
7 *tivities directly supporting overseas contingency oper-*
8 *ations must be halted.*

9 **SEC. 1533. AVAILABILITY OF JOINT IMPROVISED EXPLOSIVE**
10 **DEVICE DEFEAT FUND FOR TRAINING OF**
11 **FOREIGN SECURITY FORCES TO DEFEAT IM-**
12 **PROVISED EXPLOSIVE DEVICES.**

13 (a) *AVAILABILITY OF FUNDS.*—

14 (1) *IN GENERAL.*—*Of the amounts authorized to*
15 *be appropriated for fiscal year 2016 for the Joint Im-*
16 *provised Explosive Device Defeat Fund, or a successor*
17 *fund, up to \$30,000,000 may be available to the Sec-*
18 *retary of Defense to provide training to foreign secu-*
19 *rity forces to defeat improvised explosive devices*
20 *under authority provided the Department of Defense*
21 *under any other provision of law.*

22 (2) *APPLICABILITY OF CONTINGENT LIMITA-*
23 *TION.*—*The availability of funds under this subsection*
24 *is subject to the contingent limitation on the avail-*
25 *ability of amounts in the Joint Improvised Explosive*

1 *Device Defeat Fund after September 30, 2016, in sec-*
2 *tion 1532(g).*

3 (b) *CONSTRUCTION OF AVAILABILITY OF FUNDS.—The*
4 *availability of funds under subsection (a) shall not be con-*
5 *strued as authority in and of itself for the provision of*
6 *training as described in that subsection.*

7 (c) *GEOGRAPHIC LIMITATION.—Training may be pro-*
8 *vided using funds available under subsection (a) only—*

9 (1) *in locations in which the Department is con-*
10 *ducting a named operation; or*

11 (2) *in geographic areas in which the Secretary*
12 *of Defense has determined that a foreign security force*
13 *is facing a significant threat from improvised explo-*
14 *sive devices.*

15 (d) *COORDINATION WITH GEOGRAPHIC COMBATANT*
16 *COMMANDS.—The Secretary of Defense shall, to the extent*
17 *practicable, coordinate the provision of training using*
18 *funds available under subsection (a) with requests received*
19 *from the commanders of the geographic combatant com-*
20 *mands.*

21 (e) *EXPIRATION.—The authority to use funds described*
22 *in subsection (a) in accordance with this section shall ex-*
23 *pire on September 30, 2018.*

1 **SEC. 1534. COMPTROLLER GENERAL REPORT ON USE OF**
 2 **CERTAIN FUNDS PROVIDED FOR OPERATION**
 3 **AND MAINTENANCE.**

4 *The Comptroller General of the United States shall*
 5 *submit to Congress a report specifying how all funds made*
 6 *available pursuant to section 1504 for operation and main-*
 7 *tenance, as specified in the funding table in section 4303,*
 8 *are ultimately used.*

9 **TITLE XVI—STRATEGIC PRO-**
 10 **GRAMS, CYBER, AND INTEL-**
 11 **LIGENCE MATTERS**

Subtitle A—Space Activities

- Sec. 1601. Major force program and budget for national security space programs.*
Sec. 1602. Principal advisor on space control.
Sec. 1603. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.
Sec. 1604. Modification to development of space science and technology strategy.
Sec. 1605. Delegation of authority regarding purchase of Global Positioning System user equipment.
Sec. 1606. Rocket propulsion system development program.
Sec. 1607. Exception to the prohibition on contracting with Russian suppliers of rocket engines for the evolved expendable launch vehicle program.
Sec. 1608. Acquisition strategy for evolved expendable launch vehicle program.
Sec. 1609. Allocation of funding for evolved expendable launch vehicle program.
Sec. 1610. Consolidation of acquisition of wideband satellite communications.
Sec. 1611. Analysis of alternatives for wide-band communications.
Sec. 1612. Expansion of goals and modification of pilot program for acquisition of commercial satellite communication services.
Sec. 1613. Integrated policy to deter adversaries in space.
Sec. 1614. Prohibition on reliance on China and Russia for space-based weather data.
Sec. 1615. Limitation on availability of funds for weather satellite follow-on system.
Sec. 1616. Limitations on availability of funds for the Defense Meteorological Satellite program.
Sec. 1617. Streamline of commercial space launch activities.
Sec. 1618. Plan on full integration and exploitation of overhead persistent infrared capability.
Sec. 1619. Options for rapid space reconstitution.
Sec. 1620. Evaluation of exploitation of space-based infrared system against additional threats.

- Sec. 1621. Quarterly reports on Global Positioning System III space segment, Global Positioning System operational control segment, and Military Global Positioning System user equipment acquisition programs.*
- Sec. 1622. Sense of Congress on missile defense sensors in space.*

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1631. Executive agent for open-source intelligence tools.*
- Sec. 1632. Waiver and congressional notification requirements related to facilities for intelligence collection or for special operations abroad.*
- Sec. 1633. Prohibition on National Intelligence Program consolidation.*
- Sec. 1634. Limitation on availability of funds for Office of the Under Secretary of Defense for Intelligence.*
- Sec. 1635. Department of Defense intelligence needs.*
- Sec. 1636. Report on management of certain programs of Defense intelligence elements.*
- Sec. 1637. Report on Air National Guard contributions to the RQ-4 Global Hawk mission.*
- Sec. 1638. Government Accountability Office review of intelligence input to the defense acquisition process.*

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.*
- Sec. 1642. Authorization of military cyber operations.*
- Sec. 1643. Limitation on availability of funds pending the submission of integrated policy to deter adversaries in cyberspace.*
- Sec. 1644. Authorization for procurement of relocatable Sensitive Compartmented Information Facility.*
- Sec. 1645. Designation of military department entity responsible for acquisition of critical cyber capabilities.*
- Sec. 1646. Assessment of capabilities of United States Cyber Command to defend the United States from cyber attacks.*
- Sec. 1647. Evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense.*
- Sec. 1648. Comprehensive plan and biennial exercises on responding to cyber attacks.*
- Sec. 1649. Sense of Congress on reviewing and considering findings and recommendations of Council of Governors on cyber capabilities of the Armed Forces.*

Subtitle D—Nuclear Forces

- Sec. 1651. Assessment of threats to National Leadership Command, Control, and Communications System.*
- Sec. 1652. Organization of nuclear deterrence functions of the Air Force.*
- Sec. 1653. Procurement authority for certain parts of intercontinental ballistic missile fuzes.*
- Sec. 1654. Prohibition on availability of funds for de-alerting intercontinental ballistic missiles.*
- Sec. 1655. Assessment of global nuclear environment.*
- Sec. 1656. Annual briefing on the costs of forward-deploying nuclear weapons in Europe.*

- Sec. 1657. Report on the number of planned long-range standoff weapons.*
- Sec. 1658. Review of Comptroller General of the United States on recommendations relating to nuclear enterprise of the Department of Defense.*
- Sec. 1659. Sense of Congress on organization of Navy for nuclear deterrence mission.*
- Sec. 1660. Sense of Congress on the nuclear force improvement program of the Air Force.*
- Sec. 1661. Senses of Congress on importance of cooperation and collaboration between United States and United Kingdom on nuclear issues and on 60th anniversary of Fleet Ballistic Missile Program.*
- Sec. 1662. Sense of Congress on plan for implementation of Nuclear Enterprise Reviews.*
- Sec. 1663. Sense of Congress and report on milestone A decision on long-range standoff weapon.*
- Sec. 1664. Sense of Congress on policy on the nuclear triad.*
- Sec. 1665. Report relating to the costs associated with extending the life of the Minuteman III intercontinental ballistic missile.*

Subtitle E—Missile Defense Programs and Other Matters

- Sec. 1671. Prohibitions on providing certain missile defense information to Russian Federation.*
- Sec. 1672. Prohibition on integration of missile defense systems of Russian Federation into missile defense systems of United States.*
- Sec. 1673. Prohibition on integration of missile defense systems of China into missile defense systems of United States.*
- Sec. 1674. Limitations on availability of funds for Patriot lower tier air and missile defense capability of the Army.*
- Sec. 1675. Integration and interoperability of air and missile defense capabilities of the United States.*
- Sec. 1676. Integration and interoperability of allied missile defense capabilities.*
- Sec. 1677. Missile defense capability in Europe.*
- Sec. 1678. Availability of funds for Iron Dome short-range rocket defense system.*
- Sec. 1679. Israeli cooperative missile defense program codevelopment and co-production.*
- Sec. 1680. Boost phase defense system.*
- Sec. 1681. Development and deployment of multiple-object kill vehicle for missile defense of the United States homeland.*
- Sec. 1682. Requirement to replace capability enhancement I exoatmospheric kill vehicles.*
- Sec. 1683. Designation of preferred location of additional missile defense site in the United States and plan for expediting deployment time of such site.*
- Sec. 1684. Additional missile defense sensor coverage for protection of United States homeland.*
- Sec. 1685. Concept development of space-based missile defense layer.*
- Sec. 1686. Aegis Ashore capability development.*
- Sec. 1687. Development of requirements to support integrated air and missile defense capabilities.*
- Sec. 1688. Extension of requirement for Comptroller General of the United States review and assessment of missile defense acquisition programs.*
- Sec. 1689. Report on medium range ballistic missile defense sensor alternatives for enhanced defense of Hawaii.*
- Sec. 1690. Sense of Congress and report on validated military requirement and Milestone A decision on prompt global strike weapon system.*

1 ***Subtitle A—Space Activities***

2 ***SEC. 1601. MAJOR FORCE PROGRAM AND BUDGET FOR NA-***
 3 ***TIONAL SECURITY SPACE PROGRAMS.***

4 ***(a) BUDGET MATTERS.—***

5 ***(1) IN GENERAL.—****Chapter 9 of title 10, United*
 6 *States Code, is amended by adding at the end the fol-*
 7 *lowing new section:*

8 ***“§ 239. National security space programs: major force***
 9 ***program and budget assessment***

10 ***“(a) ESTABLISHMENT OF MAJOR FORCE PROGRAM.—***
 11 *The Secretary of Defense shall establish a unified major*
 12 *force program for national security space programs pursu-*
 13 *ant to section 222(b) of this title to prioritize national secu-*
 14 *rity space activities in accordance with the requirements*
 15 *of the Department of Defense and national security.*

16 ***“(b) BUDGET ASSESSMENT.—(1) The Secretary shall***
 17 *include with the defense budget materials for each of fiscal*
 18 *years 2017 through 2020 a report on the budget for national*
 19 *security space programs of the Department of Defense.*

20 ***“(2) Each report on the budget for national security***
 21 *space programs of the Department of Defense under para-*
 22 *graph (1) shall include the following:*

23 ***“(A) An overview of the budget, including—***

24 ***“(i) a comparison between that budget, the***
 25 *previous budget, the most recent and prior fu-*

1 *ture-years defense program submitted to Con-*
2 *gress under section 221 of this title, and the*
3 *amounts appropriated for such programs during*
4 *the previous fiscal year; and*

5 *“(i) the specific identification, as a budg-*
6 *etary line item, for the funding under such pro-*
7 *grams.*

8 *“(B) An assessment of the budget, including sig-*
9 *nificant changes, priorities, challenges, and risks.*

10 *“(C) Any additional matters the Secretary deter-*
11 *mines appropriate.*

12 *“(3) Each report under paragraph (1) shall be sub-*
13 *mitted in unclassified form, but may include a classified*
14 *annex.*

15 *“(c) DEFINITIONS.—In this section:*

16 *“(1) The term ‘budget’, with respect to a fiscal*
17 *year, means the budget for that fiscal year that is*
18 *submitted to Congress by the President under section*
19 *1105(a) of title 31.*

20 *“(2) The term ‘defense budget materials’, with*
21 *respect to a fiscal year, means the materials sub-*
22 *mitted to Congress by the Secretary of Defense in sup-*
23 *port of the budget for that fiscal year.”.*

24 *(2) CLERICAL AMENDMENT.—The table of sec-*
25 *tions at the beginning of such chapter is amended by*

1 *inserting after the item relating to section 238 the fol-*
 2 *lowing new item:*

 “239. National security space programs: major force program and budget assess-
 ment.”.

3 (b) *PLAN.*—Not later than 180 days after the date of
 4 the enactment of this Act, the Secretary of Defense shall sub-
 5 mit to the congressional defense committees a plan to carry
 6 out the unified major force program designation required
 7 by section 239(a) of title 10, United States Code, as added
 8 by subsection (a)(1), including any recommendations for
 9 legislative action the Secretary determines appropriate.

10 **SEC. 1602. PRINCIPAL ADVISOR ON SPACE CONTROL.**

11 (a) *IN GENERAL.*—Chapter 135 of title 10, United
 12 States Code is amended by adding at the end the following
 13 new section:

14 **“§ 2279a. Principal Advisor on Space Control**

15 “(a) *IN GENERAL.*—The Secretary of Defense shall des-
 16 ignate a senior official of the Department of Defense or a
 17 military department to serve as the Principal Space Con-
 18 trol Advisor, who, in addition to the other duties of such
 19 senior official, shall act as the principal advisor to the Sec-
 20 retary on space control activities.

21 “(b) *RESPONSIBILITIES.*—The Principal Space Con-
 22 trol Advisor shall be responsible for the following:

23 “(1) Supervision of space control activities re-
 24 lated to the development, procurement, and employ-

1 *ment of, and strategy relating to, space control capa-*
 2 *bilities.*

3 “(2) *Oversight of policy, resources, personnel,*
 4 *and acquisition and technology relating to space con-*
 5 *trol activities.*

6 “(c) *CROSS-FUNCTIONAL TEAM.—The Principal Space*
 7 *Control Advisor shall integrate the space control expertise*
 8 *and perspectives of appropriate organizational entities of*
 9 *the Office of the Secretary of Defense, the Joint Staff, the*
 10 *military departments, the Defense Agencies, and the com-*
 11 *batant commands, by establishing and maintaining a cross-*
 12 *functional team of subject-matter experts who are otherwise*
 13 *assigned or detailed to those entities.”.*

14 “(b) *CLERICAL AMENDMENT.—The table of sections at*
 15 *the beginning of such chapter is amended by inserting after*
 16 *the item relating to section 2279 the following new item:*

 “2279a. *Principal Advisor on Space Control.*”.

17 **SEC. 1603. COUNCIL ON OVERSIGHT OF THE DEPARTMENT**
 18 **OF DEFENSE POSITIONING, NAVIGATION,**
 19 **AND TIMING ENTERPRISE.**

20 “(a) *IN GENERAL.—Chapter 135 of title 10, United*
 21 *States Code, as amended by section 1602, is further amend-*
 22 *ed by adding at the end the following new section:*

1 **“§2279b. Council on Oversight of the Department of**
2 **Defense Positioning, Navigation, and Tim-**
3 **ing Enterprise**

4 “(a) *ESTABLISHMENT.*—*There is within the Depart-*
5 *ment of Defense a council to be known as the ‘Council on*
6 *Oversight of the Department of Defense Positioning, Navi-*
7 *gation, and Timing Enterprise’ (in this section referred to*
8 *as the ‘Council’).*

9 “(b) *MEMBERSHIP.*—*The members of the Council shall*
10 *be as follows:*

11 “(1) *The Under Secretary of Defense for Policy.*

12 “(2) *The Under Secretary of Defense for Acquisi-*
13 *tion, Technology, and Logistics.*

14 “(3) *The Vice Chairman of the Joint Chiefs of*
15 *Staff.*

16 “(4) *The Commander of the United States Stra-*
17 *tegic Command.*

18 “(5) *The Commander of the United States North-*
19 *ern Command.*

20 “(6) *The Commander of United States Cyber*
21 *Command.*

22 “(7) *The Director of the National Security Agen-*
23 *cy.*

24 “(8) *The Chief Information Officer of the De-*
25 *partment of Defense.*

1 “(9) *The Secretaries of the military departments,*
2 *who shall be ex officio members.*

3 “(10) *Such other officers of the Department of*
4 *Defense as the Secretary may designate.*

5 “(c) *CO-CHAIR.—The Council shall be co-chaired by*
6 *the Under Secretary of Defense for Acquisition, Technology,*
7 *and Logistics and the Vice Chairman of the Joint Chiefs*
8 *of Staff.*

9 “(d) *RESPONSIBILITIES.—(1) The Council shall be re-*
10 *sponsible for oversight of the Department of Defense posi-*
11 *tioning, navigation, and timing enterprise, including posi-*
12 *tioning, navigation, and timing services provided to civil,*
13 *commercial, scientific, and international users.*

14 “(2) *In carrying out the responsibility for oversight*
15 *of the Department of Defense positioning, navigation, and*
16 *timing enterprise as specified in paragraph (1), the Council*
17 *shall be responsible for the following:*

18 “(A) *Oversight of performance assessments (in-*
19 *cluding interoperability).*

20 “(B) *Vulnerability identification and mitigation.*

21 “(C) *Architecture development.*

22 “(D) *Resource prioritization.*

23 “(E) *Such other responsibilities as the Secretary*
24 *of Defense shall specify for purposes of this section.*

1 “(e) *ANNUAL REPORTS.*—*At the same time each year*
2 *that the budget of the President is submitted to Congress*
3 *under section 1105(a) of title 31, the Council shall submit*
4 *to the congressional defense committees a report on the ac-*
5 *tivities of the Council. Each report shall include the fol-*
6 *lowing:*

7 “(1) *A description and assessment of the activi-*
8 *ties of the Council during the previous fiscal year.*

9 “(2) *A description of the activities proposed to be*
10 *undertaken by the Council during the period covered*
11 *by the current future-years defense program under*
12 *section 221 of this title.*

13 “(3) *Any changes to the requirements of the De-*
14 *partment of Defense positioning, navigation, and tim-*
15 *ing enterprise made during the previous year, along*
16 *with an explanation for why the changes were made*
17 *and a description of the effects of the changes to the*
18 *capability of such enterprise.*

19 “(4) *A breakdown of each program element in*
20 *such budget that relates to the Department of Defense*
21 *positioning, navigation, and timing enterprise, in-*
22 *cluding how such program element relates to the oper-*
23 *ation and sustainment, research and development,*
24 *procurement, or other activity of such enterprise.*

1 “(f) *BUDGET AND FUNDING MATTERS.*—(1) *Not later*
2 *than 30 days after the President submits to Congress the*
3 *budget for a fiscal year under section 1105(a) of title 31,*
4 *the Commander of the United States Strategic Command*
5 *shall submit to the Chairman of the Joint Chiefs of Staff*
6 *an assessment of—*

7 “(A) *whether such budget allows the Federal*
8 *Government to meet the required capabilities of the*
9 *Department of Defense positioning, navigation, and*
10 *timing enterprise during the fiscal year covered by*
11 *the budget and the four subsequent fiscal years; and*

12 “(B) *if the Commander determines that such*
13 *budget does not allow the Federal Government to meet*
14 *such required capabilities, a description of the steps*
15 *being taken to meet such required capabilities.*

16 “(2) *Not later than 30 days after the date on which*
17 *the Chairman of the Joint Chiefs of Staff receives the assess-*
18 *ment of the Commander of the United States Strategic*
19 *Command under paragraph (1), the Chairman shall submit*
20 *to the congressional defense committees—*

21 “(A) *such assessment as it was submitted to the*
22 *Chairman; and*

23 “(B) *any comments of the Chairman.*

24 “(3) *If a House of Congress adopts a bill authorizing*
25 *or appropriating funds for the activities of the Department*

1 of Defense positioning, navigation, and timing enterprise
2 that, as determined by the Council, provides insufficient
3 funds for such activities for the period covered by such bill,
4 the Council shall notify the congressional defense commit-
5 tees of the determination.

6 “(g) NOTIFICATION OF ANOMALIES.—(1) The Sec-
7 retary of Defense shall submit to the congressional defense
8 committees written notification of an anomaly in the De-
9 partment of Defense positioning, navigation, and timing
10 enterprise that is reported to the Secretary or the Council
11 by not later than 14 days after the date on which the Sec-
12 retary or the Council learns of such anomaly, as the case
13 may be.

14 “(2) In this subsection, the term ‘anomaly’ means any
15 unplanned, irregular, or abnormal event, whether unex-
16 plained or caused intentionally or unintentionally by a
17 person or a system.

18 “(h) TERMINATION.—The Council shall terminate on
19 the date that is 10 years after the date of the enactment
20 of the National Defense Authorization Act for Fiscal Year
21 2016.”.

22 (b) CLERICAL AMENDMENT.—The table of sections at
23 the beginning of such chapter, as amended by section 1602,
24 is further amended by inserting after the item relating to
25 section 2279a the following new item:

“2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.”.

1 **SEC. 1604. MODIFICATION TO DEVELOPMENT OF SPACE**
 2 **SCIENCE AND TECHNOLOGY STRATEGY.**

3 *Section 2272 of title 10, United States Code, is amend-*
 4 *ed to read as follows:*

5 **“§ 2272. Space science and technology strategy: coordi-**
 6 **nation**

7 *“The Secretary of Defense and the Director of National*
 8 *Intelligence shall jointly develop and implement a space*
 9 *science and technology strategy and shall review and, as*
 10 *appropriate, revise the strategy biennially. Functions of the*
 11 *Secretary under this section shall be carried out jointly by*
 12 *the Assistant Secretary of Defense for Research and Engi-*
 13 *neering and the official of the Department of Defense des-*
 14 *ignated as the Department of Defense Executive Agent for*
 15 *Space.”.*

16 **SEC. 1605. DELEGATION OF AUTHORITY REGARDING PUR-**
 17 **CHASE OF GLOBAL POSITIONING SYSTEM**
 18 **USER EQUIPMENT.**

19 *Section 913 of the Ike Skelton National Defense Au-*
 20 *thorization Act for Fiscal Year 2011 (10 U.S.C. 2281 note)*
 21 *is amended by adding at the end the following new sub-*
 22 *section:*

23 *“(d) LIMITATION ON DELEGATION OF WAIVER AU-*
 24 *THORITY.—The Secretary of Defense may not delegate the*

1 *authority to make a waiver under subsection (c) to an offi-*
 2 *cial below the level of the Secretaries of the military depart-*
 3 *ments or the Under Secretary of Defense for Acquisition,*
 4 *Technology, and Logistics.”.*

5 **SEC. 1606. ROCKET PROPULSION SYSTEM DEVELOPMENT**
 6 **PROGRAM.**

7 (a) *STREAMLINED ACQUISITION.*—Section 1604 of the
 8 *Carl Levin and Howard P. “Buck” McKeon National De-*
 9 *fense Authorization Act for Fiscal Year 2015 (Public Law*
 10 *113–291; 128 Stat. 3623; 10 U.S.C. 2273 note) is amend-*
 11 *ed—*

12 (1) *by redesignating subsection (c) as subsection*
 13 *(d); and*

14 (2) *by inserting after subsection (b) the following*
 15 *new subsection:*

16 “(c) *STREAMLINED ACQUISITION.*—*In developing the*
 17 *rocket propulsion system required under subsection (a), the*
 18 *Secretary shall—*

19 (1) *use a streamlined acquisition approach, in-*
 20 *cluding tailored documentation and review processes,*
 21 *that enables the effective, efficient, and expedient*
 22 *transition from the use of non-allied space launch en-*
 23 *gines to a domestic alternative for national security*
 24 *space launches; and*

1 “(2) prior to establishing such acquisition ap-
2 proach, establish well-defined requirements with a
3 clear acquisition strategy.”.

4 **(b) AVAILABILITY OF FUNDS.—**

5 **(1) IN GENERAL.—***In accordance with para-*
6 *graph (2), of the funds authorized to be appropriated*
7 *by this Act or otherwise made available for fiscal year*
8 *2016 for the rocket propulsion system required by sec-*
9 *tion 1604 of the Carl Levin and Howard P. “Buck”*
10 *McKeon National Defense Authorization Act for Fis-*
11 *cal Year 2015, the Secretary of Defense may obligate*
12 *or expend such funds only for the development of such*
13 *system, and the necessary interfaces to, or integration*
14 *of, the launch vehicle, to replace non-allied space*
15 *launch engines by 2019 as required by such section.*

16 **(2) RULE OF CONSTRUCTION.—***The funds speci-*
17 *fied in paragraph (1)—*

18 **(A)** *may be used for the integration of the*
19 *rocket propulsion system covered by such para-*
20 *graph with an existing or new launch vehicle;*
21 *and*

22 **(B)** *may not be used to develop or procure*
23 *a new launch vehicle or related infrastructure.*

24 **(c) BRIEFING.—***Not later than 90 days after the date*
25 *of the enactment of this Act, the Secretary of Defense shall*

1 *provide to the congressional defense committee a briefing*
 2 *on—*

3 (1) *the streamlined acquisition approach, re-*
 4 *quirements, and acquisition strategy required under*
 5 *subsection (c) of section 1604 of the Carl Levin and*
 6 *Howard P. “Buck” McKeon National Defense Author-*
 7 *ization Act for Fiscal Year 2015, as added by sub-*
 8 *section (a); and*

9 (2) *the plan for the development and fielding of*
 10 *a full-up rocket propulsion system pursuant to such*
 11 *section 1604.*

12 **SEC. 1607. EXCEPTION TO THE PROHIBITION ON CON-**
 13 **TRACTING WITH RUSSIAN SUPPLIERS OF**
 14 **ROCKET ENGINES FOR THE EVOLVED EX-**
 15 **PENDABLE LAUNCH VEHICLE PROGRAM.**

16 *Paragraph (1) of section 1608(c) of the Carl Levin and*
 17 *Howard P. “Buck” McKeon National Defense Authoriza-*
 18 *tion Act for Fiscal Year 2015 (Public Law 113–291; 128*
 19 *Stat. 3626; 10 U.S.C. 2271 note) is amended to read as*
 20 *follows:*

21 “(1) *IN GENERAL.—The prohibition in sub-*
 22 *section (a) shall not apply to any of the following:*

23 “(A) *The placement of orders or the exercise*
 24 *of options under the contract numbered FA8811–*
 25 *13–C–0003 and awarded on December 18, 2013.*

1 “(B) Subject to paragraph (2), contracts
2 awarded for the procurement of property or serv-
3 ices for space launch activities that include the
4 use of not more than a total of five rocket engines
5 designed or manufactured in the Russian Fed-
6 eration that prior to February 1, 2014, were ei-
7 ther fully paid for by the contractor or covered
8 by a legally binding commitment of the con-
9 tractor to fully pay for such rocket engines.

10 “(C) Contracts not covered under subpara-
11 graph (A) or (B) that are awarded for the pro-
12 curement of property or services for space launch
13 activities that include the use of not more than
14 a total of four additional rocket engines designed
15 or manufactured in the Russian Federation.”.

16 **SEC. 1608. ACQUISITION STRATEGY FOR EVOLVED EXPEND-**
17 **ABLE LAUNCH VEHICLE PROGRAM.**

18 (a) *TREATMENT OF CERTAIN ARRANGEMENT.*—

19 (1) *DISCONTINUATION.*—*The Secretary of the Air*
20 *Force shall discontinue the evolved expendable launch*
21 *vehicle launch capability arrangement, as structured*
22 *as of the date of the enactment of this Act, for—*

23 (A) *existing contracts using rocket engines*
24 *designed or manufactured in the Russian Fed-*

1 *eration by not later than December 31, 2019;*
2 *and*

3 *(B) existing contracts using domestic rocket*
4 *engines by not later than December 31, 2020.*

5 *(2) WAIVER.—The Secretary may waive para-*
6 *graph (1) if the Secretary—*

7 *(A) determines that such waiver is nec-*
8 *essary for the national security interests of the*
9 *United States;*

10 *(B) notifies the congressional defense com-*
11 *mittees of such waiver; and*

12 *(C) a period of 90 days has elapsed fol-*
13 *lowing the date of such notification.*

14 *(b) CONSISTENT STANDARDS.—In accordance with*
15 *section 2306a of title 10, United States Code, the Secretary*
16 *shall—*

17 *(1) apply consistent and appropriate standards*
18 *to certified evolved expendable launch vehicle pro-*
19 *viders with respect to certified cost and pricing data;*
20 *and*

21 *(2) conduct the appropriate audits.*

22 *(c) ACQUISITION STRATEGY.—In accordance with sub-*
23 *sections (a) and (b) and section 2273 of title 10, United*
24 *States Code, the Secretary shall develop and carry out a*
25 *10-year phased acquisition strategy, including near and*

1 *long term, for the evolved expendable launch vehicle pro-*
2 *gram.*

3 (d) *ELEMENTS.—The acquisition strategy under sub-*
4 *section (c) for the evolved expendable launch vehicle pro-*
5 *gram shall—*

6 (1) *provide the necessary—*

7 (A) *stability in budgeting and acquisition*
8 *of capabilities;*

9 (B) *flexibility to the Federal Government;*

10 *and*

11 (C) *procedures for fair competition; and*

12 (2) *specifically take into account, as appropriate*
13 *per competition, the effect of—*

14 (A) *contracts or agreements for launch serv-*
15 *ices or launch capability entered into by the De-*
16 *partment of Defense and the National Aero-*
17 *navitics and Space Administration with certified*
18 *evolved expendable launch vehicle providers;*

19 (B) *the requirements of the Department of*
20 *Defense, including with respect to launch capa-*
21 *bilities and pricing data, that are met by such*
22 *providers;*

23 (C) *the cost of integrating a satellite onto a*
24 *launch vehicle; and*

1 (D) any other matters the Secretary con-
2 siders appropriate.

3 (e) *COMPETITION.*—In awarding any contract for
4 launch services in a national security space mission pursu-
5 ant to a competitive acquisition, the evaluation shall ac-
6 count for the value of the evolved expendable launch vehicle
7 launch capability arrangement per contract line item num-
8 bers in the bid price of the offeror as appropriate per
9 launch.

10 (f) *REPORT.*—Not later than 180 days after the date
11 of the enactment of this Act, the Secretary shall submit to
12 the congressional defense committees, the Permanent Select
13 Committee on Intelligence of the House of Representatives,
14 and the Select Committee on Intelligence of the Senate a
15 report on the acquisition strategy developed under sub-
16 section (c).

17 **SEC. 1609. ALLOCATION OF FUNDING FOR EVOLVED EX-**
18 **PENDABLE LAUNCH VEHICLE PROGRAM.**

19 (a) *CERTIFICATION AND JUSTIFICATION.*—Together
20 with the budget of the President submitted to Congress
21 under section 1105(a) of title 31, United States Code, for
22 each of fiscal years 2017, 2018, and 2019, the Director of
23 the Office of Management and Budget shall submit to the
24 appropriate congressional committees—

1 (1) a certification that the cost share between the
2 Air Force and the National Reconnaissance Office for
3 the evolved expendable launch vehicle launch capa-
4 bility program equitably reflects the appropriate allo-
5 cation of funding for the Air Force and the National
6 Reconnaissance Office, respectively, based on the
7 launch schedule and national mission forecast; and

8 (2) sufficient rationale to justify such cost share.

9 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
10 *FINED.*—*In this section, the term “appropriate congres-*
11 *sional committees” means—*

12 (1) the congressional defense committees;

13 (2) the Permanent Select Committee on Intel-
14 ligence of the House of Representatives; and

15 (3) the Select Committee on Intelligence of the
16 Senate.

17 **SEC. 1610. CONSOLIDATION OF ACQUISITION OF WIDEBAND**
18 **SATELLITE COMMUNICATIONS.**

19 (a) *PLAN.*—

20 (1) *CONSOLIDATION.*—*Not later than one year*
21 *after the date of the enactment of this Act, the Sec-*
22 *retary of Defense shall submit to the congressional de-*
23 *fense committees a plan for the consolidation, during*
24 *the one-year period beginning on the date on which*
25 *the plan is submitted, of the acquisition of wideband*

1 *satellite communications necessary to meet the re-*
2 *quirements of the Department of Defense for such*
3 *communications, including with respect to military*
4 *and commercial satellite communications.*

5 (2) *ELEMENTS.—The plan under paragraph (1)*
6 *shall include—*

7 (A) *an assessment of the management and*
8 *overhead costs relating to the acquisition of com-*
9 *mercial satellite communications services across*
10 *the Department of Defense;*

11 (B) *an estimate of—*

12 (i) *the costs of implementing the con-*
13 *solidation of the acquisition of such services*
14 *described in paragraph (1); and*

15 (ii) *the projected savings of the consoli-*
16 *dation;*

17 (C) *the identification and designation of a*
18 *single acquisition agent pursuant to paragraph*
19 *(3)(A); and*

20 (D) *the roles and responsibilities of officials*
21 *of the Department, including pursuant to para-*
22 *graph (3).*

23 (3) *SINGLE ACQUISITION AGENT.—*

24 (A) *Except as provided by subparagraph*

25 (B), *under the plan under paragraph (1), the*

1 *Secretary of Defense shall identify and designate*
2 *a single senior official of the Department of De-*
3 *fense to procure wideband satellite communica-*
4 *tions necessary to meet the requirements of the*
5 *Department of Defense for such communications,*
6 *including with respect to military and commer-*
7 *cial satellite communications.*

8 *(B) Notwithstanding subparagraph (A),*
9 *under the plan under paragraph (1), an official*
10 *described in subparagraph (C) may carry out*
11 *the procurement of commercial wideband sat-*
12 *ellite communications if the official determines*
13 *that such procurement is required to meet an ur-*
14 *gent need.*

15 *(C) An official described in this subpara-*
16 *graph is any of the following:*

17 *(i) A Secretary of a military depart-*
18 *ment.*

19 *(ii) The Under Secretary of Defense for*
20 *Acquisition, Technology, and Logistics.*

21 *(iii) The Chief Information Office of*
22 *the Department of Defense.*

23 *(iv) A commander of a combatant com-*
24 *mand.*

1 (4) *VALIDATION.*—*The Director of Cost Assess-*
2 *ment and Program Evaluation shall validate the as-*
3 *essment required by subparagraph (A) of paragraph*
4 *(2) and the estimates required by subparagraph (B)*
5 *of such paragraph.*

6 (b) *IMPLEMENTATION.*—

7 (1) *IN GENERAL.*—*Except as provided by para-*
8 *graph (2), the Secretary of Defense shall complete the*
9 *implementation of the plan under subsection (a) by*
10 *not later than one year after the date on which the*
11 *Secretary submits the plan under such paragraph.*

12 (2) *WAIVER.*—*The Secretary may waive the im-*
13 *plementation of the plan under subsection (a) if the*
14 *Secretary—*

15 (A) *determines that—*

16 (i) *such implementation will require*
17 *significant additional funding; or*

18 (ii) *such waiver is in the interests of*
19 *national security; and*

20 (B) *submits to the congressional defense*
21 *committees notice of such waiver and the jus-*
22 *tifications for such waiver.*

1 **SEC. 1611. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND**
2 **COMMUNICATIONS.**

3 (a) *IN GENERAL.*—*The Secretary of Defense shall con-*
4 *duct an analysis of alternatives for a follow-on wide-band*
5 *communications system to the Wideband Global SATCOM*
6 *System that includes space, air, and ground layer commu-*
7 *nications capabilities of the Department of Defense.*

8 (b) *REPORT REQUIRED.*—*Not later than March 31,*
9 *2017, the Secretary shall submit to the congressional defense*
10 *committees a report on the analysis conducted under sub-*
11 *section (a).*

12 **SEC. 1612. EXPANSION OF GOALS AND MODIFICATION OF**
13 **PILOT PROGRAM FOR ACQUISITION OF COM-**
14 **MERCIAL SATELLITE COMMUNICATION SERV-**
15 **ICES.**

16 (a) *CARRYING OUT OF PILOT PROGRAM.*—*Subsection*
17 *(a) of section 1605 of the Carl Levin and Howard P.*
18 *“Buck” McKeon National Defense Authorization Act for*
19 *Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623;*
20 *10 U.S.C. 2208 note) is amended—*

21 (1) *in paragraph (1), by striking “may develop”*
22 *and all that follows through “funds by the Secretary”*
23 *and inserting “shall develop and carry out a pilot*
24 *program”;* and

25 (2) *by adding at the end the following new para-*
26 *graph:*

1 “(4) *METHODS.*—*In carrying out the pilot pro-*
 2 *gram under paragraph (1), the Secretary may use a*
 3 *variety of methods authorized by law to effectively*
 4 *and efficiently acquire commercial satellite commu-*
 5 *nications services, including by carrying out multiple*
 6 *pathfinder activities under the pilot program.”.*

7 (b) *GOALS.*—*Subsection (b) of such section is amend-*
 8 *ed—*

9 (1) *in paragraph (3), by striking “; and” and*
 10 *inserting a semicolon;*

11 (2) *in paragraph (4), by striking the period at*
 12 *the end and inserting “; and”; and*

13 (3) *by adding at the end the following new para-*
 14 *graph:*

15 “(5) *demonstrates the potential to achieve order-*
 16 *of-magnitude improvements in satellite communica-*
 17 *tions capability.”.*

18 (c) *REPORTS AND BRIEFINGS.*—*Subsection (d) of such*
 19 *section is amended—*

20 (1) *in the heading, by striking “REPORTS.—”*
 21 *and inserting “REPORTS AND BRIEFINGS.—”;*

22 (2) *in paragraph (1)—*

23 (A) *in the matter preceding subparagraph*

24 (A), *by striking “90 days” and inserting “270*
 25 *days”;*

1 (B) in subparagraph (A), by striking “; or”
2 and inserting “; and”; and

3 (C) by amending subparagraph (B) to read
4 as follows:

5 “(B) a description of the appropriate
6 metrics established by the Secretary to meet the
7 goals of the pilot program.”;

8 (3) by redesignating paragraph (2) as para-
9 graph (3);

10 (4) by inserting after paragraph (1) the fol-
11 lowing new paragraph (2):

12 “(2) *BRIEFING.*—At the same time as the Presi-
13 dent submits to Congress the budget pursuant to sec-
14 tion 1105 of title 31, for each of fiscal years 2017
15 through 2020, the Secretary shall provide to the con-
16 gressional defense committees a briefing on the pilot
17 program.”; and

18 (5) in paragraph (3) (as redesignated by para-
19 graph (3) of this subsection)—

20 (A) in subparagraph (A), by striking “ex-
21 panding the use of working capital funds to ef-
22 fectively and efficiently acquire” and inserting
23 “the pilot program and whether the pilot pro-
24 gram effectively and efficiently acquires”; and

1 (B) in subparagraph (B)(ii), by striking
2 “working capital funds as described in subpara-
3 graph (A)” and inserting “the pilot program”.

4 **SEC. 1613. INTEGRATED POLICY TO DETER ADVERSARIES IN**
5 **SPACE.**

6 (a) *IN GENERAL.*—The President shall establish an
7 interagency process to provide for the development of a pol-
8 icy to deter adversaries in space—

9 (1) with the objectives of—

10 (A) reducing risks to the United States and
11 allies of the United States in space; and

12 (B) protecting and preserving the rights, ac-
13 cess, capabilities, use, and freedom of action of
14 the United States in space and the right of the
15 United States to respond to an attack in space
16 and, if necessary, deny adversaries the use of
17 space capabilities hostile to the national interests
18 of the United States; and

19 (2) that integrates the interests and responsibil-
20 ities of the agencies participating in the process.

21 (b) *REPORT REQUIRED.*—

22 (1) *IN GENERAL.*—Not later than 180 days after
23 the date of the enactment of this Act, the President
24 shall submit to the Committees on Armed Services of
25 the Senate and the House of Representatives a report

1 *setting forth the policy developed pursuant to sub-*
2 *section (a).*

3 (2) *FUNDING RESTRICTION.*—*If the President has*
4 *not submitted the policy developed under subsection*
5 *(a) and the answers to Enclosure 1, regarding space*
6 *control policy, of the classified annex to this Act, to*
7 *the Committees on Armed Services of the Senate and*
8 *the House of Representatives by the date required by*
9 *paragraph (1), an amount equal to \$10,000,000 of the*
10 *amount authorized to be appropriated or otherwise*
11 *made available to the Department of Defense for fiscal*
12 *year 2016 to provide support services to the Executive*
13 *Office of the President shall be withheld from obliga-*
14 *tion or expenditure until the policy and such answers*
15 *are submitted to such Committees.*

16 (3) *FORM OF REPORT.*—*The report required by*
17 *paragraph (1) shall be submitted in unclassified form,*
18 *but may include a classified annex.*

19 **SEC. 1614. PROHIBITION ON RELIANCE ON CHINA AND RUS-**
20 **SIA FOR SPACE-BASED WEATHER DATA.**

21 (a) *PROHIBITION.*—*The Secretary of Defense shall en-*
22 *sure that the Department of Defense does not rely on, or*
23 *in the future plan to rely on, space-based weather data pro-*
24 *vided by the Government of the People’s Republic of China,*
25 *the Government of the Russian Federation, or an entity*

1 *owned or controlled by either such government for national*
2 *security purposes.*

3 (b) *CERTIFICATION.*—*Not later than 90 days after the*
4 *date of the enactment of this Act, the Secretary shall submit*
5 *to the congressional defense committees a certification that*
6 *the Secretary is in compliance with the prohibition under*
7 *subsection (a).*

8 **SEC. 1615. LIMITATION ON AVAILABILITY OF FUNDS FOR**
9 **WEATHER SATELLITE FOLLOW-ON SYSTEM.**

10 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
11 *priated by this Act or otherwise made available for fiscal*
12 *year 2016 for research, development, test, and evaluation,*
13 *Air Force, for the weather satellite follow-on system, not*
14 *more than 50 percent may be obligated or expended until*
15 *the date on which—*

16 (1) *the Secretary of Defense provides to the con-*
17 *gressional defense committees a briefing on the plan*
18 *developed under subsection (b); and*

19 (2) *the Chairman of the Joint Chiefs of Staff cer-*
20 *tifies to the congressional defense committees that such*
21 *plan will—*

22 (A) *meet the requirements of the Depart-*
23 *ment of Defense for cloud characterization and*
24 *theater weather imagery; and*

1 (B) not negatively affect the commanders of
2 the combatant commands.

3 (b) *PLAN REQUIRED.*—The Secretary shall develop a
4 plan to address the requirements of the Department of De-
5 fense for cloud characterization and theater weather im-
6 agery.

7 **SEC. 1616. LIMITATIONS ON AVAILABILITY OF FUNDS FOR**
8 **THE DEFENSE METEOROLOGICAL SATELLITE**
9 **PROGRAM.**

10 (a) *LIMITATION.*—

11 (1) *FISCAL YEAR 2016 FUNDS.*—None of the funds
12 authorized to be appropriated by this Act or otherwise
13 made available for fiscal year 2016 for the Defense
14 Meteorological Satellite program or for the launch of
15 Defense Meteorological Satellite program satellite #20
16 (in this section referred to as “DMSP20”) may be ob-
17 ligated or expended until the date on which the Sec-
18 retary of Defense and the Chairman of the Joint
19 Chiefs of Staff jointly submit to the congressional de-
20 fense committees the certification described in sub-
21 section (b).

22 (2) *REMAINING FISCAL YEAR 2015 FUNDS.*—Of
23 the funds authorized to be appropriated or otherwise
24 made available for fiscal year 2015 for the Defense
25 Meteorological Satellite program or the launch of

1 *DMSP20 that remain available for obligation as of*
2 *the date of the enactment of this Act, not more than*
3 *50 percent may be obligated or expended until the*
4 *date on which the Secretary of Defense and the Chair-*
5 *man of the Joint Chiefs of Staff jointly submit to the*
6 *congressional defense committees the certification de-*
7 *scribed in subsection (b).*

8 *(b) CERTIFICATION.—The certification described in*
9 *this subsection is a certification that—*

10 *(1) the Joint Requirements Oversight Council*
11 *has conducted a recent review and certification of the*
12 *space-based environmental monitoring requirements*
13 *while taking into consideration the changes in inter-*
14 *national allied plans and the feedback of the military*
15 *departments and Defense Agencies (as defined in sec-*
16 *tion 101(a) of title 10, United States Code);*

17 *(2) relying on civil and international contribu-*
18 *tions to meet space-based environmental monitoring*
19 *requirements is insufficient or is a risk to national*
20 *security and launching DMSP20 will meet those re-*
21 *quirements;*

22 *(3) launching DMSP20 is the most affordable so-*
23 *lution to meeting requirements validated by the Joint*
24 *Requirements Oversight Council; and*

1 **(b) REAFFIRMATION OF POLICY.**—Congress reaffirms
2 *that the Secretary of Transportation, in overseeing and co-*
3 *ordinating commercial launch and reentry operations,*
4 *should—*

5 (1) *promote commercial space launches and reen-*
6 *tries by the private sector;*

7 (2) *facilitate Government, State, and private sec-*
8 *tor involvement in enhancing United States launch*
9 *sites and facilities;*

10 (3) *protect public health and safety, safety of*
11 *property, national security interests, and foreign pol-*
12 *icy interests of the United States; and*

13 (4) *consult with the head of another executive*
14 *agency, including the Secretary of Defense or the Ad-*
15 *ministrator of the National Aeronautics and Space*
16 *Administration, as necessary to provide consistent*
17 *application of licensing requirements under chapter*
18 *509 of title 51, United States Code.*

19 **(c) REQUIREMENTS.**—

20 (1) **IN GENERAL.**—*The Secretary of Transpor-*
21 *tation under section 50918 of title 51, United States*
22 *Code, and subject to section 50905(b)(2)(C) of that*
23 *title, shall consult with the Secretary of Defense, the*
24 *Administrator of the National Aeronautics and Space*

1 *Administration, and the heads of other executive*
2 *agencies, as appropriate—*

3 *(A) to identify all requirements that are im-*
4 *posed to protect the public health and safety,*
5 *safety of property, national security interests,*
6 *and foreign policy interests of the United States*
7 *relevant to any commercial launch of a launch*
8 *vehicle or commercial reentry of a reentry vehi-*
9 *cle; and*

10 *(B) to evaluate the requirements identified*
11 *in subparagraph (A) and, in coordination with*
12 *the licensee or transferee and the heads of the rel-*
13 *evant executive agencies—*

14 *(i) determine whether the satisfaction*
15 *of a requirement of one agency could result*
16 *in the satisfaction of a requirement of an-*
17 *other agency; and*

18 *(ii) resolve any inconsistencies and re-*
19 *move any outmoded or duplicative require-*
20 *ments or approvals of the Federal Govern-*
21 *ment relevant to any commercial launch of*
22 *a launch vehicle or commercial reentry of a*
23 *reentry vehicle.*

24 (2) *REPORTS.*—*Not later than 180 days after the*
25 *date of enactment of this Act, and annually thereafter*

1 *until the Secretary of Transportation determines no*
2 *outmoded or duplicative requirements or approvals of*
3 *the Federal Government exist, the Secretary of Trans-*
4 *portation, in consultation with the Secretary of De-*
5 *fense, the Administrator of the National Aeronautics*
6 *and Space Administration, the commercial space sec-*
7 *tor, and the heads of other executive agencies, as ap-*
8 *propriate, shall submit to the appropriate congres-*
9 *sional committees a report that includes the following:*

10 *(A) A description of the process for the ap-*
11 *plication for and approval of a permit or license*
12 *under chapter 509 of title 51, United States*
13 *Code, for the commercial launch of a launch ve-*
14 *hicle or commercial reentry of a reentry vehicle,*
15 *including the identification of—*

16 *(i) any unique requirements for oper-*
17 *ating on a United States Government*
18 *launch site, reentry site, or launch property;*
19 *and*

20 *(ii) any inconsistent, outmoded, or du-*
21 *plicative requirements or approvals.*

22 *(B) A description of current efforts, if any,*
23 *to coordinate and work across executive agencies*
24 *to define interagency processes and procedures*
25 *for sharing information, avoiding duplication of*

1 *effort, and resolving common agency require-*
2 *ments.*

3 (C) *Recommendations for legislation that*
4 *may further—*

5 (i) *streamline requirements in order to*
6 *improve efficiency, reduce unnecessary costs,*
7 *resolve inconsistencies, remove duplication,*
8 *and minimize unwarranted constraints;*
9 *and*

10 (ii) *consolidate or modify requirements*
11 *across affected agencies into a single appli-*
12 *cation set that satisfies the requirements*
13 *identified in paragraph (1)(A).*

14 (3) *DEFINITIONS.—For purposes of this sub-*
15 *section—*

16 (A) *any applicable definitions set forth in*
17 *section 50902 of title 51, United States Code,*
18 *shall apply;*

19 (B) *the term “appropriate congressional*
20 *committees” means—*

21 (i) *the congressional defense commit-*
22 *tees;*

23 (ii) *the Committee on Commerce,*
24 *Science, and Transportation of the Senate;*

1 (iii) the Committee on Science, Space,
2 and Technology of the House of Representa-
3 tives; and

4 (iv) the Committee on Transportation
5 and Infrastructure of the House of Rep-
6 resentatives;

7 (C) the terms “launch”, “reenter”, and “re-
8 entry” include landing of a launch vehicle or re-
9 entry vehicle; and

10 (D) the terms “United States Government
11 launch site” and “United States Government re-
12 entry site” include any necessary facility, at
13 that location, that is commercially operated on
14 United States Government property.

15 **SEC. 1618. PLAN ON FULL INTEGRATION AND EXPLOI-**
16 **TATION OF OVERHEAD PERSISTENT INFRA-**
17 **RED CAPABILITY.**

18 (a) *PLAN*.—Not later than 180 days after the date of
19 the enactment of this Act, the Commander of the United
20 States Strategic Command and the Director of Cost Assess-
21 ment and Program Evaluation, in coordination with the
22 Director of National Intelligence, shall jointly submit to the
23 appropriate congressional committees a plan for the inte-
24 gration of overhead persistent infrared capabilities to sup-
25 port the missions specified in subsection (b)(1).

1 (b) *ELEMENTS.*—*The plan under subsection (a)*
2 *shall—*

3 (1) *ensure that all overhead persistent infrared*
4 *capabilities of the United States, including such ca-*
5 *pabilities that are planned to be developed, are inte-*
6 *grated to allow for such capabilities to be exploited to*
7 *support the requirements of the missions of the De-*
8 *partment of Defense relating to—*

9 (A) *strategic and theater missile warning;*

10 (B) *ballistic and cruise missile defense, in-*
11 *cluding with respect to missile tracking, fire con-*
12 *trol, and kill assessment;*

13 (C) *technical intelligence supporting missile*
14 *warning;*

15 (D) *battlespace awareness;*

16 (E) *other technical intelligence;*

17 (F) *civil and environmental missions, in-*
18 *cluding with respect to the collection of weather*
19 *data; and*

20 (G) *battle damage assessments; and*

21 (2) *establish clear benchmarks by which to estab-*
22 *lish acquisition plans, manning, and budget require-*
23 *ments.*

24 (c) *ANNUAL DETERMINATION.*—*The Secretary of De-*
25 *fense shall include, together with, or not later than 30 days*

1 *after, the budget justification materials submitted to Con-*
2 *gress in support of the budget of the Department of Defense*
3 *for a fiscal year (as submitted with the budget of the Presi-*
4 *dent under section 1105(a) of title 31, United States Code),*
5 *a written determination of how the plan under subsection*
6 *(a) is being implemented.*

7 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
8 *FINED.—In this section, the term “appropriate congres-*
9 *sional committees” means—*

- 10 *(1) the congressional defense committees; and*
11 *(2) the Permanent Select Committee on Intel-*
12 *ligence of the House of Representatives and the Select*
13 *Committee on Intelligence of the Senate.*

14 **SEC. 1619. OPTIONS FOR RAPID SPACE RECONSTITUTION.**

15 *(a) EVALUATION.—The Secretary of Defense shall*
16 *evaluate options for the use of current assets of the Depart-*
17 *ment of Defense for the purpose of rapid reconstitution of*
18 *critical space-based warfighter enabling capabilities.*

19 *(b) BRIEFING.—Not later than March 31, 2016, the*
20 *Secretary shall provide to the congressional defense commit-*
21 *tees a briefing on the evaluation conducted under subsection*
22 *(a), including development timelines, a test plan, and tech-*
23 *nology readiness levels of key systems and technologies.*

1 **SEC. 1620. EVALUATION OF EXPLOITATION OF SPACE-**
2 **BASED INFRARED SYSTEM AGAINST ADDI-**
3 **TIONAL THREATS.**

4 (a) *EVALUATION.*—*The Commander of the United*
5 *States Strategic Command, in cooperation with the Sec-*
6 *retary of the Navy, the Secretary of the Air Force, the Direc-*
7 *tor of National Intelligence, and the Commander of the*
8 *United States Northern Command, shall conduct an evalua-*
9 *tion of space-based infrared systems to detect, track, and*
10 *target, or to develop the capability to detect, track, and tar-*
11 *get, the full range of threats to the United States, deployed*
12 *members of the Armed Forces, and allies of the United*
13 *States.*

14 (b) *SUBMISSION.*—*Not later than December 31, 2016,*
15 *the Commander of the United States Strategic Command*
16 *shall submit to the congressional defense committees, the*
17 *Permanent Select Committee on Intelligence of the House*
18 *of Representatives, and the Select Committee on Intelligence*
19 *of the Senate the evaluation under subsection (a).*

1 **SEC. 1621. QUARTERLY REPORTS ON GLOBAL POSITIONING**
2 **SYSTEM III SPACE SEGMENT, GLOBAL POSI-**
3 **TIONING SYSTEM OPERATIONAL CONTROL**
4 **SEGMENT, AND MILITARY GLOBAL POSI-**
5 **TIONING SYSTEM USER EQUIPMENT ACQUI-**
6 **TION PROGRAMS.**

7 (a) *REPORTS REQUIRED.*—Not later than 90 days
8 after the date of the enactment of this Act, and every 90
9 days thereafter, the Secretary of the Air Force shall submit
10 to the Comptroller General of the United States a report
11 and supporting documentation on the Global Positioning
12 System III space segment, the Global Positioning System
13 operational control segment, and the Military Global Posi-
14 tioning System user equipment acquisition programs.

15 (b) *ELEMENTS.*—Each report required by subsection
16 (a) shall include, with respect to an acquisition program
17 specified in that subsection, the following:

18 (1) *A statement of the status of the program with*
19 *respect to cost, schedule, and performance.*

20 (2) *A description of any changes to the require-*
21 *ments of the program.*

22 (3) *A description of any technical risks impact-*
23 *ing the cost, schedule, and performance of the pro-*
24 *gram.*

25 (4) *An assessment of how such risks are to be ad-*
26 *dressed and the costs associated with such risks.*

1 *is further amended by adding at the end the following new*
2 *section:*

3 **“§430b. Executive agent for open-source intelligence**
4 **tools**

5 *“(a) DESIGNATION.—Not later than April 1, 2016, the*
6 *Secretary of Defense shall designate a senior official of the*
7 *Department of Defense to serve as the executive agent for*
8 *the Department for open-source intelligence tools.*

9 *“(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—*
10 *(1) Not later than July 1, 2016, in accordance with Direc-*
11 *tive 5101.1, the Secretary shall prescribe the roles, respon-*
12 *sibilities, and authorities of the executive agent designated*
13 *under subsection (a).*

14 *“(2) The roles and responsibilities of the executive*
15 *agent designated under subsection (a) shall include the fol-*
16 *lowing:*

17 *“(A) Developing and maintaining a comprehen-*
18 *sive list of open-source intelligence tools and technical*
19 *standards.*

20 *“(B) Establishing priorities for the development,*
21 *acquisition, and integration of open-source intel-*
22 *ligence tools into the intelligence enterprise, and other*
23 *command and control systems as needed.*

24 *“(C) Certifying all open-source intelligence tools*
25 *with respect to compliance with the standards re-*

1 *quired by the framework and guidance for the Intel-*
2 *ligence Community Information Technology Enter-*
3 *prise, the Defense Intelligence Information Enterprise,*
4 *and the Joint Information Environment.*

5 *“(D) Assessing and making recommendations re-*
6 *garding the protection of privacy in the acquisition,*
7 *analysis, and dissemination of open-source informa-*
8 *tion available around the world.*

9 *“(E) Performing such other assessments or anal-*
10 *yses as the Secretary considers appropriate.*

11 *“(c) SUPPORT WITHIN DEPARTMENT OF DEFENSE.—*
12 *In accordance with Directive 5101.1, the Secretary shall en-*
13 *sure that the military departments, the Defense Agencies,*
14 *and other elements of the Department of Defense provide*
15 *the executive agent designated under subsection (a) with the*
16 *appropriate support and resources needed to perform the*
17 *roles, responsibilities, and authorities of the executive agent.*

18 *“(d) DEFINITIONS.—In this section:*

19 *“(1) The term ‘Directive 5101.1’ means Depart-*
20 *ment of Defense Directive 5101.1, or any successor di-*
21 *rective relating to the responsibilities of an executive*
22 *agent of the Department of Defense.*

23 *“(2) The term ‘executive agent’ has the meaning*
24 *given the term ‘DoD Executive Agent’ in Directive*
25 *5101.1.*

1 “(3) *The term ‘open-source intelligence tools’*
 2 *means tools for the systematic collection, processing,*
 3 *and analysis of publicly available information for*
 4 *known or anticipated intelligence requirements.”.*

5 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
 6 *the beginning of such subchapter is amended by inserting*
 7 *after the item relating to section 430a, as added by section*
 8 *1083, the following new item:*

“430b. Executive agent for open-source intelligence tools.”.

9 **SEC. 1632. WAIVER AND CONGRESSIONAL NOTIFICATION**
 10 **REQUIREMENTS RELATED TO FACILITIES FOR**
 11 **INTELLIGENCE COLLECTION OR FOR SPECIAL**
 12 **OPERATIONS ABROAD.**

13 **(a) ADDITION OF CONGRESSIONAL NOTIFICATION RE-**
 14 **QUIREMENT.**—*Section 2682(c) of title 10, United States*
 15 *Code, is amended—*

16 (1) *by inserting “(1)” before “The Secretary of*
 17 *Defense”;* and

18 (2) *by adding at the end the following new para-*
 19 *graphs:*

20 “(2) *Not later than 48 hours after using the waiver*
 21 *authority under paragraph (1) for any facility for intel-*
 22 *ligence collection conducted under the authorities of the De-*
 23 *partment of Defense or special operations activity, the Sec-*
 24 *retary of Defense shall submit to the appropriate congres-*
 25 *sional committees written notification of the use of the au-*

1 *thority, including the justification for the waiver and the*
 2 *estimated cost of the project for which the waiver applies.*

3 “(3) *In this subsection, the term ‘appropriate congress-*
 4 *sional committees’ means the following:*

5 “(A) *With respect to a waiver regarding special*
 6 *operations activities, the congressional defense com-*
 7 *mittees.*

8 “(B) *With respect to a waiver regarding intel-*
 9 *ligence collection conducted under the authorities of*
 10 *the Department of Defense—*

11 “(i) *the congressional defense committees;*

12 *and*

13 “(ii) *the Select Committee on Intelligence of*
 14 *the Senate and the Permanent Select Committee*
 15 *on Intelligence of the House of Representatives.”.*

16 *(b) CODIFICATION OF SUNSET PROVISION.—*

17 *(1) CODIFICATION.—Section 2682(c) of title 10,*
 18 *United States Code, is further amended by inserting*
 19 *after paragraph (3), as added by subsection (a)(2),*
 20 *the following new paragraph:*

21 “(4) *The waiver authority provided by paragraph (1)*
 22 *expires December 31, 2020.”.*

23 *(2) CONFORMING REPEAL.—Subsection (b) of sec-*
 24 *tion 926 of the National Defense Authorization Act*

1 *for Fiscal Year 2012 (Public Law 112–81; 125 Stat.*
2 *1541; 10 U.S.C. 2682 note) is repealed.*

3 **SEC. 1633. PROHIBITION ON NATIONAL INTELLIGENCE PRO-**
4 **GRAM CONSOLIDATION.**

5 (a) *PROHIBITION.*—*No amounts authorized to be ap-*
6 *propriated or otherwise made available to the Department*
7 *of Defense may be used during the period beginning on the*
8 *date of the enactment of this Act and ending on December*
9 *31, 2016, to execute—*

10 (1) *the separation of the National Intelligence*
11 *Program budget from the Department of Defense*
12 *budget;*

13 (2) *the consolidation of the National Intelligence*
14 *Program budget within the Department of Defense*
15 *budget; or*

16 (3) *the establishment of a new appropriations*
17 *account or appropriations account structure for the*
18 *National Intelligence Program budget.*

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

20 (1) *NATIONAL INTELLIGENCE PROGRAM.*—*The*
21 *term “National Intelligence Program” has the mean-*
22 *ing given the term in section 3 of the National Secu-*
23 *rity Act of 1947 (50 U.S.C. 3003).*

24 (2) *NATIONAL INTELLIGENCE PROGRAM BUDG-*
25 *ET.*—*The term “National Intelligence Program budg-*

1 *et*” means the portions of the Department of Defense
2 budget designated as part of the National Intelligence
3 Program.

4 **SEC. 1634. LIMITATION ON AVAILABILITY OF FUNDS FOR**
5 **OFFICE OF THE UNDER SECRETARY OF DE-**
6 **ENSE FOR INTELLIGENCE.**

7 *Of the funds authorized to be appropriated by this Act*
8 *or otherwise made available for fiscal year 2016 for the De-*
9 *partment of Defense for the Office of the Under Secretary*
10 *of Defense for Intelligence, not more than 75 percent may*
11 *be obligated or expended for such Office until the Secretary*
12 *of Defense identifies the intelligence gaps and establishes the*
13 *written policy required by section 922 of the National De-*
14 *fense Authorization Act for Fiscal Year 2014 (Public Law*
15 *113–66; 127 Stat. 828).*

16 **SEC. 1635. DEPARTMENT OF DEFENSE INTELLIGENCE**
17 **NEEDS.**

18 (a) *REPORT.*—*Not later than 90 days after the date*
19 *of the enactment of this Act, the Director of National Intel-*
20 *ligence shall submit to the congressional defense committees*
21 *and the congressional intelligence committees a report on*
22 *how the Director ensures that the National Intelligence Pro-*
23 *gram budgets for the elements of the intelligence community*
24 *that are within the Department of Defense are adequate to*
25 *satisfy the national intelligence needs of the Department as*

1 *required under section 102A(p) of the National Security Act*
2 *of 1947 (50 U.S.C. 3024(p)). Such report shall include a*
3 *description of how the Director incorporates the needs of*
4 *the Chairman of the Joint Chiefs of Staff and the com-*
5 *manders of the unified and specified commands into the*
6 *metrics used to evaluate the performance of the elements of*
7 *the intelligence community that are within the Department*
8 *of Defense in conducting intelligence activities funded under*
9 *the National Intelligence Program.*

10 (b) *DEFINITIONS.—In this section, the terms “congres-*
11 *sional intelligence committees”, “intelligence community”,*
12 *and “National Intelligence Program” have the meanings*
13 *given such terms in section 3 of the National Security Act*
14 *of 1947 (50 U.S.C. 3003).*

15 **SEC. 1636. REPORT ON MANAGEMENT OF CERTAIN PRO-**
16 **GRAMS OF DEFENSE INTELLIGENCE ELE-**
17 **MENTS.**

18 (a) *REPORT.—Not later than 180 days after the date*
19 *of the enactment of this Act, the Under Secretary of Defense*
20 *for Intelligence shall submit to the appropriate congres-*
21 *sional committees a report on the management of science*
22 *and technology research and development programs and for-*
23 *eign materiel exploitation programs of Defense intelligence*
24 *elements.*

1 (b) *MATTERS INCLUDED.*—*The report under subsection*
2 *(a) shall include the following:*

3 (1) *An assessment of the management of each*
4 *Defense intelligence element that is responsible for*
5 *work relating to the programs described in subsection*
6 *(a), including with respect to the policies, procedures,*
7 *and organizational structures of such element relating*
8 *to the management and coordination of such work*
9 *across such elements.*

10 (2) *Recommendations to improve the coordina-*
11 *tion and organization of such elements.*

12 (3) *Identification of options for realigning such*
13 *elements within the Department of Defense to better*
14 *meet the needs of the Department and reduce unneces-*
15 *sary overhead.*

16 (c) *DEFINITIONS.*—*In this section:*

17 (1) *The term “appropriate congressional com-*
18 *mittees” means—*

19 (A) *the congressional defense committees;*

20 (B) *the Permanent Select Committee on In-*
21 *telligence of the House of Representatives; and*

22 (C) *the Select Committee on Intelligence of*
23 *the Senate.*

1 (2) *The term “Defense intelligence element” has*
2 *the meaning given that term in section 429(e) of title*
3 *10, United States Code.*

4 **SEC. 1637. REPORT ON AIR NATIONAL GUARD CONTRIBU-**
5 **TIONS TO THE RQ-4 GLOBAL HAWK MISSION.**

6 (a) *REPORT REQUIRED.*—*Not later than 180 days*
7 *after the date of the enactment of this Act, the Secretary*
8 *of the Air Force, in coordination with the Chief of Staff*
9 *of the Air Force and the Chief of the National Guard Bu-*
10 *reau, shall submit to Congress a report on the feasibility*
11 *of using the Air National Guard in association with the*
12 *active duty Air Force to operate and maintain the RQ-*
13 *4 Global Hawk.*

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

16 (1) *An assessment of the costs, training require-*
17 *ments, and personnel required to create an associa-*
18 *tion for the Global Hawk mission consisting of mem-*
19 *bers of the Air Force serving on active duty and mem-*
20 *bers of the Air National Guard.*

21 (2) *The capacity of the Air National Guard to*
22 *support an association described in paragraph (1).*

1 **SEC. 1638. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**
2 **OF INTELLIGENCE INPUT TO THE DEFENSE**
3 **ACQUISITION PROCESS.**

4 (a) *REVIEW.*—The Comptroller General of the United
5 States shall carry out a comprehensive review of the proc-
6 esses and procedures for the integration of intelligence into
7 the defense acquisition process, consistent with the provision
8 of classified information, and intelligence sources and meth-
9 ods.

10 (b) *REQUIREMENTS.*—The review required by sub-
11 section (a) shall—

12 (1) *identify processes and procedures for the in-*
13 *tegration of intelligence into the decision process, in-*
14 *cluding with respect to the staffing and training of*
15 *Defense intelligence personnel assigned to program of-*
16 *fices, for the acquisition of weapon systems from ini-*
17 *tial requirements through the milestones process and*
18 *upon final delivery; and*

19 (2) *include a review of processes and procedures*
20 *for—*

21 (A) *the integration of intelligence on foreign*
22 *capabilities into the acquisition process from ini-*
23 *tial requirement through deployment;*

24 (B) *identifying opportunities for weapons*
25 *systems to collect intelligence, without regard to*
26 *whether that is the primary mission of such sys-*

1 *tems, and the plans for exploiting the collection*
 2 *of such intelligence; and*

3 *(C) assessing the requirements weapon sys-*
 4 *tems will place on the Defense Intelligence Enter-*
 5 *prise once the weapons systems are deployed.*

6 *(c) REPORT.—Not later than 270 days after the date*
 7 *of the enactment of this Act, the Comptroller General shall*
 8 *submit to the congressional defense committees, the Select*
 9 *Committee on Intelligence of the Senate, and the Permanent*
 10 *Select Committee on Intelligence of the House of Represent-*
 11 *atives a report containing the results of the review required*
 12 *by subsection (a).*

13 ***Subtitle C—Cyberspace-Related***
 14 ***Matters***

15 ***SEC. 1641. CODIFICATION AND ADDITION OF LIABILITY***
 16 ***PROTECTIONS RELATING TO REPORTING ON***
 17 ***CYBER INCIDENTS OR PENETRATIONS OF***
 18 ***NETWORKS AND INFORMATION SYSTEMS OF***
 19 ***CERTAIN CONTRACTORS.***

20 *(a) CODIFICATION AND AMENDMENT.—Section 941 of*
 21 *the National Defense Authorization Act for Fiscal Year*
 22 *2013 (Public Law 112–239; 126 Stat. 1889; 10 U.S.C. 2224*
 23 *note) is transferred to chapter 19 of title 10, United States*
 24 *Code, inserted so as to appear after section 392, redesign-*
 25 *ated as section 393, and amended—*

1 (1) *by amending the section heading to read as*
2 *follows:*

3 **“§ 393. Reporting on penetrations of networks and in-**
4 **formation systems of certain contractors”;**

5 (2) *by striking paragraph (3) of subsection (c)*
6 *and inserting the following new paragraph (3):*

7 “(3) *DISSEMINATION OF INFORMATION.—The*
8 *procedures established pursuant to subsection (a) shall*
9 *limit the dissemination of information obtained or*
10 *derived through such procedures to entities—*

11 *“(A) with missions that may be affected by*
12 *such information;*

13 *“(B) that may be called upon to assist in*
14 *the diagnosis, detection, or mitigation of cyber*
15 *incidents;*

16 *“(C) that conduct counterintelligence or law*
17 *enforcement investigations; or*

18 *“(D) for national security purposes, includ-*
19 *ing cyber situational awareness and defense pur-*
20 *poses.”; and*

21 (3) *by striking subsection (d) and inserting the*
22 *following new subsection (d):*

23 “(d) *PROTECTION FROM LIABILITY OF CLEARED DE-*
24 *FENSE CONTRACTORS.—(1) No cause of action shall lie or*
25 *be maintained in any court against any cleared defense*

1 contractor, and such action shall be promptly dismissed, for
2 compliance with this section that is conducted in accord-
3 ance with the procedures established pursuant to subsection
4 (a).

5 “(2)(A) Nothing in this section shall be construed—

6 “(i) to require dismissal of a cause of action
7 against a cleared defense contractor that has engaged
8 in willful misconduct in the course of complying with
9 the procedures established pursuant to subsection (a);
10 or

11 “(ii) to undermine or limit the availability of
12 otherwise applicable common law or statutory de-
13 fenses.

14 “(B) In any action claiming that paragraph (1) does
15 not apply due to willful misconduct described in subpara-
16 graph (A), the plaintiff shall have the burden of proving
17 by clear and convincing evidence the willful misconduct by
18 each cleared defense contractor subject to such claim and
19 that such willful misconduct proximately caused injury to
20 the plaintiff.

21 “(C) In this subsection, the term ‘willful misconduct’
22 means an act or omission that is taken—

23 “(i) intentionally to achieve a wrongful purpose;

24 “(ii) knowingly without legal or factual jus-
25 tification; and

1 “(iii) in disregard of a known or obvious risk
2 that is so great as to make it highly probable that the
3 harm will outweigh the benefit.”.

4 (b) *ADDITION OF LIABILITY PROTECTIONS FOR RE-*
5 *PORTING ON CYBER INCIDENTS.*—Section 391 of title 10,
6 *United States Code, is amended—*

7 (1) *by redesignating subsection (d) as subsection*
8 *(e); and*

9 (2) *by inserting after subsection (c) the following*
10 *new subsection (d):*

11 “(d) *PROTECTION FROM LIABILITY OF OPERATION-*
12 *ALLY CRITICAL CONTRACTORS.*—(1) *No cause of action*
13 *shall lie or be maintained in any court against any oper-*
14 *ationally critical contractor, and such action shall be*
15 *promptly dismissed, for compliance with this section that*
16 *is conducted in accordance with procedures established pur-*
17 *suant to subsection (b).*

18 “(2)(A) *Nothing in this section shall be construed—*

19 *(i) to require dismissal of a cause of action*
20 *against an operationally critical contractor that has*
21 *engaged in willful misconduct in the course of com-*
22 *plying with the procedures established pursuant to*
23 *subsection (b); or*

1 “(ii) to undermine or limit the availability of
2 otherwise applicable common law or statutory de-
3 fenses.

4 “(B) In any action claiming that paragraph (1) does
5 not apply due to willful misconduct described in subpara-
6 graph (A), the plaintiff shall have the burden of proving
7 by clear and convincing evidence the willful misconduct by
8 each operationally critical contractor subject to such claim
9 and that such willful misconduct proximately caused injury
10 to the plaintiff.

11 “(C) In this subsection, the term ‘willful misconduct’
12 means an act or omission that is taken—

13 “(i) intentionally to achieve a wrongful purpose;

14 “(ii) knowingly without legal or factual jus-
15 tification; and

16 “(iii) in disregard of a known or obvious risk
17 that is so great as to make it highly probable that the
18 harm will outweigh the benefit.”.

19 (c) *CONFORMING AND TECHNICAL AMENDMENTS.*—

20 (1) Section 391 of title 10, United States Code,
21 is amended in subsection (a) by striking “and with
22 section 941 of the National Defense Authorization Act
23 for Fiscal Year 2013 (10 U.S.C. 2224 note)” and in-
24 serting “and section 393 of this title”.

1 (2) *The table of sections at the beginning of*
2 *chapter 19 of such title is amended—*

3 (A) *by amending the item relating to sec-*
4 *tion 391 to read as follows:*

 “391. *Reporting on cyber incidents with respect to networks and information sys-*
 tems of operationally critical contractors and certain other con-
 tractors.”; and

5 (B) *by adding at the end the following new*
6 *item:*

 “393. *Reporting on penetrations of networks and information systems of certain*
 contractors.”.

7 **SEC. 1642. AUTHORIZATION OF MILITARY CYBER OPER-**
8 **ATIONS.**

9 (a) *IN GENERAL.—Chapter 3 of title 10, United States*
10 *Code, is amended by adding at the end the following new*
11 *section:*

12 **“§ 130g. Authorities concerning military cyber oper-**
13 **ations**

14 *“The Secretary of Defense shall develop, prepare, and*
15 *coordinate; make ready all armed forces for purposes of;*
16 *and, when appropriately authorized to do so, conduct, a*
17 *military cyber operation in response to malicious cyber ac-*
18 *tivity carried out against the United States or a United*
19 *States person by a foreign power (as such terms are defined*
20 *in section 101 of the Foreign Intelligence Surveillance Act*
21 *of 1978 (50 U.S.C. 1801)).”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
2 *the beginning of chapter 3 of such title is amended by add-*
3 *ing at the end the following new item:*

“130g. Authorities concerning military cyber operations.”.

4 **SEC. 1643. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
5 **ING THE SUBMISSION OF INTEGRATED POL-**
6 **ICY TO DETER ADVERSARIES IN CYBERSPACE.**

7 *Until the President submits to the congressional de-*
8 *fense committees the report required by section 941 of the*
9 *National Defense Authorization Act for Fiscal Year 2014*
10 *(Public Law 113–66; 127 Stat. 837), \$10,000,000 of the un-*
11 *obligated balance of the amounts appropriated or otherwise*
12 *made available to the Department of Defense to provide*
13 *support services to the Executive Office of the President may*
14 *not be obligated or expended.*

15 **SEC. 1644. AUTHORIZATION FOR PROCUREMENT OF**
16 **RELOCATABLE SENSITIVE COMPARTMENTED**
17 **INFORMATION FACILITY.**

18 *Of the unobligated amounts appropriated or otherwise*
19 *made available in fiscal years 2014 and 2015 for procure-*
20 *ment for the Army, not more than \$10,600,000 may be used*
21 *for the procurement of a relocatable Sensitive Compart-*
22 *mented Information Facility for the Cyber Center of Excel-*
23 *lence at Fort Gordon, Georgia, as described in the re-*
24 *programming action prior approval request submitted by*

1 *the Under Secretary of Defense (Comptroller) to Congress*
2 *on February 6, 2015.*

3 **SEC. 1645. DESIGNATION OF MILITARY DEPARTMENT ENTI-**
4 **TY RESPONSIBLE FOR ACQUISITION OF CRIT-**
5 **ICAL CYBER CAPABILITIES.**

6 *(a) DESIGNATION.—*

7 *(1) IN GENERAL.—Not later than 90 days after*
8 *the date of the enactment of this Act, the Secretary of*
9 *Defense shall designate an entity within a military*
10 *department to be responsible for the acquisition of*
11 *each critical cyber capability described in paragraph*
12 *(2).*

13 *(2) CRITICAL CYBER CAPABILITIES DE-*
14 *SCRIBED.—The critical cyber capabilities described in*
15 *this paragraph are the cyber capabilities that the Sec-*
16 *retary considers critical to the mission of the Depart-*
17 *ment of Defense, including the following:*

18 *(A) The Unified Platform described in the*
19 *Department of Defense document titled “The De-*
20 *partment of Defense Cyber Strategy” dated April*
21 *15, 2015.*

22 *(B) A persistent cyber training environ-*
23 *ment.*

24 *(C) A cyber situational awareness and bat-*
25 *tle management system.*

1 **(b) REPORT.**—

2 **(1) IN GENERAL.**—*Not later than 90 days after*
3 *the date of the enactment of this Act, the Secretary*
4 *shall submit to the congressional defense committees a*
5 *report containing the information described in para-*
6 *graph (2).*

7 **(2) CONTENTS.**—*The report under paragraph (1)*
8 *shall include the following with respect to the critical*
9 *cyber capabilities described in subsection (a)(2):*

10 **(A)** *Identification of each critical cyber ca-*
11 *pability and the entity of a military department*
12 *responsible for the acquisition of the capability.*

13 **(B)** *Estimates of the funding requirements*
14 *and acquisition timelines for each critical cyber*
15 *capability.*

16 **(C)** *An explanation of whether critical cyber*
17 *capabilities could be acquired more quickly with*
18 *changes to acquisition authorities.*

19 **(D)** *Such recommendations as the Secretary*
20 *may have for legislation or administrative ac-*
21 *tion to improve the acquisition of, or to acquire*
22 *more quickly, the critical cyber capabilities for*
23 *which designations are made under subsection*
24 *(a).*

1 **SEC. 1646. ASSESSMENT OF CAPABILITIES OF UNITED**
2 **STATES CYBER COMMAND TO DEFEND THE**
3 **UNITED STATES FROM CYBER ATTACKS.**

4 (a) *WAR GAMES.*—*The Chairman of the Joint Chiefs*
5 *of Staff, in consultation with the Principal Cyber Advisor,*
6 *shall conduct a series of war games through the warfighting*
7 *analysis division of the Force Structure, Resources, and As-*
8 *essment Directorate to assess the strategy, assumptions,*
9 *and capabilities of the United States Cyber Command to*
10 *prevent large-scale cyber attacks, by foreign powers with*
11 *cyber attack capabilities comparable to the capabilities that*
12 *China, Iran, North Korea, and Russia are expected to*
13 *achieve in the years 2020 and 2025, from reaching United*
14 *States targets.*

15 (b) *FINDINGS.*—*Not later than one year after the date*
16 *of the enactment of this Act, the Chairman of the Joint*
17 *Chiefs of Staff shall convey to the congressional defense com-*
18 *mittees the findings of the Chairman with respect to the*
19 *war games conducted under subsection (a).*

20 (c) *FOREIGN POWER DEFINED.*—*In this section, the*
21 *term “foreign power” has the meaning given the term in*
22 *section 101 of the Foreign Intelligence Surveillance Act of*
23 *1978 (50 U.S.C. 1801).*

1 **SEC. 1647. EVALUATION OF CYBER VULNERABILITIES OF**
2 **MAJOR WEAPON SYSTEMS OF THE DEPART-**
3 **MENT OF DEFENSE.**

4 (a) *EVALUATION REQUIRED.*—

5 (1) *IN GENERAL.*—*The Secretary of Defense*
6 *shall, in accordance with the plan under subsection*
7 *(b), complete an evaluation of the cyber*
8 *vulnerabilities of each major weapon system of the*
9 *Department of Defense by not later than December*
10 *31, 2019.*

11 (2) *EXCEPTION.*—*The Secretary may waive the*
12 *requirement of paragraph (1) with respect to a weap-*
13 *on system or complete the evaluation of a weapon sys-*
14 *tem required by such paragraph after the date speci-*
15 *fied in such paragraph if the Secretary certifies to the*
16 *congressional defense committees before that date that*
17 *all known cyber vulnerabilities in the weapon system*
18 *have minimal consequences for the capability of the*
19 *weapon system to meet operational requirements or*
20 *otherwise satisfy mission requirements.*

21 (b) *PLAN FOR EVALUATION.*—

22 (1) *IN GENERAL.*—*Not later than 180 days after*
23 *the date of the enactment of this Act, the Secretary*
24 *shall submit to the congressional defense committees*
25 *the plan of the Secretary for the evaluations of major*
26 *weapon systems under subsection (a), including an*

1 *identification of each of the weapon systems to be*
2 *evaluated and an estimate of the funding required to*
3 *conduct the evaluations.*

4 (2) *PRIORITY IN EVALUATIONS.*—*The plan under*
5 *paragraph (1) shall accord a priority among evalua-*
6 *tions based on the criticality of major weapon sys-*
7 *tems, as determined by the Chairman of the Joint*
8 *Chiefs of Staff based on an assessment of employment*
9 *of forces and threats.*

10 (3) *INTEGRATION WITH OTHER EFFORTS.*—*The*
11 *plan under paragraph (1) shall build upon existing*
12 *efforts regarding the identification and mitigation of*
13 *cyber vulnerabilities of major weapon systems, and*
14 *shall not duplicate similar ongoing efforts such as*
15 *Task Force Cyber Awakening of the Navy or Task*
16 *Force Cyber Secure of the Air Force.*

17 (c) *STATUS ON PROGRESS.*—*The Secretary shall in-*
18 *form the congressional defense committees of the activities*
19 *undertaken in the evaluation of major weapon systems*
20 *under this section as part of the quarterly cyber operations*
21 *briefings under section 484 of title 10, United States Code.*

22 (d) *RISK MITIGATION STRATEGIES.*—*As part of the*
23 *evaluation of cyber vulnerabilities of major weapon systems*
24 *of the Department under this section, the Secretary shall*

1 *develop strategies for mitigating the risks of cyber*
2 *vulnerabilities identified in the course of such evaluations.*

3 (e) *AUTHORIZATION OF APPROPRIATIONS.—Of the*
4 *funds authorized to be appropriated by this Act or otherwise*
5 *made available for fiscal year 2016 for research, develop-*
6 *ment, test, and evaluation, Defense-wide, not more than*
7 *\$200,000,000 shall be available to the Secretary to conduct*
8 *the evaluations under subsection (a)(1).*

9 **SEC. 1648. COMPREHENSIVE PLAN AND BIENNIAL EXER-**
10 **CISES ON RESPONDING TO CYBER ATTACKS.**

11 (a) *COMPREHENSIVE PLAN OF DEPARTMENT OF DE-*
12 *FENSE TO SUPPORT CIVIL AUTHORITIES IN RESPONSE TO*
13 *CYBER ATTACKS BY FOREIGN POWERS.—*

14 (1) *PLAN REQUIRED.—*

15 (A) *IN GENERAL.—Not later than 180 days*
16 *after the date of the enactment of this Act, the*
17 *Secretary of Defense shall develop a comprehen-*
18 *sive plan for the United States Cyber Command*
19 *to support civil authorities in responding to*
20 *cyber attacks by foreign powers (as defined in*
21 *section 101 of the Foreign Intelligence Surveil-*
22 *lance Act of 1978 (50 U.S.C. 1801)) against the*
23 *United States or a United States person.*

24 (B) *ELEMENTS.—The plan required by sub-*
25 *paragraph (A) shall include the following:*

1 (i) *A plan for internal Department of*
2 *Defense collective training activities that*
3 *are integrated with exercises conducted with*
4 *other agencies and State and local govern-*
5 *ments.*

6 (ii) *Plans for coordination with the*
7 *heads of other Federal agencies and State*
8 *and local governments pursuant to the exer-*
9 *cises required under clause (i).*

10 (iii) *A list of any other exercises pre-*
11 *viously conducted that are used in the for-*
12 *mulation of the plan required by subpara-*
13 *graph (A), such as Operation Noble Eagle.*

14 (iv) *Descriptions of the roles, respon-*
15 *sibilities, and expectations of Federal, State,*
16 *and local authorities as the Secretary un-*
17 *derstands them.*

18 (v) *Descriptions of the roles, respon-*
19 *sibilities, and expectations of the active*
20 *components and reserve components of the*
21 *Armed Forces.*

22 (vi) *A description of such legislative*
23 *and administrative action as may be nec-*
24 *essary to carry out the plan required by*
25 *subparagraph (A).*

1 (2) *COMPTROLLER GENERAL OF THE UNITED*
2 *STATES REVIEW OF PLAN.—The Comptroller General*
3 *of the United States shall review the plan developed*
4 *under paragraph (1)(A).*

5 (b) *BIENNIAL EXERCISES ON RESPONDING TO CYBER*
6 *ATTACKS AGAINST CRITICAL INFRASTRUCTURE.—*

7 (1) *BIENNIAL EXERCISES REQUIRED.—Not less*
8 *frequently than once every two years until the date*
9 *that is six years after the date of the enactment of this*
10 *Act, the Secretary of Defense shall, in coordination*
11 *with the Secretary of Homeland Security, the Direc-*
12 *tor of National Intelligence, the Director of the Fed-*
13 *eral Bureau of Investigation, and the heads of the*
14 *critical infrastructure sector-specific agencies des-*
15 *ignated under Presidential Policy Directive-21 (titled*
16 *“Critical Infrastructure Security Resilience” and*
17 *dated February 12, 2013) and in consultation with*
18 *Governors of the States and the owners and operators*
19 *of critical infrastructure, organize and execute one or*
20 *more exercises based on scenarios in which—*

21 (A) *critical infrastructure of the United*
22 *States is attacked through cyberspace; and*

23 (B) *the President directs the Secretary of*
24 *Defense to—*

25 (i) *defend the United States; and*

1 (ii) provide support to civil authorities
2 in responding to and recovering from cyber
3 attacks, while exercising any guidance de-
4 rived from the plan developed under sub-
5 section (a) or any subsequent updates to
6 that plan.

7 (2) *PURPOSES.*—The purposes of the exercises re-
8 quired by paragraph (1) are as follows:

9 (A) To exercise command and control, co-
10 ordination, communications, and information
11 sharing capabilities under the stressing condi-
12 tions of an ongoing cyber attack.

13 (B) To identify gaps and problems that re-
14 quire new enhanced training, capabilities, proce-
15 dures, or authorities.

16 (C) To identify—

17 (i) interdependencies;

18 (ii) strengths that should be leveraged;

19 and

20 (iii) weaknesses that need to be miti-
21 gated.

22 (3) *REQUIREMENT FOR VARIATION OF ASSUMP-*
23 *TIONS AND CONDITIONS.*—In conducting the exercises
24 required by paragraph (1), the Secretary shall ensure

1 *that there is an appropriate degree of variation from*
2 *exercise to exercise of the following:*

3 *(A) The size, scope, duration, and sophis-*
4 *tication of the cyber attacks.*

5 *(B) The degree of warning and knowledge*
6 *that is available to the Department of Defense*
7 *about the attack, the means used in the attack,*
8 *and the degree of delegation of authority from*
9 *the President to react, including with pre-*
10 *planned responses.*

11 *(C) The effectiveness of the National Mission*
12 *Force of the United States Cyber Command in*
13 *preempting and defeating the attack.*

14 *(D) The effectiveness of the attacks on crit-*
15 *ical infrastructure in general and particularly*
16 *in specific industry sectors.*

17 *(E) The effectiveness of resilience and recov-*
18 *ery mechanisms.*

19 *(4) COST-SHARING AGREEMENTS.—The Sec-*
20 *retary shall coordinate with those with whom the Sec-*
21 *retary is required to coordinate under paragraph (1)*
22 *to develop equitable cost-sharing agreements to defray*
23 *the expenses of the exercises required by paragraph*
24 *(1).*

1 **SEC. 1649. SENSE OF CONGRESS ON REVIEWING AND CON-**
 2 **SIDERING FINDINGS AND RECOMMENDA-**
 3 **TIONS OF COUNCIL OF GOVERNORS ON**
 4 **CYBER CAPABILITIES OF THE ARMED**
 5 **FORCES.**

6 *It is the sense of Congress that the Secretary of Defense*
 7 *should review and consider any findings and recommenda-*
 8 *tions of the Council of Governors established under section*
 9 *1822 of the National Defense Authorization Act of 2008*
 10 *(Public Law 110–181; 122 Stat. 500; 32 U.S.C. 104 note)*
 11 *pertaining to cyber mission force requirements and any*
 12 *proposed reductions in and synchronization of the cyber ca-*
 13 *pabilities of active or reserve components of the Armed*
 14 *Forces.*

15 ***Subtitle D—Nuclear Forces***

16 **SEC. 1651. ASSESSMENT OF THREATS TO NATIONAL LEAD-**
 17 **ERSHIP COMMAND, CONTROL, AND COMMU-**
 18 **NICATIONS SYSTEM.**

19 *Section 171a of title 10, United States Code, is amend-*
 20 *ed—*

21 *(1) by redesignating subsections (f), (g), and (h),*
 22 *as subsections (g), (h), and (i), respectively;*

23 *(2) by inserting after subsection (e) the following*
 24 *new subsection (f):*

25 *“(f) COLLECTION OF ASSESSMENTS ON CERTAIN*
 26 *THREATS.—The Council shall collect and assess (consistent*

1 *with the provision of classified information and intelligence*
 2 *sources and methods) all reports and assessments otherwise*
 3 *conducted by the intelligence community (as defined in sec-*
 4 *tion 3(4) of the National Security Act of 1947 (50 U.S.C.*
 5 *3003(4)) regarding foreign threats, including cyber threats,*
 6 *to the command, control, and communications system for*
 7 *the national leadership of the United States and the*
 8 *vulnerabilities of such system to such threats.”; and*

9 (3) *in subsection (e), by adding at the end the*
 10 *following new paragraph:*

11 “(5) *An assessment of the threats and*
 12 *vulnerabilities described in the reports and assess-*
 13 *ments collected under subsection (f) during the pre-*
 14 *vious year, including any plans to address such*
 15 *threats and vulnerabilities.”.*

16 **SEC. 1652. ORGANIZATION OF NUCLEAR DETERRENCE**
 17 **FUNCTIONS OF THE AIR FORCE.**

18 (a) *OVERSIGHT OF NUCLEAR DETERRENCE MIS-*
 19 *SION.—*

20 (1) *IN GENERAL.—Chapter 805 of title 10,*
 21 *United States Code, is amended by adding at the end*
 22 *the following new section:*

23 **“§ 8040. Oversight of nuclear deterrence mission**

24 “(a) *OVERSIGHT OF NUCLEAR DETERRENCE MIS-*
 25 *SION.—Subject to the authority, direction, and control of*

1 *the Secretary of the Air Force, the Chief of Staff of the Air*
 2 *Force shall be responsible for overseeing the safety, security,*
 3 *reliability, effectiveness, and credibility of the nuclear deter-*
 4 *rence mission of the Air Force.*

5 “(b) *DEPUTY CHIEF OF STAFF.*—*Not later than March*
 6 *1, 2016, the Chief of Staff shall designate a Deputy Chief*
 7 *of Staff to carry out the following duties:*

8 “(1) *Provide direction, guidance, integration,*
 9 *and advocacy regarding the nuclear deterrence mis-*
 10 *sion of the Air Force.*

11 “(2) *Conduct monitoring and oversight activities*
 12 *regarding the safety, security, reliability, effectiveness,*
 13 *and credibility of the nuclear deterrence mission of*
 14 *the Air Force.*

15 “(3) *Conduct periodic comprehensive assessments*
 16 *of all aspects of the nuclear deterrence mission of the*
 17 *Air Force and provide such assessments to the Sec-*
 18 *retary of the Air Force and the Chief of Staff of the*
 19 *Air Force.”.*

20 “(2) *CLERICAL AMENDMENT.*—*The table of sec-*
 21 *tions at the beginning of such chapter is amended by*
 22 *adding after the item relating to section 8039 the fol-*
 23 *lowing new item:*

“8040. *Oversight of nuclear deterrence mission.”.*

24 “(3) *CONFORMING AMENDMENT.*—*Section*
 25 *8033(d)(5) of such title is amended by inserting before*

1 *the semicolon the following: “, including pursuant to*
2 *section 8040 of this title”.*

3 *(d) CONSOLIDATION.—*

4 *(1) SENSE OF CONGRESS.—It is the sense of*
5 *Congress that the Secretary of the Air Force should—*

6 *(A) consolidate, to the extent the Secretary*
7 *determines appropriate, under a major com-*
8 *mand commanded by a single general officer the*
9 *responsibility, authority, accountability, and re-*
10 *sources for carrying out all aspects of the nuclear*
11 *deterrence mission of the Air Force, including*
12 *with respect to nuclear weapons, nuclear weapon*
13 *delivery systems, and the nuclear command, con-*
14 *trol, and communications system; and*

15 *(B) issue, including through the Chief of*
16 *Staff of the Air Force and other elements of the*
17 *Air Force, guidance, directives, and orders to*
18 *carry out such consolidation.*

19 *(2) REPORT.—Not later than February 28, 2016,*
20 *the Secretary of the Air Force shall submit to the con-*
21 *gressional defense committees a report on any actions*
22 *taken or planned to be taken by the Secretary to reor-*
23 *ganize, streamline, and clarify the responsibilities,*
24 *authorities, accountabilities, and resources for car-*

1 *rying out the nuclear deterrence mission of the Air*
 2 *Force. Such report shall include the following:*

3 *(A) How elements of the Air Force will co-*
 4 *ordinate and integrate to carry out such mission.*

5 *(B) What guidance, directives, and orders*
 6 *have been or will be issued by the Secretary, the*
 7 *Chief of Staff of the Air Force, or other elements*
 8 *of the Air Force to ensure roles, responsibilities,*
 9 *authorities, and accountabilities are clear and*
 10 *institutionalized with respect to such mission.*

11 **SEC. 1653. PROCUREMENT AUTHORITY FOR CERTAIN PARTS**
 12 **OF INTERCONTINENTAL BALLISTIC MISSILE**
 13 **FUZES.**

14 *(a) AVAILABILITY OF FUNDS.—Notwithstanding sec-*
 15 *tion 1502(a) of title 31, United States Code, of the amount*
 16 *authorized to be appropriated for fiscal year 2016 by sec-*
 17 *tion 101 and available for Missile Procurement, Air Force,*
 18 *as specified in the funding table in section 4101,*
 19 *\$13,700,000 shall be available for the procurement of cov-*
 20 *ered parts pursuant to contracts entered into under section*
 21 *1645(a) of the Carl Levin and Howard P. “Buck” Mckeon*
 22 *National Defense Authorization Act for Fiscal Year 2015*
 23 *(Public Law 113–291; 128 Stat. 3651).*

24 *(b) COVERED PARTS DEFINED.—In this section, the*
 25 *term “covered parts” means commercially available off-the-*

1 *shelf items as defined in section 104 of title 41, United*
2 *States Code.*

3 **SEC. 1654. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
4 **DE-ALERTING INTERCONTINENTAL BAL-**
5 **LISTIC MISSILES.**

6 (a) *PROHIBITION.*—*Except as provided by subsection*
7 *(b), none of the funds authorized to be appropriated by this*
8 *Act or otherwise made available for fiscal year 2016 for the*
9 *Department of Defense may be obligated or expended to re-*
10 *duce, or prepare to reduce, the responsiveness or alert level*
11 *of the intercontinental ballistic missiles of the United*
12 *States.*

13 (b) *EXCEPTIONS.*—*The prohibition in subsection (a)*
14 *shall not apply to any of the following activities:*

15 (1) *The maintenance or sustainment of inter-*
16 *continental ballistic missiles.*

17 (2) *Ensuring the safety, security, or reliability of*
18 *intercontinental ballistic missiles.*

19 (3) *Reductions in the number of deployed inter-*
20 *continental ballistic missiles that are carried out in*
21 *compliance with—*

22 (A) *the limitations of the New START*
23 *Treaty (as defined in section 494(a)(2)(D) of*
24 *title 10, United States Code); and*

1 (B) section 1644 of the Carl Levin and
2 Howard P. “Buck” Mckee National Defense
3 Authorization Act for Fiscal Year 2015 (Public
4 Law 113–291; 128 Stat. 3651; 10 U.S.C. 494
5 note).

6 **SEC. 1655. ASSESSMENT OF GLOBAL NUCLEAR ENVIRON-**
7 **MENT.**

8 (a) *ASSESSMENT REQUIRED.*—The Director of Net As-
9 sessment of the Department of Defense, in coordination with
10 the Commander of the United States Strategic Command,
11 shall conduct an assessment of the global environment with
12 respect to nuclear weapons and the role of the nuclear forces,
13 policy, and strategy of the United States in that environ-
14 ment.

15 (b) *OBJECTIVES.*—The objectives of the assessment re-
16 quired by subsection (a) are to inform the long-term plan-
17 ning of the Department of Defense and policies relating to
18 regional nuclear crises and operations that may involve the
19 escalation of nuclear competition among countries.

20 (c) *REQUIREMENTS.*—

21 (1) *IN GENERAL.*—In conducting the assessment
22 required by subsection (a), the Director shall develop
23 and analyze a range of contingencies and scenarios,
24 including crises that may emerge from nuclear com-
25 petition during the 10- to 20-year period beginning

1 on the date of the enactment of this Act that involve
2 the following:

3 (A) *The United States and one other coun-*
4 *try that possesses a nuclear weapon.*

5 (B) *The United States and multiple such*
6 *countries.*

7 (C) *Two other such countries.*

8 (D) *Three or more other such countries.*

9 (E) *Regional and cross-regional geography,*
10 *including contingencies and scenarios in Europe,*
11 *the Middle East, South Asia, and East Asia, and*
12 *contingencies and scenarios that transcend re-*
13 *gions.*

14 (F) *The long-term geopolitical and mili-*
15 *tary-technical competition as it relates to nu-*
16 *clear weapons and strategic warfare.*

17 (2) *ANALYSIS OF COMPETITIVE DISCONTINU-*
18 *ITIES.—In analyzing the long-term geopolitical and*
19 *military-technical competition as it relates to nuclear*
20 *weapons and strategic warfare under paragraph*
21 *(1)(F), the Director shall identify—*

22 (A) *prospective discontinuities in that com-*
23 *petition; and*

1 (B) strategies and capabilities the United
2 States could adopt to improve its competitive po-
3 sition following such discontinuities.

4 (d) STAFFING.—In conducting the assessment required
5 by subsection (a), the Director shall engage the best talent
6 available, with particular emphasis on engaging individ-
7 uals and independent entities with demonstrated expertise
8 in strategy and net assessment methodology.

9 (e) REPORT REQUIRED.—Not later than November 15,
10 2016, the Director shall submit to the congressional defense
11 committees a report on the assessment required by sub-
12 section (a).

13 **SEC. 1656. ANNUAL BRIEFING ON THE COSTS OF FORWARD-**
14 **DEPLOYING NUCLEAR WEAPONS IN EUROPE.**

15 (a) IN GENERAL.—Not later than 30 days after the
16 date on which the President submits to Congress the budget
17 for each of fiscal years 2017 through 2021 under section
18 1105 of title 31, United States Code, the Secretary of De-
19 fense shall provide to the congressional defense committees
20 a briefing on the costs of forward-deploying nuclear weap-
21 ons in Europe (not including costs relating to the life exten-
22 sion program for the B61 nuclear bomb).

23 (b) ELEMENTS.—Each briefing required under para-
24 graph (1) shall include the following:

1 (1) *The contributions of the United States, in-*
2 *cluding with respect to sustainment (operations and*
3 *maintenance) and manpower, to support forward-de-*
4 *ployed nuclear weapons in Europe, but not costs that*
5 *are attributed to non-nuclear missions, during the fis-*
6 *cal year following the date of the briefing and the pe-*
7 *riod covered by the future-years defense program sub-*
8 *mitted to Congress under section 221 of title 10,*
9 *United States Code, for that fiscal year.*

10 (2) *Contributions made by the North Atlantic*
11 *Treaty Organization (NATO) or member states of*
12 *NATO relating to the extended deterrence mission.*

13 (3) *Recent or planned contributions of the*
14 *United States for security enhancements (site-by-site)*
15 *relating to support for such forward-deployed nuclear*
16 *weapons and any other contributions, including bur-*
17 *den-share costs by the United States, for other secu-*
18 *rity enhancements and upgrades relating to such for-*
19 *ward-deployed nuclear weapons, including infrastruc-*
20 *ture upgrades at weapons storage sites in Europe.*

21 **SEC. 1657. REPORT ON THE NUMBER OF PLANNED LONG-**
22 **RANGE STANDOFF WEAPONS.**

23 *Not later than 120 days after the date of the enactment*
24 *of this Act, the Secretary of Defense shall submit to the con-*
25 *gressional defense committees a report on the justification*

1 of the number of planned nuclear-armed cruise missiles,
2 known as the long-range standoff weapon, of the United
3 States. The report shall include—

4 (1) the rationale for procuring such planned
5 number of cruise missiles;

6 (2) how such planned number of cruise missiles
7 aligns with the nuclear employment strategy of the
8 United States;

9 (3) an estimate of the annual and total cost for
10 research, development, test, and evaluation and pro-
11 curement for such planned number of cruise missiles;
12 and

13 (4) an estimate of the proportional annual cost
14 of such cruise missiles as compared to the annual cost
15 of the nuclear triad and annual defense spending.

16 **SEC. 1658. REVIEW OF COMPTROLLER GENERAL OF THE**
17 **UNITED STATES ON RECOMMENDATIONS RE-**
18 **LATING TO NUCLEAR ENTERPRISE OF THE**
19 **DEPARTMENT OF DEFENSE.**

20 (a) *IN GENERAL.*—During each of fiscal years 2016
21 through 2021, the Comptroller General of the United States
22 shall conduct a review of the process of the Department of
23 Defense for addressing the recommendations of the Depart-
24 ment of Defense Internal Nuclear Enterprise Review, the
25 Independent Review of the Department of Defense Nuclear

1 *Enterprise, and the Nuclear Deterrence Enterprise Review*
2 *Group that are evaluated by the Director of Cost Assessment*
3 *and Program Evaluation.*

4 (b) *BRIEFING.*—*After conducting each review under*
5 *subsection (a), the Comptroller General shall provide to the*
6 *congressional defense committees a briefing on the review.*

7 **SEC. 1659. SENSE OF CONGRESS ON ORGANIZATION OF**
8 **NAVY FOR NUCLEAR DETERRENCE MISSION.**

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

10 (1) *The safety, security, reliability, and credi-*
11 *bility of the nuclear deterrent of the United States is*
12 *a vital national security priority.*

13 (2) *Nuclear weapons require special consider-*
14 *ation because of the political and military importance*
15 *of the weapons, the destructive power of the weapons,*
16 *and the potential consequences of an accident or un-*
17 *authorized act involving the weapons.*

18 (3) *The assured safety, security, and control of*
19 *nuclear weapons and related systems are of para-*
20 *mount importance.*

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

23 (1) *the Navy has repeatedly demonstrated the*
24 *commitment and prioritization of the Navy to the nu-*
25 *clear deterrence mission of the Navy;*

1 (2) *the emphasis of the Navy on ensuring a safe,*
2 *secure, reliable, and credible sea-based nuclear deter-*
3 *rent force has been matched by an equal emphasis on*
4 *ensuring the assured safety, security, and control of*
5 *nuclear weapons and related systems ashore; and*

6 (3) *the Navy is commended for the actions the*
7 *Navy has taken subsequent to the 2014 Nuclear En-*
8 *terprise Review to ensure continued focus on the nu-*
9 *clear deterrent mission by all ranks within the Navy,*
10 *including the clarification and assignment of specific*
11 *responsibilities and authorities within the Navy con-*
12 *tained in OPNAV Instruction 8120.1 and SECNAV*
13 *Instruction 8120.1B.*

14 **SEC. 1660. SENSE OF CONGRESS ON THE NUCLEAR FORCE**
15 **IMPROVEMENT PROGRAM OF THE AIR FORCE.**

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

17 (1) *On February 6, 2014, Air Force Global*
18 *Strike Command initiated a force improvement pro-*
19 *gram for the intercontinental ballistic missile force*
20 *designed to improve mission effectiveness, strengthen*
21 *culture and morale, and identify areas in need of in-*
22 *vestment by soliciting input from airmen performing*
23 *intercontinental ballistic missile operations.*

24 (2) *The intercontinental ballistic missile force*
25 *improvement program generated more than 300 rec-*

1 *ommendations to strengthen intercontinental ballistic*
2 *missile operations and served as a model for subse-*
3 *quent force improvement programs in other mission*
4 *areas, such as bomber operations and sustainment.*

5 *(3) On May 28, 2014, as part of the nuclear*
6 *force improvement program, the Air Force announced*
7 *it would make immediate improvements in the nu-*
8 *clear mission of the Air Force, including enhancing*
9 *career opportunities for airmen in the nuclear career*
10 *field, ensuring training activities focused on per-*
11 *forming the mission in the field, reforming the per-*
12 *sonnel reliability program, establishing special pay*
13 *rates for positions in the nuclear career field, and cre-*
14 *ating a new service medal for nuclear deterrence oper-*
15 *ations.*

16 *(4) Chief of Staff of the Air Force Mark Welsh*
17 *has said that, as part of the nuclear force improve-*
18 *ment program, the Air Force will increase nuclear-*
19 *manning levels and strengthen professional develop-*
20 *ment for the members of the Air Force supporting the*
21 *nuclear mission of the Air Force in order “to address*
22 *shortfalls and offer our airmen more stable work*
23 *schedule and better quality of life”.*

24 *(5) Secretary of the Air Force Deborah Lee*
25 *James, in recognition of the importance of the nuclear*

1 *mission of the Air Force, proposed elevating the grade*
2 *of the commander of the Air Force Global Strike*
3 *Command from lieutenant general to general, and on*
4 *March 30, 2015, the Senate confirmed a general as*
5 *commander of that command.*

6 (6) *The Air Force redirected more than*
7 *\$160,000,000 in fiscal year 2014 to alleviate urgent,*
8 *near-term shortfalls within the nuclear mission of the*
9 *Air Force as part of the nuclear force improvement*
10 *program.*

11 (7) *The Air Force plans to spend more than*
12 *\$200,000,000 on the nuclear force improvement pro-*
13 *gram in fiscal year 2015, and requested more than*
14 *\$130,000,000 for the program for fiscal year 2016.*

15 (8) *Secretary of Defense Chuck Hagel said on*
16 *November 14, 2014, that “[t]he nuclear mission plays*
17 *a critical role in ensuring the Nation’s safety. No*
18 *other enterprise we have is more important”.*

19 (9) *Secretary Hagel also said that the budget for*
20 *the nuclear mission of the Air Force should increase*
21 *by 10 percent over a five-year period.*

22 (10) *Section 1652 of the Carl Levin and Howard*
23 *P. “Buck” McKeon National Defense Authorization*
24 *Act for Fiscal Year 2015 (Public Law 113–291; 128*
25 *Stat. 3654; 10 U.S.C. 491 note) declares it the policy*

1 of the United States “to ensure that the members of
2 the Armed Forces who operate the nuclear deterrent
3 of the United States have the training, resources, and
4 national support required to execute the critical na-
5 tional security mission of the members”.

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

8 (1) the nuclear mission of the Air Force should
9 be a top priority for the Department of the Air Force
10 and for Congress;

11 (2) the members of the Air Force who operate
12 and maintain the nuclear deterrent of the United
13 States perform work that is vital to the security of the
14 United States;

15 (3) the nuclear force improvement program of
16 the Air Force has made significant near-term im-
17 provements for the members of the Air Force in the
18 nuclear career field of the Air Force;

19 (4) Congress should support long-term invest-
20 ments in the Air Force nuclear enterprise that sustain
21 the progress made under the nuclear force improve-
22 ment program;

23 (5) the Air Force should—

24 (A) regularly inform Congress on the
25 progress being made under the nuclear force im-

1 *provement program and its efforts to strengthen*
 2 *the nuclear enterprise; and*

3 *(B) make Congress aware of any additional*
 4 *actions that should be taken to optimize perform-*
 5 *ance of the nuclear mission of the Air Force and*
 6 *maximize the strength of the strategic deterrent*
 7 *of the United States; and*

8 *(6) future budgets for the Air Force should reflect*
 9 *the importance of the nuclear mission of the Air Force*
 10 *and the need to provide members of the Air Force as-*
 11 *signed to the nuclear mission the best possible support*
 12 *and quality of life.*

13 **SEC. 1661. SENSES OF CONGRESS ON IMPORTANCE OF CO-**
 14 **OPERATION AND COLLABORATION BETWEEN**
 15 **UNITED STATES AND UNITED KINGDOM ON**
 16 **NUCLEAR ISSUES AND ON 60TH ANNIVER-**
 17 **SARY OF FLEET BALLISTIC MISSILE PRO-**
 18 **GRAM.**

19 *(a) COLLABORATION BETWEEN UNITED STATES AND*
 20 *UNITED KINGDOM.—It is the sense of Congress that—*

21 *(1) cooperation and collaboration under the 1958*
 22 *Mutual Defense Agreement and the 1963 Polaris Sales*
 23 *Agreement are fundamental elements of the security of*
 24 *the United States and the United Kingdom as well as*
 25 *international stability;*

1 (2) *the recent renewal of the Mutual Defense*
2 *Agreement and the continued work under the Polaris*
3 *Sales Agreement underscore the enduring and long-*
4 *term value of the agreements to both countries; and*

5 (3) *the vital efforts performed under the purview*
6 *of both the Mutual Defense Agreement and the Polaris*
7 *Sales Agreement are critical to sustaining and en-*
8 *hancing the capabilities and knowledge base of both*
9 *countries regarding nuclear deterrence, nuclear non-*
10 *proliferation and counterproliferation, and naval nu-*
11 *clear propulsion.*

12 (b) *60TH ANNIVERSARY OF FLEET BALLISTIC MISSILE*
13 *PROGRAM.—It is the sense of Congress that—*

14 (1) *November 2015 marks the 60th anniversary*
15 *of the Fleet Ballistic Missile Program of the Navy,*
16 *which evolved from the Special Project Office estab-*
17 *lished under President Dwight D. Eisenhower, and*
18 *has provided credible, reliable, and affordable stra-*
19 *tegic deterrence solutions to the warfighter by pro-*
20 *ducing more than 3,600 missiles over six different*
21 *generations;*

22 (2) *The current Trident II D5 missile system has*
23 *provided a reliable deterrent for nearly 25 years on-*
24 *board Ohio-class ballistic missile submarines and has*
25 *demonstrated reliability that is second-to-none as evi-*

1 *denced by more than two decades of annual, oper-*
2 *ationally representative flight testing;*

3 *(3) Congress congratulates the men and women*
4 *of Strategic Systems Programs, their industry part-*
5 *ners, and the Marines, Sailors, and Coast Guardsmen*
6 *who stand watch ensuring the safety, security, and*
7 *credibility of the strategic weapons of the United*
8 *States; and*

9 *(4) Strategic Systems Programs, and the stra-*
10 *tegic weapon system the programs provide, are a vital*
11 *and esteemed cornerstone of the security and defense*
12 *of the United States and will remain so well into the*
13 *future.*

14 **SEC. 1662. SENSE OF CONGRESS ON PLAN FOR IMPLEMEN-**
15 **TATION OF NUCLEAR ENTERPRISE REVIEWS.**

16 *It is the sense of Congress that—*

17 *(1) the Secretary of Defense should develop a*
18 *plan regarding how the Secretary plans to implement*
19 *the recommendations of the two nuclear enterprise re-*
20 *views, one of which was led by Assistant Secretary of*
21 *Defense Madelyn Creedon and Rear Admiral Peter*
22 *Fanta and one of which was led by General Larry*
23 *Welch (retired) and Admiral John Harvey, Jr. (re-*
24 *tired); and*

1 (2) *such plan should include a timeline for when*
2 *each recommendation will be implemented and how*
3 *any additional manpower resulting from such rec-*
4 *ommendations will be allocated.*

5 **SEC. 1663. SENSE OF CONGRESS AND REPORT ON MILE-**
6 **STONE A DECISION ON LONG-RANGE STAND-**
7 **OFF WEAPON.**

8 (a) *SENSE OF CONGRESS.—It is the Sense of Congress*
9 *that, to support the nuclear deterrence requirements of the*
10 *United States Strategic Command and ensure the credi-*
11 *bility and reliability of the nuclear-capable air launched*
12 *cruise missiles of the United States, Congress supports ef-*
13 *forts by the Secretary of Defense to validate military re-*
14 *quirements and make a Milestone A decision on the long-*
15 *range standoff weapon.*

16 (b) *REPORT.—Not later than May 31, 2016, the Sec-*
17 *retary of Defense shall submit to the congressional defense*
18 *committees a report on the outcome of Milestone A decision*
19 *for the long-range standoff weapon.*

20 **SEC. 1664. SENSE OF CONGRESS ON POLICY ON THE NU-**
21 **CLEAR TRIAD.**

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

1 (1) *the triad of strategic nuclear delivery systems*
2 *plays a critical role in ensuring the national security*
3 *of the United States; and*

4 (2) *retaining all three legs of the nuclear triad*
5 *is among the highest priorities of the Department of*
6 *Defense and will best maintain strategic stability at*
7 *a reasonable cost, while hedging against potential*
8 *technical problems and vulnerabilities.*

9 (b) *STATEMENT OF POLICY.—It is the policy of the*
10 *United States—*

11 (1) *to operate, sustain, and modernize or replace*
12 *the triad of strategic nuclear delivery systems con-*
13 *sisting of—*

14 (A) *heavy bombers equipped with nuclear*
15 *gravity bombs and air-launched nuclear cruise*
16 *missiles;*

17 (B) *land-based intercontinental ballistic*
18 *missiles equipped with nuclear warheads that*
19 *are capable of carrying multiple independently*
20 *targetable reentry vehicles; and*

21 (C) *ballistic missile submarines equipped*
22 *with submarine launched ballistic missiles and*
23 *multiple nuclear warheads;*

1 (2) *to operate, sustain, and modernize or replace*
2 *a capability to forward-deploy nuclear weapons and*
3 *dual-capable fighter-bomber aircraft;*

4 (3) *to deter potential adversaries and assure al-*
5 *lies and partners of the United States through strong*
6 *and long-term commitment to the nuclear deterrent of*
7 *the United States and the personnel, systems, and in-*
8 *frastructure that comprise such deterrent;*

9 (4) *to ensure that the members of the Armed*
10 *Forces who operate the nuclear deterrent of the United*
11 *States have the training, resources, and national sup-*
12 *port required to execute the critical national security*
13 *mission of the members; and*

14 (5) *to achieve a modern and responsive nuclear*
15 *infrastructure to support the full spectrum of deter-*
16 *rence requirements.*

17 **SEC. 1665. REPORT RELATING TO THE COSTS ASSOCIATED**
18 **WITH EXTENDING THE LIFE OF THE MINUTE-**
19 **MAN III INTERCONTINENTAL BALLISTIC MIS-**
20 **SILE.**

21 *Not later than 90 days after the date of the enactment*
22 *of this Act, the Secretary of the Air Force shall submit to*
23 *the congressional defense committees a report examining the*
24 *costs associated with extending the life of the Minuteman*
25 *III intercontinental ballistic missile compared to the costs*

1 *associated with procuring a new ground-based strategic de-*
 2 *terrent.*

3 ***Subtitle E—Missile Defense***
 4 ***Programs and Other Matters***

5 ***SEC. 1671. PROHIBITIONS ON PROVIDING CERTAIN MISSILE***
 6 ***DEFENSE INFORMATION TO RUSSIAN FED-***
 7 ***ERATION.***

8 *(a) PROHIBITIONS.—*

9 *(1) IN GENERAL.—Chapter 3 of title 10, United*
 10 *States Code, as amended by section 1642, is further*
 11 *amended by adding at the end the following new sec-*
 12 *tion:*

13 ***“§ 130h. Prohibitions on providing certain missile de-***
 14 ***fense information to Russian Federation***

15 *“(a) CERTAIN ‘HIT-TO-KILL’ TECHNOLOGY AND TE-*
 16 *LEMETRY DATA.—None of the funds authorized to be appro-*
 17 *priated or otherwise made available for any fiscal year for*
 18 *the Department of Defense may be used to provide the Rus-*
 19 *sian Federation with ‘hit-to-kill’ technology and telemetry*
 20 *data for missile defense interceptors or target vehicles.*

21 *“(b) OTHER SENSITIVE MISSILE DEFENSE INFORMA-*
 22 *TION.—None of the funds authorized to be appropriated or*
 23 *otherwise made available for any fiscal year for the Depart-*
 24 *ment of Defense may be used to provide the Russian Federa-*
 25 *tion with—*

1 “(1) *information relating to velocity at burnout*
2 *of missile defense interceptors or targets of the United*
3 *States; or*

4 “(2) *classified or otherwise controlled missile de-*
5 *fense information.*

6 “(c) *EXCEPTION.—The prohibitions in subsection (a)*
7 *and (b) shall not apply to the United States providing to*
8 *the Russian Federation information regarding ballistic*
9 *missile early warning.*

10 “(d) *SUNSET.—The prohibitions in subsection (a) and*
11 *(b) shall expire on January 1, 2017.*”.

12 (2) *CLERICAL AMENDMENT.—The table of sec-*
13 *tions at the beginning of such chapter, as amended by*
14 *section 1642, is further amended by inserting after*
15 *the item relating to section 130g the following new*
16 *item:*

 “130h. *Prohibitions on providing certain missile defense information to Russian*
 Federation.”.

17 (b) *CONFORMING REPEAL.—Section 1246 of the Na-*
18 *tional Defense Authorization Act for Fiscal Year 2014 (Pub-*
19 *lic Law 113–66; 127 Stat. 922), as amended by section*
20 *1243 of the National Defense Authorization Act for Fiscal*
21 *Year 2015 (Public Law 113–291; 128 Stat. 3568), is further*
22 *amended—*

23 (1) *by striking subsection (c); and*

1 (2) *in the heading, by striking “**AND LIMITA-***
2 ***TIONS”** and all that follows through “**FEDERA-***
3 ***TION”**.*

4 **SEC. 1672. PROHIBITION ON INTEGRATION OF MISSILE DE-**
5 **FENSE SYSTEMS OF RUSSIAN FEDERATION**
6 **INTO MISSILE DEFENSE SYSTEMS OF UNITED**
7 **STATES.**

8 *None of the funds authorized to be appropriated by this*
9 *Act or otherwise made available for fiscal years 2016 or*
10 *2017 for the Department of Defense may be obligated or*
11 *expended to integrate a missile defense system of the Rus-*
12 *sian Federation into any missile defense system of the*
13 *United States.*

14 **SEC. 1673. PROHIBITION ON INTEGRATION OF MISSILE DE-**
15 **FENSE SYSTEMS OF CHINA INTO MISSILE DE-**
16 **FENSE SYSTEMS OF UNITED STATES.**

17 *None of the funds authorized to be appropriated by this*
18 *Act or otherwise made available for fiscal year 2016 for the*
19 *Department of Defense may be obligated or expended to in-*
20 *tegrate a missile defense system of the People’s Republic of*
21 *China into any missile defense system of the United States.*

1 **SEC. 1674. LIMITATIONS ON AVAILABILITY OF FUNDS FOR**
2 **PATRIOT LOWER TIER AIR AND MISSILE DE-**
3 **FENSE CAPABILITY OF THE ARMY.**

4 (a) *LIMITATION.*—*Except as provided by subsection*
5 *(c), none of the funds authorized to be appropriated by this*
6 *Act or otherwise made available for fiscal year 2016 for any*
7 *program described in subsection (b) may be obligated or ex-*
8 *pended unless—*

9 (1) *the Secretary of the Army certifies to the con-*
10 *gressional defense committees that the analysis of al-*
11 *ternatives regarding the Patriot lower tier air and*
12 *missile defense capability of the Army has been sub-*
13 *mitted to such committees;*

14 (2) *a period of 30 days has elapsed following the*
15 *date on which the Secretary makes the certification*
16 *under paragraph (1); and*

17 (3) *the Under Secretary of Defense for Acquisi-*
18 *tion, Technology, and Logistics certifies to such com-*
19 *mittees that such obligation or expenditure of funds*
20 *on such programs is consistent with the findings of*
21 *the analysis of alternatives described in paragraph*
22 *(1) to modernize the Patriot lower tier air and mis-*
23 *sile defense capability of the Army.*

24 (b) *PROGRAM DESCRIBED.*—*A program described in*
25 *this subsection are the following components and capabili-*
26 *ties of the Patriot air and missile defense system:*

1 (1) *Radar capability development, radar im-*
2 *provements, the digital sidelobe canceller, or the radar*
3 *digital processor of the lower tier air and missile de-*
4 *fense program of the Army.*

5 (2) *The enhanced launcher electronic system.*

6 (c) *WAIVER.—The Under Secretary of Defense for Ac-*
7 *quisition, Technology, and Logistics may waive the limita-*
8 *tions in subsection (a) if the Under Secretary—*

9 (1) *determines that such waiver—*

10 (A) *is caused by the delay of the analysis of*
11 *alternatives described in paragraph (1) of such*
12 *subsection; and*

13 (B) *is necessary to avoid an unacceptable*
14 *risk to mission performance;*

15 (2) *notifies the congressional defense committees*
16 *of such waiver; and*

17 (3) *pursuant to such waiver, obligates or expends*
18 *funds only in amounts necessary to avoid such unac-*
19 *ceptable risk to mission performance.*

20 **SEC. 1675. INTEGRATION AND INTEROPERABILITY OF AIR**
21 **AND MISSILE DEFENSE CAPABILITIES OF THE**
22 **UNITED STATES.**

23 (a) *INTEROPERABILITY OF MISSILE DEFENSE SYS-*
24 *TEMS.—The Under Secretary of Defense for Acquisition,*
25 *Technology, and Logistics and the Vice Chairman of the*

1 *Joint Chiefs of Staff, acting through the Missile Defense Ex-*
2 *ecutive Board, shall ensure the interoperability and integra-*
3 *tion of the covered air and missile defense capabilities of*
4 *the United States, including by carrying out operational*
5 *testing.*

6 (b) *ANNUAL DEMONSTRATION.*—

7 (1) *REQUIREMENT.*—*Except as provided by*
8 *paragraph (2), the Director of the Missile Defense*
9 *Agency and the Secretary of the Army shall jointly*
10 *ensure that not less than one intercept or flight test*
11 *is carried out each year that demonstrates interoper-*
12 *ability and integration among the covered air and*
13 *missile defense capabilities of the United States.*

14 (2) *WAIVER.*—*The Director and the Secretary*
15 *may waive the requirement in paragraph (1) with re-*
16 *spect to an intercept or flight test carried out during*
17 *the year covered by the waiver if the Under Secretary*
18 *of Defense for Acquisition, Technology, and Logis-*
19 *tics—*

20 (A) *determines that such waiver is nec-*
21 *essary for such year; and*

22 (B) *submits to the congressional defense*
23 *committees notification of such waiver, including*
24 *an explanation for how such waiver will not neg-*
25 *atively affect demonstrating the interoperability*

1 *and integration among the covered air and mis-*
2 *sile defense capabilities of the United States.*

3 (c) *DEFINITIONS.*—*In this section, the term “covered*
4 *air and missile defense capabilities” means Patriot air and*
5 *missile defense batteries and associated interceptors and*
6 *systems, Aegis ships and associated ballistic missile inter-*
7 *ceptors (including Aegis Ashore capability), AN/TPY–2 ra-*
8 *dars, or terminal high altitude area defense batteries and*
9 *interceptors.*

10 **SEC. 1676. INTEGRATION AND INTEROPERABILITY OF AL-**
11 **LIED MISSILE DEFENSE CAPABILITIES.**

12 (a) *ASSESSMENTS.*—

13 (1) *IN GENERAL.*—*Not later than 180 days after*
14 *the date of the enactment of this Act, each covered*
15 *commander shall submit to the Secretary of Defense*
16 *and the Chairman of the Joint Chiefs of Staff an as-*
17 *essment on opportunities for the integration and*
18 *interoperability of covered air and missile defense ca-*
19 *pabilities of the United States with such capabilities*
20 *of allies of the United States located in the area of*
21 *responsibility of the commander, particularly with re-*
22 *spect to such allies who acquired such capabilities*
23 *through foreign military sales by the United States.*
24 *Each assessment shall include an assessment of the*
25 *key technology, security, command and control, and*

1 *policy requirements necessary to achieve such an inte-*
2 *grated and interoperable air and missile defense ca-*
3 *pability in a manner that ensures burden sharing*
4 *and furthers the force multiplication goals of the*
5 *United States.*

6 (2) *SUBMISSION.*—*Not later than 30 days after*
7 *the date on which a covered commander submits to*
8 *the Secretary and the Chairman an assessment under*
9 *paragraph (1), the Secretary shall submit to the con-*
10 *gressional defense committees a report containing*
11 *such assessment, without change.*

12 (b) *INTEGRATION, INTEROPERABILITY, AND COMMAND-*
13 *AND-CONTROL.*—*The Secretary and the Chairman, in co-*
14 *ordination with the Secretary of the Army, the Chief of*
15 *Staff of the Army, the Secretary of the Navy, and the Chief*
16 *of Naval Operations, shall carry out the planning, risk as-*
17 *sessments, policy development, and concepts of operations*
18 *necessary for each covered commander to ensure that the*
19 *integration (to the extent that specific integration arrange-*
20 *ments are agreeable to the partner nation or among the*
21 *partner nations involved in such arrangements), interoper-*
22 *ability, and command-and-control of air and missile de-*
23 *fense capabilities described in subsection (a)(1) occur by not*
24 *later than December 31, 2017.*

1 (c) *REPORTS.*—Not later than one year after the date
2 of the enactment of this Act, and annually thereafter until
3 December 31, 2017, the Secretary of Defense and the Chair-
4 man of the Joint Chiefs of Staff shall jointly submit to the
5 congressional defense committees a report that describes the
6 progress made by the Secretary, the Chairman, and the cov-
7 ered commanders with respect to carrying out subsection
8 (b), including an identification of each required action that
9 has not been taken as of the date of the report.

10 (d) *DEFINITIONS.*—In this section:

11 (1) The term “covered air and missile defense ca-
12 pabilities” means Patriot air and missile defense bat-
13 teries and associated interceptors and systems, Aegis
14 ships and associated ballistic missile interceptors (in-
15 cluding Aegis Ashore capability), AN/TPY-2 radars,
16 or terminal high altitude area defense batteries and
17 interceptors.

18 (2) The term “covered commander” means the
19 following:

20 (A) The Commander of the United States
21 European Command.

22 (B) The Commander of the United States
23 Central Command.

24 (C) The Commander of the United States
25 Pacific Command.

1 **SEC. 1677. MISSILE DEFENSE CAPABILITY IN EUROPE.**

2 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
3 *that the Secretary of Defense, in consultation with the rel-*
4 *evant combatant command, should ensure that arrange-*
5 *ments are in place, including support from other members*
6 *of the North Atlantic Treaty Organization (NATO) and the*
7 *host nations, to provide anti-air defense capability at the*
8 *Aegis Ashore sites in Romania and Poland by not later*
9 *than June 1, 2019.*

10 (b) *REQUEST TO NATO.*—

11 (1) *IN GENERAL.*—*Not later than 30 days after*
12 *the date of the enactment of this Act, the Secretary of*
13 *Defense, in coordination with the Secretary of State,*
14 *shall submit to NATO a request for NATO Security*
15 *Investment Programme support for an air defense ca-*
16 *pability at the Aegis Ashore sites in Romania and*
17 *Poland.*

18 (2) *NOTIFICATION.*—*Not later than April 1,*
19 *2016, the Secretary shall notify the appropriate con-*
20 *gressional committees as to whether NATO has agreed*
21 *in principle to providing the support described in*
22 *paragraph (1).*

23 (3) *APPROPRIATE CONGRESSIONAL COMMIT-*
24 *TEES.*—*In this subsection, the term “appropriate con-*
25 *gressional committees” means—*

1 (A) *the congressional defense committees;*
2 *and*

3 (B) *the Committee on Foreign Affairs of the*
4 *House of Representatives and the Committee on*
5 *Foreign Relations of the Senate.*

6 (c) *REPORT ON AIR DEFENSE CAPABILITY.—*

7 (1) *IN GENERAL.—Not later than 180 days after*
8 *the date of the enactment of this Act, the Secretary*
9 *shall submit to the congressional defense committees a*
10 *report describing—*

11 (A) *the plan and budget profile to provide*
12 *the air defense capability described in subsection*
13 *(b)(1);*

14 (B) *an assessment of any changes to the*
15 *hosting agreements between the respective host*
16 *nations and the United States;*

17 (C) *an evaluation of the feasibility, benefit,*
18 *and cost of using the evolved sea sparrow missile,*
19 *the standard missile 2, or other options as deter-*
20 *mined by the Secretary to provide such air de-*
21 *fense capability; and*

22 (D) *an assessment of the air and ballistic*
23 *missile threat to the military installations of the*
24 *United States in Europe, including the Naval*

1 *Shore Facility in Devesulu, Romania, and the*
2 *planned facility in Redzikowo, Poland.*

3 (2) *FORM.*—*The report under paragraph (1)*
4 *shall be submitted in unclassified form, but may in-*
5 *clude a classified annex.*

6 (d) *CAPABILITIES IN EUROPEAN COMMAND AREA OF*
7 *RESPONSIBILITY.*—

8 (1) *ROTATIONAL DEPLOYMENT.*—*Not later than*
9 *180 days after the date of the enactment of this Act,*
10 *the Secretary of Defense shall ensure that a terminal*
11 *high altitude area defense battery is available for ro-*
12 *tational deployment to the area of responsibility of*
13 *the United States European Command unless the Sec-*
14 *retary notifies the congressional defense committees*
15 *that such battery is needed in the area of responsi-*
16 *bility of another combatant command.*

17 (2) *PRE-POSITIONING SITES.*—*The Secretary of*
18 *Defense shall examine potential sites in the area of re-*
19 *sponsibility of the United States European Command*
20 *to pre-position a terminal high altitude area defense*
21 *battery.*

22 (3) *STUDIES.*—

23 (A) *Not later than 180 days after the date*
24 *of the enactment of this Act, the Secretary shall*
25 *conduct studies to evaluate—*

1 (i) *not fewer than three sites in the*
2 *area of responsibility of the United States*
3 *European Command for the deployment of*
4 *a terminal high altitude area defense bat-*
5 *tery in the event that the deployment of*
6 *such a battery is determined to be nec-*
7 *essary; and*

8 (ii) *not fewer than three sites in such*
9 *area for the deployment of a Patriot air*
10 *and missile defense battery in the event that*
11 *such a deployment is determined to be nec-*
12 *essary.*

13 (B) *In evaluating sites under clauses (i)*
14 *and (ii) of subparagraph (A), the Secretary shall*
15 *determine which sites are best for defending—*

16 (i) *the Armed Forces of the United*
17 *States; and*

18 (ii) *the member states of the North At-*
19 *lantic Treaty Organization.*

20 (4) *AGREEMENTS.—If the Secretary of Defense*
21 *determines that a deployment described in clause (i)*
22 *or (ii) of paragraph (3)(A) is necessary and the ap-*
23 *propriate host nation requests such a deployment, the*
24 *President shall seek to enter into the necessary agree-*

1 *ments with the host nation to carry out such deploy-*
2 *ment.*

3 *(e) IMPLEMENTATION OF CERTAIN DIRECTION.—The*
4 *Secretary shall implement the direction relating to this sec-*
5 *tion contained in the classified annex accompanying this*
6 *Act.*

7 **SEC. 1678. AVAILABILITY OF FUNDS FOR IRON DOME**
8 **SHORT-RANGE ROCKET DEFENSE SYSTEM.**

9 *(a) AVAILABILITY OF FUNDS.—Of the funds authorized*
10 *to be appropriated by section 101 for procurement, Defense-*
11 *wide, and available for the Missile Defense Agency, not*
12 *more than \$41,400,000 may be provided to the Government*
13 *of Israel to procure radars for the Iron Dome short-range*
14 *rocket defense system as specified in the funding table in*
15 *section 4101, including for coproduction of such radars in*
16 *the United States by industry of the United States.*

17 *(b) CONDITIONS.—*

18 *(1) AGREEMENT.—Funds described in subsection*
19 *(a) to produce the Iron Dome short-range rocket de-*
20 *fense program shall be available subject to the terms*
21 *and conditions in the Agreement Between the Depart-*
22 *ment of Defense of the United States of America and*
23 *the Ministry of Defense of the State of Israel Con-*
24 *cerning Iron Dome Defense System Procurement,*
25 *signed on March 5, 2014, subject to an amended*

1 *agreement for coproduction for radar components. In*
2 *negotiations by the Missile Defense Agency and the*
3 *Missile Defense Organization of the Government of*
4 *Israel regarding such production, the goal of the*
5 *United States is to maximize opportunities for co-*
6 *production of the radars described in subsection (a)*
7 *in the United States by industry of the United States.*

8 (2) *CERTIFICATION.*—*Not later than 30 days*
9 *prior to the initial obligation of funds described in*
10 *subsection (a), the Director of the Missile Defense*
11 *Agency and the Under Secretary of Defense for Acqui-*
12 *sition, Technology, and Logistics shall jointly submit*
13 *to the appropriate congressional committees—*

14 (A) *a certification that the agreement speci-*
15 *fied in paragraph (1) is being implemented as*
16 *provided in such agreement; and*

17 (B) *an assessment detailing any risks relat-*
18 *ing to the implementation of such agreement.*

19 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
20 *FINED.*—*In this section, the term “appropriate congres-*
21 *sional committees” means the following:*

22 (1) *The congressional defense committees.*

23 (2) *The Committee on Foreign Affairs of the*
24 *House of Representatives and the Committee on For-*
25 *eign Relations of the Senate.*

1 **SEC. 1679. ISRAELI COOPERATIVE MISSILE DEFENSE PRO-**
2 **GRAM CODEVELOPMENT AND COPRODUC-**
3 **TION.**

4 (a) *IN GENERAL.*—Subject to subsection (b), of the
5 funds authorized to be appropriated for fiscal year 2016
6 for procurement, Defense-wide, and available for the Missile
7 Defense Agency—

8 (1) not more than \$150,000,000 may be provided
9 to the Government of Israel to procure the David's
10 Sling Weapon System, including for coproduction of
11 parts and components in the United States by United
12 States industry; and

13 (2) not more than \$15,000,000 may be provided
14 to the Government of Israel for the Arrow 3 Upper
15 Tier Interceptor Program, including for coproduction
16 of parts and components in the United States by
17 United States industry.

18 (b) *CERTIFICATION.*—

19 (1) *CRITERIA.*—Except as provided by subsection
20 (c), the Under Secretary of Defense for Acquisition,
21 Technology, and Logistics shall submit to the appro-
22 priate congressional committees a certification that—

23 (A) the Government of Israel has dem-
24 onstrated the successful completion of the knowl-
25 edge points, technical milestones, and production
26 readiness reviews required by the research, devel-

1 *opment, and technology agreements for the Da-*
2 *vid's Sling Weapon System and the Arrow 3*
3 *Upper Tier Development Program, respectively;*

4 *(B) such funds will be provided on the basis*
5 *of a one-for-one cash match made by Israel for*
6 *such respective systems or in another matching*
7 *amount that otherwise meets best efforts (as mu-*
8 *tually agreed to by the United States and*
9 *Israel);*

10 *(C) the United States has entered into a bi-*
11 *lateral agreement with Israel that establishes—*

12 *(i) in accordance with subparagraph*
13 *(D), the terms of coproduction of parts and*
14 *components of such respective systems on*
15 *the basis of the greatest practicable co-*
16 *production of parts, components, and all-up*
17 *rounds (if appropriate) by United States*
18 *industry and minimizes nonrecurring engi-*
19 *neering and facilitization expenses;*

20 *(ii) complete transparency on the re-*
21 *quirement of Israel for the number of inter-*
22 *ceptors and batteries of such respective sys-*
23 *tems that will be procured, including with*
24 *respect to the procurement plans, acquisi-*
25 *tion strategy, and funding profiles of Israel;*

1 (iii) *technical milestones for coproduc-*
2 *tion of parts and components and procure-*
3 *ment of such respective systems; and*

4 (iv) *joint approval processes for third-*
5 *party sales of such respective systems and*
6 *the components of such respective systems;*
7 *and*

8 (D) *the level of coproduction described in*
9 *subparagraph (C)(i) for the David's Sling Weap-*
10 *on System is equal to or greater than 50 percent.*

11 (2) *NUMBER.—In carrying out paragraph (1),*
12 *the Under Secretary may submit—*

13 (A) *one certification covering both the Da-*
14 *vid's Sling Weapon System and the Arrow 3*
15 *Upper Tier Interceptor Program; or*

16 (B) *separate certifications for each such re-*
17 *spective system.*

18 (3) *TIMING.—The Under Secretary shall submit*
19 *to the congressional defense committees the certifi-*
20 *cation under paragraph (1) by not later than 60 days*
21 *before the funds specified in subsection (a) for the re-*
22 *spective system covered by the certification are pro-*
23 *vided to the Government of Israel.*

24 (c) *WAIVER.—The Under Secretary may waive the cer-*
25 *tification required by subsection (b) if the Under Secretary*

1 certifies to the appropriate congressional committees that
2 the Under Secretary has received sufficient data from the
3 Government of Israel to demonstrate—

4 (1) the funds specified in paragraph (1) and (2)
5 of subsection (a) are provided to Israel solely for
6 funding the procurement of long-lead components in
7 accordance with a production plan, including a fund-
8 ing profile detailing Israeli contributions for produc-
9 tion, including long-lead production, of either David's
10 Slingshot Weapon System or the Arrow 3 Upper Tier In-
11 terceptor Program;

12 (2) such long-lead components have successfully
13 completed knowledge points, technical milestones, and
14 production readiness reviews; and

15 (3) the long-lead procurement will be conducted
16 in a manner that maximizes coproduction in the
17 United States without incurring additional non-
18 recurring engineering activity or cost.

19 (d) *PLAN ON COPRODUCTION OF DAVID'S SLING*
20 *WEAPON SYSTEM.*—At the same time that the President
21 submits to Congress the budget for fiscal year 2017 under
22 section 1105(a) of title 31, United States Code, the Director
23 of the Missile Defense Agency and the Under Secretary shall
24 jointly submit to the appropriate congressional committees
25 a plan to achieve a rate of coproduction by United States

1 *industry of parts and components of the David's Slings*
2 *Weapon System at a level that is not less than 50 percent.*

3 *Such plan shall include—*

4 *(1) a timeline for achieving such a level of co-*
5 *production;*

6 *(2) any nonrecurring engineering or*
7 *facilitization costs related to such coproduction, costs*
8 *for additional testing and training, and other addi-*
9 *tional associated costs;*

10 *(3) a recommendation for whether carrying out*
11 *such plan is in the national interest of the United*
12 *States; and*

13 *(4) any other matter the Director and Under*
14 *Secretary consider appropriate.*

15 *(e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
16 *FINED.—In this section, the term “appropriate congres-*
17 *sional committees” means the following:*

18 *(1) The congressional defense committees.*

19 *(2) The Committee on Foreign Affairs of the*
20 *House of Representatives and the Committee on For-*
21 *eign Relations of the Senate.*

22 **SEC. 1680. BOOST PHASE DEFENSE SYSTEM.**

23 *(a) IN GENERAL.—The Secretary of Defense shall—*

24 *(1) prioritize technology investments in the De-*
25 *partment of Defense to support feasible and cost-effec-*

1 *tive efforts by the Missile Defense Agency to develop*
2 *and field an airborne boost phase defense system by*
3 *not later than fiscal year 2025;*

4 *(2) ensure that development and fielding of a*
5 *boost phase missile defense layer to the ballistic mis-*
6 *sile defense system supports multiple warfighter mis-*
7 *sile defense requirements, including, specifically, pro-*
8 *tection of the United States homeland and allies of*
9 *the United States against ballistic missiles, particu-*
10 *larly in the boost phase;*

11 *(3) continue development and fielding of high-en-*
12 *ergy lasers, electromagnetic and other railgun tech-*
13 *nology, high-power microwave systems, and other ad-*
14 *vanced technologies as part of a layered architecture*
15 *to defend ships and theater bases against air and*
16 *cruise missile strikes;*

17 *(4) encourage collaboration among the military*
18 *departments and the Defense Advanced Research*
19 *Projects Agency with respect to high energy laser ef-*
20 *forts carried out in support of the Missile Defense*
21 *Agency; and*

22 *(5) ensure cooperation and coordination between*
23 *the Missile Defense Agency with respect to the plans*
24 *of the Missile Defense Agency to develop an airborne*

1 *laser and the requirements of the Air Force for un-*
2 *manned aerial vehicles.*

3 *(b) REPORT TO CONGRESS.—*

4 *(1) IN GENERAL.—Not later than 120 days after*
5 *the date of the enactment of this Act, the Secretary of*
6 *Defense shall submit to the congressional defense com-*
7 *mittees a report on the efforts of the Department of*
8 *Defense to develop and deploy an airborne or other*
9 *boost phase defense system for missile defense by fiscal*
10 *year 2025.*

11 *(2) ELEMENTS.—The report under paragraph*
12 *(1) shall include the following:*

13 *(A) Such schedules, costs, warfighter re-*
14 *quirements, operational concept, constraints, po-*
15 *tential alternative boost phase approaches, and*
16 *other information regarding the efforts described*
17 *in paragraph (1) as the Secretary considers ap-*
18 *propriate.*

19 *(B) Analyses of the efforts described in*
20 *paragraph (1) with respect to the following cases:*

21 *(i) A case in which the Department is*
22 *under no funding constraints with respect*
23 *to such efforts and progress is based on the*
24 *state of the technology.*

1 (ii) *A case in which the Department is*
2 *under funding constraints and the efforts*
3 *are carried out in accordance with a mod-*
4 *erately aggressive schedule and are subject*
5 *to moderate technical risk.*

6 (iii) *A case in which the Department*
7 *is under funding constraints and the efforts*
8 *are carried out in accordance with a less*
9 *aggressive schedule and are subject to less*
10 *technical risk.*

11 (C) *An update on related efforts of the De-*
12 *partment to develop high energy lasers, electro-*
13 *magnetic and other railguns, high power micro-*
14 *wave systems, and other advanced technologies to*
15 *defend ships and theater bases against air and*
16 *cruise missile strikes and to protect the homeland*
17 *of the United States and protect allies of the*
18 *United States.*

19 (D) *An evaluation of recommendations, in-*
20 *cluding a listing of the recommendations, from*
21 *industry on emerging technologies that could be*
22 *applied for boost phase missile defense.*

23 (E) *Such recommendations as the Secretary*
24 *may have for legislative or administrative action*

1 to enable more rapid fielding of a directed-en-
2 ergy based missile defense system.

3 (3) *FORM.*—The report required by paragraph
4 (1) shall be submitted in unclassified form, but may
5 include a classified annex.

6 **SEC. 1681. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-**
7 **OBJECT KILL VEHICLE FOR MISSILE DE-**
8 **FENSE OF THE UNITED STATES HOMELAND.**

9 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
10 that—

11 (1) the defense of the United States homeland
12 against the threat of limited ballistic missile attack
13 (whether accidental, unauthorized, or deliberate) is
14 the highest priority of the Missile Defense Agency;

15 (2) the Missile Defense Agency is appropriately
16 prioritizing the design, development, and deployment
17 of the redesigned kill vehicle; and

18 (3) the multiple-object kill vehicle could con-
19 tribute critical capabilities to the future of the bal-
20 listic missile defense of the United States homeland.

21 (b) *MULTIPLE-OBJECT KILL VEHICLE.*—

22 (1) *DEVELOPMENT.*—The Director of the Missile
23 Defense Agency shall develop a highly reliable mul-
24 tiple-object kill vehicle for the ground-based midcourse
25 defense system using sound acquisition practices.

1 (2) *DEPLOYMENT.*—*The Director shall—*

2 (A) *conduct rigorous flight testing of the*
3 *multiple-object kill vehicle developed under para-*
4 *graph (1) by not later than 2020; and*

5 (B) *recognizing the primacy of developing*
6 *the redesigned kill vehicle, produce and deploy*
7 *the multiple-object kill vehicle as early as prac-*
8 *ticable after the date on which the Director car-*
9 *ries out subparagraph (A).*

10 (c) *CAPABILITIES AND CRITERIA.*—*The Director shall*
11 *ensure that the multiple-object kill vehicle developed under*
12 *subsection (b)(1) meets, at a minimum, the following capa-*
13 *bilities and criteria:*

14 (1) *Vehicle-to-vehicle communications.*

15 (2) *Vehicle-to-ground communications.*

16 (3) *Kill assessment capability.*

17 (4) *The ability to counter advanced counter*
18 *measures, decoys, and penetration aids.*

19 (5) *Producibility and manufacturability.*

20 (6) *Use of technology involving high technology*
21 *readiness levels.*

22 (7) *Options to be integrated onto other missile*
23 *defense interceptor vehicles other than the ground-*
24 *based interceptors of the ground-based midcourse de-*
25 *fense system.*

1 (8) *Sound acquisition processes.*

2 (d) *PROGRAM MANAGEMENT.—The management of the*
3 *multiple-object kill vehicle program under subsection (b)*
4 *shall report directly to the Deputy Director of the Missile*
5 *Defense Agency.*

6 (e) *REPORT ON FUNDING PROFILE.—The Director*
7 *shall include with the budget justification materials sub-*
8 *mitted to Congress in support of the budget of the Depart-*
9 *ment of Defense for fiscal year 2017 (as submitted with the*
10 *budget of the President under section 1105(a) of title 31,*
11 *United States Code) a report on the funding profile nec-*
12 *essary for the multiple-object kill vehicle program to meet*
13 *the objectives under subsection (b).*

14 **SEC. 1682. REQUIREMENT TO REPLACE CAPABILITY EN-**
15 **HANCEMENT I EXOATMOSPHERIC KILL VEHI-**
16 **CLES.**

17 (a) *IN GENERAL.—Subject to subsection (b), the Direc-*
18 *tor of the Missile Defense Agency shall ensure, to the max-*
19 *imum extent practicable, that all remaining ground-based*
20 *interceptors of the ground-based midcourse defense system*
21 *that are armed with the capability enhancement I*
22 *exoatmospheric kill vehicle are replaced with the redesigned*
23 *exoatmospheric kill vehicle before September 30, 2022.*

1 (b) *CONDITION.*—Subsection (a) shall not apply if the
2 Director determines that flight and intercept testing of the
3 redesigned exoatmospheric kill vehicle is not successful.

4 **SEC. 1683. DESIGNATION OF PREFERRED LOCATION OF AD-**
5 **DITIONAL MISSILE DEFENSE SITE IN THE**
6 **UNITED STATES AND PLAN FOR EXPEDITING**
7 **DEPLOYMENT TIME OF SUCH SITE.**

8 (a) *SITE DESIGNATION.*—Not later than 30 days after
9 the date on which the Secretary of Defense publishes the
10 draft environmental impact statement pursuant to sub-
11 section (b) of section 227 of the National Defense Authoriza-
12 tion Act for Fiscal Year 2013 (Public Law 112–239; 126
13 Stat. 1678), the Director of the Missile Defense Agency, in
14 consultation with the Commander of the United States
15 Northern Command, shall designate, from among the sites
16 evaluated under subsection (a) of such section 227, the pre-
17 ferred site in the United States for the future deployment
18 of an interceptor capable of protecting the homeland, as in-
19 formed by—

20 (1) such environmental impact statement; and
21 (2) the operational effectiveness and cost effec-
22 tiveness of such evaluated sites.

23 (b) *PLAN.*—

24 (1) *IN GENERAL.*—Not later than 30 days after
25 the date on which the Secretary of Defense makes the

1 *congressional notification of the finalization of the en-*
2 *vironmental impact statement prepared pursuant to*
3 *section 227(b) of the National Defense Authorization*
4 *Act for Fiscal Year 2013, the Secretary shall—*

5 *(A) develop a plan for expediting the de-*
6 *ployment time for the site designated under sub-*
7 *section (a) by at least two years, if the decision*
8 *is made to proceed with such deployment; and*

9 *(B) submit to the congressional defense com-*
10 *mittees such plan and any update, as may be*
11 *necessary, to the designation made under sub-*
12 *section (a).*

13 *(2) REPORT ELEMENTS.—The plan under para-*
14 *graph (1)(A) shall include the following:*

15 *(A) Estimates of the costs of carrying out*
16 *the plan and a schedule for carrying out the*
17 *plan.*

18 *(B) An assessment of any risks associated*
19 *with decreasing the deployment time of the site*
20 *designated under subsection (a), including with*
21 *respect to cost and the operational effectiveness*
22 *and reliability of interceptors.*

23 *(C) Identification of any deviation in the*
24 *plan from sound acquisition processes, including*

1 *with respect to testing prior to full operational*
2 *capability designation.*

3 *(D) A description of such legislative or ad-*
4 *ministrative action as may be necessary to carry*
5 *out the plan.*

6 *(c) LIMITATION.—None of the funds authorized to be*
7 *appropriated by this Act or otherwise made available for*
8 *fiscal year 2016 for military construction for the East Coast*
9 *missile site planning and design, as specified in the funding*
10 *table in section 4601, may be obligated or expended until*
11 *the date on which the Secretary of Defense publishes the*
12 *final environmental impact statement pursuant to section*
13 *227(b) of the National Defense Authorization Act for Fiscal*
14 *Year 2013.*

15 *(d) ASSESSMENT BY COMPTROLLER GENERAL OF THE*
16 *UNITED STATES.—Not later than 90 days after the date*
17 *on which the Secretary submits the plan under subsection*
18 *(b)(1)(B), the Comptroller General of the United States*
19 *shall—*

20 *(1) complete a review of the plan; and*

21 *(2) submit to the congressional defense commit-*
22 *tees a report on such review that includes the findings*
23 *and recommendations of the Comptroller General.*

1 **SEC. 1684. ADDITIONAL MISSILE DEFENSE SENSOR COV-**
2 **ERAGE FOR PROTECTION OF UNITED STATES**
3 **HOMELAND.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
5 *that additional missile defense sensor discrimination capa-*
6 *bilities are needed to enhance the protection of the United*
7 *States homeland against potential long-range ballistic mis-*
8 *siles from Iran that, according to the Department of De-*
9 *fense, could soon be obtained by Iran as a result of its active*
10 *space launch program.*

11 (b) *STUDIES AND EVALUATIONS ON HOMEPORT OF*
12 *SEA-BASED X-BAND RADAR.*—*Not later than 60 days after*
13 *the date of the enactment of this Act, the Director of the*
14 *Missile Defense Agency shall commence any siting studies,*
15 *environmental impact assessments or statements required*
16 *pursuant to the National Environmental Policy Act of 1969*
17 *(42 U.S.C. 4321 et seq.) that have not otherwise been pre-*
18 *pared, homeport agreements for sea-based X-band radar*
19 *support, evaluations of any needed pier modifications, and*
20 *evaluations of any communications capabilities or other re-*
21 *quirements to carry out the reassignment of the homeport*
22 *of the sea-based X-band radar to a homeport on the East*
23 *Coast of the United States.*

24 (c) *POTENTIAL FUTURE MISSILE DEFENSE SENSOR*
25 *SITES.*—

1 (1) *EVALUATION.*—Not later than March 31,
2 2016, the Director shall commence a study to evaluate
3 at least three possible additional locations (in or out-
4 side the United States), selected by the Director, that
5 would be best suited for future deployment of an ad-
6 vanced missile defense sensor site optimized against
7 threats from Iran.

8 (2) *ENVIRONMENTAL IMPACT STATEMENTS.*—Ex-
9 cept as provided by paragraph (3), the evaluation
10 under paragraph (1) shall include an environmental
11 impact statement or other analysis in accordance
12 with the National Environmental Policy Act of 1969
13 (42 U.S.C. 4321 et seq.) for each location included in
14 the evaluation.

15 (3) *EXCEPTION.*—If an environmental impact
16 statement or other analysis described in paragraph
17 (2) has already been prepared, or is not required by
18 law, for a location included in the evaluation under
19 paragraph (1), the Director shall not be required to
20 carry out paragraph (2) with respect to such location.

21 (d) *DEPLOYMENT OF ADDITIONAL COVERAGE.*—

22 (1) *DEPLOYMENT.*—Not later than December 31,
23 2020, the Director, in cooperation with the relevant
24 combatant command, shall deploy a long-range dis-
25 crimination radar or other appropriate sensor capa-

1 *bility in a location optimized to support the defense*
2 *of the homeland of the United States from emerging*
3 *long-range ballistic missile threats from Iran.*

4 (2) *SEA-BASED X-BAND RADAR.*—*If the Director*
5 *carries out paragraph (1) by reassigning the home-*
6 *port of the sea-based X-band radar, the Director and*
7 *the Secretary of the Navy may not carry out such re-*
8 *assignment until the date on which the Director cer-*
9 *tifies to the congressional defense committees that Ha-*
10 *waii will have adequate missile defense coverage prior*
11 *to such reassignment.*

12 (e) *SUBMISSION OF INFORMATION.*—

13 (1) *REPORT.*—*Not later than December 31, 2018,*
14 *the Director shall submit to the congressional defense*
15 *committees a report containing the following:*

16 (A) *The findings of the study conducted*
17 *under paragraph (1) of subsection (c), including*
18 *any environmental impact statements or anal-*
19 *yses required by paragraph (2) of such sub-*
20 *section.*

21 (B) *Notification of the manner in which*
22 *Hawaii is being provided ballistic missile de-*
23 *fense coverage.*

24 (2) *PLAN.*—*In the budget justification materials*
25 *submitted to Congress in support of the budget for*

1 *each of fiscal years 2017 through 2020 submitted by*
2 *the President to Congress under section 1105 of title*
3 *31, United States Code, the Director shall include—*

4 *(A) the plan of the Director to carry out*
5 *subsection (d); and*

6 *(B) an update on the progress of the Direc-*
7 *tor in implementing subsections (b) and (c).*

8 **SEC. 1685. CONCEPT DEVELOPMENT OF SPACE-BASED MIS-**
9 **SILE DEFENSE LAYER.**

10 *(a) IN GENERAL.—Not later than 30 days after the*
11 *date of the enactment of this Act, the Director of the Missile*
12 *Defense Agency, in coordination with the Secretary of the*
13 *Air Force and the Director of the Defense Advanced Re-*
14 *search Projects Agency, shall commence the concept defini-*
15 *tion of a space-based ballistic missile intercept layer to the*
16 *ballistic missile defense system that provides—*

17 *(1) a boost-phase layer for missile defense; or*

18 *(2) additional defensive options against direct*
19 *ascent anti-satellite weapons, hypersonic glide vehi-*
20 *cles, and maneuvering reentry vehicles.*

21 *(b) ELEMENTS.—The activities carried out under sub-*
22 *section (a) shall include, at a minimum, the following:*

23 *(1) Draft operation concepts for how a space-*
24 *based ballistic missile intercept layer would function*

1 *in the context of a multi-layer missile defense archi-*
2 *ture.*

3 (2) *An assessment of how such a space-based bal-*
4 *listic missile intercept layer could contribute to the*
5 *defense of the United States against intercontinental*
6 *ballistic missiles with varying degrees of effectiveness.*

7 (3) *An assessment of the required architecture*
8 *and components (including hardware, software, and*
9 *related command and control systems) and the matu-*
10 *urity of critical technologies necessary to make such a*
11 *space-based ballistic missile intercept layer oper-*
12 *ational.*

13 (4) *An assessment of how such a space-based bal-*
14 *listic missile intercept layer could protect the sat-*
15 *ellites of the United States against adversary anti-*
16 *satellite weapons.*

17 (5) *An assessment of the effort required to inte-*
18 *grate and make interoperable such a space-based bal-*
19 *listic missile intercept layer with the ground-based*
20 *missile defense system.*

21 (6) *Any other matters the Director of the Missile*
22 *Defense Agency considers appropriate.*

23 (c) *REPORT.*—*Not later than one year after the date*
24 *of the enactment of this Act, the Director shall submit to*

1 *the congressional defense committees a report that in-*
2 *cludes—*

3 (1) *the findings of the concept development re-*
4 *quired by subsection (a);*

5 (2) *a plan for developing one or more programs*
6 *of record for a space-based ballistic missile intercept*
7 *layer, including estimates of the appropriate identifi-*
8 *able costs of each such potential program of record;*
9 *and*

10 (3) *the views of the Director regarding such find-*
11 *ings and plan.*

12 **SEC. 1686. AEGIS ASHORE CAPABILITY DEVELOPMENT.**

13 (a) *EVALUATION.—*

14 (1) *IN GENERAL.—The Director of the Missile*
15 *Defense Agency, in coordination with the Chief of*
16 *Naval Operations and the Chief of Staff of the Army,*
17 *shall evaluate the role, feasibility, cost, cost benefit,*
18 *and operational effectiveness of additional Aegis*
19 *Ashore sites and upgrades to current ballistic missile*
20 *defense system sensors to offset capacity demands on*
21 *current Aegis ships, Aegis Ashore sites, and Patriot*
22 *and Terminal High Altitude Area Defense capability*
23 *and to meet the requirements of the combatant com-*
24 *manders.*

1 (2) *SUBMISSION.*—Not later than 120 days after
2 the date of the enactment of this Act, the Secretary of
3 Defense and the Chairman of the Joint Chiefs of Staff
4 shall—

5 (A) review the evaluation conducted under
6 paragraph (1); and

7 (B) submit to the congressional defense com-
8 mittees such evaluation and the results of such
9 review, including recommendations for potential
10 future locations of Aegis Ashore sites.

11 (b) *IDENTIFICATION OF FMS OBSTACLES.*—

12 (1) *IN GENERAL.*—The Under Secretary of De-
13 fense for Policy and the Secretary of State shall joint-
14 ly identify any obstacles to foreign military sales of
15 Aegis Ashore or cofinancing of additional Aegis
16 Ashore sites. Such evaluation shall include, with co-
17 ordination with other agencies and departments of the
18 Federal Government as appropriate, the feasibility of
19 host nation manning or dual manning with the
20 United States and such host nation.

21 (2) *SUBMISSION.*—Not later than one year after
22 the date of the enactment of this Act, the Under Sec-
23 retary shall submit to the congressional defense com-
24 mittees, the Committee on Foreign Affairs of the
25 House of Representatives, and the Committee on For-

1 *ign Relations of the Senate a report on the identi-*
2 *fication of obstacles under paragraph (1).*

3 **SEC. 1687. DEVELOPMENT OF REQUIREMENTS TO SUPPORT**
4 **INTEGRATED AIR AND MISSILE DEFENSE CA-**
5 **PABILITIES.**

6 (a) *IN GENERAL.*—*Consistent with the memorandum*
7 *of the Chairman of the Joint Chiefs of Staff of January*
8 *27, 2014, regarding joint integrated air and missile defense,*
9 *the Vice Chairman of the Joint Chiefs of Staff shall oversee*
10 *the development of warfighter requirements for persistent*
11 *and survivable capabilities to detect, identify, determine the*
12 *status, track, and support engagement of strategically im-*
13 *portant mobile or relocatable assets in all phases of conflict*
14 *in order to achieve the objective of preventing the effective*
15 *employment of such assets, including through offensive ac-*
16 *tions against such assets prior to their use.*

17 (b) *PURPOSE OF REQUIREMENTS.*—*The requirements*
18 *developed pursuant to subsection (a) shall be used and up-*
19 *dated, as appropriate, for the purpose of informing applica-*
20 *ble acquisition programs and systems-of-systems architec-*
21 *ture planning that are funded through the Military Intel-*
22 *ligence Program, the National Intelligence Program, and*
23 *non-intelligence programs.*

24 (c) *SUPPORTING ACTIVITIES.*—*The Vice Chairman*
25 *shall also oversee the development of the enabling framework*

1 *for intelligence support for integrated air and missile de-*
2 *fense, including concepts for the integrated operation of*
3 *multiple systems, and, as appropriate, the development of*
4 *requirements for capabilities to be acquired to achieve such*
5 *integrated operations.*

6 (d) *SENSE OF CONGRESS.—It is the sense of Congress*
7 *that new acquisition programs for applicable major systems*
8 *or capabilities, or for upgrades to existing systems, should*
9 *not be undertaken until the applicable requirements de-*
10 *scribed in subsections (a) and (c) have been developed and*
11 *incorporated into programmatic decision-making.*

12 **SEC. 1688. EXTENSION OF REQUIREMENT FOR COMP-**
13 **TROLLER GENERAL OF THE UNITED STATES**
14 **REVIEW AND ASSESSMENT OF MISSILE DE-**
15 **FENSE ACQUISITION PROGRAMS.**

16 Section 232(a) of the National Defense Authorization
17 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
18 1339) is amended—

19 (1) in paragraph (1), by striking “through
20 2015” and inserting “through 2020”; and

21 (2) in paragraph (2), in the first sentence, by
22 striking “through 2016” and inserting “through
23 2021”.

1 **SEC. 1689. REPORT ON MEDIUM RANGE BALLISTIC MISSILE**
2 **DEFENSE SENSOR ALTERNATIVES FOR EN-**
3 **HANCED DEFENSE OF HAWAII.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
5 *that—*

6 (1) *expanding persistent midcourse and terminal*
7 *ballistic missile defense system discrimination capa-*
8 *bility is critically important to the defense of the*
9 *United States;*

10 (2) *such discrimination capability is needed to*
11 *respond to emerging ballistic missile threats involving*
12 *countermeasures and decoys; and*

13 (3) *the Department of Defense should take all*
14 *appropriate steps to ensure Hawaii has adequate mis-*
15 *sile defense coverage.*

16 (b) *EVALUATION AND REPORT.*—

17 (1) *EVALUATION.*—*The Director of the Missile*
18 *Defense Agency shall conduct an evaluation of poten-*
19 *tial options for fielding a medium range ballistic mis-*
20 *sile defense sensor for the defense of Hawaii, includ-*
21 *ing—*

22 (A) *the use of the Aegis Ashore Missile De-*
23 *fense Test Complex land-based system at the Pa-*
24 *cific Missile Range Facility in Hawaii;*

25 (B) *the use of existing sensor assets in the*
26 *region; and*

1 (C) other options the Director determines
2 appropriate.

3 (2) *SUBMISSION OF REPORT.*—Not later than 90
4 days after the date of the enactment of this Act, the
5 Director shall submit to the congressional defense
6 committees a report on the options for augmenting
7 the missile defense of Hawaii, including—

8 (A) a summary of the findings and rec-
9 ommendations of the evaluation conducted under
10 paragraph (1);

11 (B) estimated acquisition and operating
12 costs for each sensor option; and

13 (C) estimated timelines for the deployment
14 of each sensor option.

15 **SEC. 1690. SENSE OF CONGRESS AND REPORT ON VALLI-**
16 **DATED MILITARY REQUIREMENT AND MILE-**
17 **STONE A DECISION ON PROMPT GLOBAL**
18 **STRIKE WEAPON SYSTEM.**

19 (a) *SENSE OF CONGRESS.*—It is the sense of the Con-
20 gress that the United States must continue to develop the
21 conventional prompt global strike capability to strike high-
22 value, time-sensitive, and defended targets from ranges out-
23 side of current conventional technology while addressing
24 and preventing any risk of ambiguity.

1 (b) *REPORT.*—Not later than September 30, 2020, the
 2 Secretary of Defense shall submit to the congressional de-
 3 fense committees a report regarding the outcome of the mili-
 4 tary requirements process and Milestone A decision for at
 5 least one conventional prompt global strike weapons system.

6 **DIVISION B—MILITARY CON-**
 7 **STRUCTION AUTHORIZA-**
 8 **TIONS**

9 **SEC. 2001. SHORT TITLE.**

10 *This division may be cited as the “Military Construc-*
 11 *tion Authorization Act for Fiscal Year 2016”.*

12 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
 13 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
 14 **LAW.**

15 (a) *EXPIRATION OF AUTHORIZATIONS AFTER THREE*
 16 *YEARS.*—*Except as provided in subsection (b), all author-*
 17 *izations contained in titles XXI through XXVII for military*
 18 *construction projects, land acquisition, family housing*
 19 *projects and facilities, and contributions to the North At-*
 20 *lantic Treaty Organization Security Investment Program*
 21 *(and authorizations of appropriations therefor) shall expire*
 22 *on the later of—*

23 (1) *October 1, 2018; or*

1 (2) *the date of the enactment of an Act author-*
 2 *izing funds for military construction for fiscal year*
 3 *2019.*

4 (b) *EXCEPTION.—Subsection (a) shall not apply to au-*
 5 *thorizations for military construction projects, land acqui-*
 6 *sition, family housing projects and facilities, and contribu-*
 7 *tions to the North Atlantic Treaty Organization Security*
 8 *Investment Program (and authorizations of appropriations*
 9 *therefor), for which appropriated funds have been obligated*
 10 *before the later of—*

11 (1) *October 1, 2018; or*

12 (2) *the date of the enactment of an Act author-*
 13 *izing funds for fiscal year 2019 for military construc-*
 14 *tion projects, land acquisition, family housing*
 15 *projects and facilities, or contributions to the North*
 16 *Atlantic Treaty Organization Security Investment*
 17 *Program.*

18 **SEC. 2003. EFFECTIVE DATE.**

19 *Titles XXI through XXVII shall take effect on the later*
 20 *of—*

21 (1) *October 1, 2015; or*

22 (2) *the date of the enactment of this Act.*

23 **TITLE XXI—ARMY MILITARY**
 24 **CONSTRUCTION**

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

- Sec. 2104. Authorization of appropriations, Army.*
- Sec. 2105. Modification of authority to carry out certain fiscal year 2013 project.*
- Sec. 2106. Extension of authorizations of certain fiscal year 2012 projects.*
- Sec. 2107. Extension of authorizations of certain fiscal year 2013 projects.*
- Sec. 2108. Additional authority to carry out certain fiscal year 2016 project.*

1 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 2 **ACQUISITION PROJECTS.**

3 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 4 propriated pursuant to the authorization of appropriations
 5 in section 2104(a) and available for military construction
 6 projects inside the United States as specified in the funding
 7 table in section 4601, the Secretary of the Army may ac-
 8 quire real property and carry out military construction
 9 projects for the installations or locations inside the United
 10 States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
<i>Alaska</i>	<i>Fort Greely</i>	\$7,800,000
<i>California</i>	<i>Concord</i>	\$98,000,000
<i>Colorado</i>	<i>Fort Carson</i>	\$5,800,000
<i>Georgia</i>	<i>Fort Gordon</i>	\$90,000,000
<i>Maryland</i>	<i>Fort Meade</i>	\$34,500,000
<i>New York</i>	<i>Fort Drum</i>	\$19,000,000
	<i>United States Military Academy</i>	\$70,000,000
<i>Oklahoma</i>	<i>Fort Sill</i>	\$69,400,000
<i>Texas</i>	<i>Corpus Christi</i>	\$85,000,000
<i>Virginia</i>	<i>Arlington National Cemetery</i>	\$30,000,000
	<i>Fort Lee</i>	\$33,000,000

11 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 12 appropriated pursuant to the authorization of appropria-
 13 tions in section 2104(a) and available for military con-
 14 struction projects outside the United States as specified in
 15 the funding table in section 4601, the Secretary of the Army
 16 may acquire real property and carry out the military con-

1 *struction project for the installation or location outside the*
 2 *United States, and in the amount, set forth in the following*
 3 *table:*

Army: Outside the United States

Country	Installation or Location	Amount
<i>Germany</i>	<i>Grafenwoehr</i>	<i>\$51,000,000</i>

4 **SEC. 2102. FAMILY HOUSING.**

5 (a) *CONSTRUCTION AND ACQUISITION.—Using*
 6 *amounts appropriated pursuant to the authorization of ap-*
 7 *propriations in section 2104(a) and available for military*
 8 *family housing functions as specified in the funding table*
 9 *in section 4601, the Secretary of the Army may construct*
 10 *or acquire family housing units (including land acquisition*
 11 *and supporting facilities) at the installations or locations,*
 12 *in the number of units, and in the amounts set forth in*
 13 *the following table:*

Army: Family Housing

State/Coun- try	Installation or Location	Units	Amount
<i>Florida</i>	<i>Camp Rudder</i>	<i>Family Housing New Construction</i>	<i>\$8,000,000</i>
<i>Illinois</i>	<i>Rock Island</i>	<i>Family Housing New Construction</i>	<i>\$29,000,000</i>
<i>Korea</i>	<i>Camp Walker</i>	<i>Family Housing New Construction</i>	<i>\$61,000,000</i>

14 (b) *PLANNING AND DESIGN.—Using amounts appro-*
 15 *priated pursuant to the authorization of appropriations in*
 16 *section 2104(a) and available for military family housing*
 17 *functions as specified in the funding table in section 4601,*
 18 *the Secretary of the Army may carry out architectural and*

1 *engineering services and construction design activities with*
2 *respect to the construction or improvement of family hous-*
3 *ing units in an amount not to exceed \$7,195,000.*

4 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
5 **UNITS.**

6 *Subject to section 2825 of title 10, United States Code,*
7 *and using amounts appropriated pursuant to the author-*
8 *ization of appropriations in section 2104(a) and available*
9 *for military family housing functions as specified in the*
10 *funding table in section 4601, the Secretary of the Army*
11 *may improve existing military family housing units in an*
12 *amount not to exceed \$3,500,000.*

13 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

14 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
15 *hereby authorized to be appropriated for fiscal years begin-*
16 *ning after September 30, 2015, for military construction,*
17 *land acquisition, and military family housing functions of*
18 *the Department of the Army as specified in the funding*
19 *table in section 4601.*

20 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
21 *PROJECTS.—Notwithstanding the cost variations author-*
22 *ized by section 2853 of title 10, United States Code, and*
23 *any other cost variation authorized by law, the total cost*
24 *of all projects carried out under section 2101 of this Act*
25 *may not exceed the total amount authorized to be appro-*

1 *priated under subsection (a), as specified in the funding*
2 *table in section 4601.*

3 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
4 **CERTAIN FISCAL YEAR 2013 PROJECT.**

5 *In the case of the authorization contained in the table*
6 *in section 2101(a) of the Military Construction Authoriza-*
7 *tion Act for Fiscal Year 2013 (division B of Public Law*
8 *112–239; 126 Stat. 2119) for the United States Military*
9 *Academy, New York, for construction of a Cadet barracks*
10 *building at the installation, the Secretary of the Army may*
11 *install mechanical equipment and distribution lines suffi-*
12 *cient to provide chilled water for air conditioning the nine*
13 *existing historical Cadet barracks which are being ren-*
14 *ovated through the Cadet Barracks Upgrade Program.*

15 **SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
16 **FISCAL YEAR 2012 PROJECTS.**

17 *(a) EXTENSION.—Notwithstanding section 2002 of the*
18 *Military Construction Authorization Act for Fiscal Year*
19 *2012 (division B of Public Law 112–81; 125 Stat. 1660),*
20 *the authorizations set forth in the table in subsection (b),*
21 *as provided in section 2101 of that Act (125 Stat. 1661)*
22 *and extended by section 2107 of the Military Construction*
23 *Authorization Act for Fiscal Year 2015 (division B of Pub-*
24 *lic Law 113–291; 128 Stat. 3673), shall remain in effect*
25 *until October 1, 2016, or the date of the enactment of an*

1 *Act authorizing funds for military construction for fiscal*
 2 *year 2017, whichever is later.*

3 (b) *TABLE.—The table referred to in subsection (a) is*
 4 *as follows:*

Army: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
<i>Georgia</i>	<i>Fort Benning</i>	<i>Land Acquisition</i>	\$5,100,000
	<i>Fort Benning</i>	<i>Land Acquisition</i>	\$25,000,000
<i>Virginia</i>	<i>Fort Belvoir</i>	<i>Road and Infrastructure Improvements</i>	\$25,000,000

5 **SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 6 **FISCAL YEAR 2013 PROJECTS.**

7 (a) *EXTENSION.—Notwithstanding section 2002 of the*
 8 *Military Construction Authorization Act for Fiscal Year*
 9 *2013 (division B of Public Law 112–239; 126 Stat. 2118),*
 10 *the authorizations set forth in the table in subsection (b),*
 11 *as provided in section 2101 of that Act (126 Stat. 2119)*
 12 *shall remain in effect until October 1, 2016, or the date*
 13 *of the enactment of an Act authorizing funds for military*
 14 *construction for fiscal year 2017, whichever is later.*

15 (b) *TABLE.—The table referred to in subsection (a) is*
 16 *as follows:*

Army: Extension of 2013 Project Authorizations

State or Country	Installation or Location	Project	Amount
<i>District of Columbia</i>	<i>Fort McNair</i>	<i>Vehicle Storage Building, Installation</i>	\$7,191,000
<i>Kansas</i>	<i>Fort Riley</i>	<i>Unmanned Aerial Vehicle Complex</i>	\$12,184,000
<i>North Carolina</i>	<i>Fort Bragg</i>	<i>Aerial Gunnery Range</i>	\$41,945,000
<i>Texas</i>	<i>Joint Base San Antonio</i>	<i>Barracks</i>	\$20,971,000

Army: Extension of 2013 Project Authorizations—Continued

State or Country	Installation or Location	Project	Amount
Virginia	Fort Belvoir	Secure Admin/Operations Facility	\$93,876,000
Italy	Camp Ederle	Barracks	\$35,952,000
Japan	Sagami	Vehicle Maintenance Shop	\$17,976,000

1 **SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
2 **TAIN FISCAL YEAR 2016 PROJECT.**

3 (a) *PROJECT AUTHORIZATION.*—*The Secretary of the*
4 *Army may carry out a military construction project to con-*
5 *struct a vehicle bridge and traffic circle to facilitate traffic*
6 *flow to and from the Medical Center at Rhine Ordnance*
7 *Barracks, Germany, in the amount of \$12,400,000.*

8 (b) *USE OF HOST-NATION PAYMENT-IN-KIND*
9 *FUNDS.*—*The Secretary may use available host-nation pay-*
10 *ment-in-kind funding for the project described in subsection*
11 *(a).*

12 **TITLE XXII—NAVY MILITARY**
13 **CONSTRUCTION**

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2206. Extension of authorizations of certain fiscal year 2013 projects.

14 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
15 **ACQUISITION PROJECTS.**

16 (a) *INSIDE THE UNITED STATES.*—*Using amounts ap-*
17 *propriated pursuant to the authorization of appropriations*
18 *in section 2204(a) and available for military construction*

1 projects inside the United States as specified in the funding
 2 table in section 4601, the Secretary of the Navy may ac-
 3 quire real property and carry out military construction
 4 projects for the installations or locations inside the United
 5 States, and in the amounts, set forth in the following table:

Navy: Inside the United States

Country	Installation or Location	Amount
Arizona	Yuma	\$50,635,000
California	Camp Pendleton	\$44,540,000
	Coronado	\$4,856,000
	Lemoore	\$71,830,000
	Miramar	\$11,200,000
	Point Mugu	\$22,427,000
	San Diego	\$37,366,000
	Twentynine Palms	\$9,160,000
Florida	Jacksonville	\$16,751,000
	Mayport	\$16,159,000
	Pensacola	\$18,347,000
	Whiting Field	\$10,421,000
Georgia	Albany	\$7,851,000
	Kings Bay	\$8,099,000
	Townsend	\$43,279,000
Guam	Joint Region Marianas	\$181,768,000
Hawaii	Barking Sands	\$30,623,000
	Joint Base Pearl Harbor-Hickam	\$14,881,000
	Kaneohe Bay	\$106,618,000
	Marine Corps Base Hawaii	\$12,800,000
Maryland	Patuxent River	\$40,935,000
North Carolina	Camp Lejeune	\$54,849,000
	Cherry Point	\$57,726,000
	New River	\$8,230,000
South Carolina	Parris Island	\$27,075,000
Virginia	Dam Neck	\$23,066,000
	Norfolk	\$126,677,000
	Portsmouth	\$45,513,000
	Quantico	\$58,199,000
Washington	Bangor	\$34,177,000
	Bremerton	\$22,680,000
	Indian Island	\$4,472,000

6 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 7 appropriated pursuant to the authorization of appropria-
 8 tions in section 2204(a) and available for military con-
 9 struction projects outside the United States as specified in
 10 the funding table in section 4601, the Secretary of the Navy
 11 may acquire real property and carry out military construc-

1 tion projects for the installations or locations outside the
 2 United States, and in the amounts, set forth in the following
 3 table:

Navy: Outside the United States

Country	Installation or Location	Amount
<i>Bahrain Island</i>	<i>Southwest Asia</i>	\$89,791,000
<i>Italy</i>	<i>Sigonella</i>	\$102,943,000
<i>Japan</i>	<i>Camp Butler</i>	\$11,697,000
	<i>Iwakuni</i>	\$17,923,000
	<i>Kadena Air Base</i>	\$23,310,000
	<i>Yokosuka</i>	\$13,846,000
<i>Poland</i>	<i>RedziKowo Base</i>	\$51,270,000

4 **SEC. 2202. FAMILY HOUSING.**

5 (a) **CONSTRUCTION AND ACQUISITION.**—Using
 6 amounts appropriated pursuant to the authorization of ap-
 7 propriations in section 2204(a) and available for military
 8 family housing functions as specified in the funding table
 9 in section 4601, the Secretary of the Navy may construct
 10 or acquire family housing units (including land acquisition
 11 and supporting facilities) at the installation or location,
 12 in the number of units, and in the amounts set forth in
 13 the following table:

Navy: Family Housing

State	Installation or Location	Units	Amount
<i>Virginia</i>	<i>Wallops Island</i>	<i>Family Housing New Construction</i>	\$438,000

14 (b) **PLANNING AND DESIGN.**—Using amounts appro-
 15 priated pursuant to the authorization of appropriations in
 16 section 2204(a) and available for military family housing
 17 functions as specified in the funding table in section 4601,
 18 the Secretary of the Navy may carry out architectural and

1 *engineering services and construction design activities with*
2 *respect to the construction or improvement of family hous-*
3 *ing units in an amount not to exceed \$4,588,000.*

4 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
5 **UNITS.**

6 *Subject to section 2825 of title 10, United States Code,*
7 *and using amounts appropriated pursuant to the author-*
8 *ization of appropriations in section 2204(a) and available*
9 *for military family housing functions as specified in the*
10 *funding table in section 4601, the Secretary of the Navy*
11 *may improve existing military family housing units in an*
12 *amount not to exceed \$11,515,000.*

13 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

14 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
15 *hereby authorized to be appropriated for fiscal years begin-*
16 *ning after September 30, 2015, for military construction,*
17 *land acquisition, and military family housing functions of*
18 *the Department of the Navy, as specified in the funding*
19 *table in section 4601.*

20 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
21 *PROJECTS.—Notwithstanding the cost variations author-*
22 *ized by section 2853 of title 10, United States Code, and*
23 *any other cost variation authorized by law, the total cost*
24 *of all projects carried out under section 2201 of this Act*
25 *may not exceed the total amount authorized to be appro-*

1 *priated under subsection (a), as specified in the funding*
 2 *table in section 4601.*

3 **SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 4 **FISCAL YEAR 2012 PROJECTS.**

5 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*
 6 *Military Construction Authorization Act for Fiscal Year*
 7 *2012 (division B of Public Law 112–81; 125 Stat. 1660),*
 8 *the authorizations set forth in the table in subsection (b),*
 9 *as provided in section 2201 of that Act (125 Stat. 1666)*
 10 *and extended by section 2208 of the Military Construction*
 11 *Authorization Act for Fiscal Year 2015 (division B of Pub-*
 12 *lic Law 113–291; 128 Stat. 3678), shall remain in effect*
 13 *until October 1, 2016, or the date of the enactment of an*
 14 *Act authorizing funds for military construction for fiscal*
 15 *year 2017, whichever is later.*

16 (b) *TABLE.*—*The table referred to in subsection (a) is*
 17 *as follows:*

Navy: Extension of 2012 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>California</i>	<i>Camp Pendleton</i>	<i>Infantry Squad De-</i> <i>fense Range</i>	<i>\$29,187,000</i>
<i>Florida</i>	<i>Jacksonville</i>	<i>P–8A Hangar Up-</i> <i>grades</i>	<i>\$6,085,000</i>
<i>Georgia</i>	<i>Kings Bay</i>	<i>Crab Island Security</i> <i>Enclave</i>	<i>\$52,913,000</i>

18 **SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 19 **FISCAL YEAR 2013 PROJECTS.**

20 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*
 21 *Military Construction Authorization Act for Fiscal Year*

1 2013 (division B of Public Law 112–239; 126 Stat. 2118),
 2 the authorizations set forth in the table in subsection (b),
 3 as provided in section 2201 of that Act (126 Stat. 2122),
 4 shall remain in effect until October 1, 2016, or the date
 5 of the enactment of an Act authorizing funds for military
 6 construction for fiscal year 2017, whichever is later.

7 (b) TABLE.—The table referred to in subsection (a) is
 8 as follows:

Navy: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendleton	Comm. Information Systems Ops Complex	\$78,897,000
	Coronado	Bachelor Quarters	\$76,063,000
	Twentynine Palms ...	Land Expansion Phase 2	\$47,270,000
Greece	Souda Bay	Intermodal Access Road	\$4,630,000
South Carolina	Beaufort	Recycling/Hazardous Waste Facility	\$3,743,000
Virginia	Quantico	Infrastructure—Widen Russell Road	\$14,826,000
Worldwide Unspecified	Various Worldwide Locations	BAMS Operational Facilities	\$34,048,000

9 **TITLE XXIII—AIR FORCE**
 10 **MILITARY CONSTRUCTION**

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.

Sec. 2304. Authorization of appropriations, Air Force.

Sec. 2305. Modification of authority to carry out certain fiscal year 2010 project.

Sec. 2306. Modification of authority to carry out certain fiscal year 2014 project.

Sec. 2307. Modification of authority to carry out certain fiscal year 2015 project.

Sec. 2308. Extension of authorization of certain fiscal year 2012 project.

Sec. 2309. Extension of authorization of certain fiscal year 2013 project.

Sec. 2310. Certification of optimal location for Joint Intelligence Analysis Complex and plan for rotation of forces at Lajes Field, Azores.

1 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 2 **LAND ACQUISITION PROJECTS.**

3 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 4 propriated pursuant to the authorization of appropriations
 5 in section 2304(a) and available for military construction
 6 projects inside the United States as specified in the funding
 7 table in section 4601, the Secretary of the Air Force may
 8 acquire real property and carry out military construction
 9 projects for the installations or locations inside the United
 10 States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
<i>Alaska</i>	<i>Eielson Air Force Base</i>	\$71,400,000
<i>Arizona</i>	<i>Davis-Monthan Air Force Base</i>	\$16,900,000
	<i>Luke Air Force Base</i>	\$77,700,000
<i>Colorado</i>	<i>Air Force Academy</i>	\$10,000,000
<i>Florida</i>	<i>Cape Canaveral Air Force Station</i>	\$21,000,000
	<i>Eglin Air Force Base</i>	\$8,700,000
	<i>Hurlburt Field</i>	\$14,200,000
<i>Guam</i>	<i>Joint Region Marianas</i>	\$50,800,000
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	\$46,000,000
<i>Kansas</i>	<i>McConnell Air Force Base</i>	\$4,300,000
<i>Missouri</i>	<i>Whiteman Air Force Base</i>	\$29,500,000
<i>Montana</i>	<i>Malstrom Air Force Base</i>	\$19,700,000
<i>Nebraska</i>	<i>Offutt Air Force Base</i>	\$21,000,000
<i>Nevada</i>	<i>Nellis Air Force Base</i>	\$68,950,000
<i>New Mexico</i>	<i>Cannon Air Force Base</i>	\$7,800,000
	<i>Holloman Air Force Base</i>	\$3,000,000
	<i>Kirtland Air Force Base</i>	\$12,800,000
<i>North Carolina</i>	<i>Seymour Johnson Air Force Base</i>	\$17,100,000
<i>Oklahoma</i>	<i>Altus Air Force Base</i>	\$28,400,000
	<i>Tinker Air Force Base</i>	\$49,900,000
<i>South Dakota</i>	<i>Ellsworth Air Force Base</i>	\$23,000,000
<i>Texas</i>	<i>Joint Base San Antonio</i>	\$106,000,000
<i>Utah</i>	<i>Hill Air Force Base</i>	\$38,400,000
<i>Wyoming</i>	<i>F.E. Warren Air Force Base</i>	\$95,000,000
<i>CONUS Classified</i>	<i>Classified Location</i>	\$77,130,000

11 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 12 appropriated pursuant to the authorization of appropri-
 13 ations in section 2304(a) and available for military con-
 14 struction projects outside the United States as specified in

1 *the funding table in section 4601, the Secretary of the Air*
 2 *Force may acquire real property and carry out the military*
 3 *construction projects for the installations or locations out-*
 4 *side the United States, and in the amounts, set forth in*
 5 *the following table:*

Air Force: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Greenland</i>	<i>Thule Air Base</i>	<i>\$41,965,000</i>
<i>Japan</i>	<i>Kadena Air Base</i>	<i>\$3,000,000</i>
	<i>Yokota Air Base</i>	<i>\$8,461,000</i>
<i>Niger</i>	<i>Agadez</i>	<i>\$50,000,000</i>
<i>Oman</i>	<i>Al Musannah Air Base</i>	<i>\$25,000,000</i>
<i>United Kingdom</i>	<i>Croughton Royal Air Force</i>	<i>\$130,615,000</i>

6 ***SEC. 2302. FAMILY HOUSING.***

7 *Using amounts appropriated pursuant to the author-*
 8 *ization of appropriations in section 2304(a) and available*
 9 *for military family housing functions as specified in the*
 10 *funding table in section 4601, the Secretary of the Air Force*
 11 *may carry out architectural and engineering services and*
 12 *construction design activities with respect to the construc-*
 13 *tion or improvement of family housing units in an amount*
 14 *not to exceed \$9,849,000.*

15 ***SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING***
 16 ***UNITS.***

17 *Subject to section 2825 of title 10, United States Code,*
 18 *and using amounts appropriated pursuant to the author-*
 19 *ization of appropriations in section 2304(a) and available*
 20 *for military family housing functions as specified in the*
 21 *funding table in section 4601, the Secretary of the Air Force*

1 *may improve existing military family housing units in an*
2 *amount not to exceed \$150,649,000.*

3 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
4 **FORCE.**

5 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
6 *hereby authorized to be appropriated for fiscal years begin-*
7 *ning after September 30, 2015, for military construction,*
8 *land acquisition, and military family housing functions of*
9 *the Department of the Air Force, as specified in the funding*
10 *table in section 4601.*

11 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
12 *PROJECTS.—Notwithstanding the cost variations author-*
13 *ized by section 2853 of title 10, United States Code, and*
14 *any other cost variation authorized by law, the total cost*
15 *of all projects carried out under section 2301 of this Act*
16 *may not exceed the sum of the following:*

17 *(1) The total amount authorized to be appro-*
18 *priated under subsection (a), as specified in the fund-*
19 *ing table in section 4601.*

20 *(2) \$21,000,000 (the balance of the amount au-*
21 *thorized under section 2301(a) of the Military Con-*
22 *struction Act for Fiscal Year 2014 (division B of*
23 *Public Law 113–66; 127 Stat. 992) for the*
24 *CYBERCOM Joint Operations Center at Fort Meade,*
25 *Maryland).*

1 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2010 PROJECT.**

3 *In the case of the authorization contained in the table*
4 *in section 2301(a) of the Military Construction Authoriza-*
5 *tion Act for Fiscal Year 2010 (division B of Public Law*
6 *111–84; 123 Stat. 2636), for Hickam Air Force Base, Ha-*
7 *waii, for construction of a ground control tower at the in-*
8 *stallation, the Secretary of the Air Force may install com-*
9 *munications cabling.*

10 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
11 **CERTAIN FISCAL YEAR 2014 PROJECT.**

12 *(a) AUTHORIZATION.—In the case of the authorization*
13 *contained in the table in section 2301(b) of the Military*
14 *Construction Authorization Act for Fiscal Year 2014 (divi-*
15 *sion B of Public Law 113–66; 127 Stat. 993) for Royal*
16 *Air Force Lakenheath, United Kingdom, for construction*
17 *of a Guardian Angel Operations Facility at the installa-*
18 *tion, the Secretary of the Air Force may construct the facil-*
19 *ity at an unspecified location within the United States Eu-*
20 *ropean Command’s area of responsibility.*

21 *(b) NOTICE AND WAIT REQUIREMENT.—Before the*
22 *Secretary of the Air Force commences construction of the*
23 *Guardian Angel Operations Facility at an alternative loca-*
24 *tion, as authorized by subsection (a)—*

25 *(1) the Secretary shall submit to the congres-*
26 *sional defense committees a report containing a de-*

1 *scription of the project, including the rationale for se-*
2 *lection of the project location; and*

3 *(2) a period of 14 days has expired following the*
4 *date on which the report is received by the committees*
5 *or, if over sooner, a period of 7 days has expired fol-*
6 *lowing the date on which a copy of the report is pro-*
7 *vided in an electronic medium pursuant to section*
8 *480 of title 10, United States Code.*

9 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2015 PROJECT.**

11 *In the case of the authorization contained in the table*
12 *in section 2301(a) of the Military Construction Authoriza-*
13 *tion Act for Fiscal Year 2015 (division B of Public Law*
14 *113–291; 128 Stat. 3679) for McConnell Air Force Base,*
15 *Kansas, for construction of a KC–46A Alter Composite*
16 *Maintenance Shop at the installation, the Secretary of the*
17 *Air Force may construct a 696 square meter (7,500 square*
18 *foot) facility consistent with Air Force guidelines for com-*
19 *posite maintenance shops.*

20 **SEC. 2308. EXTENSION OF AUTHORIZATION OF CERTAIN**
21 **FISCAL YEAR 2012 PROJECT.**

22 *(a) EXTENSION.—Notwithstanding section 2002 of the*
23 *Military Construction Authorization Act for Fiscal Year*
24 *2012 (division B of Public Law 112–81; 125 Stat. 1660),*
25 *the authorization set forth in the table in subsection (b),*

1 *as provided in section 2301 of that Act (125 Stat. 1670)*
 2 *and extended by section 2305 of the Military Construction*
 3 *Authorization Act for Fiscal Year 2015 (division B of Pub-*
 4 *lic Law 113–291; 128 Stat. 3680), shall remain in effect*
 5 *until October 1, 2016, or the date of the enactment of an*
 6 *Act authorizing funds for military construction for fiscal*
 7 *year 2017, whichever is later.*

8 (b) *TABLE.—The table referred to in subsection (a) is*
 9 *as follows:*

Air Force: Extension of 2012 Project Authorization

<i>Country</i>	<i>Installation</i>	<i>Project</i>	<i>Amount</i>
<i>Italy</i>	<i>Sigonella Naval Air Station</i>	<i>UAS SATCOM Relay Pads and Facility</i>	<i>\$15,000,000</i>

10 ***SEC. 2309. EXTENSION OF AUTHORIZATION OF CERTAIN***
 11 ***FISCAL YEAR 2013 PROJECT.***

12 (a) *EXTENSION.—Notwithstanding section 2002 of the*
 13 *Military Construction Authorization Act for Fiscal Year*
 14 *2013 (division B of Public Law 112–239; 126 Stat. 2118),*
 15 *the authorization set forth in the table in subsection (b),*
 16 *as provided in section 2301 of that Act (126 Stat. 2126),*
 17 *shall remain in effect until October 1, 2016, or the date*
 18 *of the enactment of an Act authorizing funds for military*
 19 *construction for fiscal year 2017, whichever is later.*

20 (b) *TABLE.—The table referred to in subsection (a) is*
 21 *as follows:*

Air Force: Extension of 2013 Project Authorization

Country	Installation or Location	Project	Amount
<i>Portugal</i>	<i>Lajes Field</i>	<i>Sanitary Sewer Lift/ Pump Station</i>	<i>\$2,000,000</i>

1 **SEC. 2310. CERTIFICATION OF OPTIMAL LOCATION FOR**
2 **JOINT INTELLIGENCE ANALYSIS COMPLEX**
3 **AND PLAN FOR ROTATION OF FORCES AT**
4 **LAJES FIELD, AZORES.**

5 (a) *JOINT INTELLIGENCE ANALYSIS COMPLEX CER-*
6 *TIFICATION.*—No amounts may be expended for the con-
7 *struction of the Joint Intelligence Analysis Complex Con-*
8 *solidation, Phase 2, at Royal Air Force Croughton, United*
9 *Kingdom, as authorized by section 2301(b), until the Sec-*
10 *retary of Defense certifies to the congressional defense com-*
11 *mittees that the Secretary has determined, based on an*
12 *analysis of United States operational requirements, that*
13 *Royal Air Force Croughton, United Kingdom, remains the*
14 *optimal location for recapitalization of the Joint Intel-*
15 *ligence Analysis Complex. The certification shall include an*
16 *explanation of the basis for the certification.*

17 (b) *LAJES FIELD UTILIZATION.*—

18 (1) *DETERMINATION.*—Not later than March 1,
19 2016, the Secretary of Defense shall submit to the con-
20 gressional defense committees a determination of the
21 operational viability of the use of Lajes Field, Azores,
22 for—

1 (A) *Department of Defense intelligence func-*
2 *tions; or*

3 (B) *the rotational presence of—*

4 (i) *fighter aircraft for air-to-air train-*
5 *ing; or*

6 (ii) *naval forces.*

7 (2) *BASIS OF DETERMINATION.—The submission*
8 *to the congressional defense committees under para-*
9 *graph (1) shall include an explanation of the basis for*
10 *the determination.*

11 (3) *PLAN.—If the Secretary of Defense deter-*
12 *mines that Lajes Field is a viable option for one or*
13 *more of the uses specified in paragraph (1), the Sec-*
14 *retary shall submit to the congressional defense com-*
15 *mittees, not later than April 1, 2016, a plan for such*
16 *uses that includes the following:*

17 (A) *The types and number of naval forces*
18 *or air-to-air training fighter aircraft considered*
19 *for rotational assignment at Lajes Field or a de-*
20 *scription of the Department of Defense intel-*
21 *ligence functions to be assigned, as applicable.*

22 (B) *The duration and frequency of such as-*
23 *signment.*

24 (C) *Any additional infrastructure invest-*
25 *ment required to support such assignment.*

1 (D) *The impact to permanent manpower*
 2 *levels necessary to support such assignment.*

3 **TITLE XXIV—DEFENSE AGEN-**
 4 **CIES MILITARY CONSTRUC-**
 5 **TION**

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Authorized energy conservation projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

Sec. 2404. Modification of authority to carry out certain fiscal year 2012 project.

Sec. 2405. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2406. Extension of authorizations of certain fiscal year 2013 projects.

Sec. 2407. Modification and extension of authority to carry out certain fiscal year 2014 project.

Sec. 2408. Modification of authority to carry out certain fiscal year 2015 project.

6 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 7 **TION AND LAND ACQUISITION PROJECTS.**

8 (a) *INSIDE THE UNITED STATES.—Using amounts ap-*
 9 *propriated pursuant to the authorization of appropriations*
 10 *in section 2403(a) and available for military construction*
 11 *projects inside the United States as specified in the funding*
 12 *table in section 4601, the Secretary of Defense may acquire*
 13 *real property and carry out military construction projects*
 14 *for the installations or locations inside the United States,*
 15 *and in the amounts, set forth in the following table:*

Defense Agencies: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Fort Rucker</i>	<i>\$46,787,000</i>
	<i>Maxwell Air Force Base</i>	<i>\$32,968,000</i>
<i>Arizona</i>	<i>Fort Huachuca</i>	<i>\$3,884,000</i>
	<i>California</i>	<i>Camp Pendleton</i>
<i>Coronado</i>		<i>\$47,218,000</i>
<i>Fresno Yosemite IAP ANG</i>		<i>\$10,700,000</i>
<i>Colorado</i>	<i>Fort Carson</i>	<i>\$8,243,000</i>
<i>CONUS Classified</i>	<i>Classified Location</i>	<i>\$20,065,000</i>
<i>Delaware</i>	<i>Dover Air Force Base</i>	<i>\$21,600,000</i>

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Florida	Hurlburt Field	\$17,989,000
	MacDill Air Force Base	\$39,142,000
Georgia	Moody Air Force Base	\$10,900,000
Hawaii	Kaneohe Bay	\$122,071,000
	Schofield Barracks	\$123,838,000
Kentucky	Fort Campbell	\$12,553,000
	Fort Knox	\$23,279,000
Maryland	Fort Meade	\$816,077,000
Nevada	Nellis Air Force Base	\$39,900,000
New Mexico	Cannon Air Force Base	\$45,111,000
New York	West Point	\$55,778,000
North Carolina	Camp Lejeune	\$69,006,000
	Fort Bragg	\$168,811,000
Ohio	Wright-Patterson Air Force Base	\$6,623,000
Oregon	Klamath Falls IAP	\$2,500,000
Pennsylvania	Philadelphia	\$49,700,000
South Carolina	Fort Jackson	\$26,157,000
Texas	Joint Base San Antonio	\$61,776,000
Virginia	Fort Belvoir	\$9,500,000
	Joint Base Langley-Eustis	\$28,000,000
	Joint Expeditionary Base Little Creek-Story ..	\$23,916,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a) and available for military con-
4 struction projects outside the United States as specified in
5 the funding table in section 4601, the Secretary of Defense
6 may acquire real property and carry out military construc-
7 tion projects for the installations or locations outside the
8 United States, and in the amounts, set forth in the fol-
9 lowing:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonier	\$43,700,000
Germany	Garmisch	\$14,676,000
	Grafenwoehr	\$38,138,000
	Spangdahlem Air Base	\$39,571,000
	Stuttgart-Patch Barracks	\$49,413,000
Japan	Kadena Air Base	\$37,485,000
Poland	RedziKowo Base	\$169,153,000
Spain	Rota	\$13,737,000

1 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION**
 2 **PROJECTS.**

3 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 4 propriated pursuant to the authorization of appropriations
 5 in section 2403(a) and available for energy conservation
 6 projects inside the United States as specified in the funding
 7 table in section 4601, the Secretary of Defense may carry
 8 out energy conservation projects under chapter 173 of title
 9 10, United States Code, for the installations or locations
 10 inside the United States, and in the amounts, set forth in
 11 the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
<i>American Samoa</i>	<i>Wake Island</i>	\$5,331,000
<i>California</i>	<i>Edwards Air Force Base</i>	\$4,550,000
	<i>Fort Hunter Liggett</i>	\$22,000,000
<i>Colorado</i>	<i>Schriever Air Force Base</i>	\$4,400,000
<i>District of Columbia</i> ..	<i>NSA Washington/Naval Research Lab</i>	\$10,990,000
<i>Guam</i>	<i>Naval Base Guam</i>	\$5,330,000
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	\$13,780,000
	<i>Marine Corps Recruiting Command Kaneohe Bay</i>	\$5,740,000
<i>Idaho</i>	<i>Mountain Home Air Force Base</i>	\$6,471,000
<i>Montana</i>	<i>Malmstrom Air Force Base</i>	\$4,260,000
<i>Virginia</i>	<i>Pentagon</i>	\$4,528,000
<i>Washington</i>	<i>Joint Base Lewis-McChord</i>	\$14,770,000
<i>Various locations</i>	<i>Various locations</i>	\$25,809,000

12 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in section 2403(a) and available for energy conserva-
 15 tion projects outside the United States as specified in the
 16 funding table in section 4601, the Secretary of Defense may
 17 carry out energy conservation projects under chapter 173
 18 of title 10, United States Code, for the installations or loca-

1 tions outside the United States, and in the amounts, set
2 forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
<i>Bahamas</i>	<i>Ascension Aux Airfield St. Helena</i>	<i>\$5,500,000</i>
<i>Japan</i>	<i>Yokoska</i>	<i>\$12,940,000</i>
<i>Various locations ..</i>	<i>Various locations</i>	<i>\$3,600,000</i>

3 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**
4 **AGENCIES.**

5 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
6 hereby authorized to be appropriated for fiscal years begin-
7 ning after September 30, 2015, for military construction,
8 land acquisition, and military family housing functions of
9 the Department of Defense (other than the military depart-
10 ments), as specified in the funding table in section 4601.

11 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
12 *PROJECTS.*—Notwithstanding the cost variations author-
13 ized by section 2853 of title 10, United States Code, and
14 any other cost variation authorized by law, the total cost
15 of all projects carried out under section 2401 of this Act
16 may not exceed the sum of the following:

17 (1) *The total amount authorized to be appro-*
18 *priated under subsection (a), as specified in the fund-*
19 *ing table in section 4601.*

20 (2) *\$747,435,000 (the balance of the amount au-*
21 *thorized under section 2401(a) of this Act for an oper-*
22 *ations facility at Fort Meade, Maryland).*

1 (3) \$441,134,000 (the balance of the amount au-
2 thorized under section 2401(b) of the Military Con-
3 struction Authorization Act for Fiscal Year 2012 (di-
4 vision B of Public Law 112–81; 125 Stat. 1673) for
5 a hospital at the Rhine Ordnance Barracks, Ger-
6 many).

7 (4) \$91,441,000 (the balance of the amount au-
8 thorized under section 2401(a) of the Military Con-
9 struction Authorization Act for Fiscal Year 2010 (di-
10 vision B of Public Law 111–84; 123 Stat. 2640) for
11 a hospital at Fort Bliss, Texas).

12 **SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT**
13 **CERTAIN FISCAL YEAR 2012 PROJECT.**

14 In the case of the authorization in the table in section
15 2401(a) of the Military Construction Authorization Act for
16 Fiscal Year 2012 (division B of Public Law 112–81; 125
17 Stat. 1672), as amended by section 2404(a) of the Military
18 Construction Authorization Act for Fiscal Year 2013 (divi-
19 sion B of Public Law 112–239; 126 Stat. 2131), for Fort
20 Meade, Maryland, for construction of the High Performance
21 Computing Center at the installation, the Secretary of De-
22 fense may construct a generator plant capable of producing
23 up to 60 megawatts of back-up electrical power in support
24 of the 60 megawatt technical load.

1 **SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2012 PROJECTS.**

3 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 4 *Military Construction Authorization Act for Fiscal Year*
 5 *2012 (division B of Public Law 112–81; 125 Stat. 1660),*
 6 *the authorization set forth in the table in subsection (b),*
 7 *as provided in section 2401 of that Act (125 Stat. 1672)*
 8 *and as amended by section 2405 of the Military Construc-*
 9 *tion Authorization Act for Fiscal Year 2015 (division B*
 10 *of Public Law 113–291; 128 Stat. 3685), shall remain in*
 11 *effect until October 1, 2016, or the date of the enactment*
 12 *of an Act authorizing funds for military construction for*
 13 *fiscal year 2017, whichever is later.*

14 (b) *TABLE.*—The table referred to in subsection (a) is
 15 as follows:

Defense Agencies: Extension of 2012 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>California</i>	<i>Naval Base Coronado ...</i>	<i>SOF Support Activity Operations Facility</i>	<i>\$38,800,000</i>
<i>Virginia</i>	<i>Pentagon Reservation ...</i>	<i>Helicopter Control Tower and Fire Station</i>	<i>\$6,457,000</i>
		<i>Pedestrian Plaza</i>	<i>\$2,285,000</i>

16 **SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 17 **FISCAL YEAR 2013 PROJECTS.**

18 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 19 *Military Construction Authorization Act for Fiscal Year*
 20 *2013 (division B of Public Law 112–239; 126 Stat. 2118),*
 21 *the authorizations set forth in the table in subsection (b),*

1 as provided in section 2401 of that Act (126 Stat. 2127),
 2 shall remain in effect until October 1, 2016, or the date
 3 of the enactment of an Act authorizing funds for military
 4 construction for fiscal year 2017, whichever is later.

5 (b) *TABLE.*—The table referred to in subsection (a) is
 6 as follows:

Defense Agencies: Extension of 2013 Project Authorizations

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>California</i>	<i>Naval Base Coronado</i> ..	<i>SOF Mobile Communications Detachment Support Facility</i>	\$9,327,000
<i>Colorado</i>	<i>Pikes Peak</i>	<i>High Altitude Medical Research Center</i>	\$3,600,000
<i>Germany</i>	<i>Ramstein AB</i>	<i>Replace Vogelweh Elementary School</i>	\$61,415,000
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	<i>SOF SDVT-1 Waterfront Operations Facility</i> ...	\$22,384,000
<i>Japan</i>	<i>CFAS Sasebo</i>	<i>Replace Sasebo Elementary School</i>	\$35,733,000
	<i>Camp Zama</i>	<i>Renovate Zama High School</i>	\$13,273,000
<i>Pennsylvania</i> ...	<i>DEF Distribution Depot New Cumberland</i>	<i>Replace reservoir</i>	\$4,300,000
<i>United Kingdom</i>	<i>RAF Feltwell</i>	<i>Feltwell Elementary School Addition</i>	\$30,811,000

7 ***SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY***
 8 ***TO CARRY OUT CERTAIN FISCAL YEAR 2014***
 9 ***PROJECT.***

10 *In the case of the authorization contained in the table*
 11 *in section 2401(a) of the Military Construction Authoriza-*
 12 *tion Act for Fiscal Year 2014 (division B of Public Law*
 13 *113–66; 127 Stat. 995) for Fort Knox, Kentucky, for con-*
 14 *struction of an Ambulatory Care Center at that location,*
 15 *subsequently cancelled by the Department of Defense, sub-*

1 *stitute authorization is provided for a 102,000-square foot*
 2 *Medical Clinic Replacement at that location in the amount*
 3 *of \$80,000,000, using appropriations available for the origi-*
 4 *nal project pursuant to the authorization of appropriations*
 5 *in section 2403 of such Act (127 Stat. 997). This substitute*
 6 *authorization shall remain in effect until October 1, 2018,*
 7 *or the date of the enactment of an Act authorizing funds*
 8 *for military construction for fiscal year 2019.*

9 **SEC. 2408. MODIFICATION OF AUTHORITY TO CARRY OUT**
 10 **CERTAIN FISCAL YEAR 2015 PROJECT.**

11 *In the case of the authorization contained in section*
 12 *2401(b) of the Carl Levin and Howard P. “Buck” McKeon*
 13 *National Defense Authorization Act for Fiscal Year 2015*
 14 *(division B of Public Law 113–291; 128 Stat. 3682), for*
 15 *Brussels, Belgium, for construction of an elementary/high*
 16 *school, the Secretary of Defense may acquire approximately*
 17 *7.4 acres of land adjacent to the existing Sterrebeek Depend-*
 18 *ent School site and construct a multi-sport athletic field,*
 19 *track, perimeter road, parking, and fencing.*

20 **TITLE XXV—NORTH ATLANTIC**
 21 **TREATY ORGANIZATION SE-**
 22 **CURITY INVESTMENT PRO-**
 23 **GRAM**

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

1 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
 2 **ACQUISITION PROJECTS.**

3 *The Secretary of Defense may make contributions for*
 4 *the North Atlantic Treaty Organization Security Invest-*
 5 *ment Program as provided in section 2806 of title 10,*
 6 *United States Code, in an amount not to exceed the sum*
 7 *of the amount authorized to be appropriated for this pur-*
 8 *pose in section 2502 and the amount collected from the*
 9 *North Atlantic Treaty Organization as a result of construc-*
 10 *tion previously financed by the United States.*

11 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

12 *Funds are hereby authorized to be appropriated for fis-*
 13 *cal years beginning after September 30, 2015, for contribu-*
 14 *tions by the Secretary of Defense under section 2806 of title*
 15 *10, United States Code, for the share of the United States*
 16 *of the cost of projects for the North Atlantic Treaty Organi-*
 17 *zation Security Investment Program authorized by section*
 18 *2501 as specified in the funding table in section 4601.*

19 **TITLE XXVI—GUARD AND**
 20 **RESERVE FORCES FACILITIES**

Subtitle A—Project Authorizations and Authorization of Appropriations

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.

Sec. 2602. Authorized Army Reserve construction and land acquisition projects.

Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.

Sec. 2604. Authorized Air National Guard construction and land acquisition projects.

Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.

Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

Sec. 2611. Modification and extension of authority to carry out certain fiscal year 2013 project.

Sec. 2612. Modification of authority to carry out certain fiscal year 2015 projects.

Sec. 2613. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2614. Extension of authorizations of certain fiscal year 2013 projects.

1 ***Subtitle A—Project Authorizations***
 2 ***and Authorization of Appropriations***
 3 ***tions***

4 ***SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-***
 5 ***STRUCTION AND LAND ACQUISITION***
 6 ***PROJECTS.***

7 *Using amounts appropriated pursuant to the author-*
 8 *ization of appropriations in section 2606 and available for*
 9 *the National Guard and Reserve as specified in the funding*
 10 *table in section 4601, the Secretary of the Army may ac-*
 11 *quire real property and carry out military construction*
 12 *projects for the Army National Guard locations inside the*
 13 *United States, and in the amounts, set forth in the following*
 14 *table:*

Army National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Camp Foley</i>	<i>\$4,500,000</i>
<i>Connecticut</i>	<i>Camp Hartell</i>	<i>\$11,000,000</i>
<i>Florida</i>	<i>Palm Coast</i>	<i>\$18,000,000</i>
<i>Georgia</i>	<i>Fort Stewart</i>	<i>\$6,800,000</i>
<i>Illinois</i>	<i>Sparta</i>	<i>\$1,900,000</i>
<i>Kansas</i>	<i>Salina</i>	<i>\$6,700,000</i>
<i>Maryland</i>	<i>Easton</i>	<i>\$13,800,000</i>
<i>Mississippi</i>	<i>Gulfport</i>	<i>\$40,000,000</i>
<i>Nevada</i>	<i>Reno</i>	<i>\$8,000,000</i>
<i>Ohio</i>	<i>Camp Ravenna</i>	<i>\$3,300,000</i>
<i>Oregon</i>	<i>Salem</i>	<i>\$16,500,000</i>
<i>Pennsylvania</i>	<i>Fort Indiantown Gap</i>	<i>\$16,000,000</i>
<i>Vermont</i>	<i>North Hyde Park</i>	<i>\$7,900,000</i>
<i>Virginia</i>	<i>Richmond</i>	<i>\$29,000,000</i>

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 2 **AND LAND ACQUISITION PROJECTS.**

3 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 4 propriated pursuant to the authorization of appropriations
 5 in section 2606 and available for the National Guard and
 6 Reserve as specified in the funding table in section 4601,
 7 the Secretary of the Army may acquire real property and
 8 carry out military construction projects for the Army Re-
 9 serve locations inside the United States, and in the
 10 amounts, set forth in the following table:

Army Reserve: Inside the United States

State	Location	Amount
<i>California</i>	<i>Miramar</i>	\$24,000,000
<i>Florida</i>	<i>MacDill Air Force Base</i>	\$55,000,000
<i>New York</i>	<i>Orangeburg</i>	\$4,200,000
<i>Pennsylvania</i>	<i>Conneaut Lake</i>	\$5,000,000
<i>Virginia</i>	<i>A.P. Hill</i>	\$24,000,000

11 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 12 appropriated pursuant to the authorization of appropria-
 13 tions in section 2606 and available for the National Guard
 14 and Reserve as specified in the funding table in section
 15 4601, the Secretary of the Army may acquire real property
 16 and carry out a military construction project for the Army
 17 Reserve location outside the United States, and in the
 18 amount, set forth in the following table:

Army Reserve: Outside the United States

Country	Location	Amount
<i>Puerto Rico</i>	<i>Fort Buchanan</i>	\$10,200,000

1 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 2 **CORPS RESERVE CONSTRUCTION AND LAND**
 3 **ACQUISITION PROJECTS.**

4 *Using amounts appropriated pursuant to the author-*
 5 *ization of appropriations in section 2606 and available for*
 6 *the National Guard and Reserve as specified in section*
 7 *4601, the Secretary of the Navy may acquire real property*
 8 *and carry out military construction projects for the Navy*
 9 *Reserve and Marine Corps Reserve locations inside the*
 10 *United States, and in the amounts, set forth in the following*
 11 *table:*

Navy Reserve and Marine Corps Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Nevada</i>	<i>Fallon</i>	<i>\$11,480,000</i>
<i>New York</i>	<i>Brooklyn</i>	<i>\$2,479,000</i>
<i>Virginia</i>	<i>Dam Neck</i>	<i>\$18,443,000</i>

12 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRU-**
 13 **CTION AND LAND ACQUISITION PROJECTS.**

14 *Using amounts appropriated pursuant to the author-*
 15 *ization of appropriations in section 2606 and available for*
 16 *the National Guard and Reserve as specified in section*
 17 *4601, the Secretary of the Air Force may acquire real prop-*
 18 *erty and carry out military construction projects for the*
 19 *Air National Guard locations inside the United States, and*
 20 *in the amounts, set forth in the following table:*

Air National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Dannelly Field</i>	<i>\$7,600,000</i>
<i>California</i>	<i>Moffett Field</i>	<i>\$6,500,000</i>
<i>Colorado</i>	<i>Buckley Air Force Base</i>	<i>\$5,100,000</i>

Air National Guard—Continued

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Florida</i>	<i>Cape Canaveral Air Force Station</i>	\$6,100,000
<i>Georgia</i>	<i>Savannah/Hilton Head International Airport</i>	\$9,000,000
<i>Iowa</i>	<i>Des Moines Municipal Airport</i>	\$6,700,000
<i>Kansas</i>	<i>Smokey Hill Range</i>	\$2,900,000
<i>Louisiana</i>	<i>New Orleans</i>	\$10,000,000
<i>Maine</i>	<i>Bangor International Airport</i>	\$7,200,000
<i>New Hampshire</i>	<i>Pease International Trade Port</i>	\$2,800,000
<i>New Jersey</i>	<i>Atlantic City International Airport</i>	\$10,200,000
<i>New York</i>	<i>Niagara Falls International Airport</i>	\$7,700,000
<i>North Carolina</i>	<i>Charlotte/Douglas International Airport</i>	\$9,000,000
<i>North Dakota</i>	<i>Hector International Airport</i>	\$7,300,000
<i>Oklahoma</i>	<i>Will Rogers World Airport</i>	\$7,600,000
<i>Oregon</i>	<i>Klamath Falls International Airport</i>	\$7,200,000
<i>West Virginia</i>	<i>Yeager Airport</i>	\$3,900,000

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
2 **TION AND LAND ACQUISITION PROJECTS.**

3 *Using amounts appropriated pursuant to the author-*
4 *ization of appropriations in section 2606 and available for*
5 *the National Guard and Reserve as specified in the funding*
6 *table in section 4601, the Secretary of the Air Force may*
7 *acquire real property and carry out military construction*
8 *projects for the Air Force Reserve locations inside the*
9 *United States, and in the amounts, set forth in the following*
10 *table:*

Air Force Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>California</i>	<i>March Air Force Base</i>	\$4,600,000
<i>Florida</i>	<i>Patrick Air Force Base</i>	\$3,400,000
<i>Georgia</i>	<i>Dobbins Air Reserve Base</i>	\$10,400,000
<i>Ohio</i>	<i>Youngstown</i>	\$9,400,000
<i>Texas</i>	<i>Joint Base San Antonio</i>	\$9,900,000

11 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
12 **TIONAL GUARD AND RESERVE.**

13 *Funds are hereby authorized to be appropriated for fis-*
14 *cal years beginning after September 30, 2015, for the costs*

1 of acquisition, architectural and engineering services, and
 2 construction of facilities for the Guard and Reserve Forces,
 3 and for contributions therefor, under chapter 1803 of title
 4 10, United States Code (including the cost of acquisition
 5 of land for those facilities), as specified in the funding table
 6 in section 4601.

7 **Subtitle B—Other Matters**

8 **SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY** 9 **TO CARRY OUT CERTAIN FISCAL YEAR 2013** 10 **PROJECT.**

11 (a) *MODIFICATION.*—In the case of the authorization
 12 contained in the table in section 2602 of the Military Con-
 13 struction Authorization Act for Fiscal Year 2013 (division
 14 B of Public Law 112–239; 126 Stat. 2135) for Aberdeen
 15 Proving Ground, Maryland, for construction of an Army
 16 Reserve Center at that location, the Secretary of the Army
 17 may construct a new facility in the vicinity of Aberdeen
 18 Proving Ground, Maryland.

19 (b) *DURATION OF AUTHORITY.*—Notwithstanding sec-
 20 tion 2002 of the Military Construction Act for Fiscal Year
 21 2013 (division B of Public Law 112–239; 126 Stat. 2118),
 22 the authorization set forth in subsection (a) shall remain
 23 in effect until October 1, 2016, or the date of the enactment
 24 of an Act authorizing funds for military construction for
 25 fiscal year 2017, whichever is later.

1 **SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2015 PROJECTS.**

3 (a) *DAVIS-MONTHAN AIR FORCE BASE.*—*In the case*
4 *of the authorization contained in the table in section 2605*
5 *of the Military Construction Authorization Act for Fiscal*
6 *Year 2015 (division B of Public Law 113–291; 128 Stat.*
7 *3689) for Davis-Monthan Air Force Base, Arizona, for con-*
8 *struction of a Guardian Angel Operations facility at that*
9 *location, the Secretary of the Air Force may construct a*
10 *new 5,913 square meter (63,647 square foot) facility in the*
11 *amount of \$18,200,000.*

12 (b) *FORT SMITH.*—*In the case of the authorization*
13 *contained in the table in section 2604 of the Military Con-*
14 *struction Authorization Act for Fiscal Year 2015 (division*
15 *B of Public Law 113–291; 128 Stat. 3689) for Fort Smith*
16 *Municipal Airport, Arkansas, for construction of a consoli-*
17 *dated Secure Compartmented Information Facility at that*
18 *location, the Secretary of the Air Force may construct a*
19 *new facility in the amount of \$15,200,000.*

20 **SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
21 **FISCAL YEAR 2012 PROJECTS.**

22 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*
23 *Military Construction Authorization Act for Fiscal Year*
24 *2012 (division B of Public Law 112–81; 125 Stat. 1660),*
25 *the authorizations set forth in the table in subsection (b),*
26 *as provided in section 2602 of that Act (125 Stat. 1678),*

1 *and extended by section 2611 of the Military Construction*
 2 *Authorization Act for Fiscal Year 2015 (division B of Pub-*
 3 *lic Law 113–291; 128 Stat. 3690), shall remain in effect*
 4 *until October 1, 2016, or the date of the enactment of an*
 5 *Act authorizing funds for military construction for fiscal*
 6 *year 2017, whichever is later.*

7 (b) *TABLE.—The table referred to in subsection (a) is*
 8 *as follows:*

Extension of 2012 Army Reserve Project Authorizations

<i>State</i>	<i>Location</i>	<i>Project</i>	<i>Amount</i>
<i>Kansas</i>	<i>Kansas City</i>	<i>Army Reserve Center</i>	<i>\$13,000,000</i>
<i>Massachusetts</i>	<i>Attleboro</i>	<i>Army Reserve Center</i>	<i>\$22,000,000</i>

9 ***SEC. 2614. EXTENSION OF AUTHORIZATIONS OF CERTAIN***
 10 ***FISCAL YEAR 2013 PROJECTS.***

11 (a) *EXTENSION.—Notwithstanding section 2002 of the*
 12 *Military Construction Authorization Act for Fiscal Year*
 13 *2013 (division B of Public Law 112–239; 126 Stat. 2118),*
 14 *the authorizations set forth in the table in subsection (b),*
 15 *as provided in sections 2601, 2602, and 2603 of that Act*
 16 *(126 Stat. 2134, 2135) shall remain in effect until October*
 17 *1, 2016, or the date of the enactment of an Act authorizing*
 18 *funds for military construction for fiscal year 2017, which-*
 19 *ever is later.*

20 (b) *TABLE.—The table referred to in subsection (a) is*
 21 *a follows:*

**Extension of 2013 National Guard and Reserve Project
Authorizations**

State	Installation or Location	Project	Amount
Arizona	Yuma	Reserve Training Facility	\$5,379,000
California	Tustin	Army Reserve Center	\$27,000,000
Iowa	Fort Des Moines	Joint Reserve Center	\$19,162,000
Louisiana	New Orleans	Transient Quarters ...	\$7,187,000
New York	Camp Smith (Stormville)	Combined Support Maintenance Shop Phase 1	\$24,000,000

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.

Sec. 2702. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE**
5 **REALIGNMENT AND CLOSURE ACTIVITIES**
6 **FUNDED THROUGH DEPARTMENT OF DE-**
7 **FENSE BASE CLOSURE ACCOUNT.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal years beginning after September 30, 2015, for base re-*
10 *alignment and closure activities, including real property*
11 *acquisition and military construction projects, as author-*
12 *ized by the Defense Base Closure and Realignment Act of*
13 *1990 (part A of title XXIX of Public Law 101–510; 10*
14 *U.S.C. 2687 note) and funded through the Department of*
15 *Defense Base Closure Account established by section 2906*
16 *of such Act (as amended by section 2711 of the Military*

1 *Construction Authorization Act for Fiscal Year 2013 (divi-*
 2 *sion B of Public Law 112–239; 126 Stat. 2140)), as speci-*
 3 *fied in the funding table in section 4601.*

4 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
 5 **BASE REALIGNMENT AND CLOSURE (BRAC)**
 6 **ROUND.**

7 *Nothing in this Act shall be construed to authorize an*
 8 *additional Base Realignment and Closure (BRAC) round.*

9 **TITLE XXVIII—MILITARY CON-**
 10 **STRUCTION GENERAL PROVI-**
 11 **SIONS**

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

- Sec. 2801. Revision of congressional notification thresholds for reserve facility ex-*
penditures and contributions to reflect congressional notification
thresholds for minor construction and repair projects.
- Sec. 2802. Extension of temporary, limited authority to use operation and main-*
tenance funds for construction projects outside the United States.
- Sec. 2803. Defense laboratory modernization pilot program.*
- Sec. 2804. Temporary authority for acceptance and use of contributions for cer-*
tain construction, maintenance, and repair projects mutually
beneficial to the Department of Defense and Kuwait military
forces.
- Sec. 2805. Conveyance to Indian tribes of relocatable military housing units at*
military installations in the United States.

Subtitle B—Real Property and Facilities Administration

- Sec. 2811. Protection of Department of Defense installations.*
- Sec. 2812. Enhancement of authority to accept conditional gifts of real property*
on behalf of military service academies.
- Sec. 2813. Utility system conveyance authority.*
- Sec. 2814. Leasing of non-excess property of military departments and Defense*
Agencies; treatment of value provided by local education agencies
and elementary and secondary schools.
- Sec. 2815. Force-structure plan and infrastructure inventory and assessment of*
infrastructure necessary to support the force structure.
- Sec. 2816. Temporary reporting requirements related to main operating bases,*
forward operating sites, and cooperative security locations.
- Sec. 2817. Exemption of Army off-site use and off-site removal only non-mobile*
properties from certain excess property disposal requirements.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

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

Sec. 2822. *Annual report on Government of Japan contributions toward realignment of Marine Corps forces in Asia-Pacific region.*

Subtitle D—Land Conveyances

Sec. 2831. *Release of reversionary interest retained as part of conveyance to the Economic Development Alliance of Jefferson County, Arkansas.*

Sec. 2832. *Land exchange authority, Mare Island Army Reserve Center, Vallejo, California.*

Sec. 2833. *Land exchange, Navy Outlying Landing Field, Naval Air Station, Whiting Field, Florida.*

Sec. 2834. *Release of property interests retained in connection with land conveyance, Camp Villere, Louisiana.*

Sec. 2835. *Release of property interests retained in connection with land conveyance, Fort Bliss Military Reservation, Texas.*

Subtitle E—Military Land Withdrawals

Sec. 2841. *Additional withdrawal and reservation of public land, Naval Air Weapons Station China Lake, California.*

Subtitle F—Other Matters

Sec. 2851. *Modification of Department of Defense guidance on use of airfield pavement markings.*

Sec. 2852. *Extension of authority for establishment of commemorative work in honor of Brigadier General Francis Marion.*

1 ***Subtitle A—Military Construction***
 2 ***Program and Military Family***
 3 ***Housing Changes***

4 ***SEC. 2801. REVISION OF CONGRESSIONAL NOTIFICATION***
 5 ***THRESHOLDS FOR RESERVE FACILITY EX-***
 6 ***PENDITURES AND CONTRIBUTIONS TO RE-***
 7 ***FLECT CONGRESSIONAL NOTIFICATION***
 8 ***THRESHOLDS FOR MINOR CONSTRUCTION***
 9 ***AND REPAIR PROJECTS.***

10 *Section 18233a of title 10, United States Code, is*
 11 *amended—*

1 (1) *in subsection (a), by striking “in an amount*
 2 *in excess of \$750,000” and inserting “in excess of the*
 3 *amount specified in section 2805(b)(1) of this title”;*
 4 *and*

5 (2) *in subsection (b)(3), by striking “section*
 6 *2811(e) of this title) that costs less than \$7,500,000”*
 7 *and inserting “subsection (e) of section 2811 of this*
 8 *title) that costs less than the amount specified in sub-*
 9 *section (d) of such section”.*

10 **SEC. 2802. EXTENSION OF TEMPORARY, LIMITED AUTHOR-**
 11 **ITY TO USE OPERATION AND MAINTENANCE**
 12 **FUNDS FOR CONSTRUCTION PROJECTS OUT-**
 13 **SIDE THE UNITED STATES.**

14 (a) *EXTENSION OF AUTHORITY.*—*Subsection (h) of sec-*
 15 *tion 2808 of the Military Construction Authorization Act*
 16 *for Fiscal Year 2004 (division B of Public Law 108–136;*
 17 *117 Stat. 1723), as most recently amended by section 2806*
 18 *of the Military Construction Authorization Act for Fiscal*
 19 *Year 2015 (division B of Public Law 113–291; 128 Stat.*
 20 *3699), is amended—*

21 (1) *in paragraph (1), by striking “December 31,*
 22 *2015” and inserting “December 31, 2016”; and*

23 (2) *in paragraph (2), by striking “fiscal year*
 24 *2016” and inserting “fiscal year 2017”.*

1 (b) *LIMITATION ON USE OF AUTHORITY.*—Subsection
2 (c)(1) of such section is amended—

3 (1) by striking “October 1, 2014” and inserting
4 “October 1, 2015”;

5 (2) by striking “December 31, 2015” and insert-
6 ing “December 31, 2016”; and

7 (3) by striking “fiscal year 2016” and inserting
8 “fiscal year 2017”.

9 (c) *ELIMINATION OF REPORTING REQUIREMENT.*—
10 Such section is further amended by striking subsection (d).

11 **SEC. 2803. DEFENSE LABORATORY MODERNIZATION PILOT**
12 **PROGRAM.**

13 (a) *AUTHORITY TO USE RESEARCH, DEVELOPMENT,*
14 *TEST, AND EVALUATION FUNDS.*—Using amounts appro-
15 priated or otherwise made available to the Department of
16 Defense for research, development, test, and evaluation, the
17 Secretary of Defense may fund a military construction
18 project described in subsection (d) at any of the following:

19 (1) A Department of Defense Science and Tech-
20 nology Reinvention Laboratory (as designated by sec-
21 tion 1105(a) of the National Defense Authorization
22 Act for Fiscal Year 2010 (Public Law 111–84; 10
23 U.S.C. 2358 note).

1 (2) *A Department of Defense Federally Funded*
2 *Research and Development Center that functions pri-*
3 *marily as a research laboratory.*

4 (3) *A Department of Defense facility in support*
5 *of a technology development program that is con-*
6 *sistent with the fielding of offset technologies as de-*
7 *scribed in section 218 of this Act.*

8 (b) *CONDITION ON AND SCOPE OF PROJECT AUTHOR-*
9 *ITY.*—*Subject to the condition that a military construction*
10 *project under this section be authorized in a Military Con-*
11 *struction Authorization Act, the authority to carry out the*
12 *military construction project includes authority for—*

13 (1) *surveys, site preparation, and advanced*
14 *planning and design;*

15 (2) *acquisition, conversion, rehabilitation, and*
16 *installation of facilities;*

17 (3) *acquisition and installation of equipment*
18 *and appurtenances integral to the project; acquisition*
19 *and installation of supporting facilities (including*
20 *utilities) and appurtenances incident to the project;*
21 *and*

22 (4) *planning, supervision, administration, and*
23 *overhead expenses incident to the project.*

24 (c) *CONGRESSIONAL NOTIFICATION REQUIREMENTS.*—

1 (1) *SUBMISSION OF PROJECT REQUESTS.*—The
2 *Secretary of Defense shall include military construc-*
3 *tion projects proposed to be carried out under this sec-*
4 *tion in the budget justification documents for the De-*
5 *partment of Defense submitted to Congress in connec-*
6 *tion with the budget for a fiscal year submitted under*
7 *1105 of title 31, United States Code.*

8 (2) *NOTIFICATION OF IMPLEMENTATION.*—Not
9 *less than 14 days prior to the first obligation of funds*
10 *described in subsection (a) for a military construction*
11 *project to be carried out under this section, the Sec-*
12 *retary of Defense shall submit a notification to the*
13 *congressional defense committees providing an up-*
14 *dated construction description, cost, and schedule for*
15 *the project and any other matters regarding the*
16 *project as the Secretary considers appropriate.*

17 (d) *AUTHORIZED PROJECTS DESCRIBED.*—The au-
18 *thority provided by this section to fund military construc-*
19 *tion projects using amounts appropriated or otherwise*
20 *made available for research, development, test, and evalua-*
21 *tion is limited to military construction projects that the*
22 *Secretary of Defense, in the budget justification documents*
23 *exhibits submitted pursuant to subsection (c)(1), deter-*
24 *mines—*

1 (1) *will support research and development ac-*
2 *tivities at laboratories described in subsection (a);*

3 (2) *will establish facilities that will have signifi-*
4 *cant potential for use by entities outside the Depart-*
5 *ment of Defense, including universities, industrial*
6 *partners, and other Federal agencies;*

7 (3) *are endorsed for funding by more than one*
8 *military department or Defense Agency; and*

9 (4) *cannot be fully funded within the thresholds*
10 *specified in section 2805 of title 10, United States*
11 *Code.*

12 (e) *FUNDING LIMITATION.—The maximum amount of*
13 *funds appropriated or otherwise made available for re-*
14 *search, development, test, and evaluation that may be obli-*
15 *gated in any fiscal year for military construction projects*
16 *under this section is \$150,000,000.*

17 (f) *TERMINATION OF AUTHORITY.—The authority pro-*
18 *vided by this section to fund military construction projects*
19 *using funds appropriated or otherwise made available for*
20 *research, development, test, and evaluation shall terminate*
21 *on October 1, 2020.*

1 **SEC. 2804. TEMPORARY AUTHORITY FOR ACCEPTANCE AND**
2 **USE OF CONTRIBUTIONS FOR CERTAIN CON-**
3 **STRUCTION, MAINTENANCE, AND REPAIR**
4 **PROJECTS MUTUALLY BENEFICIAL TO THE**
5 **DEPARTMENT OF DEFENSE AND KUWAIT**
6 **MILITARY FORCES.**

7 (a) *AUTHORITY TO ACCEPT CONTRIBUTIONS.*—The
8 Secretary of Defense, after consultation with the Secretary
9 of State, may accept cash contributions from the govern-
10 ment of Kuwait for the purpose of paying for the costs of
11 construction (including military construction not otherwise
12 authorized by law), maintenance, and repair projects mutu-
13 ally beneficial to the Department of Defense and Kuwait
14 military forces.

15 (b) *ACCOUNTING.*—Contributions accepted under sub-
16 section (a) shall be placed in an account established by the
17 Secretary of Defense and shall remain available until ex-
18 pended as provided in such subsection.

19 (c) *PROHIBITION ON USE OF CONTRIBUTIONS TO OFF-*
20 *SET BURDEN SHARING CONTRIBUTIONS.*—Contributions
21 accepted under subsection (a) may not be used to offset any
22 burden sharing contributions made by the government of
23 Kuwait.

24 (d) *NOTICE.*—When a decision is made to carry out
25 a project using contributions accepted under subsection (a)
26 and the estimated cost of the project will exceed the thresh-

1 *olds prescribed by section 2805 of title 10, United States*
2 *Code, the Secretary of Defense shall submit to the congres-*
3 *sional defense committees, the Committee on Foreign Rela-*
4 *tions of the Senate, and the Committee on Foreign Affairs*
5 *of the House of Representatives written notice of decision,*
6 *the justification for the project, and the estimated cost of*
7 *the project.*

8 *(e) MUTUALLY BENEFICIAL DEFINED.—A project de-*
9 *scribed in subsection (a) shall be considered to be “mutually*
10 *beneficial” if—*

11 *(1) the project is in support of a bilateral defense*
12 *cooperation agreement between the United States and*
13 *the government of Kuwait; or*

14 *(2) the Secretary of Defense determines that the*
15 *United States may derive a benefit from the project,*
16 *including—*

17 *(A) access to and use of facilities of the Ku-*
18 *wait military forces;*

19 *(B) ability or capacity for future force pos-*
20 *ture; and*

21 *(C) increased interoperability between the*
22 *Department of Defense and Kuwait military*
23 *forces.*

24 *(f) EXPIRATION OF PROJECT AUTHORITY.—The au-*
25 *thority to carry out projects under this section expires on*

1 *September 30, 2020. The expiration of the authority does*
2 *not prevent the continuation of any project commenced be-*
3 *fore that date.*

4 **SEC. 2805. CONVEYANCE TO INDIAN TRIBES OF**
5 **RELOCATABLE MILITARY HOUSING UNITS AT**
6 **MILITARY INSTALLATIONS IN THE UNITED**
7 **STATES.**

8 *(a) DEFINITIONS.—In this section:*

9 *(1) EXECUTIVE DIRECTOR.—The term “Execu-*
10 *tive Director” means the Executive Director of Walk-*
11 *ing Shield, Inc.*

12 *(2) INDIAN TRIBE.—The term “Indian tribe”*
13 *means any Indian tribe included on the list published*
14 *by the Secretary of the Interior under section 104 of*
15 *the Federally Recognized Indian Tribe List Act of*
16 *1994 (25 U.S.C. 479a–1).*

17 *(b) REQUESTS FOR CONVEYANCE.—*

18 *(1) IN GENERAL.—The Executive Director may*
19 *submit to the Secretary of the military department*
20 *concerned, on behalf of any Indian tribe, a request for*
21 *conveyance of any relocatable military housing unit*
22 *located at a military installation in the United*
23 *States.*

24 *(2) CONFLICTS.—The Executive Director shall*
25 *resolve any conflict among requests of Indian tribes*

1 *for housing units described in paragraph (1) before*
2 *submitting a request to the Secretary of the military*
3 *department concerned under this subsection.*

4 *(c) CONVEYANCE BY A SECRETARY.—Notwithstanding*
5 *any other provision of law, on receipt of a request under*
6 *subsection (b)(1), the Secretary of the military department*
7 *concerned may convey to the Indian tribe that is the subject*
8 *of the request, at no cost to such military department and*
9 *without consideration, any relocatable military housing*
10 *unit described in subsection (b)(1) that, as determined by*
11 *such Secretary, is in excess of the needs of the military.*

12 ***Subtitle B—Real Property and***
13 ***Facilities Administration***

14 ***SEC. 2811. PROTECTION OF DEPARTMENT OF DEFENSE IN-***
15 ***STALLATIONS.***

16 *(a) SECRETARY OF DEFENSE RESPONSIBILITY.—*
17 *Chapter 159 of title 10, United States Code, is amended*
18 *by inserting after section 2671 the following new section:*

19 ***“§2672. Protection of buildings, grounds, property,***
20 ***and persons***

21 *“(a) SECRETARY OF DEFENSE RESPONSIBILITY.—The*
22 *Secretary of Defense shall protect the buildings, grounds,*
23 *and property that are under the jurisdiction, custody, or*
24 *control of the Department of Defense and the persons on*
25 *that property.*

1 “(b) *DESIGNATION OF OFFICERS AND AGENTS.—(1)*
2 *The Secretary of Defense may designate military or civilian*
3 *personnel of the Department of Defense as officers and*
4 *agents to perform the functions of the Secretary under sub-*
5 *section (a), including, with regard to civilian officers and*
6 *agents, duty in areas outside the property specified in that*
7 *subsection to the extent necessary to protect that property*
8 *and persons on that property.*

9 “(2) *A designation under paragraph (1) may be made*
10 *by individual, by position, by installation, or by such other*
11 *category of personnel as the Secretary determines appro-*
12 *priate.*

13 “(3) *In making a designation under paragraph (1)*
14 *with respect to any category of personnel, the Secretary*
15 *shall specify each of the following:*

16 “(A) *The personnel or positions to be included in*
17 *the category.*

18 “(B) *The authorities provided for in subsection*
19 *(c) that may be exercised by personnel in that cat-*
20 *egory.*

21 “(C) *In the case of civilian personnel in that*
22 *category—*

23 “(i) *the authorities provided for in sub-*
24 *section (c), if any, that are authorized to be exer-*

1 *cised outside the property specified in subsection*
2 *(a); and*

3 *“(i) with respect to the exercise of any such*
4 *authorities outside the property specified in sub-*
5 *section (a), the circumstances under which co-*
6 *ordination with law enforcement officials outside*
7 *of the Department of Defense should be sought in*
8 *advance.*

9 *“(4) The Secretary may make a designation under*
10 *paragraph (1) only if the Secretary determines, with respect*
11 *to the category of personnel to be covered by that designa-*
12 *tion, that—*

13 *“(A) the exercise of each specific authority pro-*
14 *vided for in subsection (c) to be delegated to that cat-*
15 *egory of personnel is necessary for the performance of*
16 *the duties of the personnel in that category and such*
17 *duties cannot be performed as effectively without such*
18 *authorities; and*

19 *“(B) the necessary and proper training for the*
20 *authorities to be exercised is available to the personnel*
21 *in that category.*

22 *“(c) AUTHORIZED ACTIVITIES.—Subject to subsection*
23 *(i) and to the extent specifically authorized by the Secretary*
24 *of Defense, while engaged in the performance of official du-*

1 *ties pursuant to this section, an officer or agent designated*
2 *under subsection (b) may—*

3 “(1) *enforce Federal laws and regulations for the*
4 *protection of persons and property;*

5 “(2) *carry firearms;*

6 “(3) *make arrests—*

7 “(A) *without a warrant for any offense*
8 *against the United States committed in the pres-*
9 *ence of the officer or agent; or*

10 “(B) *for any felony cognizable under the*
11 *laws of the United States if the officer or agent*
12 *has reasonable grounds to believe that the person*
13 *to be arrested has committed or is committing a*
14 *felony;*

15 “(4) *serve warrants and subpoenas issued under*
16 *the authority of the United States; and*

17 “(5) *conduct investigations, on and off the prop-*
18 *erty in question, of offenses that may have been com-*
19 *mitted against property under the jurisdiction, cus-*
20 *tody, or control of the Department of Defense or per-*
21 *sons on such property.*

22 “(d) *REGULATIONS.—(1) The Secretary of Defense*
23 *may prescribe regulations, including traffic regulations,*
24 *necessary for the protection and administration of property*
25 *under the jurisdiction, custody, or control of the Depart-*

1 *ment of Defense and persons on that property. The regula-*
2 *tions may include reasonable penalties, within the limits*
3 *prescribed in paragraph (2), for violations of the regula-*
4 *tions. The regulations shall be posted and remain posted*
5 *in a conspicuous place on the property to which they apply.*

6 “(2) *A person violating a regulation prescribed under*
7 *this subsection shall be fined under title 18, imprisoned for*
8 *not more than 30 days, or both.*

9 “(e) *LIMITATION ON DELEGATION OF AUTHORITY.—*
10 *The authority of the Secretary of Defense under subsections*
11 *(b), (c), and (d) may be exercised only by the Secretary*
12 *or the Deputy Secretary of Defense.*

13 “(f) *DISPOSITION OF PERSONS ARRESTED.—A person*
14 *who is arrested pursuant to authority exercised under sub-*
15 *section (b) may not be held in a military confinement facil-*
16 *ity, other than in the case of a person who is subject to*
17 *chapter 47 of this title (the Uniform Code of Military Jus-*
18 *tice).*

19 “(g) *FACILITIES AND SERVICES OF OTHER AGEN-*
20 *CIES.—In implementing this section, when the Secretary of*
21 *Defense determines it to be economical and in the public*
22 *interest, the Secretary may utilize the facilities and services*
23 *of Federal, State, Indian tribal, and local law enforcement*
24 *agencies, with the consent of those agencies, and may reim-*
25 *burse those agencies for the use of their facilities and serv-*

1 *ices. Such services of State, Indian tribal, and local law*
2 *enforcement, including application of their powers of law*
3 *enforcement, may be provided notwithstanding that the*
4 *property is subject to the legislative jurisdiction of the*
5 *United States.*

6 “(h) *AUTHORITY OUTSIDE FEDERAL PROPERTY.*—For
7 *the protection of property under the jurisdiction, custody,*
8 *or control of the Department of Defense and persons on that*
9 *property, the Secretary of Defense may enter into agree-*
10 *ments with Federal agencies and with State, Indian tribal,*
11 *and local governments to obtain authority for civilian offi-*
12 *cers and agents designated under this section to enforce Fed-*
13 *eral laws and State, Indian tribal, and local laws concur-*
14 *rently with other Federal law enforcement officers and with*
15 *State, Indian tribal, and local law enforcement officers.*

16 “(i) *ATTORNEY GENERAL APPROVAL.*—The powers
17 *granted pursuant to subsection (c) to officers and agents*
18 *designated under subsection (b) shall be exercised in accord-*
19 *ance with guidelines approved by the Attorney General.*
20 *Such guidelines may include specification of the geo-*
21 *graphical extent of property outside of the property speci-*
22 *fied in subsection (a) within which those powers may be*
23 *exercised.*

24 “(j) *LIMITATION WITH REGARD TO OTHER FEDERAL*
25 *AGENCIES.*—Nothing in this section shall be construed as

1 *affecting the authority of the Secretary of Homeland Secu-*
2 *urity to provide for the protection of facilities (including the*
3 *buildings, grounds, and properties of the General Services*
4 *Administration) that are under the jurisdiction, custody,*
5 *or control, in whole or in part, of a Federal agency other*
6 *than the Department of Defense and that are located off*
7 *of a military installation.*

8 “(k) *COOPERATION WITH LOCAL LAW ENFORCEMENT*
9 *AGENCIES.—Before authorizing civilian officers and agents*
10 *to perform duty in areas outside the property specified in*
11 *subsection (a), the Secretary of Defense shall consult with,*
12 *and is encouraged to enter into agreements with, local law*
13 *enforcement agencies exercising jurisdiction over such areas*
14 *for the purposes of avoiding conflicts of jurisdiction, pro-*
15 *moting notification of planned law enforcement actions,*
16 *and otherwise facilitating productive working relationships.*

17 “(l) *LIMITATION ON STATUTORY CONSTRUCTION.—*
18 *Nothing in this section shall be construed—*

19 “(1) *to preclude or limit the authority of any*
20 *Federal law enforcement agency;*

21 “(2) *to restrict the authority of the Secretary of*
22 *Homeland Security under the Homeland Security Act*
23 *of 2002 or of the Administrator of General Services,*
24 *including the authority to promulgate regulations af-*

1 *fecting property under the custody and control of that*
 2 *Secretary or the Administrator, respectively;*

3 *“(3) to expand or limit section 21 of the Internal*
 4 *Security Act of 1950 (50 U.S.C. 797);*

5 *“(4) to affect chapter 47 of this title;*

6 *“(5) to restrict any other authority of the Sec-*
 7 *retary of Defense or the Secretary of a military de-*
 8 *partment; or*

9 *“(6) to restrict the authority of the Director of*
 10 *the National Security Agency under section 11 of the*
 11 *National Security Agency Act of 1959 (50 U.S.C.*
 12 *3609).”.*

13 *(b) CLERICAL AMENDMENT.—The table of sections at*
 14 *the beginning of chapter 159 of such title is amended by*
 15 *inserting after the item relating to section 2671 the fol-*
 16 *lowing new item:*

“2672. Protection of buildings, grounds, property, and persons.”.

17 **SEC. 2812. ENHANCEMENT OF AUTHORITY TO ACCEPT CON-**
 18 **DITIONAL GIFTS OF REAL PROPERTY ON BE-**
 19 **HALF OF MILITARY SERVICE ACADEMIES.**

20 *Section 2601 of title 10, United States Code, is amend-*
 21 *ed—*

22 *(1) by redesignating subsections (e), (f), (g), (h),*
 23 *and (i) as subsections (f), (g), (h), (i), and (j), respec-*
 24 *tively; and*

1 (2) *by inserting after subsection (d) the following*
2 *new subsection (e):*

3 “(e) *ACCEPTANCE OF REAL PROPERTY GIFTS; NAMING*
4 *RIGHTS.—(1) The Secretary concerned may accept a gift*
5 *under subsection (a) or (b) consisting of the provision, ac-*
6 *quisition, enhancement, or construction of real property of-*
7 *fered to the United States Military Academy, the Naval*
8 *Academy, the Air Force Academy, or the Coast Guard*
9 *Academy even though the gift will be subject to the condition*
10 *that the real property, or a portion thereof, bear a specified*
11 *name.*

12 “(2) *The authority conferred by this subsection may*
13 *be delegated by the Secretary concerned only to a civilian*
14 *official appointed by the President, by and with the advice*
15 *and consent of the Senate.*

16 “(3) *A gift may not be accepted under paragraph (1)*
17 *if—*

18 “(A) *the acceptance of the gift or the imposition*
19 *of the naming-rights condition would reflect unfavor-*
20 *ably upon the United States, as provided in sub-*
21 *section (d)(2); or*

22 “(B) *the real property to be subject to the condi-*
23 *tion, or portion thereof, has been named by an act of*
24 *Congress.*

1 “(4) *The Secretaries concerned shall issue uniform reg-*
2 *ulations governing the circumstances under which gifts con-*
3 *ditioned on naming rights may be accepted, appropriate*
4 *naming conventions, and suitable display standards.”.*

5 **SEC. 2813. UTILITY SYSTEM CONVEYANCE AUTHORITY.**

6 *Section 2688(j) of title 10, United States Code, is*
7 *amended—*

8 (1) *in the subsection heading, by striking “CON-*
9 *STRUCTION OF” and inserting “CONVEYANCE OF AD-*
10 *DITIONAL”; and*

11 (2) *in paragraph (1)—*

12 (A) *by striking subparagraphs (A) and (C);*

13 (B) *by redesignating subparagraph (B) as*
14 *subparagraph (A) and, in such subparagraph, by*
15 *striking “utility system;” and inserting the fol-*
16 *lowing: “utility system or operation of the addi-*
17 *tional utility infrastructure by the utility or en-*
18 *tity would be in the best interest of the Govern-*
19 *ment; and”; and*

20 (C) *by redesignating subparagraph (D) as*
21 *subparagraph (B) and, in such subparagraph,*
22 *by striking “amount equal to the fair market*
23 *value of” and inserting “amount for”.*

1 **SEC. 2814. LEASING OF NON-EXCESS PROPERTY OF MILI-**
 2 **TARY DEPARTMENTS AND DEFENSE AGEN-**
 3 **CIES; TREATMENT OF VALUE PROVIDED BY**
 4 **LOCAL EDUCATION AGENCIES AND ELEMEN-**
 5 **TARY AND SECONDARY SCHOOLS.**

6 *Section 2667 of title 10, United States Code, is amend-*
 7 *ed by adding at the end the following new subsection:*

8 *“(k) LEASES FOR EDUCATION.—Notwithstanding sub-*
 9 *section (b)(4), the Secretary concerned may accept consider-*
 10 *ation in an amount that is less than the fair market value*
 11 *of the lease, if the lease is to a local education agency or*
 12 *an elementary or secondary school (as those terms are de-*
 13 *finied in section 9101 of the Elementary and Secondary*
 14 *Education Act of 1965 (20 U.S.C. 7801)).”.*

15 **SEC. 2815. FORCE-STRUCTURE PLAN AND INFRASTRUC-**
 16 **TURE INVENTORY AND ASSESSMENT OF IN-**
 17 **FRASTRUCTURE NECESSARY TO SUPPORT**
 18 **THE FORCE STRUCTURE.**

19 *(a) PREPARATION AND SUBMISSION OF FORCE-STRUC-*
 20 *TURE PLANS AND INFRASTRUCTURE INVENTORY.—Not later*
 21 *than the date on which the budget of the President for fiscal*
 22 *year 2017 is submitted to Congress pursuant to section 1105*
 23 *of title 31, Unites States Code, the Secretary of Defense shall*
 24 *submit to the congressional defense committees the fol-*
 25 *lowing:*

1 (1) *A force-structure plan for each of the Army,*
2 *Navy, Air Force, and Marine Corps informed by—*

3 (A) *an assessment by the Secretary of De-*
4 *fense of the probable threats to United States na-*
5 *tional security; and*

6 (B) *end-strength levels and major military*
7 *force units (including land force divisions, car-*
8 *rier and other major combatant vessels, air*
9 *wings, and other comparable units) authorized*
10 *in the National Defense Authorization Act for*
11 *Fiscal Year 2012 (Public Law 112–81).*

12 (2) *A categorical inventory of world-wide mili-*
13 *tary installations for each military department, in-*
14 *cluding the number and type of facilities for the reg-*
15 *ular and reserve forces of each military department.*

16 (b) *RELATIONSHIP OF PLANS AND INVENTORY.—Using*
17 *the force-structure plans and categorical infrastructure in-*
18 *ventory prepared under subsection (a), the Secretary of De-*
19 *fense shall prepare (and include as part of the submission*
20 *of such plans and inventory) the following:*

21 (1) *A description of the infrastructure necessary*
22 *to support the force structure described in each force-*
23 *structure plan.*

24 (2) *A discussion of categories of excess infra-*
25 *structure and infrastructure capacity.*

1 (3) *An assessment of the value of retaining cer-*
2 *tain excess infrastructure to accommodate contin-*
3 *gency, mobilization, or surge requirements.*

4 (c) *COMPTROLLER GENERAL EVALUATION.*—*Not later*
5 *than 60 days after the date of the submission of the force-*
6 *structure plans and the categorical infrastructure inventory*
7 *under subsection (a), the Comptroller General of the United*
8 *States shall submit to the congressional defense committees*
9 *an evaluation of the force-structure plans and the categor-*
10 *ical infrastructure inventory, including an evaluation of*
11 *the accuracy and analytical sufficiency of the plans and*
12 *inventory.*

13 **SEC. 2816. TEMPORARY REPORTING REQUIREMENTS RE-**
14 **LATED TO MAIN OPERATING BASES, FOR-**
15 **WARD OPERATING SITES, AND COOPERATIVE**
16 **SECURITY LOCATIONS.**

17 (a) *REPORTS REQUIRED.*—*Not later than the date on*
18 *which the report required by section 2687a of title 10,*
19 *United States Code, is submitted for each of the fiscal years*
20 *2016 through 2020, the Secretary of Defense shall submit*
21 *to the congressional defense committees, the Committee on*
22 *Foreign Relations of the Senate, and the Committee on For-*
23 *ign Affairs of the House of Representatives a report speci-*
24 *fying each location that was newly designated, or had a*
25 *change in its designation, as a main operating base, for-*

1 *ward operating site, or cooperative security location during*
2 *the preceding fiscal year.*

3 (b) *ELEMENTS.*—*Each report required by subsection*
4 *(a) shall include, at a minimum, the following:*

5 (1) *The strategic goal and operational require-*
6 *ments supported by the main operating base, forward*
7 *operating site, or cooperative security location.*

8 (2) *The basis for and cost of any anticipated in-*
9 *frastructure improvements to the base, site, or loca-*
10 *tion.*

11 (3) *A summary of the terms of agreements with*
12 *the host nation regarding the base, site, or location,*
13 *including access agreements, status of forces agree-*
14 *ments, or other implementing agreements, including*
15 *any limitations on United States presence and oper-*
16 *ations.*

17 (c) *FORM OF REPORT.*—*Each report required by sub-*
18 *section (a) shall be submitted in unclassified form, but may*
19 *contain a classified annex as necessary.*

20 **SEC. 2817. EXEMPTION OF ARMY OFF-SITE USE AND OFF-**
21 **SITE REMOVAL ONLY NON-MOBILE PROP-**
22 **ERTIES FROM CERTAIN EXCESS PROPERTY**
23 **DISPOSAL REQUIREMENTS.**

24 (a) *IN GENERAL.*—*Excess or unutilized or underuti-*
25 *lized non-mobile property of the Army that is situated on*

1 *non-excess land shall be exempt from the requirements of*
2 *title V of the McKinney-Vento Homeless Assistance Act (42*
3 *U.S.C. 11411 et seq.) upon a determination by the Sec-*
4 *retary of the Army that—*

5 (1) *the property is not feasible to relocate;*

6 (2) *the property is located in an area to which*
7 *the general public is denied access in the interest of*
8 *national security; and*

9 (3) *the exemption would facilitate the efficient*
10 *disposal of excess property or result in more efficient*
11 *real property management.*

12 (b) *CONSULTATION.—Before making an initial deter-*
13 *mination under the authority provided under subsection*
14 *(a), and periodically thereafter, the Secretary of the Army*
15 *shall consult with the Executive Director of the United*
16 *States Interagency Council on Homelessness on types of*
17 *non-mobile properties that may be feasible for relocation*
18 *and suitable to assist the homeless.*

19 (c) *SUNSET.—The authority of the Secretary of the*
20 *Army to make a determination under subsection (a) expires*
21 *on September 30, 2017.*

1 ***Subtitle C—Provisions Related to***
2 ***Asia-Pacific Military Realignment***

3 ***SEC. 2821. LIMITED EXCEPTION TO RESTRICTION ON DE-***
4 ***VELOPMENT OF PUBLIC INFRASTRUCTURE IN***
5 ***CONNECTION WITH REALIGNMENT OF MA-***
6 ***RINE CORPS FORCES IN ASIA-PACIFIC RE-***
7 ***GION.***

8 *Notwithstanding section 2821(b) of the Military Con-*
9 *struction Authorization Act for Fiscal Year 2015 (division*
10 *B of Public Law 113–291; 128 Stat. 3701), the Secretary*
11 *of Defense may proceed with a public infrastructure project*
12 *intended to improve water and wastewater systems on*
13 *Guam if—*

14 (1) *the project was identified in the report pre-*
15 *pared by the Secretary of Defense under section*
16 *2822(d)(2) of the Military Construction Authorization*
17 *Act for Fiscal Year 2014 (division B of Public Law*
18 *113–66; 127 Stat. 1017); and*

19 (2) *amounts have been appropriated or made*
20 *available to be expended by the Department of Defense*
21 *for the project.*

1 **SEC. 2822. ANNUAL REPORT ON GOVERNMENT OF JAPAN**
2 **CONTRIBUTIONS TOWARD REALIGNMENT OF**
3 **MARINE CORPS FORCES IN ASIA-PACIFIC RE-**
4 **SION.**

5 (a) *REPORT REQUIRED.*—Not later than the date of
6 the submission of the budget of the President for each of
7 fiscal years 2017 through 2026 under section 1105 of title
8 31, United States Code, the Secretary of Defense shall sub-
9 mit to the congressional defense committees a report that
10 specifies each of the following:

11 (1) *The total amount contributed by the Govern-*
12 *ment of Japan during the most recently concluded*
13 *Japanese fiscal year under section 2350k of title 10,*
14 *United States Code, for deposit in the Support for*
15 *United States Relocation to Guam Account.*

16 (2) *The anticipated contributions to be made by*
17 *the Government of Japan under such section during*
18 *the current and next Japanese fiscal years.*

19 (3) *The projects carried out on Guam or the*
20 *Commonwealth of the Northern Mariana Islands dur-*
21 *ing the previous fiscal year using amounts in the*
22 *Support for United States Relocation to Guam Ac-*
23 *count.*

24 (4) *The anticipated projects that will be carried*
25 *out on Guam or the Commonwealth of the Northern*

1 *Mariana Islands during the fiscal year covered by the*
 2 *budget submission using amounts in such Account.*

3 (b) *FORM OF REPORT.*—*Each report required by sub-*
 4 *section (a) shall be submitted in unclassified form, but may*
 5 *contain a classified annex as necessary.*

6 (c) *REPEAL OF SUPERSEDED REPORTING REQUIRE-*
 7 *MENT.*—*Subsection (e) of section 2824 of the Military Con-*
 8 *struction Authorization Act for Fiscal Year 2009 (division*
 9 *B of Public Law 110–417; 10 U.S.C. 2687 note) is repealed.*

10 ***Subtitle D—Land Conveyances***

11 ***SEC. 2831. RELEASE OF REVERSIONARY INTEREST RE-*** 12 ***TAINED AS PART OF CONVEYANCE TO THE*** 13 ***ECONOMIC DEVELOPMENT ALLIANCE OF JEF-*** 14 ***FERSON COUNTY, ARKANSAS.***

15 (a) *RELEASE OF CONDITIONS AND RETAINED INTER-*
 16 *ESTS.*—*With respect to a parcel of real property in Jeffer-*
 17 *son County, Arkansas, consisting of approximately 1,447*
 18 *acres and conveyed by deed to the Economic Development*
 19 *Alliance of Jefferson County, Arkansas (in this section re-*
 20 *ferred to as the “Economic Development Alliance”) by the*
 21 *United States for use as the facility known as the “Bioplex”*
 22 *and related activities pursuant to section 2827 of the Na-*
 23 *tional Defense Authorization Act for Fiscal Year 1997 (Pub-*
 24 *lic Law 104–201), the Secretary of the Army may release*
 25 *subject to the conditions of subsections (b) and (d) below,*

1 *the conditions of conveyance of subsection (c) of such section*
2 *2827 and the reversionary interest retained by the United*
3 *States under subsection (e) of such section.*

4 *(b) CONSIDERATION.—*

5 *(1) EFFECT OF RECONVEYANCE.—Notwith-*
6 *standing subsection (d) of such section 2827, the re-*
7 *lease authorized by subsection (a) of this section shall*
8 *be subject to the condition that, if the Economic De-*
9 *velopment Alliance reconveys all or any part of the*
10 *conveyed property during the 25-year period referred*
11 *to in subsection (c)(2) of such section, the Economic*
12 *Development Alliance shall pay to the United States,*
13 *upon reconveyance, an amount equal to the fair mar-*
14 *ket value of the reconveyed property as of the time of*
15 *the reconveyance, excluding the value of any improve-*
16 *ments made to the property by the Economic Develop-*
17 *ment Alliance.*

18 *(2) DETERMINATION OF FAIR MARKET VALUE.—*
19 *The Secretary of the Army shall determine fair mar-*
20 *ket value in accordance with Federal appraisal stand-*
21 *ards and procedures.*

22 *(3) TREATMENT OF LEASES.—The Secretary of*
23 *the Army may treat a lease of the property within*
24 *such 25-year period as a reconveyance if the Sec-*

1 *retary determines that the lease is being used to avoid*
2 *application of paragraph (1).*

3 *(4) DEPOSIT OF PROCEEDS.—The Secretary of*
4 *the Army shall deposit any proceeds received under*
5 *this subsection in the special account established pur-*
6 *suant to section 572(b) of title 40, United States*
7 *Code.*

8 *(c) INSTRUMENT OF RELEASE.—The Secretary of the*
9 *Army may execute and file in the appropriate office a deed*
10 *of release, amended deed, or other appropriate instrument*
11 *reflecting the release of conditions and retained interests*
12 *under subsection (a).*

13 *(d) PAYMENT OF ADMINISTRATIVE COSTS.—*

14 *(1) PAYMENT REQUIRED.—The Secretary of the*
15 *Army shall require the Economic Development Alli-*
16 *ance to cover costs to be incurred by the Secretary, or*
17 *to reimburse the Secretary for costs incurred by the*
18 *Secretary, to carry out the release of conditions and*
19 *retained interests under subsection (a), including sur-*
20 *vey costs, costs related to environmental documenta-*
21 *tion, and other administrative costs related to the re-*
22 *lease. If amounts paid to the Secretary in advance ex-*
23 *ceed the costs actually incurred by the Secretary to*
24 *carry out the release, the Secretary shall refund the*
25 *excess amount to the Economic Development Alliance.*

1 (2) *TREATMENT OF AMOUNTS RECEIVED.*—
 2 *Amounts received under paragraph (1) as reimburse-*
 3 *ment for costs incurred by the Secretary to carry out*
 4 *the release under subsection (a) shall be credited to*
 5 *the fund or account that was used to cover the costs*
 6 *incurred by the Secretary in carrying out the release.*
 7 *Amounts so credited shall be merged with amounts in*
 8 *such fund or account and shall be available for the*
 9 *same purposes, and subject to the same conditions*
 10 *and limitations, as amounts in such fund or account.*

11 (e) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 12 *retary of the Army may require such additional terms and*
 13 *conditions in connection with the release of conditions and*
 14 *retained interests under subsection (a) as the Secretary con-*
 15 *siders appropriate to protect the interests of the United*
 16 *States, including provisions that the Secretary determines*
 17 *are necessary to preclude any use of the property that would*
 18 *interfere with activities at Pine Bluff Arsenal.*

19 **SEC. 2832. LAND EXCHANGE AUTHORITY, MARE ISLAND**
 20 **ARMY RESERVE CENTER, VALLEJO, CALI-**
 21 **FORNIA.**

22 (a) *EXCHANGE AUTHORIZED.*—*Subject to subsection*
 23 *(b), the Secretary of the Army may carry out a real prop-*
 24 *erty exchange with Touro University California (in this*
 25 *section referred to as the “University”), under which the*

1 *Secretary will convey all right, title, and interest of the*
2 *United States in and to a parcel of real property, including*
3 *any improvements thereon, consisting of approximately*
4 *3.42 acres of the former Mare Island Naval Shipyard on*
5 *Azuar Drive in the City of Vallejo, California, and admin-*
6 *istered by the Secretary as part of the 63rd Regional Sup-*
7 *port Command, for the purpose of permitting the Univer-*
8 *sity to use the parcel for educational and administrative*
9 *purposes.*

10 **(b) CONVEYANCE AUTHORITY CONDITIONAL.**—*The con-*
11 *veyance authority provided by subsection (a) shall take ef-*
12 *fect only if the real property exchange process initiated by*
13 *the Secretary of the Army in a notice of availability*
14 *(DACW05–8–15–512) issued on January 28, 2015, and in-*
15 *volving the real property described in subsection (a) is ter-*
16 *minated unsuccessfully.*

17 **(c) CONVEYANCE PROCESS.**—*The Secretary shall carry*
18 *out the real property exchange authorized by subsection (a)*
19 *using the authority available to the Secretary under section*
20 *18240 of title 10, United States Code.*

21 **(d) FACILITIES TO BE ACQUIRED.**—*In exchange for*
22 *the conveyance of the real property under subsection (a),*
23 *the Secretary of the Army shall acquire, consistent with sub-*
24 *sections (c) and (d) of section 18240 of title 10, United*
25 *States Code, a facility, or addition to an existing facility,*

1 *needed to rectify the parking shortage for the Mare Island*
2 *Army Reserve Center.*

3 *(e) PAYMENT OF COSTS OF CONVEYANCE.—*

4 *(1) PAYMENT REQUIRED.—The Secretary of the*
5 *Army shall require the University to cover costs (ex-*
6 *cept costs for environmental remediation of the prop-*
7 *erty) to be incurred by the Secretary, or to reimburse*
8 *the Secretary for such costs incurred by the Secretary,*
9 *to carry out the conveyance under subsection (a), in-*
10 *cluding survey costs, costs for environmental docu-*
11 *mentation related to the conveyance, and any other*
12 *administrative costs related to the conveyance. If*
13 *amounts are collected from the University in advance*
14 *of the Secretary incurring the actual costs, and the*
15 *amount collected exceeds the costs actually incurred*
16 *by the Secretary to carry out the conveyance, the Sec-*
17 *retary shall refund the excess amount to the Univer-*
18 *sity.*

19 *(2) TREATMENT OF AMOUNTS RECEIVED.—*

20 *Amounts received as reimbursement under paragraph*
21 *(1) shall be credited to the fund or account that was*
22 *used to cover those costs incurred by the Secretary in*
23 *carrying out the conveyance or, if the period of avail-*
24 *ability for obligations for that appropriation has ex-*
25 *pired, to the appropriations or fund that is currently*

1 available to the Secretary for the same purpose.
 2 Amounts so credited shall be merged with amounts in
 3 such fund or account, and shall be available for the
 4 same purposes, and subject to the same conditions
 5 and limitations, as amounts in such fund or account.

6 (f) *DESCRIPTION OF PROPERTY.*—The exact acreage
 7 and legal description of the property to be conveyed under
 8 subsection (a) and acquired under subsection (d) shall be
 9 determined by a survey satisfactory to the Secretary of the
 10 Army.

11 **SEC. 2833. LAND EXCHANGE, NAVY OUTLYING LANDING**
 12 **FIELD, NAVAL AIR STATION, WHITING FIELD,**
 13 **FLORIDA.**

14 (a) *LAND EXCHANGE AUTHORIZED.*—The Secretary of
 15 the Navy may convey to Escambia County, Florida (in this
 16 section referred to as the “County”), all right, title, and
 17 interest of the United States in and to a parcel of real prop-
 18 erty, including any improvements thereon, containing Navy
 19 Outlying Landing Field Site 8 in Escambia County associ-
 20 ated with Naval Air Station, Whiting Field, Milton, Flor-
 21 ida.

22 (b) *LAND TO BE ACQUIRED.*—In exchange for the
 23 property described in subsection (a), the County shall con-
 24 vey to the Secretary of the Navy land and improvements
 25 thereon in Santa Rosa County, Florida, that is acceptable

1 *to the Secretary and suitable for use as a Navy outlying*
2 *landing field to replace Navy Outlying Landing Field Site*
3 8.

4 *(c) PAYMENT OF COSTS OF CONVEYANCE.—*

5 *(1) PAYMENT REQUIRED.—The Secretary of the*
6 *Navy shall require the County to cover costs to be in-*
7 *curring by the Secretary, or to reimburse the Secretary*
8 *for such costs incurred by the Secretary, to carry out*
9 *the land exchange under this section, including survey*
10 *costs, costs for environmental documentation, other*
11 *administrative costs related to the land exchange, and*
12 *all costs associated with relocation of activities and*
13 *facilities from Navy Outlying Landing Field Site 8*
14 *to the replacement location. If amounts are collected*
15 *from the County in advance of the Secretary incur-*
16 *ring the actual costs, and the amount collected exceeds*
17 *the costs actually incurred by the Secretary to carry*
18 *out the land exchange, the Secretary shall refund the*
19 *excess amount to the County.*

20 *(2) TREATMENT OF AMOUNTS RECEIVED.—*

21 *Amounts received as reimbursement under paragraph*
22 *(1) shall be credited to the fund or account that was*
23 *used to cover those costs incurred by the Secretary in*
24 *carrying out the land exchange. Amounts so credited*
25 *shall be merged with amounts in such fund or ac-*

1 *imposed by the United States under subsection (b) of such*
2 *section and the reversionary interest retained by the United*
3 *States under subsection (c) of such section. The release of*
4 *such terms and conditions and retained interests with re-*
5 *spect to any portion of that parcel shall not be construed*
6 *to alter the rights or interests retained by the United States*
7 *with respect to the remainder of the real property conveyed*
8 *to the State under such section.*

9 **(b) CONDITION OF RELEASE.**—*The release authorized*
10 *by subsection (a) of terms and conditions and retained in-*
11 *terests shall be subject to the condition that the State of Lou-*
12 *isiana—*

13 **(1)** *transfer the parcel of real property described*
14 *in such subsection from the Louisiana Military De-*
15 *partment to the Louisiana Agricultural Finance Au-*
16 *thority for the purpose of permitting the Louisiana*
17 *Agricultural Finance Authority to use the parcel for*
18 *any purposes allowed by State law; and*

19 **(2)** *make available to the Louisiana Military De-*
20 *partment real property to replace the transferred par-*
21 *cel that is suitable for use for National Guard train-*
22 *ing and operational support for emergency manage-*
23 *ment and homeland defense activities.*

24 **(c) INSTRUMENT OF RELEASE AND DESCRIPTION OF**
25 **PROPERTY.**—*The Secretary of the Army may execute and*

1 *file in the appropriate office a deed of release, amended*
2 *deed, or other appropriate instrument reflecting the release*
3 *of terms and conditions and retained interests under sub-*
4 *section (a). The exact acreage and legal description of the*
5 *property described in such subsection shall be determined*
6 *by a survey satisfactory to the Secretary of the Army.*

7 *(d) PAYMENT OF ADMINISTRATIVE COSTS.—*

8 *(1) PAYMENT REQUIRED.—The Secretary of the*
9 *Army may require the State of Louisiana to cover*
10 *costs to be incurred by the Secretary, or to reimburse*
11 *the Secretary for costs incurred by the Secretary, to*
12 *carry out the release of retained interests under sub-*
13 *section (a), including survey costs, costs related to en-*
14 *vironmental documentation, and other administrative*
15 *costs related to the conveyance. If amounts paid to the*
16 *Secretary in advance exceed the costs actually in-*
17 *curring by the Secretary to carry out the conveyance,*
18 *the Secretary shall refund the excess amount to the*
19 *State.*

20 *(2) TREATMENT OF AMOUNTS RECEIVED.—*
21 *Amounts received under paragraph (1) as reimburse-*
22 *ment for costs incurred by the Secretary to carry out*
23 *the release of retained interests under subsection (a)*
24 *shall be credited to the fund or account that was used*
25 *to cover the costs incurred by the Secretary in car-*

1 *rying out the release of retained interests. Amounts so*
2 *credited shall be merged with amounts in such fund*
3 *or account and shall be available for the same pur-*
4 *poses, and subject to the same conditions and limita-*
5 *tions, as amounts in such fund or account.*

6 *(e) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
7 *retary of the Army may require such additional terms and*
8 *conditions in connection with the release of retained inter-*
9 *ests under subsection (a) as the Secretary considers appro-*
10 *priate to protect the interests of the United States.*

11 **SEC. 2835. RELEASE OF PROPERTY INTERESTS RETAINED**
12 **IN CONNECTION WITH LAND CONVEYANCE,**
13 **FORT BLISS MILITARY RESERVATION, TEXAS.**

14 *(a) RELEASE OF RETAINED INTERESTS.—With respect*
15 *to a parcel of real property in El Paso, Texas, consisting*
16 *of approximately 20 acres and conveyed by deed for Na-*
17 *tional Guard and military purposes by the United States*
18 *to the State of Texas pursuant to section 708 of the Military*
19 *Construction Authorization Act, 1972 (Public Law 92-145;*
20 *85 Stat. 412), the Secretary of the Army may release the*
21 *rights reserved by the United States under subsections (d)*
22 *and (e)(2) of such section and the reversionary interest re-*
23 *tained by the United States under subsection (e)(1) of such*
24 *section. The release of such rights and retained interests*
25 *with respect to any portion of that parcel shall not be con-*

1 *strued to alter the rights or interests retained by the United*
2 *States with respect to the remainder of the real property*
3 *conveyed to the State under such section.*

4 (b) *CONDITION OF RELEASE.*—*The release authorized*
5 *by subsection (a) of rights and retained interests shall be*
6 *subject to the condition that—*

7 (1) *the State of Texas sell the parcel of real prop-*
8 *erty covered by the release for fair market value; and*

9 (2) *all proceeds from the sale shall be used to*
10 *fund improvements or repairs for National Guard*
11 *and military purposes on the remainder of the prop-*
12 *erty conveyed under section 708 of the Military Con-*
13 *struction Authorization Act, 1972 (Public Law 92-*
14 *145; 85 Stat. 412) and retained by the State.*

15 (c) *INSTRUMENT OF RELEASE AND DESCRIPTION OF*
16 *PROPERTY.*—*The Secretary of the Army may execute and*
17 *file in the appropriate office a deed of release, amended*
18 *deed, or other appropriate instrument reflecting the release*
19 *of rights and retained interests under subsection (a). The*
20 *exact acreage and legal description of the property for which*
21 *rights and retained interests are released under subsection*
22 *(a) shall be determined by a survey satisfactory to the Sec-*
23 *retary of the Army.*

24 (d) *PAYMENT OF ADMINISTRATIVE COSTS.*—

1 (1) *PAYMENT REQUIRED.*—*The Secretary of the*
2 *Army may require the State of Texas to cover costs*
3 *to be incurred by the Secretary, or to reimburse the*
4 *Secretary for costs incurred by the Secretary, to carry*
5 *out the release of retained interests under subsection*
6 *(a), including survey costs, costs related to environ-*
7 *mental documentation, and other administrative costs*
8 *related to the conveyance. If amounts paid to the Sec-*
9 *retary in advance exceed the costs actually incurred*
10 *by the Secretary to carry out the conveyance, the Sec-*
11 *retary shall refund the excess amount to the State.*

12 (2) *TREATMENT OF AMOUNTS RECEIVED.*—
13 *Amounts received under paragraph (1) as reimburse-*
14 *ment for costs incurred by the Secretary to carry out*
15 *the release of retained interests under subsection (a)*
16 *shall be credited to the fund or account that was used*
17 *to cover the costs incurred by the Secretary in car-*
18 *rying out the release of retained interests. Amounts so*
19 *credited shall be merged with amounts in such fund*
20 *or account and shall be available for the same pur-*
21 *poses, and subject to the same conditions and limita-*
22 *tions, as amounts in such fund or account.*

23 (e) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
24 *retary of the Army may require such additional terms and*
25 *conditions in connection with the release of retained inter-*

1 *ests under subsection (a) as the Secretary considers appro-*
 2 *priate to protect the interests of the United States, to in-*
 3 *clude necessary munitions response actions by the State of*
 4 *Texas in accordance with subsection (e)(3) of section 708*
 5 *of the Military Construction Authorization Act, 1972 (Pub-*
 6 *lic Law 92–145; 85 Stat. 412).*

7 ***Subtitle E—Military Land***
 8 ***Withdrawals***

9 ***SEC. 2841. ADDITIONAL WITHDRAWAL AND RESERVATION***
 10 ***OF PUBLIC LAND, NAVAL AIR WEAPONS STA-***
 11 ***TION CHINA LAKE, CALIFORNIA.***

12 *Section 2971(b) of the Military Construction Author-*
 13 *ization Act for Fiscal Year 2014 (division B of Public Law*
 14 *113–66; 127 Stat. 1044) is amended—*

15 *(1) by striking “The public land” and inserting*
 16 *the following:*

17 *“(1) INITIAL WITHDRAWAL.—The public land”;*
 18 *and*

19 *(2) by adding at the end the following new para-*
 20 *graph:*

21 *“(2) ADDITIONAL WITHDRAWAL.—*

22 *“(A) IN GENERAL.—Except as provided in*
 23 *subparagraph (B), the public land (including in-*
 24 *terests in land) referred to in subsection (a) also*
 25 *includes the approximately 21,060 acres of pub-*

1 *lic land in San Bernardino County, California,*
 2 *identified as ‘Proposed Navy Land’ on the map*
 3 *entitled ‘Proposed Navy Withdrawal’, dated*
 4 *March 10, 2015, and filed in accordance with*
 5 *section 2912.*

6 “(B) *EXCLUDED LANDS.*—*The withdrawal*
 7 *area referred to in subparagraph (A) specifically*
 8 *excludes section 36, township 29 south, range 43*
 9 *east, San Bernardino meridian.*

10 “(C) *EXISTING RIGHTS AND ACCESS.*—*The*
 11 *withdrawal and reservation of public land pur-*
 12 *suant to subparagraph (A) is subject to valid ex-*
 13 *isting rights. The Secretary of the Navy shall en-*
 14 *sure that the owners of the excluded private land*
 15 *identified in subparagraph (B) continue to have*
 16 *reasonable access to such land.”.*

17 ***Subtitle F—Other Matters***

18 ***SEC. 2851. MODIFICATION OF DEPARTMENT OF DEFENSE***

19 ***GUIDANCE ON USE OF AIRFIELD PAVEMENT*** 20 ***MARKINGS.***

21 *The Secretary of Defense shall require such modifica-*
 22 *tions of Unified Facilities Guide Specifications for pave-*
 23 *ment markings (UFGS 32 17 23.00 20 Pavement Markings,*
 24 *UFGS 32 17 24.00 10 Pavement Markings), Air Force En-*
 25 *gineering Technical Letter ETL 97–18 (Guide Specification*

1 *for Airfield and Roadway Marking), and any other Depart-*
2 *ment of Defense guidance on airfield pavement markings*
3 *as may be necessary to permit the use of Type III category*
4 *of retro-reflective beads to reflectorize airfield markings. The*
5 *Secretary shall develop appropriate policy to ensure that*
6 *the determination of the category of retro-reflective beads*
7 *used on an airfield is determined on an installation-by-in-*
8 *stallation basis, taking into consideration local conditions*
9 *and the life-cycle maintenance costs of the pavement mark-*
10 *ings.*

11 **SEC. 2852. EXTENSION OF AUTHORITY FOR ESTABLISH-**
12 **MENT OF COMMEMORATIVE WORK IN HONOR**
13 **OF BRIGADIER GENERAL FRANCIS MARION.**

14 *Notwithstanding section 8903(e) of title 40, United*
15 *States Code, the authority provided by section 331 of the*
16 *Consolidated Natural Resources Act of 2008 (Public Law*
17 *110–229; 122 Stat. 781; 40 U.S.C. 8903 note) shall continue*
18 *to apply through May 8, 2018.*

1 **DIVISION C—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **AUTHORIZATIONS AND**
 4 **OTHER AUTHORIZATIONS**
 5 **TITLE XXXI—DEPARTMENT OF**
 6 **ENERGY NATIONAL SECURITY**
 7 **PROGRAMS**

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.

Sec. 3103. Other defense activities.

Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Improvement to accountability of Department of Energy employees and projects.

Sec. 3112. Stockpile responsiveness program.

Sec. 3113. Notification of cost overruns and Selected Acquisition Reports for major alteration projects.

Sec. 3114. Root cause analyses for certain cost overruns.

Sec. 3115. Funding of laboratory-directed research and development programs.

Sec. 3116. Hanford Waste Treatment and Immobilization Plant contract oversight.

Sec. 3117. Use of best practices for capital asset projects and nuclear weapon life extension programs.

Sec. 3118. Research and development of advanced naval nuclear fuel system based on low-enriched uranium.

Sec. 3119. Disposition of weapons-usable plutonium.

Sec. 3120. Establishment of microlab pilot program.

Sec. 3121. Prohibition on availability of funds for provision of defense nuclear nonproliferation assistance to Russian Federation.

Sec. 3122. Prohibition on availability of funds for new fixed site radiological portal monitors in foreign countries.

Sec. 3123. Limitation on availability of funds for certain arms control and nonproliferation technologies.

Sec. 3124. Limitation on availability of funds for nuclear weapons dismantlement.

Subtitle C—Plans and Reports

Sec. 3131. Long-term plan for meeting national security requirements for unencumbered uranium.

Sec. 3132. Defense nuclear nonproliferation management plan and reports.

Sec. 3133. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.

Sec. 3134. Assessment of emergency preparedness of defense nuclear facilities.

Sec. 3135. Modifications to cost-benefit analyses for competition of management and operating contracts.

Sec. 3136. Interagency review of applications for the transfer of United States civil nuclear technology.

Sec. 3137. Governance and management of nuclear security enterprise.

Sec. 3138. Annual report on number of full-time equivalent employees and contractor employees.

Sec. 3139. Development of strategy on risks to nonproliferation caused by additive manufacturing.

Sec. 3140. Plutonium pit production capacity.

Sec. 3141. Assessments on nuclear proliferation risks and nuclear nonproliferation opportunities.

Sec. 3142. Analysis of alternatives for Mobile Guardian Transporter program.

1 ***Subtitle A—National Security***
 2 ***Programs Authorizations***

3 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
 4 ***TION.***

5 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 6 *hereby authorized to be appropriated to the Department of*
 7 *Energy for fiscal year 2016 for the activities of the National*
 8 *Nuclear Security Administration in carrying out programs*
 9 *as specified in the funding table in section 4701.*

10 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*
 11 *From funds referred to in subsection (a) that are available*
 12 *for carrying out plant projects, the Secretary of Energy*
 13 *may carry out the following new plant project for the Na-*
 14 *tional Nuclear Security Administration:*

15 *Project 16–D–621, Substation Replacement at*
 16 *Technical Area 3, Los Alamos National Laboratory,*
 17 *Los Alamos, New Mexico, \$25,000,000.*

1 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

2 *Funds are hereby authorized to be appropriated to the*
3 *Department of Energy for fiscal year 2016 for defense envi-*
4 *ronmental cleanup activities in carrying out programs as*
5 *specified in the funding table in section 4701.*

6 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

7 *Funds are hereby authorized to be appropriated to the*
8 *Department of Energy for fiscal year 2016 for other defense*
9 *activities in carrying out programs as specified in the fund-*
10 *ing table in section 4701.*

11 **SEC. 3104. NUCLEAR ENERGY.**

12 *Funds are hereby authorized to be appropriated to the*
13 *Department of Energy for fiscal year 2016 for nuclear en-*
14 *ergy as specified in the funding table in section 4701.*

15 **Subtitle B—Program Authoriza-**
16 **tions, Restrictions, and Limita-**
17 **tions**

18 **SEC. 3111. IMPROVEMENT TO ACCOUNTABILITY OF DEPART-**
19 **MENT OF ENERGY EMPLOYEES AND**
20 **PROJECTS.**

21 (a) NOTIFICATIONS.—

22 (1) IN GENERAL.—*Subtitle C of the National*
23 *Nuclear Security Administration Act (50 U.S.C. 2441*
24 *et seq.) is amended by adding at the end the following*
25 *new section:*

1 **“SEC. 3245. NOTIFICATION OF EMPLOYEE PRACTICES AF-**
2 **FFECTING NATIONAL SECURITY.**

3 *“(a) ANNUAL NOTIFICATION.—At or about the time*
4 *that the President’s budget is submitted to Congress under*
5 *section 1105(a) of title 31, United States Code, the Sec-*
6 *retary of Energy and the Administrator shall jointly notify*
7 *the appropriate congressional committees of—*

8 *“(1) the number of covered employees whose secu-*
9 *rity clearance was revoked during the year prior to*
10 *the year in which the notification is made; and*

11 *“(2) for each employee counted under paragraph*
12 *(1), the length of time such employee has been em-*
13 *ployed at the Department or the Administration, as*
14 *the case may be, since such revocation.*

15 *“(b) NOTIFICATION TO CONGRESSIONAL COMMIT-*
16 *TEES.—Whenever the Secretary or the Administrator termi-*
17 *nates the employment of a covered employee or removes and*
18 *reassigns a covered employee for cause, the Secretary or the*
19 *Administrator, as the case may be, shall notify the appro-*
20 *priate congressional committees of such termination or re-*
21 *assignment by not later than 30 days after the date of such*
22 *termination or reassignment.*

23 *“(c) DEFINITIONS.—In this section:*

24 *“(1) The term ‘appropriate congressional com-*
25 *mittees’ means—*

1 “(A) the congressional defense committees;
2 and

3 “(B) the Committee on Energy and Com-
4 merce of the House of Representatives and the
5 Committee on Energy and Natural Resources of
6 the Senate.

7 “(2) The term ‘covered employee’ means—

8 “(A) an employee of the Administration; or

9 “(B) an employee of an element of the De-
10 partment of Energy (other than the Administra-
11 tion) involved in nuclear security.”.

12 (2) CLERICAL AMENDMENT.—The table of con-
13 tents for such Act is amended by inserting after the
14 item relating to section 3244 the following new item:

“Sec. 3245. Notification of employee practices affecting national security.”.

15 (3) ONE-TIME CERTIFICATION.—Not later than
16 30 days after the date of the enactment of this Act,
17 the Secretary of Energy and the Administrator for
18 Nuclear Security shall jointly submit to the congress-
19 sional defense committees, the Committee on Energy
20 and Commerce of the House of Representatives, and
21 the Committee on Energy and Natural Resources of
22 the Senate written certification that the Secretary
23 and the Administrator possess the authorities needed
24 to terminate the employment of an employee for cause
25 relating to improper program management, as de-

1 *scribed in section 3246(a) of the National Nuclear Se-*
2 *curity Administration Act (as added by subsection*
3 *(b)(1)).*

4 *(b) LIMITATION ON BONUSES.—*

5 *(1) IN GENERAL.—Such subtitle, as amended by*
6 *subsection (a)(1), is further amended by adding at the*
7 *end the following:*

8 **“SEC. 3246. LIMITATION ON BONUSES FOR EMPLOYEES**
9 **WHO ENGAGE IN IMPROPER PROGRAM MAN-**
10 **AGEMENT.**

11 *“(a) LIMITATION.—*

12 *“(1) IN GENERAL.—The Secretary of Energy or*
13 *the Administrator may not pay to a covered employee*
14 *a bonus during the one-year period beginning on the*
15 *date on which the Secretary or the Administrator, as*
16 *the case may be, determines that the covered employee*
17 *engaged in improper program management that re-*
18 *sulted in a notification under section 4713 of the*
19 *Atomic Energy Defense Act (50 U.S.C. 2753) or sig-*
20 *nificantly and detrimentally affected the cost, scope,*
21 *or schedule associated with the approval of critical de-*
22 *cision 3 in the acquisition process for a project (as*
23 *defined in Department of Energy Order 413.3B (re-*
24 *lating to program management and project manage-*
25 *ment for the acquisition of capital assets)).*

1 “(2) *IMPLEMENTATION GUIDANCE.*—Not later
2 than one year after the date of the enactment of this
3 section, the Secretary shall issue guidance for the im-
4 plementation of paragraph (1).

5 “(b) *GUIDANCE PROHIBITING BONUSES FOR ADDI-*
6 *TIONAL EMPLOYEES.*—Not later than 180 days after the
7 date of the enactment of this section, the Secretary and the
8 Administrator shall each issue guidance prohibiting the
9 payment of a bonus to a covered employee during the one-
10 year period beginning on the date on which the Secretary
11 or the Administrator, as the case may be, determines that
12 the covered employee engaged in improper program man-
13 agement—

14 “(1) that jeopardized the health, safety, or secu-
15 rity of employees or facilities of the Administration
16 or another element of the Department of Energy in-
17 volved in nuclear security; or

18 “(2) in carrying out defense nuclear non-
19 proliferation activities.

20 “(c) *WAIVER.*—The Secretary or the Administrator, as
21 the case may be, may waive the limitation on the payment
22 of a bonus under subsection (a) or (b) on a case-by-case
23 basis if—

1 “(1) *the Secretary or the Administrator, as the*
 2 *case may be, notifies the appropriate congressional*
 3 *committees of such waiver; and*

4 “(2) *a period of 60 days elapses following such*
 5 *notification.*

6 “(d) *DEFINITIONS.—In this section:*

7 “(1) *The term ‘appropriate congressional com-*
 8 *mittees’ means—*

9 “(A) *the congressional defense committees;*
 10 *and*

11 “(B) *the Committee on Energy and Com-*
 12 *merce of the House of Representatives and the*
 13 *Committee on Energy and Natural Resources of*
 14 *the Senate.*

15 “(2) *The term ‘bonus’ means a bonus or award*
 16 *paid under title 5, United States Code, including*
 17 *under chapters 45 or 53 of such title, or any other*
 18 *provision of law.*

19 “(3) *The term ‘covered employee’ has the mean-*
 20 *ing given that term in section 3245.”.*

21 “(2) *CLERICAL AMENDMENT.—The table of con-*
 22 *tents for such Act, as amended by subsection (a)(2),*
 23 *is further amended by inserting after the item relat-*
 24 *ing to section 3245 the following new item:*

“*Sec. 3246. Limitation on bonuses for employees who engage in improper pro-*
gram management.”.

1 (c) *TREATMENT OF CONTACTOR EMPLOYEES.*—

2 (1) *IN GENERAL.*—Such subtitle, as amended by
3 subsections (a)(1) and (b)(1), is further amended by
4 adding at the end the following:

5 **“SEC. 3247. TREATMENT OF CONTRACTORS WHO ENGAGE IN**
6 **IMPROPER PROGRAM MANAGEMENT.**

7 “(a) *IN GENERAL.*—Except as provided by subsection
8 (b), if the Secretary of Energy or the Administrator deter-
9 mines that a covered contractor engaged in improper pro-
10 gram management that resulted in a notification under sec-
11 tion 4713 of the Atomic Energy Defense Act (50 U.S.C.
12 2753) or significantly and detrimentally affected the cost,
13 scope, or schedule associated with the approval of critical
14 decision 3 in the acquisition process for a project (as de-
15 fined in Department of Energy Order 413.3B (relating to
16 program management and project management for the ac-
17 quisition of capital assets)), the Secretary or the Adminis-
18 trator, as the case may be, shall submit to the appropriate
19 congressional committees—

20 “(1) an explanation as to whether termination of
21 the contract is an appropriate remedy;

22 “(2) a description of the terms of the contract re-
23 garding award fees and performance; and

1 “(3) a description of how the Secretary or the
2 Administrator, as the case may be, plans to exercise
3 options under the contract.

4 “(b) *EXCEPTION.*—If the Secretary or the Adminis-
5 trator, as the case may be, is not able to submit the informa-
6 tion described in paragraphs (1) through (3) of subsection
7 (a) by reason of a contract enforcement action, the Sec-
8 retary or the Administrator, as the case may be, shall sub-
9 mit to the appropriate congressional committees a notifica-
10 tion of such contract enforcement action and the date on
11 which the Secretary or the Administrator, as the case may
12 be, plans to submit the information described in such para-
13 graphs.

14 “(c) *DEFINITIONS.*—In this section:

15 “(1) The term ‘appropriate congressional com-
16 mittees’ means—

17 “(A) the congressional defense committees;
18 and

19 “(B) the Committee on Energy and Com-
20 merce of the House of Representatives and the
21 Committee on Energy and Natural Resources of
22 the Senate.

23 “(2) The term ‘covered contractor’ means—

24 “(A) a contractor of the Administration; or

1 “(B) a contractor of an element of the De-
2 partment of Energy (other than the Administra-
3 tion) involved in nuclear security.”.

4 (2) *CLERICAL AMENDMENT.*—The table of con-
5 tents for such Act, as amended by subsections (a)(2)
6 and (b)(2), is further amended by inserting after the
7 item relating to section 3246 the following new item:

“Sec. 3247. Treatment of contractors who engage in improper program manage-
ment.”.

8 **SEC. 3112. STOCKPILE RESPONSIVENESS PROGRAM.**

9 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
10 that—

11 (1) a modern and responsive nuclear weapons
12 infrastructure is only one component of a nuclear
13 posture that is agile, flexible, and responsive to
14 change; and

15 (2) to ensure the nuclear deterrent of the United
16 States remains safe, secure, reliable, credible, and re-
17 sponsive, the United States must continually exercise
18 all capabilities required to conceptualize, study, de-
19 sign, develop, engineer, certify, produce, and deploy
20 nuclear weapons.

21 (b) *ESTABLISHMENT OF PROGRAM.*—

22 (1) *IN GENERAL.*—Subtitle A of title XLII of the
23 Atomic Energy Defense Act (50 U.S.C. 2521 et seq.)

1 *is amended by adding at the end the following new*
2 *section:*

3 **“SEC. 4220. STOCKPILE RESPONSIVENESS PROGRAM.**

4 *“(a) STATEMENT OF POLICY.—It is the policy of the*
5 *United States to identify, sustain, enhance, integrate, and*
6 *continually exercise all capabilities required to concep-*
7 *tualize, study, design, develop, engineer, certify, produce,*
8 *and deploy nuclear weapons to ensure the nuclear deterrent*
9 *of the United States remains safe, secure, reliable, credible,*
10 *and responsive.*

11 *“(b) PROGRAM REQUIRED.—The Secretary of Energy,*
12 *acting through the Administrator and in consultation with*
13 *the Secretary of Defense, shall carry out a stockpile respon-*
14 *siveness program, along with the stockpile stewardship pro-*
15 *gram under section 4201 and the stockpile management*
16 *program under section 4204, to identify, sustain, enhance,*
17 *integrate, and continually exercise all capabilities required*
18 *to conceptualize, study, design, develop, engineer, certify,*
19 *produce, and deploy nuclear weapons.*

20 *“(c) OBJECTIVES.—The program under subsection (b)*
21 *shall have the following objectives:*

22 *“(1) Identify, sustain, enhance, integrate, and*
23 *continually exercise all of the capabilities, infrastruc-*
24 *ture, tools, and technologies across the science, engi-*
25 *neering, design, certification, and manufacturing*

1 *cycle required to carry out all phases of the joint nu-*
2 *clear weapons life cycle process, with respect to both*
3 *the nuclear security enterprise and relevant elements*
4 *of the Department of Defense.*

5 *“(2) Identify, enhance, and transfer knowledge,*
6 *skills, and direct experience with respect to all phases*
7 *of the joint nuclear weapons life cycle process from*
8 *one generation of nuclear weapon designers and engi-*
9 *neers to the following generation.*

10 *“(3) Periodically demonstrate stockpile respon-*
11 *siveness throughout the range of capabilities required,*
12 *including prototypes, flight testing, and development*
13 *of plans for certification without the need for nuclear*
14 *explosive testing.*

15 *“(4) Shorten design, certification, and manufac-*
16 *turing cycles and timelines to minimize the amount*
17 *of time and costs leading to an engineering prototype*
18 *and production.*

19 *“(5) Continually exercise processes for the inte-*
20 *gration and coordination of all relevant elements and*
21 *processes of the Administration and the Department*
22 *of Defense required to ensure stockpile responsiveness.*

23 *“(d) JOINT NUCLEAR WEAPONS LIFE CYCLE PROCESS*
24 *DEFINED.—In this section, the term ‘joint nuclear weapons*
25 *life cycle process’ means the process developed and main-*

1 *tained by the Secretary of Defense and the Secretary of En-*
 2 *ergy for the development, production, maintenance, and re-*
 3 *tirement of nuclear weapons.”.*

4 (2) *CLERICAL AMENDMENT.—The table of con-*
 5 *tents for such Act is amended by inserting after the*
 6 *item relating to section 4219 the following new item:*

“Sec. 4220. Stockpile responsiveness program.”.

7 (c) *INCLUSION IN STOCKPILE STEWARDSHIP, MANAGE-*
 8 *MENT, AND INFRASTRUCTURE PLAN.—*

9 (1) *IN GENERAL.—Section 4203 of such Act (50*
 10 *U.S.C. 2523) is amended—*

11 (A) *in the section heading, by striking “IN-*
 12 *FRAS****TRUCTURE****” and inserting “RESPON-*

13 ***SIVENESS****”;*
 14 (B) *in subsection (a), by inserting “stock-*
 15 *pile responsiveness,” after “stockpile manage-*
 16 *ment,”;*

17 (C) *in subsection (c)—*

18 (i) *by redesignating paragraphs (5)*
 19 *and (6) as paragraphs (6) and (7), respec-*
 20 *tively; and*

21 (ii) *by inserting after paragraph (4)*
 22 *the following new paragraph (5):*

23 *“(5) A summary of the status, plans, and budg-*
 24 *ets for carrying out the stockpile responsiveness pro-*
 25 *gram under section 4220.”;*

1 (D) in subsection (d)(1)—

2 (i) in the matter preceding subpara-
3 graph (A), by striking “stewardship and
4 management” and inserting “stewardship,
5 stockpile management, and stockpile respon-
6 siveness”;

7 (ii) in subparagraph (K), by striking
8 “; and” and inserting a semicolon;

9 (iii) in subparagraph (L), by striking
10 the period and inserting a semicolon; and

11 (iv) by adding at the end the following
12 new subparagraphs:

13 “(M) the status, plans, activities, budgets,
14 and schedules for carrying out the stockpile re-
15 sponsiveness program under section 4220; and

16 “(N) for each of the five fiscal years fol-
17 lowing the fiscal year in which the report is sub-
18 mitted, an identification of the funds needed to
19 carry out the program required under section
20 4220.”; and

21 (E) in subsection (e)(1)(A)—

22 (i) in clause (i), by striking “; and”
23 and inserting a semicolon;

24 (ii) in clause (ii), by striking the pe-
25 riod and inserting “; and”; and

1 (iii) by adding at the end the following
2 new clause:

3 “(iii) whether the plan supports the
4 stockpile responsiveness program under sec-
5 tion 4220 in a manner that meets the objec-
6 tives of such program and an identification
7 of any improvements that may be made to
8 the plan to better carry out such program.”.

9 (2) *CLERICAL AMENDMENT.*—The table of con-
10 tents for such Act is amended by striking the item re-
11 lating to section 4203 and inserting the following new
12 item:

 “Sec. 4203. Nuclear weapons stockpile stewardship, management, and responsive-
 ness plan.”.

13 (d) *REPORT BY STRATCOM.*—Section 4205(e)(4) of
14 such Act (50 U.S.C. 2525(e)(4)) is amended—

15 (1) in subparagraph (A), by striking “; and”
16 and inserting a semicolon;

17 (2) in subparagraph (B), by striking the period
18 and inserting “; and”; and

19 (3) by adding at the end the following new sub-
20 paragraph:

21 “(C) the views of the Commander on the
22 stockpile responsiveness program under section
23 4220, the activities conducted under such pro-

1 *gram, and any suggestions to improve such pro-*
 2 *gram.”.*

3 **SEC. 3113. NOTIFICATION OF COST OVERRUNS AND SE-**
 4 **LECTED ACQUISITION REPORTS FOR MAJOR**
 5 **ALTERATION PROJECTS.**

6 *(a) NOTIFICATION OF COST OVERRUNS.—*

7 *(1) IN GENERAL.—Section 4713(a) of the Atomic*
 8 *Energy Defense Act (50 U.S.C. 2753(a)) is amend-*
 9 *ed—*

10 *(A) by redesignating paragraphs (2) and*
 11 *(3) as paragraphs (3) and (4), respectively; and*

12 *(B) by inserting after paragraph (1) the fol-*
 13 *lowing new paragraph (2):*

14 *“(2) MAJOR ALTERATION PROJECTS.—*

15 *“(A) IN GENERAL.—The Administrator*
 16 *shall establish a cost and schedule baseline for*
 17 *each major alteration project.*

18 *“(B) PER UNIT COST.—The cost baseline de-*
 19 *veloped under subparagraph (A) shall include,*
 20 *with respect to each major alteration project, an*
 21 *estimated cost for each warhead in the project.*

22 *“(C) NOTIFICATION TO CONGRESSIONAL DE-*
 23 *FENSE COMMITTEES.—Not later than 30 days*
 24 *after establishing a cost and schedule baseline*
 25 *under subparagraph (A), the Administrator shall*

1 *submit the cost and schedule baseline to the con-*
2 *gressional defense committees.*

3 “(D) *MAJOR ALTERATION PROJECT DE-*
4 *FINED.—In this paragraph, the term ‘major al-*
5 *teration project’ means a nuclear weapon system*
6 *alteration project of the Administration the cost*
7 *of which exceeds \$750,000,000.”.*

8 (2) *CONFORMING AMENDMENTS.—Section 4713*
9 *of such Act is further amended—*

10 (A) *in subsection (b)—*

11 (i) *in paragraph (1), by striking “or*
12 (3)” and inserting “(3), or (4)”; and

13 (ii) *in paragraph (2)—*

14 (I) *by inserting “or a major alter-*
15 *ation project referred to in subsection*
16 *(a)(2)” after “subsection (a)(1)”;* and

17 (II) *by inserting “or (a)(2)(B), as*
18 *applicable,”;* and

19 (B) *in subsection (c)(2)(A), by inserting “or*
20 *a major alteration project referred to in sub-*
21 *section (a)(2)” after “subsection (a)(1)”.*

22 (b) *INCLUSION OF MAJOR ALTERATION PROJECTS IN*
23 *SELECTED ACQUISITION REPORTS AND INDEPENDENT*
24 *COST ESTIMATES.—*

1 (1) *IN GENERAL.*—Section 4217 of such Act (50
2 *U.S.C. 2537*) is amended—

3 (A) in subsection (a)(1), by inserting “or a
4 major alteration project (as defined in section
5 4713(a)(2))” after “life extension”; and

6 (B) in subsection (b)(1)(A), by adding at
7 the end the following new clause:

8 “(iv) Each nuclear weapons system un-
9 dergoing a major alteration project (as de-
10 fined in section 4713(a)(2)).”.

11 (2) *CONFORMING AMENDMENTS.*—

12 (A) The section heading for section 4217 of
13 such Act is amended by striking “**LIFE EXTEN-**
14 **SION PROGRAMS AND NEW NUCLEAR FA-**
15 **CILITIES**” and inserting “**CERTAIN PRO-**
16 **GRAMS AND FACILITIES**”.

17 (B) The table of contents for such Act is
18 amended by striking the item relating to section
19 4217 and inserting the following new item:

“Sec. 4217. Selected Acquisition Reports and independent cost estimates and re-
views of certain programs and facilities.”.

20 **SEC. 3114. ROOT CAUSE ANALYSES FOR CERTAIN COST**
21 **OVERRUNS.**

22 Section 4713(c) of the Atomic Energy Defense Act (50
23 *U.S.C. 2753(c)*), as amended by section 3113, is further
24 amended—

1 (1) *in the subsection heading, by inserting “AND*
2 *ROOT CAUSE ANALYSES” after “PROJECTS”;*

3 (2) *in paragraph (1), by striking “and”;*

4 (3) *in paragraph (2)(C), by striking the period*
5 *at the end and inserting “; and”;* and

6 (4) *by adding at the end the following para-*
7 *graph:*

8 “(3) *submit to the congressional defense commit-*
9 *tees an assessment of the root cause or causes of the*
10 *growth in the total cost of the project, including the*
11 *contribution of any shortcomings in cost, schedule, or*
12 *performance of the program, including the role, if*
13 *any, of—*

14 “(A) *unrealistic performance expectations;*

15 “(B) *unrealistic baseline estimates for cost*
16 *or schedule;*

17 “(C) *immature technologies or excessive*
18 *manufacturing or integration risk;*

19 “(D) *unanticipated design, engineering,*
20 *manufacturing, or technology integration issues*
21 *arising during program performance;*

22 “(E) *changes in procurement quantities;*

23 “(F) *inadequate program funding or fund-*
24 *ing instability;*

1 “(G) poor performance by personnel of the
2 Federal Government or contractor personnel re-
3 sponsible for program management; or

4 “(H) any other matters.”.

5 **SEC. 3115. FUNDING OF LABORATORY-DIRECTED RESEARCH**
6 **AND DEVELOPMENT PROGRAMS.**

7 (a) *IN GENERAL.*—Section 4811(c) of the Atomic En-
8 *ergy Defense Act (50 U.S.C. 2791(c)) is amended—*

9 (1) *by striking “to such laboratories” and insert-*
10 *ing “to a national security laboratory”;*

11 (2) *by striking “not to exceed 6 percent” and in-*
12 *serting “of not less than 5 percent and not more than*
13 *7 percent”; and*

14 (3) *by striking “by such laboratories” and in-*
15 *serting “by the laboratory”.*

16 (b) *BRIEFING REQUIRED.*—*Not later than February*
17 *28, 2016, the Administrator for Nuclear Security shall pro-*
18 *vide a briefing to the congressional defense committees on—*

19 (1) *all recent or ongoing reviews of the labora-*
20 *tory-directed research and development program, in-*
21 *cluding such reviews initiated by the Secretary of En-*
22 *ergy;*

23 (2) *costs and accounting practices associated*
24 *with laboratory-directed research and development;*
25 *and*

1 (3) *how laboratory-directed research and develop-*
2 *ment projects support the mission of the National Nu-*
3 *clear Security Administration.*

4 **SEC. 3116. HANFORD WASTE TREATMENT AND IMMOBILIZA-**
5 **TION PLANT CONTRACT OVERSIGHT.**

6 (a) *IN GENERAL.*—*Subtitle C of title XLIV of the*
7 *Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is*
8 *amended by adding at the end the following new section:*

9 **“SEC. 4446. HANFORD WASTE TREATMENT AND IMMO-**
10 **BILIZATION PLANT CONTRACT OVERSIGHT.**

11 “(a) *IN GENERAL.*—*Not later than 180 days after the*
12 *date of the enactment of the National Defense Authorization*
13 *Act for Fiscal Year 2016, the Secretary of Energy shall ar-*
14 *range to have an owner’s agent advise the Secretary in car-*
15 *rying out the oversight responsibilities of the Secretary with*
16 *respect to the contract described in subsection (b).*

17 “(b) *CONTRACT DESCRIBED.*—*The contract described*
18 *in this subsection is the contract between the Office of River*
19 *Protection of the Department of Energy and Bechtel Na-*
20 *tional, Inc., or its successor relating to the Hanford Waste*
21 *Treatment and Immobilization Plant (contract number*
22 *DE–AC27–01RV14136).*

23 “(c) *DUTIES.*—*The duties of the owner’s agent under*
24 *subsection (a) shall include advising the Secretary with re-*
25 *spect to the following:*

1 “(1) *Performing design, construction, nuclear*
2 *safety, and operability oversight of each facility cov-*
3 *ered by the contract described in subsection (b).*

4 “(2) *Beginning not later than one year after the*
5 *date of the enactment of the National Defense Author-*
6 *ization Act for Fiscal Year 2016, ensuring that the*
7 *preliminary documented safety analyses for all facili-*
8 *ties covered by the contract meet the requirements of*
9 *all applicable Department of Energy regulations and*
10 *guidance, including section 830.206 of title 10, Code*
11 *of Federal Regulations, and the Department of En-*
12 *ergy Standard on the Integration of Safety into the*
13 *Design Process (DOE–STD–1189–2008).*

14 “(3) *Ensuring that, until the Secretary approves*
15 *the documented safety analysis for each facility cov-*
16 *ered by the contract, the contractor ensures that each*
17 *preliminary documented safety analysis is current.*

18 “(4) *Ensuring that the contractor acts to*
19 *promptly resolve any unreviewed safety questions.*

20 “(d) *REPORT ON ACTIVITIES OF OWNER’S AGENT.—*

21 “(1) *IN GENERAL.—Not later than one year after*
22 *the date of the enactment of the National Defense Au-*
23 *thorization Act for Fiscal Year 2016, and every 180*
24 *days thereafter, the owner’s agent specified in sub-*
25 *section (a) shall submit to the Secretary a report on*

1 *the advice provided by the owner’s agent to the Sec-*
2 *retary under that subsection with respect to oversight*
3 *of the contract described in subsection (b).*

4 “(2) *ELEMENTS.—The report required by para-*
5 *graph (1) shall include the following:*

6 “(A) *Information on the status of, and the*
7 *plan for resolving, each unreviewed safety ques-*
8 *tion at each facility covered by the contract de-*
9 *scribed in subsection (b).*

10 “(B) *An identification of each instance of*
11 *disagreement between the owner’s agent and the*
12 *contractor with respect to whether an unreviewed*
13 *safety question exists and the plan for resolution*
14 *of the disagreement.*

15 “(C) *An identification of each aspect of each*
16 *preliminary documented safety analysis that is*
17 *not current, the plan for making that aspect cur-*
18 *rent, and the status of the corrective efforts.*

19 “(D) *Information on the status of, and the*
20 *plan for resolving, each unresolved technical*
21 *issue at each facility covered by the contract, and*
22 *the status of corrective efforts.*

23 “(3) *SUBMISSION TO CONGRESS.—The Secretary*
24 *shall transmit to the congressional defense committees*

1 *the report required by paragraph (1) and any views*
2 *of the Secretary with respect to the report.*

3 “(e) *REPORT ON SELECTION OF THE OWNER’S*
4 *AGENT.—Not later than 30 days after the selection of the*
5 *owner’s agent under subsection (a), the Secretary shall sub-*
6 *mit to the congressional defense committees a report on the*
7 *process used to select the owner’s agent to ensure that the*
8 *owner’s agent does not have a conflict of interest.*

9 “(f) *DEFINITIONS.—In this section:*

10 “(1) *The term ‘contractor’ means Bechtel Na-*
11 *tional, Inc.*

12 “(2) *The term ‘current’, with respect to a docu-*
13 *mented safety analysis, means that the documented*
14 *safety analysis includes any design changes approved*
15 *by the contractor and any safety evaluation reports*
16 *issued by the Secretary with respect to the facility*
17 *covered by the analysis before the date that is 60 days*
18 *before the date of the analysis.*

19 “(3) *The terms ‘documented safety analysis’,*
20 *‘safety evaluation report’, and ‘unreviewed safety*
21 *question’ have the meanings given those terms in sec-*
22 *tion 830.3 of title 10, Code of Federal Regulations (or*
23 *any corresponding similar ruling or regulation).*

1 “(4) *The term ‘owner’s agent’ means a private*
 2 *third-party entity with nuclear safety management*
 3 *expertise.*”.

4 **(b) CLERICAL AMENDMENT.**—*The table of contents for*
 5 *such Act is amended by inserting after the item relating*
 6 *to section 4445 the following new item:*

“Sec. 4446. Hanford Waste Treatment and Immobilization Plant contract oversight.”.

7 **SEC. 3117. USE OF BEST PRACTICES FOR CAPITAL ASSET**
 8 **PROJECTS AND NUCLEAR WEAPON LIFE EX-**
 9 **TENSION PROGRAMS.**

10 **(a) ANALYSES OF ALTERNATIVES.**—*Not later than 30*
 11 *days after the date of the enactment of this Act, the Sec-*
 12 *retary of Energy, in coordination with the Administrator*
 13 *for Nuclear Security, shall ensure that analyses of alter-*
 14 *natives are conducted (including through contractors, as*
 15 *appropriate) in accordance with best practices for capital*
 16 *asset projects and life extension programs of the National*
 17 *Nuclear Security Administration and capital asset projects*
 18 *relating to defense environmental management.*

19 **(b) COST ESTIMATES.**—*Not later than 30 days after*
 20 *the date of the enactment of this Act, the Secretary, in co-*
 21 *ordination with the Administrator, shall develop cost esti-*
 22 *mates in accordance with cost estimating best practices for*
 23 *capital asset projects and life extension programs of the Na-*

1 *tional Nuclear Security Administration and capital asset*
 2 *projects relating to defense environmental management.*

3 *(c) REVISIONS TO DEPARTMENTAL PROJECT MANAGE-*
 4 *MENT ORDER AND NUCLEAR WEAPON LIFE EXTENSION*
 5 *REQUIREMENTS.—As soon as practicable after the date of*
 6 *the enactment of this Act, but not later than two years after*
 7 *such date of enactment, the Secretary shall revise—*

8 *(1) the capital asset project management order of*
 9 *the Department of Energy to require the use of best*
 10 *practices for preparing cost estimates and for con-*
 11 *ducting analyses of alternatives for National Nuclear*
 12 *Security Administration and defense environmental*
 13 *management capital asset projects; and*

14 *(2) the nuclear weapon life extension program*
 15 *procedures of the Department to require the use of use*
 16 *of best practices for preparing cost estimates and con-*
 17 *ducting analyses of alternatives for National Nuclear*
 18 *Security Administration life extension programs.*

19 **SEC. 3118. RESEARCH AND DEVELOPMENT OF ADVANCED**
 20 **NAVAL NUCLEAR FUEL SYSTEM BASED ON**
 21 **LOW-ENRICHED URANIUM.**

22 *(a) AVAILABILITY OF FUNDS.—Of the funds authorized*
 23 *to be appropriated by this Act or otherwise made available*
 24 *for fiscal year 2016 for defense nuclear nonproliferation for*
 25 *material management and minimization, as specified in*

1 *the funding table in section 4701, not more than \$5,000,000*
2 *shall be made available to the Deputy Administrator for*
3 *Naval Reactors for initial planning and early research and*
4 *development of an advanced naval nuclear fuel system based*
5 *on low-enriched uranium.*

6 **(b) CONCEPTUAL PROGRAM PLAN.**—*Not later than 90*
7 *days after the date of the enactment of this Act, the Deputy*
8 *Administrator shall submit to the congressional defense*
9 *committees a conceptual plan for a program for research*
10 *and development of an advanced naval nuclear fuel system*
11 *based on low-enriched uranium to meet military require-*
12 *ments. Such plan shall include the following:*

13 **(1) Timelines.**

14 **(2) Costs** *(including an analysis of the cost of*
15 *such research and development as compared to the*
16 *cost of maintaining current naval nuclear reactor*
17 *technology).*

18 **(3) Milestones,** *including an identification of de-*
19 *cision points in which the Deputy Administrator*
20 *shall determine whether further research and develop-*
21 *ment of a low-enriched uranium naval nuclear fuel*
22 *system is warranted.*

23 **(4) Identification of any benefits or risks for nu-**
24 *clear nonproliferation of such research and develop-*
25 *ment and eventual deployment.*

1 (5) *Identification of any military benefits or*
2 *risks of such research and development and eventual*
3 *deployment.*

4 (6) *A discussion of potential security cost sav-*
5 *ings from using low-enriched uranium in future*
6 *naval nuclear fuels, including for transporting and*
7 *using low-enriched uranium fuel, and how such cost*
8 *savings relate to the cost of fuel fabrication.*

9 (7) *The distinguishment between requirements*
10 *for aircraft carriers from submarines.*

11 (8) *Any other matters the Deputy Administrator*
12 *determines appropriate.*

13 (c) *DETERMINATION OF CONTINUED RESEARCH AND*
14 *DEVELOPMENT.—*

15 (1) *DETERMINATION.—Not later than 60 days*
16 *after the date on which the Deputy Administrator*
17 *submits the conceptual plan to the congressional de-*
18 *fense committees under subsection (b), the Secretary of*
19 *Energy and the Secretary of the Navy shall jointly*
20 *submit to the congressional defense committees the de-*
21 *termination of the Secretaries as to whether the*
22 *United States should continue to pursue research and*
23 *development of an advanced naval nuclear fuel system*
24 *based on low-enriched uranium.*

1 (2) *BUDGET REQUEST.*—*If the Secretaries deter-*
2 *mine under paragraph (1) that research and develop-*
3 *ment of an advanced naval nuclear fuel system based*
4 *on low-enriched uranium should continue, the Secre-*
5 *taries shall ensure that the budget of the President for*
6 *fiscal year 2018 (and for fiscal year 2017, if feasible)*
7 *submitted to Congress under section 1105(a) of title*
8 *31, United States Code, includes in the budget line*
9 *item for the “Defense Nuclear Nonproliferation” ac-*
10 *count for material management and minimization*
11 *amounts necessary to carry out the conceptual plan*
12 *under subsection (b).*

13 (d) *MEMORANDUM OF UNDERSTANDING.*—*If the Secre-*
14 *taries determine under subsection (c)(1) that research and*
15 *development of an advanced naval nuclear fuel system based*
16 *on low-enriched uranium should continue, not later than*
17 *60 days after such determination, the Deputy Adminis-*
18 *trator shall enter into a memorandum of understanding*
19 *with the Deputy Administrator for Defense Nuclear Non-*
20 *proliferation regarding such research and development, in-*
21 *cluding with respect to how funding for such research and*
22 *development will be requested for the “Defense Nuclear Non-*
23 *proliferation” account for material management and mini-*
24 *mization and provided to the “Naval Reactors” account to*
25 *carry out the program.*

1 **SEC. 3119. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.**

2 (a) *MIXED-OXIDE FUEL FABRICATION FACILITY.*—

3 (1) *IN GENERAL.*—Using funds described in
4 paragraph (3), the Secretary of Energy shall carry
5 out construction and project support activities relat-
6 ing to the MOX facility.

7 (2) *EXCEPTION.*—Notwithstanding paragraph
8 (1), not more than \$5,000,000 of the funds described
9 in paragraph (3) may be obligated or expended to
10 conduct an analysis of alternative options for car-
11 rying out the plutonium disposition program.

12 (3) *FUNDS DESCRIBED.*—The funds described in
13 this paragraph are the following:

14 (A) Funds authorized to be appropriated by
15 this Act or otherwise made available for fiscal
16 year 2016 for the National Nuclear Security Ad-
17 ministration for the MOX facility for construc-
18 tion and project support activities.

19 (B) Funds authorized to be appropriated
20 for a fiscal year prior to fiscal year 2016 for the
21 National Nuclear Security Administration for
22 the MOX facility for construction and project
23 support activities that are unobligated as of the
24 date of the enactment of this Act.

25 (b) *UPDATED PERFORMANCE BASELINE.*—The Sec-
26 retary shall include in the budget justification materials

1 *submitted to Congress in support of the Department of En-*
2 *ergy budget (as submitted with the budget of the President*
3 *under section 1105(a) of title 31, United States Code) for*
4 *fiscal year 2017 an updated performance baseline for con-*
5 *struction and project support activities relating to the MOX*
6 *facility conducted in accordance with Department of En-*
7 *ergy Order 413.3B (relating to program and project man-*
8 *agement for the acquisition of capital assets).*

9 (c) *DEFINITIONS.—In this section:*

10 (1) *MOX FACILITY.—The term “MOX facility”*
11 *means the mixed-oxide fuel fabrication facility at the*
12 *Savannah River Site, Aiken, South Carolina.*

13 (2) *PROJECT SUPPORT ACTIVITIES.—The term*
14 *“project support activities” means activities that sup-*
15 *port the design, long-lead equipment procurement,*
16 *and site preparation of the MOX facility.*

17 **SEC. 3120. ESTABLISHMENT OF MICROLAB PILOT PROGRAM.**

18 (a) *IN GENERAL.—The Secretary of Energy, in con-*
19 *sultation with the directors of the national security labora-*
20 *tories, may establish a microlab pilot program under which*
21 *the Secretary establishes a microlab for the purposes of—*

22 (1) *enhancing collaboration with regional re-*
23 *search groups, such as institutions of higher education*
24 *and industry groups;*

1 (2) *accelerating technology transfer from na-*
2 *tional security laboratories to the marketplace; and*

3 (3) *promoting regional workforce development*
4 *through science, technology, engineering, and mathe-*
5 *matics instruction and training.*

6 (b) *CRITERIA.—*

7 (1) *IN GENERAL.—In determining the placement*
8 *of a microlab under subsection (a), the Secretary shall*
9 *consider—*

10 (A) *the interest of a national security lab-*
11 *oratory in establishing a microlab;*

12 (B) *the existence of an available facility*
13 *that has the capability to house a microlab;*

14 (C) *whether employees of a national secu-*
15 *rity laboratory and persons from academia, in-*
16 *dustry, and government are available to be as-*
17 *signed to the microlab; and*

18 (D) *cost-sharing or in-kind contributions*
19 *from State and local governments and private*
20 *industry.*

21 (2) *COST-SHARING.—The Secretary shall, to the*
22 *extent feasible, require cost-sharing or in-kind con-*
23 *tributions described in paragraph (1)(D) to cover the*
24 *full cost of the microlab under subsection (a).*

1 (c) *TIMING.*—*If the Secretary, in consultation with the*
2 *directors of the national security laboratories, elects to es-*
3 *tablish a microlab pilot program under this section, the*
4 *Secretary, in collaboration with such directors, shall—*

5 (1) *not later than 180 days after the date of the*
6 *enactment of this Act, begin the process of deter-*
7 *mining the placement of the microlab under sub-*
8 *section (a); and*

9 (2) *not later than one year after such date of en-*
10 *actment, implement the microlab pilot program under*
11 *this section.*

12 (d) *REPORTS REQUIRED.*—*If the Secretary, in con-*
13 *sultation with the directors of the national security labora-*
14 *tories, elects to establish a microlab pilot program under*
15 *this section, the Secretary shall submit to the appropriate*
16 *congressional committees—*

17 (1) *not later than 120 days after the date of the*
18 *implementation of the program, a report that pro-*
19 *vides an update on the implementation of the pro-*
20 *gram; and*

21 (2) *not later than one year after the date of the*
22 *implementation of the program, a report on the pro-*
23 *gram, including findings and recommendations of the*
24 *Secretary with respect to the program.*

25 (e) *DEFINITIONS.*—*In this section:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.—The term “appropriate congressional commit-*
3 *tees” means—*

4 (A) *the Committee on Armed Services and*
5 *the Committee on Energy and Natural Resources*
6 *of the Senate; and*

7 (B) *the Committee on Armed Services, the*
8 *Committee on Science, Space, and Technology,*
9 *and the Committee on Energy and Commerce of*
10 *the House of Representatives.*

11 (2) *MICROLAB.—The term “microlab” means a*
12 *facility that is—*

13 (A) *in close proximity to, but outside the*
14 *perimeter of, a national security laboratory;*

15 (B) *an extension of or affiliated with a na-*
16 *tional security laboratory; and*

17 (C) *accessible to the public.*

18 (3) *NATIONAL SECURITY LABORATORY.—The*
19 *term “national security laboratory” has the meaning*
20 *given that term in section 3281 of the National Nu-*
21 *clear Security Administration Act (50 U.S.C. 2471).*

1 **SEC. 3121. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **PROVISION OF DEFENSE NUCLEAR NON-**
3 **PROLIFERATION ASSISTANCE TO RUSSIAN**
4 **FEDERATION.**

5 (a) *PROHIBITION.*—None of the funds authorized to be
6 appropriated by this Act or otherwise made available for
7 fiscal year 2016 for defense nuclear nonproliferation activi-
8 ties may be obligated or expended to enter into a contract
9 with, or otherwise provide assistance to, the Russian Fed-
10 eration.

11 (b) *WAIVER.*—The Secretary of Energy, without dele-
12 gation, may waive the prohibition in subsection (a) if the
13 Secretary—

14 (1) submits to the appropriate congressional
15 committees a report containing—

16 (A) notification that such a waiver is in the
17 national security interest of the United States;
18 and

19 (B) justification for such a waiver; and

20 (2) a period of 15 days elapses following the date
21 on which the Secretary submits such report.

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

25 (1) The congressional defense committees.

1 (2) *The Committee on Foreign Relations of the*
2 *Senate and the Committee on Foreign Affairs of the*
3 *House of Representatives.*

4 **SEC. 3122. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
5 **NEW FIXED SITE RADIOLOGICAL PORTAL**
6 **MONITORS IN FOREIGN COUNTRIES.**

7 (a) *PROHIBITION.*—None of the funds authorized to be
8 *appropriated by this Act or otherwise made available for*
9 *fiscal year 2016 for the National Nuclear Security Admin-*
10 *istration may be obligated or expended for the installation,*
11 *on or after the date of the enactment of this Act, of fixed*
12 *site radiological portal monitors or equipment in foreign*
13 *countries until the date on which the Director of National*
14 *Intelligence submits to the Administrator for Nuclear Secu-*
15 *rity and the appropriate congressional committees, con-*
16 *sistent with the provision of classified information and pro-*
17 *tection of sources and methods, a report containing an as-*
18 *essment of—*

19 (1) *whether and the extent to which fixed site*
20 *and mobile radiological monitors address nuclear*
21 *nonproliferation and smuggling threats;*

22 (2) *the contribution of other threat reduction*
23 *programs and how well such programs address nu-*
24 *clear nonproliferation and smuggling threats;*

1 (3) *which programs have the greatest impact and*
2 *cost-benefit for addressing nuclear nonproliferation*
3 *and smuggling threats; and*

4 (4) *such other matters as the Director considers*
5 *appropriate.*

6 (b) *PLAN REQUIRED.*—

7 (1) *IN GENERAL.*—*Not later than March 1, 2016,*
8 *the Administrator shall submit to the appropriate*
9 *congressional committees a plan for transitioning*
10 *fixed site radiological portal monitors installed in for-*
11 *ign countries before or after the date of the enact-*
12 *ment of this Act to being sustained, to the greatest ex-*
13 *tent possible, by the countries in which such monitors*
14 *are located.*

15 (2) *ELEMENTS.*—*The plan required by para-*
16 *graph (1) shall include—*

17 (A) *timelines for the transition of the radio-*
18 *logical portal monitors described in paragraph*
19 *(1) to being sustained by the countries in which*
20 *such monitors are located; and*

21 (B) *an estimate of the costs expected to be*
22 *incurred by the United States before the transi-*
23 *tion is complete.*

1 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 2 *FINED.*—*In this section, the term “appropriate congres-*
 3 *sional committees” means—*

4 (1) *the congressional defense committees;*

5 (2) *the Select Committee on Intelligence of the*
 6 *Senate and the Permanent Select Committee on Intel-*
 7 *ligence of the House of Representatives; and*

8 (3) *the Committee on Foreign Relations of the*
 9 *Senate and the Committee on Foreign Affairs of the*
 10 *House of Representatives.*

11 **SEC. 3123. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 12 **CERTAIN ARMS CONTROL AND NON-**
 13 **PROLIFERATION TECHNOLOGIES.**

14 (a) *IN GENERAL.*—*None of the funds authorized to be*
 15 *appropriated by this Act or otherwise made available for*
 16 *fiscal year 2016 for the Office of Nonproliferation and Arms*
 17 *Control of the National Nuclear Security Administration*
 18 *may be obligated or expended to test and validate arms con-*
 19 *trol and nonproliferation verification and monitoring tech-*
 20 *nologies designed to be used to verify and monitor obliga-*
 21 *tions under arms control treaties or other international*
 22 *agreements to which the United States is not a signatory*
 23 *until the Administrator for Nuclear Security submits to the*
 24 *congressional defense committees a comprehensive review of*
 25 *all arms control and nonproliferation verification and*

1 *monitoring technologies that are in research and develop-*
2 *ment or production as of the date of the enactment of this*
3 *Act under the defense nuclear nonproliferation programs of*
4 *the Administration.*

5 (b) *ELEMENTS.*—*The review required by subsection (a)*
6 *shall include, with respect to each arms control and non-*
7 *proliferation verification and monitoring technology cov-*
8 *ered by the review, a statement of—*

9 (1) *the technology readiness level of the tech-*
10 *nology;*

11 (2) *the obligation under a treaty or other inter-*
12 *national agreement supported by the technology; and*

13 (3) *the purpose for which the technology is being*
14 *developed or produced.*

15 **SEC. 3124. LIMITATION ON AVAILABILITY OF FUNDS FOR**
16 **NUCLEAR WEAPONS DISMANTLEMENT.**

17 (a) *LIMITATION ON MAXIMUM AMOUNT FOR DIS-*
18 *MANTLEMENT.*—*Of the funds authorized to be appropriated*
19 *by this Act or otherwise made available for fiscal year 2016*
20 *for the National Nuclear Security Administration, not more*
21 *than \$50,000,000 may be obligated or expended to carry*
22 *out the nuclear weapons dismantlement and disposition ac-*
23 *tivities of the Administration.*

24 (b) *LIMITATION ON DISMANTLEMENT OF CERTAIN*
25 *CRUISE MISSILE WARHEADS.*—

1 (1) *IN GENERAL.*—*Except as provided by para-*
 2 *graph (2), none of the funds authorized to be appro-*
 3 *propriated by this Act or otherwise made available for*
 4 *fiscal year 2016 for the National Nuclear Security*
 5 *Administration may be obligated or expended to dis-*
 6 *mantle or dispose of a W84 nuclear weapon.*

7 (2) *EXCEPTION.*—*The limitation in paragraph*
 8 *(1) shall not apply to activities necessary to conduct*
 9 *maintenance or surveillance of the nuclear weapons*
 10 *stockpile or activities to ensure the safety or reli-*
 11 *ability of the nuclear weapons stockpile.*

12 ***Subtitle C—Plans and Reports***

13 ***SEC. 3131. LONG-TERM PLAN FOR MEETING NATIONAL SE-*** 14 ***CURITY REQUIREMENTS FOR*** 15 ***UNENCUMBERED URANIUM.***

16 (a) *IN GENERAL.*—*Subtitle A of title XLII of the*
 17 *Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as*
 18 *amended by section 3112, is further amended by adding at*
 19 *the end the following new section:*

20 ***“SEC. 4221. LONG-TERM PLAN FOR MEETING NATIONAL SE-*** 21 ***CURITY REQUIREMENTS FOR*** 22 ***UNENCUMBERED URANIUM.***

23 “*(a) IN GENERAL.*—*Concurrent with the submission to*
 24 *Congress of the budget of the President under section*
 25 *1105(a) of title 31, United States Code, in each even-num-*

1 bered year beginning in 2016 and ending in 2026, the Sec-
2 retary of Energy shall submit to the congressional defense
3 committees a plan for meeting national security require-
4 ments for unencumbered uranium through 2065.

5 “(b) *PLAN REQUIREMENTS.*—The plan required by
6 subsection (a) shall include the following:

7 “(1) An inventory of unencumbered uranium
8 (other than depleted uranium), by program source
9 and enrichment level, that, as of the date of the plan,
10 is allocated to national security requirements.

11 “(2) An inventory of unencumbered uranium
12 (other than depleted uranium), by program source
13 and enrichment level, that, as of the date of the plan,
14 is not allocated to national security requirements but
15 could be allocated to such requirements.

16 “(3) An identification of national security re-
17 quirements for unencumbered uranium, by program
18 source and enrichment level.

19 “(4) A description of any shortfall in obtaining
20 unencumbered uranium to meet national security re-
21 quirements and an assessment of whether that short-
22 fall could be mitigated through the blending down of
23 uranium that is of a higher enrichment level.

24 “(5) An inventory of unencumbered depleted ura-
25 nium, an assessment of the portion of that uranium

1 *that could be allocated to national security require-*
2 *ments through re-enrichment, and an estimate of the*
3 *costs of re-enriching that uranium.*

4 “(6) *A description of the swap and barter agree-*
5 *ments involving unencumbered uranium needed to*
6 *meet national security requirements that are in effect*
7 *on the date of the plan.*

8 “(7) *An assessment of whether additional enrich-*
9 *ment of uranium will be required to meet national se-*
10 *curity requirements and an estimate of the time for*
11 *production operations and the cost for each type of*
12 *enrichment being considered.*

13 “(8) *A description of changes in policy that*
14 *would mitigate any shortfall in obtaining*
15 *unencumbered uranium to meet national security re-*
16 *quirements and the implications of those changes.*

17 “(c) *FORM OF PLAN.—The plan required by subsection*
18 *(a) shall be submitted in unclassified form, but may include*
19 *a classified annex.*

20 “(d) *DEFINITIONS.—In this section:*

21 “(1) *The term ‘depleted’, with respect to ura-*
22 *anium, means that the uranium is depleted in ura-*
23 *anium-235 compared with natural uranium.*

24 “(2) *The term ‘unencumbered’, with respect to*
25 *uranium, means that the United States has no obliga-*

1 *mize and address the risk of nuclear terrorism and the pro-*
2 *liferation of such weapons.*

3 “(b) *ELEMENTS.*—*The plan required by subsection (a)*
4 *shall include, with respect to each defense nuclear non-*
5 *proliferation program of the Administration, the following:*

6 “(1) *A description of the policy context in which*
7 *the program operates, including—*

8 “(A) *a list of relevant laws, policy directives*
9 *issued by the President, and international agree-*
10 *ments; and*

11 “(B) *nuclear nonproliferation activities car-*
12 *ried out by other Federal agencies.*

13 “(2) *A description of the objectives and priorities*
14 *of the program during the year preceding the submis-*
15 *sion of the plan required by subsection (a).*

16 “(3) *A description of the activities carried out*
17 *under the program during that year.*

18 “(4) *A description of the accomplishments and*
19 *challenges of the program during that year, based on*
20 *an assessment of metrics and objectives previously es-*
21 *tablished to determine the effectiveness of the program.*

22 “(5) *A description of any gaps that remain that*
23 *were not or could not be addressed by the program*
24 *during that year.*

1 “(6) *An identification and explanation of un-*
2 *committed or uncosted balances for the program, as of*
3 *the date of the submission of the plan required by sub-*
4 *section (a), that are greater than the acceptable carry-*
5 *over thresholds, as determined by the Secretary of En-*
6 *ergy.*

7 “(7) *An identification of funds for the program*
8 *received through contributions from or cost-sharing*
9 *agreements with foreign governments consistent sec-*
10 *tion 3132(f) of the Ronald W. Reagan National De-*
11 *fense Authorization Act for Fiscal Year 2005 (50*
12 *U.S.C. 2569(f)) during the year preceding the submis-*
13 *sion of the plan required by subsection (a) and an ex-*
14 *planation of such contributions and agreements.*

15 “(8) *A description and assessment of activities*
16 *carried out under the program during that year that*
17 *were coordinated with other elements of the Depart-*
18 *ment of Energy, with the Department of Defense, and*
19 *with other Federal agencies, to maximize efficiency*
20 *and avoid redundancies.*

21 “(9) *Plans for activities of the program during*
22 *the five-year period beginning on the date on which*
23 *the plan required by subsection (a) is submitted, in-*
24 *cluding activities with respect to the following:*

1 “(A) *Preventing nuclear and radiological*
2 *proliferation and terrorism, including through—*

3 “(i) *material management and mini-*
4 *mization, particularly with respect to re-*
5 *moving or minimizing the use of highly en-*
6 *riched uranium, plutonium, and radio-*
7 *logical materials worldwide (and identi-*
8 *fying the countries in which such materials*
9 *are located), efforts to dispose of surplus*
10 *material, converting reactors from highly*
11 *enriched uranium to low-enriched uranium*
12 *(and identifying the countries in which*
13 *such reactors are located);*

14 “(ii) *global nuclear material security,*
15 *including securing highly enriched ura-*
16 *nium, plutonium, and radiological mate-*
17 *rials worldwide (and identifying the coun-*
18 *tries in which such materials are located),*
19 *and providing radiation detection capabili-*
20 *ties at foreign ports and borders;*

21 “(iii) *nonproliferation and arms con-*
22 *trol, including nuclear verification and*
23 *safeguards;*

24 “(iv) *defense nuclear research and de-*
25 *velopment, including a description of activi-*

1 *ties related to developing and improving*
2 *technology to detect the proliferation and*
3 *detonation of nuclear weapons, verifying*
4 *compliance of foreign countries with com-*
5 *mitments under treaties and agreements re-*
6 *lating to nuclear weapons, and detecting the*
7 *diversion of nuclear materials (including*
8 *safeguards technology); and*

9 *“(v) nonproliferation construction pro-*
10 *grams, including activities associated De-*
11 *partment of Energy Order 413.1 (relating*
12 *to program management controls).*

13 *“(B) Countering nuclear and radiological*
14 *proliferation and terrorism.*

15 *“(C) Responding to nuclear and radio-*
16 *logical proliferation and terrorism, including*
17 *through—*

18 *“(i) crisis operations;*

19 *“(ii) consequences management; and*

20 *“(iii) emergency management, includ-*
21 *ing international capacity building.*

22 *“(10) A threat assessment, carried out by the in-*
23 *telligence community (as defined in section 3(4) of the*
24 *National Security Act of 1947 (50 U.S.C. 3003(4))),*
25 *with respect to the risk of nuclear and radiological*

1 *proliferation and terrorism and a description of how*
2 *each activity carried out under the program will*
3 *counter the threat during the five-year period begin-*
4 *ning on the date on which the plan required by sub-*
5 *section (a) is submitted and, as appropriate, in the*
6 *longer term.*

7 “(11) *A plan for funding the program during*
8 *that five-year period.*

9 “(12) *An identification of metrics and objectives*
10 *for determining the effectiveness of each activity car-*
11 *ried out under the program during that five-year pe-*
12 *riod.*

13 “(13) *A description of the activities to be carried*
14 *out under the program during that five-year period*
15 *and a description of how the program will be*
16 *prioritized relative to other defense nuclear non-*
17 *proliferation programs of the Administration during*
18 *that five-year period to address the highest priority*
19 *risks and requirements, as informed by the threat as-*
20 *essment carried out under paragraph (10).*

21 “(14) *A description of funds for the program ex-*
22 *pected to be received during that five-year period*
23 *through contributions from or cost-sharing agreements*
24 *with foreign governments consistent section 3132(f) of*

1 *the Ronald W. Reagan National Defense Authoriza-*
2 *tion Act for Fiscal Year 2005 (50 U.S.C. 2569(f)).*

3 “(15) *A description and assessment of activities*
4 *to be carried out under the program during that five-*
5 *year period that will be coordinated with other ele-*
6 *ments of the Department of Energy, with the Depart-*
7 *ment of Defense, and with other Federal agencies, to*
8 *maximize efficiency and avoid redundancies.*

9 “(16) *Such other matters as the Administrator*
10 *considers appropriate.*

11 “(c) *FORM OF REPORT.—The plan required by sub-*
12 *section (a) shall be submitted to the congressional defense*
13 *committees in unclassified form, but may include a classi-*
14 *fied annex if necessary.”.*

15 (2) *CLERICAL AMENDMENT.—The table of con-*
16 *tents for such Act is amended by inserting after the*
17 *item relating to section 4308 the following new item:*

 “*Sec. 4309. Defense nuclear nonproliferation management plan.*”

18 (b) *EXTENSION AND MODIFICATION OF CERTAIN AN-*
19 *NUAL REPORTS ON NUCLEAR NONPROLIFERATION.—Sec-*
20 *tion 3122 of the National Defense Authorization Act for Fis-*
21 *cal Year 2012 (Public Law 112–81; 125 Stat. 1710) is*
22 *amended—*

23 (1) *by striking subsections (a) and (b);*

24 (2) *by redesignating subsections (c), (d), and (e)*
25 *as subsections (a), (b), and (c), respectively;*

1 (3) in subsection (a), as redesignated by para-
2 graph (2)—

3 (A) in the matter preceding paragraph (1),
4 by striking “2016” and inserting “2020”;

5 (B) in paragraph (2), by inserting after
6 “world,” the following: “including an identifica-
7 tion of such uranium that is obligated by the
8 United States,”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(3) A list, by country and site, reflecting the
12 total amount of separated plutonium around the
13 world, including an identification of such plutonium
14 that is obligated by the United States, and an assess-
15 ment of the vulnerability of the plutonium to theft or
16 diversion.”; and

17 (4) in paragraph (2) of subsection (b), as so re-
18 designating, by striking “subsection (c)(2)” and insert-
19 ing “paragraph (2) or (3) of subsection (a)”.

20 (c) *CONFORMING REPEAL.*—Section 3145 of the Na-
21 tional Defense Authorization Act for Fiscal Year 2013 (Pub-
22 lic Law 112–239; 126 Stat. 2197) is repealed.

1 **SEC. 3133. PLAN FOR DEACTIVATION AND DECOMMIS-**
2 **SIONING OF NONOPERATIONAL DEFENSE NU-**
3 **CLEAR FACILITIES.**

4 (a) *IN GENERAL.*—Subtitle B of title XLIV of the
5 *Atomic Energy Defense Act (50 U.S.C. 2602 et seq.)* is
6 amended by adding at the end the following new section:

7 **“SEC. 4423. PLAN FOR DEACTIVATION AND DECOMMIS-**
8 **SIONING OF NONOPERATIONAL DEFENSE NU-**
9 **CLEAR FACILITIES.**

10 “(a) *IN GENERAL.*—The Secretary of Energy shall,
11 during each even-numbered year beginning in 2016, develop
12 and subsequently carry out a plan for the activities of the
13 Department of Energy relating to the deactivation and de-
14 commissioning of nonoperational defense nuclear facilities.

15 “(b) *ELEMENTS.*—The plan required by subsection (a)
16 shall include the following:

17 “(1) A list of nonoperational defense nuclear fa-
18 cilities, prioritized for deactivation and decommis-
19 sioning based on the potential to reduce risks to
20 human health, property, or the environment and to
21 maximize cost savings.

22 “(2) An assessment of the life cycle costs of each
23 nonoperational defense nuclear facility during the pe-
24 riod beginning on the date on which the plan is sub-
25 mitted under subsection (d) and ending on the earlier
26 of—

1 “(A) the date that is 25 years after the date
2 on which the plan is submitted; or

3 “(B) the estimated date for deactivation
4 and decommissioning of the facility.

5 “(3) An estimate of the cost and time needed to
6 deactivate and decommission each nonoperational de-
7 fense nuclear facility.

8 “(4) A schedule for when the Office of Environ-
9 mental Management will accept each nonoperational
10 defense nuclear facility for deactivation and decom-
11 missioning.

12 “(5) An estimate of costs that could be avoided
13 by—

14 “(A) accelerating the cleanup of non-
15 operational defense nuclear facilities; or

16 “(B) other means, such as reusing such fa-
17 cilities for another purpose.

18 “(c) *PLAN FOR TRANSFER OF RESPONSIBILITY FOR*
19 *CERTAIN FACILITIES.*—The Secretary shall, during 2016,
20 develop and subsequently carry out a plan under which the
21 Administrator shall transfer, by March 31, 2019, to the As-
22 sistant Secretary for Environmental Management the re-
23 sponsibility for decontaminating and decommissioning fa-
24 cilities of the Administration that the Secretary deter-
25 mines—

1 “(1) are nonoperational as of September 30,
2 2015; and

3 “(2) meet the requirements of the Office of Envi-
4 ronmental Management for such transfer.

5 “(d) *SUBMISSION TO CONGRESS.*—Not later than
6 March 31 of each even-numbered year beginning in 2016,
7 the Secretary shall submit to the appropriate congressional
8 committees a report that includes—

9 “(1) the plan required by subsection (a);

10 “(2) a description of the deactivation and decom-
11 missioning actions expected to be taken during the
12 following fiscal year pursuant to the plan;

13 “(3) in the case of the report submitting during
14 2016, the plan required by subsection (c); and

15 “(4) in the case of a report submitted during
16 2018 or any year thereafter, a description of the deac-
17 tivation and decommissioning actions taken at each
18 nonoperational defense nuclear facility during the
19 preceding fiscal year.

20 “(e) *TERMINATION.*—The requirements of this section
21 shall terminate after the submission to the appropriate con-
22 gressional committees of the report required by subsection
23 (d) to be submitted not later than March 31, 2026.

24 “(f) *DEFINITIONS.*—In this section:

1 “(1) *The term ‘appropriate congressional com-*
2 *mittees’ means—*

3 “(A) *the congressional defense committees;*

4 *and*

5 “(B) *the Committee on Energy and Natural*
6 *Resources of the Senate and the Committee on*
7 *Energy and Commerce of the House of Rep-*
8 *resentatives.*

9 “(2) *The term ‘life cycle costs’, with respect to a*
10 *facility, means—*

11 “(A) *the present and future costs of all re-*
12 *sources and associated cost elements required to*
13 *develop, produce, deploy, or sustain the facility;*

14 *and*

15 “(B) *the present and future costs to deacti-*
16 *vate, decommission, and deconstruct the facility.*

17 “(3) *The term ‘nonoperational defense nuclear*
18 *facility’ means a production facility or utilization fa-*
19 *cility (as those terms are defined in section 11 of the*
20 *Atomic Energy Act of 1954 (42 U.S.C. 2014)) under*
21 *the control or jurisdiction of the Secretary of Energy*
22 *and operated for national security purposes that is no*
23 *longer needed for the mission of the Department of*
24 *Energy, including the National Nuclear Security Ad-*
25 *ministration.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of contents for*
 2 *such Act is amended by inserting after the item relating*
 3 *to section 4422 the following new item:*

“Sec. 4423. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.”.

4 **SEC. 3134. ASSESSMENT OF EMERGENCY PREPAREDNESS**
 5 **OF DEFENSE NUCLEAR FACILITIES.**

6 (a) *IN GENERAL.*—*Subtitle A of title XLVIII of the*
 7 *Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is*
 8 *amended by inserting after section 4802 the following new*
 9 *section:*

10 **“SEC. 4802A. ASSESSMENTS OF EMERGENCY PREPARED-**
 11 **NESS OF DEFENSE NUCLEAR FACILITIES.**

12 *“The Secretary of Energy shall include, in each*
 13 *award-fee evaluation conducted under section 16.401 of title*
 14 *48, Code of Federal Regulations, of a management and op-*
 15 *erating contract for a Department of Energy defense nu-*
 16 *clear facility in 2016 or any even-numbered year thereafter,*
 17 *an assessment of the adequacy of the emergency prepared-*
 18 *ness of that facility, including an assessment of the senior-*
 19 *ity level of management and operating contractor employees*
 20 *that participate in emergency preparedness exercises at that*
 21 *facility.”.*

22 (b) *CLERICAL AMENDMENT.*—*The table of contents for*
 23 *such Act is amended by inserting after the item relating*
 24 *to section 4802 the following new item:*

“Sec. 4802A. Assessments of emergency preparedness of defense nuclear facilities.”.

1 **SEC. 3135. MODIFICATIONS TO COST-BENEFIT ANALYSES**
 2 **FOR COMPETITION OF MANAGEMENT AND OP-**
 3 **ERATING CONTRACTS.**

4 (a) *IN GENERAL.*—Section 3121 of the National De-
 5 fense Authorization Act for Fiscal Year 2013 (Public Law
 6 112–239; 126 Stat. 2175), as amended by section 3124 of
 7 the National Defense Authorization Act for Fiscal Year
 8 2014 (Public Law 113–66; 127 Stat. 1062), is further
 9 amended—

10 (1) by redesignating subsection (d) as subsection
 11 (e);

12 (2) by striking subsections (b) and (c) and in-
 13 serting the following new subsections:

14 “(b) *REPORT DESCRIBED.*—A report described in this
 15 subsection is a report on a contract described by subsection
 16 (a) that includes—

17 “(1) a clear and complete description of the cost
 18 savings the Administrator expects to result from the
 19 competition for the contract over the life of the con-
 20 tract, including associated analyses, assumptions, and
 21 information sources used to determine such expected
 22 cost savings;

23 “(2) a description of any key limitations or un-
 24 certainties that could affect such costs savings, includ-

1 *ing costs savings that are anticipated but not fully*
2 *known;*

3 *“(3) the costs of the competition for the contract,*
4 *including the immediate costs of conducting the com-*
5 *petition and any increased costs over the life of the*
6 *contract;*

7 *“(4) a description of any disruptions or delays*
8 *in mission activities or deliverables resulting from the*
9 *competition for the contract;*

10 *“(5) a clear and complete description of the bene-*
11 *fits expected by the Administrator with respect to*
12 *mission performance or operations resulting from the*
13 *competition;*

14 *“(6) how the competition for the contract com-*
15 *plied with the Federal Acquisition Regulation regard-*
16 *ing federally funded research and development cen-*
17 *ters, if applicable;*

18 *“(7) the factors considered and processes used by*
19 *the Administrator to determine—*

20 *“(A) whether to compete or extend the con-*
21 *tract; and*

22 *“(B) which activities at the facility should*
23 *be covered under the contract rather than under*
24 *a different contract;*

1 “(8) *with respect to the matters included under*
2 *paragraphs (1) through (7), a detailed description of*
3 *the analyses conducted by the Administrator to reach*
4 *the conclusions presented in the report, including any*
5 *assumptions, limitations, and uncertainties relating*
6 *to such conclusions; and*

7 “(9) *any other matters the Administrator con-*
8 *siders appropriate.*

9 “(c) *INFORMATION QUALITY.—A report required by*
10 *subsection (a) shall be prepared in accordance with—*

11 “(1) *the information quality guidelines of the*
12 *Department of Energy that are relevant to the clear*
13 *and complete presentation of information on each*
14 *matter required to be included in the report under*
15 *subsection (b); and*

16 “(2) *best practices of the Government Account-*
17 *ability Office and relevant industries for cost esti-*
18 *mating, if appropriate.*

19 “(d) *REVIEW BY COMPTROLLER GENERAL OF THE*
20 *UNITED STATES.—*

21 “(1) *INITIAL REVIEW.—Except as provided in*
22 *paragraph (3), the Comptroller General of the United*
23 *States shall provide a briefing to the congressional de-*
24 *fense committees that includes a review of each report*

1 *required by subsection (a) not later than 180 days*
2 *after the report is submitted to such committees.*

3 “(2) *COMPREHENSIVE REVIEW.—Except as pro-*
4 *vided in paragraph (3), the Comptroller General shall*
5 *submit to the congressional defense committees a re-*
6 *view of each report required by subsection (a) with re-*
7 *spect to a contract not later than 3 years after the re-*
8 *port is submitted to such committees that includes an*
9 *assessment, based on the most current information*
10 *available, of the following:*

11 “(A) *The actual cost savings achieved com-*
12 *pared to cost savings estimated under subsection*
13 *(b)(1), and any increased costs incurred under*
14 *the contract that were unexpected or uncertain at*
15 *the time the contract was awarded.*

16 “(B) *Any disruptions or delays in mission*
17 *activities or deliverables resulting from the com-*
18 *petition for the contract compared to the disrup-*
19 *tions and delays estimated under subsection*
20 *(b)(4).*

21 “(C) *Whether expected benefits of the com-*
22 *petition with respect to mission performance or*
23 *operations have been achieved.*

24 “(D) *Such other matters as the Comptroller*
25 *General considers appropriate.*

1 “(3) *EXCEPTION.*—*The Comptroller General may*
2 *not conduct a review under paragraph (1) or (2) of*
3 *a report relating to a contract to manage and operate*
4 *a facility of the National Nuclear Security Adminis-*
5 *tration while a protest described in subsection (a)(2)*
6 *is pending with respect to that contract.”; and*

7 (3) *in subsection (e), as redesignated by para-*
8 *graph (1)—*

9 (A) *in paragraph (1), by striking “2017”*
10 *and inserting “2020”;*

11 (B) *by striking paragraph (2) and redesign-*
12 *ating paragraph (3) as paragraph (2); and*

13 (C) *in paragraph (2), as redesignated by*
14 *subparagraph (B), by striking “and (d)(2)”.*

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

17 (1) *in the past decade, competition of the man-*
18 *agement and operating contracts for the national se-*
19 *curity laboratories has resulted in significant in-*
20 *creases in fees paid to the contractors—funding that*
21 *otherwise could be used to support program and mis-*
22 *sion activities of the National Nuclear Security Ad-*
23 *ministration;*

24 (2) *competition of the management and oper-*
25 *ating contracts of the nuclear security enterprise is*

1 *an important mechanism to help realize cost savings,*
2 *seek efficiencies, improve performance, and hold con-*
3 *tractors accountable;*

4 *(3) when the Administrator for Nuclear Security*
5 *considers it appropriate to achieve those goals, the*
6 *Administrator should conduct competition of such*
7 *contracts while recognizing the unique nature of fed-*
8 *erally funded research and development centers; and*

9 *(4) the Administrator should ensure that fixed*
10 *fees and performance-based fees contained in manage-*
11 *ment and operating contracts are as low as possible*
12 *to maintain a focus on national service while attract-*
13 *ing high-quality contractors and achieving the goals*
14 *of the competition.*

15 **SEC. 3136. INTERAGENCY REVIEW OF APPLICATIONS FOR**
16 **THE TRANSFER OF UNITED STATES CIVIL NU-**
17 **CLEAR TECHNOLOGY.**

18 *(a) REPORT ON TRANSFERS TO COVERED FOREIGN*
19 *COUNTRIES.—Not less frequently than every 90 days, the*
20 *Secretary of Energy shall submit to the appropriate con-*
21 *gressional committees a report that includes—*

22 *(1) a description of the authorizations under sec-*
23 *tion 57 b. of the Atomic Energy Act of 1954 (42*
24 *U.S.C. 2077(b)) to transfer United States civil nu-*

1 *clear technology to a covered foreign country during*
2 *the preceding 90 days; and*

3 (2) *a statement of whether any agency required*
4 *to be consulted under that section or pursuant to reg-*
5 *ulation objected to or sought conditions on each such*
6 *transfer.*

7 (b) *DETERMINATION OF TECHNOLOGIES TO BE PRO-*
8 *TECTED.—*

9 (1) *IN GENERAL.—Not later than 90 days after*
10 *the date of the enactment of this Act, and every five*
11 *years thereafter, the Secretary of Energy shall—*

12 (A) *in consultation with the Secretary of*
13 *State, the Secretary of Commerce, the Secretary*
14 *of Defense, the Director of National Intelligence,*
15 *and the Nuclear Regulatory Commission, deter-*
16 *mine the critical United States civil nuclear*
17 *technologies that should be protected from diver-*
18 *sion to a military program of a covered foreign*
19 *country, including with respect to a naval pro-*
20 *pulsion or weapons program; and*

21 (B) *notify the appropriate congressional*
22 *committees with respect to the determination and*
23 *the technologies covered by the determination.*

24 (2) *NOTIFICATION.—*

1 (A) *IN GENERAL.*—*Except as provided in*
2 *subparagraph (B), not later than 14 days before*
3 *making an authorization under section 57 b. of*
4 *the Atomic Energy Act of 1954 (42 U.S.C.*
5 *2077(b)) for the transfer of a technology covered*
6 *by a determination under paragraph (1) to a*
7 *covered foreign country, the Secretary of Energy*
8 *shall submit to the appropriate congressional*
9 *committees a report that includes—*

10 (i) *a notification of the intention of the*
11 *Secretary to make the authorization for the*
12 *transfer of such technology; and*

13 (ii) *a statement of whether any agency*
14 *required to be consulted under such section*
15 *57 b. or pursuant to regulation objected to*
16 *or sought conditions on the transfer.*

17 (B) *WAIVER OF DEADLINE.*—*The Secretary*
18 *may waive the requirement under subparagraph*
19 *(A) to submit the report required by that sub-*
20 *paragraph not later than 14 days before making*
21 *an authorization for the transfer of a technology*
22 *covered by a determination under paragraph (1)*
23 *to a covered foreign country if the Secretary—*

24 (i) *determines that an imminent radio-*
25 *logical hazard exists; and*

1 (ii) not later than 7 days after deter-
2 mining that such hazard exists, submits to
3 the appropriate congressional committees—

4 (I) a certification that the hazard
5 exists;

6 (II) a justification for the waiver;
7 and

8 (III) the notification required by
9 clause (i) of subparagraph (A) and the
10 statement required by clause (ii) of
11 that subparagraph.

12 (c) *CONSULTATIONS WITH INTELLIGENCE COMMU-*
13 *NITY.—*

14 (1) *IN GENERAL.—The Secretary of Energy shall*
15 *expeditiously revise part 810 of title 10, Code of Fed-*
16 *eral Regulations, to ensure that the Director of Na-*
17 *tional Intelligence—*

18 (A) *is consulted with respect to the views of*
19 *the intelligence community (as defined in section*
20 *3(4) of the National Security Act of 1947 (50*
21 *U.S.C. 3003(4))) with respect to each authoriza-*
22 *tion issued under section 57 b. of the Atomic En-*
23 *ergy Act of 1954 (42 U.S.C. 2077(b)) for the*
24 *transfer of United States civil nuclear technology*
25 *to a covered foreign country before the deter-*

1 *mination to approve or disapprove the request*
2 *for the authorization; and*

3 *(B) is provided with an opportunity to*
4 *present the views of the Director and the intel-*
5 *ligence community on the national security risks*
6 *of the transfer, if any.*

7 *(2) SUBMISSION TO CONGRESS.—The Secretary*
8 *of Energy, jointly with the Director of National Intel-*
9 *ligence, shall include the results of consultations con-*
10 *ducted under paragraph (1) in each report under sub-*
11 *section (a) and each notification under subsection*
12 *(b)(2).*

13 *(d) REPORT ON COMPLIANCE OF COVERED FOREIGN*
14 *COUNTRIES AND END-USERS.—Not less frequently than an-*
15 *nually, the Secretary of Energy shall submit to the appro-*
16 *priate congressional committees a report that includes—*

17 *(1) an assessment of whether each covered foreign*
18 *country is in compliance with its obligations under*
19 *any authorization for the transfer of United States*
20 *civil nuclear technology under section 57 b. of the*
21 *Atomic Energy Act of 1954 (42 U.S.C. 2077(b));*

22 *(2) with respect to any covered foreign country*
23 *that is not in compliance with such obligations—*

24 *(A) a description the efforts of the United*
25 *States to bring the country into compliance;*

1 (B) an evaluation of the result of such ef-
2 forts; and

3 (C) an assessment of the options available
4 to the Secretary as a result of the country not
5 being in compliance;

6 (3) an assessment of whether each end-user to
7 which United States civil nuclear technology is trans-
8 ferred pursuant to an authorization under such sec-
9 tion 57 b. is in compliance with the obligations of the
10 end-user under that authorization; and

11 (4) a description of any consequences for the end-
12 user or the exporter of the technology if the end-user
13 is not in compliance with such obligations.

14 (e) *REPORT ON TRANSFERS TO ALL FOREIGN COUN-*
15 *TRIES.—*

16 (1) *IN GENERAL.—*Concurrent with the submis-
17 sion to Congress of the budget of the President for a
18 fiscal year under section 1105(a) of title 31, United
19 States Code, the Secretary of Energy shall submit to
20 the appropriate congressional committees a report on
21 the activities of the Department of Energy associated
22 with the review of applications for authorization
23 under section 57 b. of the Atomic Energy Act of 1954
24 (42 U.S.C. 2077(b)) to transfer United States civil
25 nuclear technology to any foreign country.

1 (2) *ELEMENTS.*—*The report required by para-*
2 *graph (1) shall include—*

3 (A) *the number of applications for author-*
4 *ization under section 57 b. of the Atomic Energy*
5 *Act of 1954 (42 U.S.C. 2077(b)) to transfer*
6 *United States civil nuclear technology to a for-*
7 *ign country submitted during the year pre-*
8 *ceding the submission of the report;*

9 (B) *the length of time each such application*
10 *was under review;*

11 (C) *the number of such applications that*
12 *were granted; and*

13 (D) *a description of efforts to streamline the*
14 *review of such applications, taking into account*
15 *the proliferation and diversion potential of end-*
16 *users in the country to which United States civil*
17 *nuclear technology would be transferred pursu-*
18 *ant to such applications.*

19 (f) *NOTIFICATIONS OF POTENTIAL DIVERSIONS.*—*The*
20 *Director of National Intelligence shall notify the Depart-*
21 *ment of Energy and the appropriate congressional commit-*
22 *tees not later than 30 days after the date on which the Di-*
23 *rector determines that there is credible intelligence that*
24 *United States civil nuclear technology is being or has been*
25 *diverted—*

1 (1) *to a military program in a foreign country*
2 *to which the transfer of the technology was authorized*
3 *under section 57 b. of the Atomic Energy Act of 1954*
4 *(42 U.S.C. 2077(b)); or*

5 (2) *to a foreign country to which the transfer of*
6 *the technology was not so authorized.*

7 (g) *GUIDELINES.—Not later than 60 days after the*
8 *date of the enactment of this Act, the Secretary of Energy*
9 *shall issue guidance with respect to the use of the clear and*
10 *intended authority of the Secretary under section 234 of*
11 *the Atomic Energy Act of 1954 (42 U.S.C. 2282) to impose*
12 *civil penalties, including fines and debarment, and to make*
13 *referrals to the Attorney General for prosecution, for viola-*
14 *tions of the terms of authorizations for the transfer of*
15 *United States civil nuclear technology issued under section*
16 *57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)).*

17 (h) *REPORT ON TRANSFER OF SENSITIVE ITEMS.—*

18 (1) *IN GENERAL.—Not later than 180 days after*
19 *the date of the enactment of this Act, and annually*
20 *thereafter, the President shall submit to the appro-*
21 *priate congressional committees a report—*

22 (A) *describing the efforts of covered foreign*
23 *countries to prevent the transfer of sensitive*
24 *items, including efforts to improve the prevention*
25 *of the transfer of such items; and*

1 (B) assessing the adequacy of such efforts.

2 (2) *SENSITIVE ITEMS DEFINED.*—*In this sub-*
3 *section, the term “sensitive items” means goods, serv-*
4 *ices, and technologies described in section 2(a) of the*
5 *Iran, North Korea, and Syria Nonproliferation Act*
6 *(Public Law 106–178; 50 U.S.C. 1701 note).*

7 (i) *DEFINITIONS.*—*In this section:*

8 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
9 *TEES.*—*The term “appropriate congressional commit-*
10 *tees” means—*

11 (A) *the congressional defense committees;*

12 (B) *the Committee on Energy and Natural*
13 *Resources, the Committee on Foreign Relations,*
14 *and the Select Committee on Intelligence of the*
15 *Senate; and*

16 (C) *the Committee on Energy and Com-*
17 *merce, the Committee on Foreign Affairs, and*
18 *the Permanent Select Committee on Intelligence*
19 *of the House of Representatives.*

20 (2) *COVERED FOREIGN COUNTRY.*—*The term*
21 *“covered foreign country” means a foreign country*
22 *that is a nuclear-weapon state, as defined by Article*
23 *IX(3) of the Treaty on the Non-Proliferation of Nu-*
24 *clear Weapons, signed at Washington, London, and*

1 *Moscow July 1, 1968, but does not include the United*
2 *States, the United Kingdom, or France.*

3 **SEC. 3137. GOVERNANCE AND MANAGEMENT OF NUCLEAR**
4 **SECURITY ENTERPRISE.**

5 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
6 *that—*

7 *(1) correcting the longstanding problems with the*
8 *governance and management of the nuclear security*
9 *enterprise will require robust, personal, and long-term*
10 *engagement by the President, the Secretary of Energy,*
11 *the Administrator for Nuclear Security, and leaders*
12 *from the appropriate congressional committees;*

13 *(2) recent and past studies of the governance and*
14 *management of the nuclear security enterprise have*
15 *provided a list of reasonable, practical, and action-*
16 *able steps that the Secretary and the Administrator*
17 *should take to make the nuclear security enterprise*
18 *more efficient and more effective; and*

19 *(3) lasting and effective change to the nuclear se-*
20 *curity enterprise will require personal engagement by*
21 *senior leaders, a clear plan, and mechanisms for en-*
22 *sureing follow-through and accountability.*

23 *(b) IMPLEMENTATION PLAN.—*

24 *(1) IMPLEMENTATION ACTION TEAM.—(A) The*
25 *Secretary and the Administrator shall jointly estab-*

1 *lish a team of senior officials from the Department of*
2 *Energy and the National Nuclear Security Adminis-*
3 *tration to develop and carry out an implementation*
4 *plan to reform the governance and management of the*
5 *nuclear security enterprise to improve the effectiveness*
6 *and efficiency of the nuclear security enterprise. Such*
7 *plan shall be developed and implemented in accord-*
8 *ance with the National Nuclear Security Administra-*
9 *tion Act (50 U.S.C. 2401 et seq.), the Atomic Energy*
10 *Defense Act (50 U.S.C. 2501 et seq.), and any other*
11 *provision of law.*

12 *(B) The team established under paragraph (1)*
13 *shall be co-chaired by the Deputy Secretary of Energy*
14 *and the Administrator.*

15 *(C) In developing and carrying out the imple-*
16 *mentation plan, the team shall consult with the im-*
17 *plementation assessment panel established under sub-*
18 *section (c)(1).*

19 *(2) ELEMENTS.—The implementation plan de-*
20 *veloped under paragraph (1)(A) shall address all rec-*
21 *ommendations contained in the covered study (except*
22 *such recommendations that require legislative action*
23 *to carry out) by identifying specific actions, mile-*
24 *stones, timelines, and responsible personnel to imple-*
25 *ment such plan.*

1 (3) *SUBMISSION.*—Not later than March 31,
2 2016, the Secretary and the Administrator shall joint-
3 ly submit to the appropriate congressional committees
4 the implementation plan developed under paragraph
5 (1)(A).

6 (c) *IMPLEMENTATION ASSESSMENT PANEL.*—

7 (1) *AGREEMENT.*—Not later than 60 days after
8 the date of the enactment of this Act, the Adminis-
9 trator shall seek to enter into a joint agreement with
10 the National Academy of Sciences and the National
11 Academy of Public Administration to establish a
12 panel of external, independent experts to evaluate the
13 implementation plan developed under subsection
14 (b)(1)(A) and the implementation of such plan.

15 (2) *DUTIES.*—The panel established under para-
16 graph (1) shall—

17 (A) provide guidance to the Secretary and
18 the Administrator with respect to the implemen-
19 tation plan developed under subsection (b)(1)(A),
20 including how such plan compares or contrasts
21 with the covered study;

22 (B) track the implementation of such plan;
23 and

24 (C) assess the effectiveness of such plan.

1 (3) *REPORTS.*—(A) *Not later than July 1, 2016,*
2 *the panel established under paragraph (1) shall sub-*
3 *mit to the appropriate congressional committees, the*
4 *Secretary, and the Administrator an initial assess-*
5 *ment of the implementation plan developed under*
6 *subsection (b)(1)(A), including with respect to the*
7 *completeness of the plan, how the plan aligns with the*
8 *intent and recommendations made by the covered*
9 *study, and the prospects for success for the plan.*

10 (B) *Beginning February 28, 2017, and semi-*
11 *annually thereafter through 2020, the panel estab-*
12 *lished under paragraph (1) shall brief the appropriate*
13 *congressional committees, the Secretary, and the Ad-*
14 *ministrator on the efforts of the Secretary and the Ad-*
15 *ministrator to implement the implementation plan*
16 *developed under subsection (b)(1)(A).*

17 (C) *Not later than September 30, 2020, the panel*
18 *established under paragraph (1) shall submit to the*
19 *appropriate congressional committees, the Secretary,*
20 *and the Administrator a final report on the efforts of*
21 *the Secretary and the Administrator to implement the*
22 *implementation plan developed under subsection*
23 *(b)(1)(A), including an assessment of the effectiveness*
24 *of the reform efforts under such plan and whether fur-*
25 *ther action is needed.*

1 (4) *COOPERATION.*—*The Secretary and the Ad-*
2 *ministrator shall provide to the panel established*
3 *under paragraph (1) full and timely access to all in-*
4 *formation, personnel, and systems of the Department*
5 *of Energy and the National Nuclear Security Admin-*
6 *istration that the panel determines necessary to carry*
7 *out this subsection.*

8 (d) *DEFINITIONS.*—*In this section:*

9 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
10 *TEES.*—*The term “appropriate congressional commit-*
11 *tees” means—*

12 (A) *the Committee on Armed Services, the*
13 *Committee on Appropriations, and the Com-*
14 *mittee on Energy and Natural Resources of the*
15 *Senate; and*

16 (B) *the Committee on Armed Services, the*
17 *Committee on Appropriations, and the Com-*
18 *mittee on Energy and Commerce of the House of*
19 *Representatives.*

20 (2) *COVERED STUDY.*—*The term “covered study”*
21 *means the following:*

22 (A) *The final report of the Congressional*
23 *Advisory Panel on the Governance of the Nuclear*
24 *Security Enterprise established by section 3166*
25 *of the National Defense Authorization Act for*

1 *Fiscal Year 2013 (Public Law 112–239; 126*
 2 *Stat. 2208).*

3 *(B) Any other study not conducted by the*
 4 *Secretary or the Administrator that the Sec-*
 5 *retary determines appropriate for purposes of*
 6 *this section.*

7 *(3) NUCLEAR SECURITY ENTERPRISE.—The term*
 8 *“nuclear security enterprise” has the meaning given*
 9 *that term in section 4002(6) of the Atomic Energy*
 10 *Defense Act (50 U.S.C. 2501(6)).*

11 *(e) RULES OF CONSTRUCTION.—Nothing in this sec-*
 12 *tion shall be construed to authorize any action—*

13 *(1) in contravention of section 3220 of the Na-*
 14 *tional Nuclear Security Administration Act (50*
 15 *U.S.C. 2410); or*

16 *(2) that would undermine or weaken health, safe-*
 17 *ty, or security.*

18 **SEC. 3138. ANNUAL REPORT ON NUMBER OF FULL-TIME**
 19 **EQUIVALENT EMPLOYEES AND CONTRACTOR**
 20 **EMPLOYEES.**

21 *Section 3241A of the National Nuclear Security Ad-*
 22 *ministration Act (50 U.S.C. 2441a) is amended by adding*
 23 *at the end the following new subsection:*

24 *“(f) ANNUAL REPORT.—The Administrator shall in-*
 25 *clude in the budget justification materials submitted to*

1 Congress in support of the budget of the Administration for
2 each fiscal year (as submitted with the budget of the Presi-
3 dent under section 1105(a) of title 31, United States Code)
4 a report containing the following information as of the date
5 of the report:

6 “(1) The number of full-time equivalent employ-
7 ees of the Office of the Administrator, as counted
8 under subsection (a).

9 “(2) The number of service support contracts of
10 the Administration and whether such contracts are
11 funded using program or program direction funds.

12 “(3) The number of full-time equivalent con-
13 tractor employees working under each contract identi-
14 fied under paragraph (2).

15 “(4) The number of full-time equivalent con-
16 tractor employees described in paragraph (3) that
17 have been employed under such a contract for a pe-
18 riod greater than two years.”.

19 **SEC. 3139. DEVELOPMENT OF STRATEGY ON RISKS TO NON-**
20 **PROLIFERATION CAUSED BY ADDITIVE MANU-**
21 **FACTURING.**

22 (a) *STRATEGY.*—The President shall develop and pur-
23 sue a strategy to address the risks to the goals and policies
24 of the United States regarding nuclear nonproliferation
25 that are caused by the increased use of additive manufac-

1 *ture technology (commonly referred to as “3D printing”),*
2 *including such technology that does not originate in the*
3 *United States.*

4 (b) *BRIEFINGS.*—*Not later than March 31, 2016, and*
5 *the end of each 120-day period thereafter through January*
6 *1, 2019, the President shall provide to the appropriate con-*
7 *gressional committees a briefing on the strategy developed*
8 *under subsection (a).*

9 (c) *PURSUIT OF STRATEGY.*—*The President shall pur-*
10 *sue the strategy developed under subsection (a) at the Nu-*
11 *clear Security Summit in Chicago, Illinois, in 2016.*

12 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
13 *FINED.*—*In this section, the term “appropriate congres-*
14 *sional committees” means the following:*

15 (1) *The congressional defense committees.*

16 (2) *The Permanent Select Committee on Intel-*
17 *ligence of the House of Representatives and the Select*
18 *Committee on Intelligence of the Senate.*

19 (3) *The Committee on Foreign Affairs of the*
20 *House of Representatives and the Committee on For-*
21 *ign Relations of the Senate.*

22 **SEC. 3140. PLUTONIUM PIT PRODUCTION CAPACITY.**

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

1 (1) *the requirement to create a modern, respon-*
2 *sive nuclear infrastructure that includes the capa-*
3 *bility and capacity to produce, at minimum, 50 to 80*
4 *pits per year, is a national security priority;*

5 (2) *delaying creation of a modern, responsive*
6 *nuclear infrastructure until the 2030s is an unaccept-*
7 *able risk to the nuclear deterrent and the national se-*
8 *curity of the United States; and*

9 (3) *timelines for creating certain capacities for*
10 *production of plutonium pits and other nuclear weap-*
11 *ons components must be driven by the requirement to*
12 *hedge against technical and geopolitical risk and not*
13 *solely by the needs of life extension programs.*

14 (b) *BRIEFING.—*

15 (1) *IN GENERAL.—Not later than March 1, 2016,*
16 *the Chairman of the Nuclear Weapons Council estab-*
17 *lished under section 179 of title 10, United States*
18 *Code, in consultation with the Administrator for Nu-*
19 *clear Security and the Commander of the United*
20 *States Strategic Command, shall provide to the con-*
21 *gressional defense committees a briefing on the an-*
22 *annual plutonium pit production capacity of the nu-*
23 *clear security enterprise (as defined in section*
24 *4002(6) of the Atomic Energy Defense Act (50 U.S.C.*
25 *2501(6))).*

1 (2) *ELEMENTS.*—*The briefing under paragraph*
2 *(1) shall describe the following:*

3 (A) *The pit production capacity require-*
4 *ment, including the numbers of pits produced*
5 *that are needed for nuclear weapons life exten-*
6 *sion programs.*

7 (B) *The annual pit production requirement,*
8 *including the numbers of pits produced, to sup-*
9 *port a responsive nuclear weapons infrastructure*
10 *to hedge against technical and geopolitical risk.*

11 **SEC. 3141. ASSESSMENTS ON NUCLEAR PROLIFERATION**
12 **RISKS AND NUCLEAR NONPROLIFERATION**
13 **OPPORTUNITIES.**

14 (a) *REPORTS.*—*Not later than March 1, 2016, and*
15 *each year thereafter through 2020, the Director of National*
16 *Intelligence shall submit to the appropriate congressional*
17 *committees a report, consistent with the provision of classi-*
18 *fied information and intelligence sources and methods, con-*
19 *taining—*

20 (1) *an assessment and prioritization of inter-*
21 *national nuclear proliferation risks and nuclear non-*
22 *proliferation opportunities; and*

23 (2) *an assessment of the effectiveness of various*
24 *means and programs for addressing such risks and*
25 *opportunities.*

1 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
2 *FINED.*—*In this section, the term “appropriate congres-*
3 *sional committees” means—*

4 (1) *the congressional defense committees;*

5 (2) *the Committee on Foreign Affairs of the*
6 *House of Representatives and the Committee on For-*
7 *oreign Relations of the Senate; and*

8 (3) *the Permanent Select Committee on Intel-*
9 *ligence of the House of Representatives and the Select*
10 *Committee on Intelligence of the Senate.*

11 **SEC. 3142. ANALYSIS OF ALTERNATIVES FOR MOBILE**
12 **GUARDIAN TRANSPORTER PROGRAM.**

13 (a) *SUBMISSION OF ANALYSIS OF ALTERNATIVES.*—
14 *Not later than 60 days after the date of the enactment of*
15 *this Act, the Administrator for Nuclear Security shall sub-*
16 *mit to the congressional defense committees a report con-*
17 *taining a full and comprehensive analysis of alternatives*
18 *conducted by the Administrator for the Mobile Guardian*
19 *Transporter program.*

20 (b) *IDENTIFICATION IN BUDGET MATERIALS.*—*The*
21 *Secretary of Energy shall include in the budget justification*
22 *materials submitted to Congress in support of the Depart-*
23 *ment of Energy budget (as submitted with the budget of the*
24 *President under section 1105(a) of title 31, United States*
25 *Code) for any fiscal year in which the Mobile Guardian*

1 *Transporter program is carried out a separate, dedicated*
 2 *program element for such program.*

3 **TITLE XXXII—DEFENSE NU-**
 4 **CLEAR FACILITIES SAFETY**
 5 **BOARD**

Sec. 3201. Authorization.

Sec. 3202. Administration of Defense Nuclear Facilities Safety Board.

6 **SEC. 3201. AUTHORIZATION.**

7 *There are authorized to be appropriated for fiscal year*
 8 *2016, \$29,150,000 for the operation of the Defense Nuclear*
 9 *Facilities Safety Board under chapter 21 of the Atomic En-*
 10 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

11 **SEC. 3202. ADMINISTRATION OF DEFENSE NUCLEAR FACILI-**
 12 **TIES SAFETY BOARD.**

13 *(a) PROVISION OF INFORMATION TO BOARD MEM-*
 14 *BERS.—Section 311(c) of the Atomic Energy Act of 1954*
 15 *(42 U.S.C. 2286(c)) is amended—*

16 *(1) in paragraph (2), in the matter preceding*
 17 *subparagraph (A), by striking “paragraph (5)” and*
 18 *inserting “paragraphs (5), (6), and (7)”; and*

19 *(2) by adding at the end the following new para-*
 20 *graph:*

21 *“(6) In carrying out paragraph (5)(B), the Chairman*
 22 *may not withhold from any member of the Board any infor-*
 23 *mation that is made available to the Chairman regarding*
 24 *the Board’s functions, powers, and mission (including with*

1 *respect to the management and evaluation of employees of*
2 *the Board).”.*

3 *(b) SENIOR EMPLOYEES.—*

4 *(1) APPOINTMENT AND REMOVAL.— Such section*
5 *311(c), as amended by subsection (a), is further*
6 *amended by adding at the end the following new*
7 *paragraph:*

8 *“(7)(A) The Chairman, subject to the approval of the*
9 *Board, shall appoint the senior employees described in sub-*
10 *paragraph (C).*

11 *“(B) The Chairman, subject to the approval of the*
12 *Board, may remove a senior employee described in subpara-*
13 *graph (C).*

14 *“(C) The senior employees described in this subpara-*
15 *graph are the following senior employees of the Board:*

16 *“(i) The senior employee responsible for budg-*
17 *etary and general administration matters.*

18 *“(ii) The general counsel.*

19 *“(iii) The senior employee responsible for tech-*
20 *nical matters.”.*

21 *(2) CONFORMING AMENDMENT.—Section*
22 *313(b)(1)(A) of such Act (42 U.S.C. 2286b(b)(1)) is*
23 *amended by striking “hire” and inserting “in accord-*
24 *ance with section 311(c)(7), hire”.*

1 **TITLE XXXIV—NAVAL**
 2 **PETROLEUM RESERVES**

Sec. 3401. Authorization of appropriations.

3 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) *AMOUNT.*—*There are hereby authorized to be ap-*
 5 *propriated to the Secretary of Energy \$17,500,000 for fiscal*
 6 *year 2016 for the purpose of carrying out activities under*
 7 *chapter 641 of title 10, United States Code, relating to the*
 8 *naval petroleum reserves.*

9 (b) *PERIOD OF AVAILABILITY.*—*Funds appropriated*
 10 *pursuant to the authorization of appropriations in sub-*
 11 *section (a) shall remain available until expended.*

12 **TITLE XXXV—MARITIME**
 13 **ADMINISTRATION**

Sec. 3501. Authorization of the Maritime Administration.

Sec. 3502. Sense of Congress regarding Maritime Security Fleet program.

Sec. 3503. Update of references to the Secretary of Transportation regarding un-
employment insurance and vessel operators.

Sec. 3504. Payment for Maritime Security Fleet vessels.

Sec. 3505. Melville Hall of United States Merchant Marine Academy.

Sec. 3506. Cadet commitment agreements.

Sec. 3507. Student incentive payment agreements.

Sec. 3508. Short sea transportation defined.

14 **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**
 15 **TRATION.**

16 *Funds are hereby authorized to be appropriated for fis-*
 17 *cal year 2016, to be available without fiscal year limitation*
 18 *if so provided in appropriations Acts, for the use of the De-*
 19 *partment of Transportation for Maritime Administration*

1 *programs associated with maintaining national security*
2 *aspects of the merchant marine, as follows:*

3 *(1) For expenses necessary for operations of the*
4 *United States Merchant Marine Academy,*
5 *\$96,028,000, of which—*

6 *(A) \$71,306,000 shall remain available*
7 *until expended for Academy operations; and*

8 *(B) \$24,722,000 shall remain available*
9 *until expended for capital asset management at*
10 *the Academy.*

11 *(2) For expenses necessary to support the State*
12 *maritime academies, \$34,550,000, of which—*

13 *(A) \$2,400,000 shall remain available until*
14 *expended for student incentive payments;*

15 *(B) \$3,000,000 shall remain available until*
16 *expended for direct payments to such academies;*

17 *(C) \$1,800,000 shall remain available until*
18 *expended for training ship fuel assistance pay-*
19 *ments;*

20 *(D) \$22,000,000 shall remain available*
21 *until expended for maintenance and repair of*
22 *State maritime academy training vessels;*

23 *(E) \$5,000,000 shall remain available until*
24 *expended for the National Security Multi-Mis-*
25 *sion Vessel Design; and*

1 (F) \$350,000 shall remain available until
2 expended for improving the monitoring of grad-
3 uates' service obligation.

4 (3) For expenses necessary to support Maritime
5 Administration operations and programs,
6 \$54,059,000.

7 (4) For expenses necessary to dispose of vessels in
8 the National Defense Reserve Fleet, \$8,000,000, to re-
9 main available until expended.

10 (5) For expenses to maintain and preserve a
11 United States-flag merchant marine to serve the na-
12 tional security needs of the United States under chap-
13 ter 531 of title 46, United States Code, \$210,000,000.

14 (6) For the cost (as defined in section 502(5) of
15 the Federal Credit Reform Act of 1990 (2 U.S.C.
16 661a(5))) of loan guarantees under the program au-
17 thorized by chapter 537 of title 46, United States
18 Code, \$3,135,000, of which \$3,135,000 shall remain
19 available until expended for administrative expenses
20 of the program.

21 **SEC. 3502. SENSE OF CONGRESS REGARDING MARITIME SE-**
22 **CURITY FLEET PROGRAM.**

23 It is the sense of Congress that dedicated and enhanced
24 support is necessary to stabilize and preserve the Maritime
25 Security Fleet program, a program that provides the De-

1 *partment of Defense with on-demand access to world class,*
2 *economical commercial sealift capacity, assures a United*
3 *States-flag presence in international commerce, supports a*
4 *pool of qualified United States merchant mariners needed*
5 *to crew United States-flag vessels during times of war or*
6 *national emergency, and serves as a critical component of*
7 *our national security infrastructure.*

8 **SEC. 3503. UPDATE OF REFERENCES TO THE SECRETARY OF**
9 **TRANSPORTATION REGARDING UNEMPLOY-**
10 **MENT INSURANCE AND VESSEL OPERATORS.**

11 *Sections 3305 and 3306(n) of the Internal Revenue*
12 *Code of 1986 are each amended by striking “Secretary of*
13 *Commerce” each place that it appears and inserting “Sec-*
14 *retary of Transportation”.*

15 **SEC. 3504. PAYMENT FOR MARITIME SECURITY FLEET VES-**
16 **SELS.**

17 *(a) PER-VESSEL AUTHORIZATION.—Notwithstanding*
18 *section 53106(a)(1)(C) of title 46, United States Code, and*
19 *subject to the availability of appropriations, there is au-*
20 *thorized to be paid to each contractor for an operating*
21 *agreement (as those terms are used in that section) for fiscal*
22 *year 2016, \$3,500,000 for each vessel that is covered by the*
23 *operating agreement.*

1 (b) *REPEAL OF OTHER AUTHORIZATION.*—Section
 2 53111(3) of title 46, United States Code, is amended by
 3 striking “2016,”.

4 **SEC. 3505. MELVILLE HALL OF UNITED STATES MERCHANT**
 5 **MARINE ACADEMY.**

6 (a) *GIFT TO THE MERCHANT MARINE ACADEMY.*—The
 7 Maritime Administrator may accept a gift of money de-
 8 scribed in subsection (b) from the Foundation under section
 9 51315 of title 46, United States Code, for the purpose of
 10 renovating Melville Hall on the campus of the United States
 11 Merchant Marine Academy.

12 (b) *COVERED GIFT.*—A gift described in this sub-
 13 section is a gift under subsection (a) that the Maritime Ad-
 14 ministrator determines exceeds the sum of—

15 (1) the minimum amount that is sufficient to en-
 16 sure the renovation of Melville Hall in accordance
 17 with the capital improvement plan of the United
 18 States Merchant Marine Academy that was in effect
 19 on the date of enactment of this Act; and

20 (2) 25 percent of the amount described in para-
 21 graph (1).

22 (c) *OPERATION CONTRACTS.*—Subject to subsection
 23 (d), in the case that the Maritime Administrator accepts
 24 a gift of money described in subsection (b), the Maritime
 25 Administrator may enter into a contract with the Founda-

1 *tion for the operation of Melville Hall to make available*
2 *facilities for, among other possible uses, official academy*
3 *functions, third-party catering functions, and industry*
4 *events and conferences.*

5 *(d) CONTRACT TERMS.—The contract described in sub-*
6 *section (c) shall be for such period and on such terms as*
7 *the Maritime Administrator considers appropriate, includ-*
8 *ing a provision, mutually agreeable to the Maritime Ad-*
9 *ministrator and the Foundation, that—*

10 *(1) requires the Foundation—*

11 *(A) at the expense solely of the Foundation*
12 *through the term of the contract to maintain*
13 *Melville Hall in a condition that is as good as*
14 *or better than the condition Melville Hall was in*
15 *on the later of—*

16 *(i) the date that the renovation of Mel-*
17 *ville Hall was completed; or*

18 *(ii) the date that the Foundation ac-*
19 *cepted Melville Hall after it was tendered to*
20 *the Foundation by the Maritime Adminis-*
21 *trator; and*

22 *(B) to deposit all proceeds from the oper-*
23 *ation of Melville Hall, after expenses necessary*
24 *for the operation and maintenance of Melville*
25 *Hall, into the account of the Regimental Affairs*

1 *Non-Appropriated Fund Instrumentality or suc-*
2 *cessor entity, to be used solely for the morale and*
3 *welfare of the cadets of the United States Mer-*
4 *chant Marine Academy; and*

5 (2) *prohibits the use of Melville Hall as lodging*
6 *or an office by any person for more than 4 days in*
7 *any calendar year other than—*

8 (A) *by the United States; or*

9 (B) *for the administration and operation of*
10 *Melville Hall.*

11 (e) *DEFINITIONS.—In this section:*

12 (1) *CONTRACT.—The term “contract” includes*
13 *any modification, extension, or renewal of the con-*
14 *tract.*

15 (2) *FOUNDATION.—The term “Foundation”*
16 *means the United States Merchant Marine Academy*
17 *Alumni Association and Foundation, Inc.*

18 (f) *RULE OF CONSTRUCTION.—Nothing in this section*
19 *may be construed under section 3105 of title 41, United*
20 *States Code, as requiring the Maritime Administrator to*
21 *award a contract for the operation of Melville Hall to the*
22 *Foundation.*

23 **SEC. 3506. CADET COMMITMENT AGREEMENTS.**

24 Section 51306(a) of title 46, United States Code, is
25 *amended—*

1 (1) *in the matter preceding paragraph (1), by*
2 *striking “must” and inserting “shall”;*

3 (2) *by amending paragraph (2) to read as fol-*
4 *lows:*

5 “(2) *obtain a merchant mariner license, unlim-*
6 *ited as to horsepower or tonnage, issued by the Coast*
7 *Guard as an officer in the merchant marine of the*
8 *United States, accompanied by the appropriate na-*
9 *tional and international endorsements and certifi-*
10 *cations required by the Coast Guard for service*
11 *aboard vessels on domestic and international voyages,*
12 *without limitation, before graduation from the Acad-*
13 *emy;”;*

14 (3) *by amending paragraph (3) to read as fol-*
15 *lows:*

16 “(3) *for at least 6 years after graduation from*
17 *the Academy, maintain—*

18 “(A) *a valid merchant mariner license, un-*
19 *limited as to horsepower or tonnage, issued by*
20 *the Coast Guard as an officer in the merchant*
21 *marine of the United States, accompanied by the*
22 *appropriate national and international endorse-*
23 *ments and certifications required by the Coast*
24 *Guard for service aboard vessels on domestic and*
25 *international voyages, without limitation;*

1 “(B) a valid transportation worker identi-
2 fication credential; and

3 “(C) a Coast Guard medical certificate;”;
4 and

5 (4) by amending paragraph (4) to read as fol-
6 lows:

7 “(4) apply for, and accept if tendered, an ap-
8 pointment as a commissioned officer in the Navy Re-
9 serve (including the Strategic Sealift Officer Pro-
10 gram, Navy Reserve), the Coast Guard Reserve, or
11 any other reserve component of an armed force of the
12 United States, and, if tendered the appointment, to
13 serve, meet the participation requirements, and main-
14 tain active status in good standing, as determined by
15 the program manager of the appropriate military
16 service, for at least 8 years after the date of commis-
17 sioning;”.

18 **SEC. 3507. STUDENT INCENTIVE PAYMENT AGREEMENTS.**

19 Section 51509 of title 46, United States Code, is
20 amended—

21 (1) in subsection (b)—

22 (A) by inserting “(3) AUTHORIZED USES.—
23 ” before the last sentence and indenting accord-
24 ingly;

1 (B) in the matter preceding paragraph (3),
2 by striking “Payments” and inserting “(1) IN
3 GENERAL.—Except as provided in paragraph
4 (2), payments” and indenting accordingly; and
5 (C) by inserting after paragraph (1), the
6 following:

7 “(2) EXCEPTION.—The Secretary may modify
8 the payments made to an individual under para-
9 graph (1), but the total amount of payments to that
10 individual may not exceed \$32,000.”;

11 (2) in subsection (c), by striking “Merchant Ma-
12 rine Reserve” and inserting “Strategic Sealift Officer
13 Program”;

14 (3) in subsection (d)—

15 (A) by amending paragraph (2) to read as
16 follows:

17 “(2) obtain a merchant mariner license, without
18 limitation as to tonnage or horsepower, from the
19 Coast Guard as an officer in the merchant marine of
20 the United States, accompanied by the appropriate
21 national and international endorsements and certifi-
22 cation required by the Coast Guard for service aboard
23 vessels on domestic and international voyages, with-
24 out limitation, within three months of completion of

1 *the course of instruction at the academy the indi-*
2 *vidual is attending;”;*

3 *(B) by amending paragraph (3) to read as*
4 *follows:*

5 *“(3) for at least 6 years after graduation from*
6 *the academy, maintain—*

7 *“(A) a valid merchant mariner license, un-*
8 *limited as to horsepower or tonnage, issued by*
9 *the Coast Guard as an officer in the merchant*
10 *marine of the United States, accompanied by the*
11 *appropriate national and international endorse-*
12 *ments and certifications required by the Coast*
13 *Guard for service aboard vessels on domestic and*
14 *international voyages, without limitation;*

15 *“(B) a valid transportation worker identi-*
16 *fication credential; and*

17 *“(C) a Coast Guard medical certificate;”;*

18 *and*

19 *(C) by amending paragraph (4) to read as*
20 *follows:*

21 *“(4) apply for, and accept, if tendered, an ap-*
22 *pointment as a commissioned officer in the Navy Re-*
23 *serve (including the Strategic Sealift Officer Pro-*
24 *gram, Navy Reserve), the Coast Guard Reserve, or*
25 *any other reserve component of an armed force of the*

1 *United States, and, if tendered the appointment, to*
2 *serve and meet the participation requirements and to*
3 *maintain active status in good standing, as deter-*
4 *mined by the program manager of the appropriate*
5 *military service, for at least 8 years after the date of*
6 *commissioning;”;*

7 *(4) by amending subsection (e)(1) to read as fol-*
8 *lows:*

9 *“(1) ACTIVE DUTY.—*

10 *“(A) IN GENERAL.—The Secretary of De-*
11 *fense may order an individual to serve on active*
12 *duty in the armed forces of the United States for*
13 *a period of not more than 2 years if—*

14 *“(i) the individual has attended an*
15 *academy under this section for more than 2*
16 *academic years, but less than 3 academic*
17 *years;*

18 *“(ii) the individual has accepted the*
19 *payments described in subsection (b) in an*
20 *amount totaling at least \$8,000; and*

21 *“(iii) the Secretary of Transportation*
22 *has determined that the individual has*
23 *failed to fulfill the part of the agreement de-*
24 *scribed in subsection (d)(1).*

1 “(B) 3 OR MORE YEARS.—The Secretary of
2 Defense may order an individual to serve on ac-
3 tive duty in the armed forces of the United
4 States for a period of not more than 3 years if—

5 “(i) the individual has attended an
6 academy under this section for 3 or more
7 academic years;

8 “(ii) the individual has accepted the
9 payments described in subsection (b) in an
10 amount totaling at least \$16,000; and

11 “(iii) the Secretary of Transportation
12 has determined that the individual has
13 failed to fulfill the part of the agreement de-
14 scribed in subsection (d)(1).

15 “(C) HARDSHIP WAIVER.—In cases of hard-
16 ship as determined by the Secretary of Transpor-
17 tation, the Secretary of Transportation may
18 waive this paragraph in whole or in part.”; and
19 (5) by adding at the end the following:

20 “(h) ALTERNATIVE SERVICE.—

21 “(1) SERVICE AS COMMISSIONED OFFICER.—An
22 individual who, for the 5-year period following grad-
23 uation from an academy, serves as a commissioned
24 officer on active duty in an armed force of the United
25 States or as a commissioned officer of the National

1 *Oceanic and Atmospheric Administration or the Pub-*
 2 *lic Health Service shall be excused from the require-*
 3 *ments of paragraphs (3) through (5) of subsection (d).*

4 *“(2) MODIFICATION OR WAIVER.—The Secretary*
 5 *may modify or waive any of the terms and conditions*
 6 *set forth in subsection (d) through the imposition of*
 7 *alternative service requirements.”.*

8 **SEC. 3508. SHORT SEA TRANSPORTATION DEFINED.**

9 *Paragraph (1) of section 55605 of title 46, United*
 10 *States Code, is amended—*

11 *(1) in subparagraph (A), by striking “or”;*

12 *(2) in subparagraph (B), by striking “and”; and*

13 *(3) by adding at the end the following:*

14 *“(C) shipped in discrete units or packages*
 15 *that are handled individually, palletized, or*
 16 *unitized for purposes of transportation; or*

17 *“(D) freight vehicles carried aboard com-*
 18 *muter ferry boats; and”.*

19 ***DIVISION D—FUNDING TABLES***

Sec. 4001. Authorization of amounts in funding tables.

Sec. 4002. Clarification of applicability of undistributed reductions of certain operation and maintenance funding among all operation and maintenance funding.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.

Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

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

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

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

Sec. 4303. Operation and maintenance base requirements.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. MILITARY CONSTRUCTION.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security programs.

1 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-**
2 **BLES.**

3 (a) *IN GENERAL.*—Whenever a funding table in this
4 division specifies a dollar amount authorized for a project,
5 program, or activity, the obligation and expenditure of the
6 specified dollar amount for the project, program, or activity
7 is hereby authorized, subject to the availability of appro-
8 priations.

9 (b) *MERIT-BASED DECISIONS.*—A decision to commit,
10 obligate, or expend funds with or to a specific entity on
11 the basis of a dollar amount authorized pursuant to sub-
12 section (a) shall—

13 (1) be based on merit-based selection procedures
14 in accordance with the requirements of sections

1 2304(k) and 2374 of title 10, United States Code, or
2 on competitive procedures; and

3 (2) comply with other applicable provisions of
4 law.

5 (c) *RELATIONSHIP TO TRANSFER AND PROGRAMMING*
6 *AUTHORITY.*—An amount specified in the funding tables in
7 this division may be transferred or reprogrammed under
8 a transfer or reprogramming authority provided by another
9 provision of this Act or by other law. The transfer or re-
10 programming of an amount specified in such funding tables
11 shall not count against a ceiling on such transfers or
12 reprogrammings under section 1001 or section 1522 of this
13 Act or any other provision of law, unless such transfer or
14 reprogramming would move funds between appropriation
15 accounts.

16 (d) *APPLICABILITY TO CLASSIFIED ANNEX.*—This sec-
17 tion applies to any classified annex that accompanies this
18 Act.

19 (e) *ORAL AND WRITTEN COMMUNICATIONS.*—No oral
20 or written communication concerning any amount specified
21 in the funding tables in this division shall supersede the
22 requirements of this section.

1 **SEC. 4002. CLARIFICATION OF APPLICABILITY OF UNDIS-**
 2 **TRIBUTED REDUCTIONS OF CERTAIN OPER-**
 3 **ATION AND MAINTENANCE FUNDING AMONG**
 4 **ALL OPERATION AND MAINTENANCE FUND-**
 5 **ING.**

6 *Any undistributed reduction in funding available for*
 7 *fiscal year 2016 for the Department of Defense for operation*
 8 *and maintenance, as specified in the funding table in sec-*
 9 *tion 4301, that is attributable to savings in connection with*
 10 *foreign currency fluctuations or bulk fuel purchases, may*
 11 *be applied against any funds available for that fiscal year*
 12 *for the Department for operation and maintenance, regard-*
 13 *less of whether available as specified in the funding table*
 14 *in section 4301 or available as specified in the funding table*
 15 *in section 4303.*

16 **TITLE XLI—PROCUREMENT**

17 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT			
(In Thousands of Dollars)			
Line	Item	FY 2016 Request	Agreement Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
002	UTILITY F/W AIRCRAFT	879	879
004	MQ-1 UAV	260,436	277,436
	<i>Extended Range Modifications</i>		<i>[17,000]</i>
ROTARY			
006	HELICOPTER, LIGHT UTILITY (LUH)	187,177	187,177
007	AH-64 APACHE BLOCK IIIA REMAN	1,168,461	1,168,461
008	ADVANCE PROCUREMENT (CY)	209,930	209,930
011	UH-60 BLACKHAWK M MODEL (MYP)	1,435,945	1,563,945
	<i>Additional 8 rotorcraft for Army National Guard</i>		<i>[128,000]</i>
012	ADVANCE PROCUREMENT (CY)	127,079	127,079
013	UH-60 BLACK HAWK A AND L MODELS	46,641	46,641
014	CH-47 HELICOPTER	1,024,587	1,024,587
015	ADVANCE PROCUREMENT (CY)	99,344	99,344
MODIFICATION OF AIRCRAFT			
016	MQ-1 PAYLOAD (MIP)	97,543	97,543
019	MULTI SENSOR ABN RECON (MIP)	95,725	95,725
020	AH-64 MODS	116,153	116,153
021	CH-47 CARGO HELICOPTER MODS (MYP)	86,330	86,330
022	GRCS SEMA MODS (MIP)	4,019	4,019
023	ARL SEMA MODS (MIP)	16,302	16,302
024	EMARSS SEMA MODS (MIP)	13,669	13,669
025	UTILITY/CARGO AIRPLANE MODS	16,166	16,166

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
026	UTILITY HELICOPTER MODS	13,793	13,793
028	NETWORK AND MISSION PLAN	112,807	112,807
029	COMMS, NAV SURVEILLANCE	82,904	82,904
030	GATM ROLLUP	33,890	33,890
031	RQ-7 UAV MODS	81,444	81,444
	GROUND SUPPORT AVIONICS		
032	AIRCRAFT SURVIVABILITY EQUIPMENT	56,215	56,215
033	SURVIVABILITY CM	8,917	8,917
034	CMWS	78,348	104,348
	<i>Apache Survivability Enhancements—Army Unfunded Requirement</i>		[26,000]
	OTHER SUPPORT		
035	AVIONICS SUPPORT EQUIPMENT	6,937	6,937
036	COMMON GROUND EQUIPMENT	64,867	64,867
037	AIRCREW INTEGRATED SYSTEMS	44,085	44,085
038	AIR TRAFFIC CONTROL	94,545	94,545
039	INDUSTRIAL FACILITIES	1,207	1,207
040	LAUNCHER, 2.75 ROCKET	3,012	3,012
	TOTAL AIRCRAFT PROCUREMENT, ARMY	5,689,357	5,860,357
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	115,075	115,075
002	MSE MISSILE	414,946	514,946
	<i>Army UPL for Patriot PAC 3 for improved ballistic missile</i>		[100,000]
	AIR-TO-SURFACE MISSILE SYSTEM		
003	HELLFIRE SYS SUMMARY	27,975	27,975
004	ADVANCE PROCUREMENT (CY)	27,738	27,738
	ANTI-TANK/ASSAULT MISSILE SYS		
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	77,163	168,163
	<i>Program increase to support Unfunded Requirements</i>		[91,000]
006	TOW 2 SYSTEM SUMMARY	87,525	87,525
008	GUIDED MLRS ROCKET (GMLRS)	251,060	251,060
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	17,428	17,428
	MODIFICATIONS		
011	PATRIOT MODS	241,883	241,883
012	ATACMS MODS	30,119	15,119
	<i>Early to need</i>		[-15,000]
013	GMLRS MOD	18,221	18,221
014	STINGER MODS	2,216	2,216
015	AVENGER MODS	6,171	6,171
016	ITAS/TOW MODS	19,576	19,576
017	MLRS MODS	35,970	35,970
018	HIMARS MODIFICATIONS	3,148	3,148
	SPARES AND REPAIR PARTS		
019	SPARES AND REPAIR PARTS	33,778	33,778
	SUPPORT EQUIPMENT & FACILITIES		
020	AIR DEFENSE TARGETS	3,717	3,717
021	ITEMS LESS THAN \$5.0M (MISSILES)	1,544	1,544
022	PRODUCTION BASE SUPPORT	4,704	4,704
	TOTAL MISSILE PROCUREMENT, ARMY	1,419,957	1,595,957
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	181,245	181,245
	MODIFICATION OF TRACKED COMBAT VEHICLES		
002	STRYKER (MOD)	74,085	388,085
	<i>Lethality Upgrades</i>		[314,000]
003	STRYKER UPGRADE	305,743	305,743
005	BRADLEY PROGRAM (MOD)	225,042	225,042
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	60,079	60,079
007	PALADIN INTEGRATED MANAGEMENT (PIM)	273,850	273,850
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	123,629	195,629
	<i>Additional Vehicles - Army Unfunded Requirement</i>		[72,000]
009	ASSAULT BRIDGE (MOD)	2,461	2,461
010	ASSAULT BREACHER VEHICLE	2,975	2,975
011	M88 FOV MODS	14,878	14,878
012	JOINT ASSAULT BRIDGE	33,455	33,455
013	M1 ABRAMS TANK (MOD)	367,939	407,939
	<i>Program Increase</i>		[40,000]
	SUPPORT EQUIPMENT & FACILITIES		
015	PRODUCTION BASE SUPPORT (TCV-WTCV)	6,479	6,479
	WEAPONS & OTHER COMBAT VEHICLES		
016	MORTAR SYSTEMS	4,991	4,991
017	XM320 GRENADE LAUNCHER MODULE (GLM)	26,294	26,294
018	PRECISION SNIPER RIFLE	1,984	0
	<i>Army request - schedule delay</i>		[-1,984]
019	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	1,488	0
	<i>Army request - schedule delay</i>		[-1,488]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
020	CARBINE	34,460	34,460
021	COMMON REMOTELY OPERATED WEAPONS STATION	8,367	14,750
	Army requested adjustment		[6,383]
022	HANDGUN	5,417	0
	Army request - early to need and schedule delay		[-5,417]
	MOD OF WEAPONS AND OTHER COMBAT VEH		
023	MK-19 GRENADE MACHINE GUN MODS	2,777	2,777
024	M777 MODS	10,070	10,070
025	M4 CARBINE MODS	27,566	27,566
026	M2 50 CAL MACHINE GUN MODS	44,004	44,004
027	M249 SAW MACHINE GUN MODS	1,190	1,190
028	M240 MEDIUM MACHINE GUN MODS	1,424	1,424
029	SNIPER RIFLES MODIFICATIONS	2,431	980
	Army request - schedule delay		[-1,451]
030	M119 MODIFICATIONS	20,599	20,599
032	MORTAR MODIFICATION	6,300	6,300
033	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	3,737	3,737
	SUPPORT EQUIPMENT & FACILITIES		
034	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	391	2,848
	Army requested adjustment		[2,457]
035	PRODUCTION BASE SUPPORT (WOCV-WTCV)	9,027	9,027
036	INDUSTRIAL PREPAREDNESS	304	304
037	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,392	2,392
	TOTAL PROCUREMENT OF W&TCV, ARMY	1,887,073	2,311,573
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	43,489	43,489
002	CTG, 7.62MM, ALL TYPES	40,715	40,715
003	CTG, HANDGUN, ALL TYPES	7,753	6,801
	Army request - program reduction		[-952]
004	CTG, .50 CAL, ALL TYPES	24,728	24,728
005	CTG, 25MM, ALL TYPES	8,305	8,305
006	CTG, 30MM, ALL TYPES	34,330	34,330
007	CTG, 40MM, ALL TYPES	79,972	69,972
	Early to need		[-10,000]
	MORTAR AMMUNITION		
008	60MM MORTAR, ALL TYPES	42,898	42,898
009	81MM MORTAR, ALL TYPES	43,500	43,500
010	120MM MORTAR, ALL TYPES	64,372	64,372
	TANK AMMUNITION		
011	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	105,541	105,541
	ARTILLERY AMMUNITION		
012	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	57,756	57,756
013	ARTILLERY PROJECTILE, 155MM, ALL TYPES	77,995	77,995
014	PROJ 155MM EXTENDED RANGE M982	45,518	45,518
015	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	78,024	78,024
	ROCKETS		
016	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	7,500	7,500
017	ROCKET, HYDRA 70, ALL TYPES	33,653	33,653
	OTHER AMMUNITION		
018	CAD/PAD, ALL TYPES	5,639	5,639
019	DEMOLITION MUNITIONS, ALL TYPES	9,751	9,751
020	GRENADES, ALL TYPES	19,993	19,993
021	SIGNALS, ALL TYPES	9,761	9,761
022	SIMULATORS, ALL TYPES	9,749	9,749
	MISCELLANEOUS		
023	AMMO COMPONENTS, ALL TYPES	3,521	3,521
024	NON-LETHAL AMMUNITION, ALL TYPES	1,700	1,700
025	ITEMS LESS THAN \$5 MILLION (AMMO)	6,181	6,181
026	AMMUNITION PECULIAR EQUIPMENT	17,811	17,811
027	FIRST DESTINATION TRANSPORTATION (AMMO)	14,695	14,695
	PRODUCTION BASE SUPPORT		
029	PROVISION OF INDUSTRIAL FACILITIES	221,703	221,703
030	CONVENTIONAL MUNITIONS DEMILITARIZATION	113,250	113,250
031	ARMS INITIATIVE	3,575	3,575
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	1,233,378	1,222,426
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	12,855	12,855
002	SEMITRAILERS, FLATBED:	53	53
004	JOINT LIGHT TACTICAL VEHICLE	308,336	308,336
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	90,040	90,040
006	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	8,444	8,444
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	27,549	27,549
008	PLS ESP	127,102	127,102
010	TACTICAL WHEELED VEHICLE PROTECTION KITS	48,292	48,292

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
011	MODIFICATION OF IN SVC EQUIP	130,993	120,993
	Program reduction		[-10,000]
012	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	19,146	19,146
	NON-TACTICAL VEHICLES		
014	PASSENGER CARRYING VEHICLES	1,248	1,248
015	NONTACTICAL VEHICLES, OTHER	9,614	9,614
	COMM—JOINT COMMUNICATIONS		
016	WIN-T—GROUND FORCES TACTICAL NETWORK	783,116	643,370
	Unobligated balances		[-139,746]
017	SIGNAL MODERNIZATION PROGRAM	49,898	49,898
018	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	4,062	4,062
019	JCSE EQUIPMENT (USREDCOM)	5,008	5,008
	COMM—SATELLITE COMMUNICATIONS		
020	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	196,306	196,306
021	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	44,998	29,998
	Program Reduction		[-15,000]
022	SHF TERM	7,629	7,629
023	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	14,027	14,027
024	SMART-T (SPACE)	13,453	13,453
025	GLOBAL BRDCST SVC—GBS	6,265	6,265
026	MOD OF IN-SVC EQUIP (TAC SAT)	1,042	1,042
027	ENROUTE MISSION COMMAND (EMC)	7,116	7,116
	COMM—C3 SYSTEM		
028	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,137	10,137
	COMM—COMBAT COMMUNICATIONS		
029	JOINT TACTICAL RADIO SYSTEM	64,640	54,640
	Unobligated balances		[-10,000]
030	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	27,762	21,868
	Excess Program Management Costs		[-5,894]
031	RADIO TERMINAL SET, MIDS LVT(2)	9,422	9,422
032	AMC CRITICAL ITEMS—OPA2	26,020	26,020
033	TRACTOR DESK	4,073	4,073
034	SPIDER APLA REMOTE CONTROL UNIT	1,403	1,403
035	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	9,199	9,199
036	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	349	349
037	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	25,597	25,597
038	UNIFIED COMMAND SUITE	21,854	21,854
040	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	24,388	24,388
	COMM—INTELLIGENCE COMM		
042	CI AUTOMATION ARCHITECTURE	1,349	1,349
043	ARMY CAMISO GPF EQUIPMENT	3,695	3,695
	INFORMATION SECURITY		
045	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	19,920	19,920
046	COMMUNICATIONS SECURITY (COMSEC)	72,257	72,257
	COMM—LONG HAUL COMMUNICATIONS		
047	BASE SUPPORT COMMUNICATIONS	16,082	16,082
	COMM—BASE COMMUNICATIONS		
048	INFORMATION SYSTEMS	86,037	86,037
050	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	8,550	8,550
051	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	73,496	73,496
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
054	JTT/CIBS-M	881	881
055	PROPHET GROUND	63,650	48,650
	Program reduction		[-15,000]
057	DCGS-A (MIP)	260,268	240,268
	Program reduction		[-20,000]
058	JOINT TACTICAL GROUND STATION (JTAGS)	3,906	3,906
059	TROJAN (MIP)	13,929	13,929
060	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	3,978	3,978
061	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,542	7,542
062	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)	8,010	8,010
063	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	8,125	8,125
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
064	LIGHTWEIGHT COUNTER MORTAR RADAR	63,472	63,472
065	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	2,556	2,556
066	AIR VIGILANCE (AV)	8,224	8,224
067	CREW	2,960	2,960
068	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITE	1,722	1,722
069	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	447	447
070	CI MODERNIZATION	228	228
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
071	SENTINEL MODS	43,285	43,285
072	NIGHT VISION DEVICES	124,216	124,216
074	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	23,216	23,216
076	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	60,679	60,679
077	FAMILY OF WEAPON SIGHTS (FWS)	53,453	53,453
078	ARTILLERY ACCURACY EQUIP	3,338	3,338
079	PROFILER	4,057	4,057

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Line	Item	FY 2016 Request	Agreement Authorized
081	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	133,339	133,339
082	JOINT EFFECTS TARGETING SYSTEM (JETS)	47,212	47,212
083	MOD OF IN-SVC EQUIP (LLDR)	22,314	22,314
084	COMPUTER BALLISTICS: LHMCB XM32	12,131	12,131
085	MORTAR FIRE CONTROL SYSTEM	10,075	10,075
086	COUNTERFIRE RADARS	217,379	142,379
	Unobligated balances		[-75,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
087	FIRE SUPPORT C2 FAMILY	1,190	1,190
090	AIR & MSL DEFENSE PLANNING & CONTROL SYS	28,176	28,176
091	LAMD BATTLE COMMAND SYSTEM	20,917	15,917
	Program Reduction		[-5,000]
092	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,850	5,850
093	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	12,738	12,738
094	MANEUVER CONTROL SYSTEM (MCS)	145,405	135,405
	Unjustified increase		[-10,000]
095	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	162,654	146,654
	Program growth		[-16,000]
096	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	4,446	4,446
098	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	16,218	16,218
099	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,138	1,138
	ELECT EQUIP—AUTOMATION		
100	ARMY TRAINING MODERNIZATION	12,089	12,089
101	AUTOMATED DATA PROCESSING EQUIP	105,775	93,775
	Reduce IT procurement		[-12,000]
102	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	18,995	18,995
103	HIGH PERF COMPUTING MOD PGM (HPCMP)	62,319	62,319
104	RESERVE COMPONENT AUTOMATION SYS (RCAS)	17,894	17,894
	ELECT EQUIP—AUDIO VISUAL SYS (AV)		
106	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	4,242	4,242
	ELECT EQUIP—SUPPORT		
107	PRODUCTION BASE SUPPORT (C-E)	425	425
108	BCT EMERGING TECHNOLOGIES	7,438	7,438
	CLASSIFIED PROGRAMS		
108A	CLASSIFIED PROGRAMS	6,467	6,467
	CHEMICAL DEFENSIVE EQUIPMENT		
109	PROTECTIVE SYSTEMS	248	248
110	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	1,487	1,487
112	CBRN DEFENSE	26,302	26,302
	BRIDGING EQUIPMENT		
113	TACTICAL BRIDGING	9,822	9,822
114	TACTICAL BRIDGE, FLOAT-RIBBON	21,516	21,516
115	BRIDGE SUPPLEMENTAL SET	4,959	4,959
116	COMMON BRIDGE TRANSPORTER (CBT) RECAP	52,546	52,546
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
117	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	58,682	58,682
118	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	13,565	13,565
119	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	2,136	2,136
120	EOD ROBOTICS SYSTEMS RECAPITALIZATION	6,960	6,960
121	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	17,424	17,424
122	REMOTE DEMOLITION SYSTEMS	8,284	8,284
123	< \$5M, COUNTERMINE EQUIPMENT	5,459	5,459
124	FAMILY OF BOATS AND MOTORS	8,429	8,429
	COMBAT SERVICE SUPPORT EQUIPMENT		
125	HEATERS AND ECUS	18,876	18,876
127	SOLDIER ENHANCEMENT	2,287	2,287
128	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	7,733	7,733
129	GROUND SOLDIER SYSTEM	49,798	49,798
130	MOBILE SOLDIER POWER	43,639	43,639
132	FIELD FEEDING EQUIPMENT	13,118	13,118
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	28,278	28,278
135	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	34,544	34,544
136	ITEMS LESS THAN \$5M (ENG SPT)	595	595
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	5,368	5,368
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	35,381	35,381
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	73,828	73,828
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25,270	25,270
141	ITEMS LESS THAN \$5.0M (MAINT EQ)	2,760	2,760
	CONSTRUCTION EQUIPMENT		
142	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,903	5,903
143	SCRAPERS, EARTHMOVING	26,125	26,125
146	TRACTOR, FULL TRACKED	27,156	27,156
147	ALL TERRAIN CRANES	16,750	16,750
148	PLANT, ASPHALT MIXING	984	984
149	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	2,656	2,656

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Line	Item	FY 2016 Request	Agreement Authorized
150	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	2,531	2,531
151	FAMILY OF DIVER SUPPORT EQUIPMENT	446	446
152	CONST EQUIP ESP	19,640	19,640
153	ITEMS LESS THAN \$5.0M (CONST EQUIP)	5,087	5,087
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
154	ARMY WATERCRAFT ESP	39,772	39,772
155	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	5,835	5,835
	GENERATORS		
156	GENERATORS AND ASSOCIATED EQUIP	166,356	166,356
157	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,505	11,505
	MATERIAL HANDLING EQUIPMENT		
159	FAMILY OF FORKLIFTS	17,496	17,496
	TRAINING EQUIPMENT		
160	COMBAT TRAINING CENTERS SUPPORT	74,916	74,916
161	TRAINING DEVICES, NONSYSTEM	303,236	278,236
	Program reduction		[-25,000]
162	CLOSE COMBAT TACTICAL TRAINER	45,210	45,210
163	AVIATION COMBINED ARMS TACTICAL TRAINER	30,068	30,068
164	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,793	9,793
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
165	CALIBRATION SETS EQUIPMENT	4,650	4,650
166	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	34,487	34,487
167	TEST EQUIPMENT MODERNIZATION (TEMOD)	11,083	11,083
	OTHER SUPPORT EQUIPMENT		
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	17,937	17,937
170	PHYSICAL SECURITY SYSTEMS (OPA3)	52,040	52,040
171	BASE LEVEL COMMON EQUIPMENT	1,568	1,568
172	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	64,219	64,219
173	PRODUCTION BASE SUPPORT (OTH)	1,525	1,525
174	SPECIAL EQUIPMENT FOR USER TESTING	3,268	3,268
176	TRACTOR YARD	7,191	7,191
	OPA2		
177	INITIAL SPARES—C&E	48,511	48,511
	TOTAL OTHER PROCUREMENT, ARMY	5,899,028	5,540,388
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
002	F/A-18E/F (FIGHTER) HORNET		978,750
	Additional 12 Aircraft—Navy Unfunded Requirement		[978,750]
003	JOINT STRIKE FIGHTER CV	897,542	873,042
	Anticipated contract savings		[-7,700]
	Cost growth for support equipment		[-16,800]
004	ADVANCE PROCUREMENT (CY)	48,630	48,630
005	JSF STOVL	1,483,414	2,329,414
	Additional 6 Aircraft—Marine Corps Unfunded Requirement		[846,000]
006	ADVANCE PROCUREMENT (CY)	203,060	203,060
007	ADVANCE PROCUREMENT (CY)	41,300	41,300
008	V-22 (MEDIUM LIFT)	1,436,355	1,421,355
	Support funding carryover		[-15,000]
009	ADVANCE PROCUREMENT (CY)	43,853	43,853
010	H-1 UPGRADES (UH-1Y/AH-1Z)	800,057	795,057
	Program reduction		[-5,000]
011	ADVANCE PROCUREMENT (CY)	56,168	56,168
012	MH-60S (MYP)	28,232	28,232
014	MH-60R (MYP)	969,991	964,991
	Poor justification of production line shutdown funds		[-5,000]
016	P-8A POSEIDON	3,008,928	3,008,928
017	ADVANCE PROCUREMENT (CY)	269,568	250,568
	Advance procurement cost growth		[-19,000]
018	E-2D ADV HAWKEYE	857,654	857,654
019	ADVANCE PROCUREMENT (CY)	195,336	195,336
	TRAINER AIRCRAFT		
020	JPATS	8,914	8,914
	OTHER AIRCRAFT		
021	KC-130J	192,214	192,214
022	ADVANCE PROCUREMENT (CY)	24,451	24,451
023	MQ-4 TRITON	494,259	559,259
	Additional Air Vehicle		[65,000]
024	ADVANCE PROCUREMENT (CY)	54,577	54,577
025	MQ-8 UAV	120,020	156,020
	MQ-8 UAV-Additional three air vehicles		[36,000]
026	STUASLO UAV	3,450	3,450
	MODIFICATION OF AIRCRAFT		
028	EA-6 SERIES	9,799	9,799
029	AEA SYSTEMS	23,151	38,151
	Additional Low Band Transmitter Modifications		[15,000]
030	AV-8 SERIES	41,890	45,190
	AV-8B Link 16 upgrades, unfunded requirement		[3,300]

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Line	Item	FY 2016 Request	Agreement Authorized
031	ADVERSARY	5,816	5,816
032	F-18 SERIES	978,756	958,456
	Unjustified request		[-20,300]
034	H-53 SERIES	46,887	46,887
035	SH-60 SERIES	107,728	107,728
036	H-1 SERIES	42,315	40,565
	Unjustified growth—installation funding		[-1,750]
037	EP-3 SERIES	41,784	41,784
038	P-3 SERIES	3,067	3,067
039	E-2 SERIES	20,741	20,741
040	TRAINER A/C SERIES	27,980	27,980
041	C-2A	8,157	8,157
042	C-130 SERIES	70,335	69,041
	Unjustified growth—installation funding		[-1,294]
043	FEWSG	633	633
044	CARGO/TRANSPORT A/C SERIES	8,916	8,916
045	E-6 SERIES	185,253	185,253
046	EXECUTIVE HELICOPTERS SERIES	76,138	72,338
	Unjustified growth—installation funding		[-3,800]
047	SPECIAL PROJECT AIRCRAFT	23,702	23,702
048	T-45 SERIES	105,439	105,439
049	POWER PLANT CHANGES	9,917	9,917
050	JPATS SERIES	13,537	13,537
051	COMMON ECM EQUIPMENT	131,732	131,732
052	COMMON AVIONICS CHANGES	202,745	182,745
	Cost growth		[-20,000]
053	COMMON DEFENSIVE WEAPON SYSTEM	3,062	3,062
054	ID SYSTEMS	48,206	48,206
055	P-8 SERIES	28,492	28,492
056	MAGTF EW FOR AVIATION	7,680	7,680
057	MQ-8 SERIES	22,464	22,464
058	RQ-7 SERIES	3,773	3,773
059	V-22 (TILT/ROTOR ACFT) OSPREY	121,208	144,208
	MV-22 Ballistic Protection		[8,000]
	MV-22 integrated aircraft survivability—MC UFR		[15,000]
060	F-35 STOVL SERIES	256,106	256,106
061	F-35 CV SERIES	68,527	68,527
062	QRC	6,885	6,885
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	1,563,515	1,478,515
	Program decrease		[-85,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
064	COMMON GROUND EQUIPMENT	450,959	435,959
	Contract delays		[-15,000]
065	AIRCRAFT INDUSTRIAL FACILITIES	24,010	24,010
066	WAR CONSUMABLES	42,012	42,012
067	OTHER PRODUCTION CHARGES	2,455	2,455
068	SPECIAL SUPPORT EQUIPMENT	50,859	50,859
069	FIRST DESTINATION TRANSPORTATION	1,801	1,801
	TOTAL AIRCRAFT PROCUREMENT, NAVY	16,126,405	17,877,811
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,099,064	1,089,064
	Unjustified program growth		[-10,000]
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,748	7,748
	STRATEGIC MISSILES		
003	TOMAHAWK	184,814	214,814
	Minimum Sustaining Rate Increase		[30,000]
	TACTICAL MISSILES		
004	AMRAAM	192,873	207,873
	Additional captive air training missiles		[15,000]
005	SIDEWINDER	96,427	96,427
006	JSOW	21,419	21,419
007	STANDARD MISSILE	435,352	435,352
008	RAM	80,826	80,826
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	4,265	4,265
012	AERIAL TARGETS	40,792	40,792
013	OTHER MISSILE SUPPORT	3,335	3,335
	MODIFICATION OF MISSILES		
014	ESSM	44,440	44,440
015	ADVANCE PROCUREMENT (CY)	54,462	54,462
016	HARM MODS	122,298	122,298
	SUPPORT EQUIPMENT & FACILITIES		
017	WEAPONS INDUSTRIAL FACILITIES	2,397	2,397
018	FLEET SATELLITE COMM FOLLOW-ON	39,932	34,232
	Excess storage		[-5,700]

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Line	Item	FY 2016 Request	Agreement Authorized
	ORDNANCE SUPPORT EQUIPMENT		
019	ORDNANCE SUPPORT EQUIPMENT	57,641	61,309
	Classified Program		[3,668]
	TORPEDOES AND RELATED EQUIP		
020	SSTD	7,380	7,380
021	MK-48 TORPEDO	65,611	65,611
022	ASW TARGETS	6,912	6,912
	MOD OF TORPEDOES AND RELATED EQUIP		
023	MK-54 TORPEDO MODS	113,219	113,219
024	MK-48 TORPEDO ADCAP MODS	63,317	63,317
025	QUICKSTRIKE MINE	13,254	13,254
	SUPPORT EQUIPMENT		
026	TORPEDO SUPPORT EQUIPMENT	67,701	67,701
027	ASW RANGE SUPPORT	3,699	3,699
	DESTINATION TRANSPORTATION		
028	FIRST DESTINATION TRANSPORTATION	3,342	3,342
	GUNS AND GUN MOUNTS		
029	SMALL ARMS AND WEAPONS	11,937	11,937
	MODIFICATION OF GUNS AND GUN MOUNTS		
030	CIWS MODS	53,147	53,147
031	COAST GUARD WEAPONS	19,022	19,022
032	GUN MOUNT MODS	67,980	67,980
033	AIRBORNE MINE NEUTRALIZATION SYSTEMS	19,823	19,823
	SPARES AND REPAIR PARTS		
035	SPARES AND REPAIR PARTS	149,725	149,725
	TOTAL WEAPONS PROCUREMENT, NAVY	3,154,154	3,187,122
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	101,238	101,238
002	AIRBORNE ROCKETS, ALL TYPES	67,289	67,289
003	MACHINE GUN AMMUNITION	20,340	20,340
004	PRACTICE BOMBS	40,365	40,365
005	CARTRIDGES & CART ACTUATED DEVICES	49,377	49,377
006	AIR EXPENDABLE COUNTERMEASURES	59,651	59,651
007	JATOS	2,806	2,806
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE	11,596	11,596
009	5 INCH/54 GUN AMMUNITION	35,994	35,994
010	INTERMEDIATE CALIBER GUN AMMUNITION	36,715	36,715
011	OTHER SHIP GUN AMMUNITION	45,483	45,483
012	SMALL ARMS & LANDING PARTY AMMO	52,080	52,080
013	PYROTECHNIC AND DEMOLITION	10,809	10,809
014	AMMUNITION LESS THAN \$5 MILLION	4,469	4,469
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	46,848	46,848
016	LINEAR CHARGES, ALL TYPES	350	350
017	40 MM, ALL TYPES	500	500
018	60MM, ALL TYPES	1,849	1,849
019	81MM, ALL TYPES	1,000	1,000
020	120MM, ALL TYPES	13,867	13,867
022	GRENADES, ALL TYPES	1,390	1,390
023	ROCKETS, ALL TYPES	14,967	14,967
024	ARTILLERY, ALL TYPES	45,219	45,219
026	FUZE, ALL TYPES	29,335	29,335
027	NON LETHALS	3,868	3,868
028	AMMO MODERNIZATION	15,117	15,117
029	ITEMS LESS THAN \$5 MILLION	11,219	11,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	723,741	723,741
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM	1,634,701	1,634,701
002	ADVANCE PROCUREMENT (CY)	874,658	874,658
003	VIRGINIA CLASS SUBMARINE	3,346,370	3,346,370
004	ADVANCE PROCUREMENT (CY)	1,993,740	1,993,740
005	CVN REFUELING OVERHAULS	678,274	678,274
006	ADVANCE PROCUREMENT (CY)	14,951	14,951
007	DDG 1000	433,404	433,404
008	DDG-51	3,149,703	3,399,703
	Incremental funding for one DDG-51		[250,000]
010	LITTORAL COMBAT SHIP	1,356,991	1,356,991
	AMPHIBIOUS SHIPS		
012	LPD-17	550,000	550,000
013	AFLOAT FORWARD STAGING BASE		97,000
	Accelerate shipbuilding funding		[97,000]
014A	LX(R) ADVANCE PROCURMENT (CY)		250,000
	LX(R) Acceleration		[250,000]
015	LHA REPLACEMENT ADVANCE PROCUREMENT (CY)	277,543	476,543

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(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	Accelerate LHA-8 advanced procurement		[199,000]
016A	LCU Replacement		34,000
	Accelerate LCU replacement		[34,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
017	TAO FLEET OILER	674,190	674,190
019	ADVANCE PROCUREMENT (CY)	138,200	138,200
020	OUTFITTING	697,207	644,300
	Program decrease		[-52,907]
021	SHIP TO SHORE CONNECTOR	255,630	255,630
022	SERVICE CRAFT	30,014	30,014
023	LCAC SLEP	80,738	80,738
024	YP CRAFT MAINTENANCE/ROH/SLEP	21,838	21,838
025	COMPLETION OF PY SHIPBUILDING PROGRAMS	389,305	389,305
025A	T-ATS(X) Fleet Tug		75,000
	Accelerate T-ATS(X)		[75,000]
	TOTAL SHIPBUILDING & CONVERSION, NAVY	16,597,457	17,449,550
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	LM-2500 GAS TURBINE	4,881	4,881
002	ALLISON 501K GAS TURBINE	5,814	5,814
003	HYBRID ELECTRIC DRIVE (HED)	32,906	32,906
	GENERATORS		
004	SURFACE COMBATANT HM&E	36,860	36,860
	NAVIGATION EQUIPMENT		
005	OTHER NAVIGATION EQUIPMENT	87,481	87,481
	PERISCOPES		
006	SUB PERISCOPES & IMAGING EQUIP	63,109	63,109
	OTHER SHIPBOARD EQUIPMENT		
007	DDG MOD	364,157	424,157
	Additional DDG Modification-Unfunded Requirement		[60,000]
008	FIREFIGHTING EQUIPMENT	16,089	16,089
009	COMMAND AND CONTROL SWITCHBOARD	2,255	2,255
010	LHA/LHD MIDLIFE	28,571	28,571
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	12,313	12,313
012	POLLUTION CONTROL EQUIPMENT	16,609	16,609
013	SUBMARINE SUPPORT EQUIPMENT	10,498	10,498
014	VIRGINIA CLASS SUPPORT EQUIPMENT	35,747	35,747
015	LCS CLASS SUPPORT EQUIPMENT	48,399	48,399
016	SUBMARINE BATTERIES	23,072	23,072
017	LPD CLASS SUPPORT EQUIPMENT	55,283	55,283
018	STRATEGIC PLATFORM SUPPORT EQUIP	18,563	18,563
019	DSSP EQUIPMENT	7,376	7,376
021	LCAC	20,965	20,965
022	UNDERWATER EOD PROGRAMS	51,652	51,652
023	ITEMS LESS THAN \$5 MILLION	102,498	102,498
024	CHEMICAL WARFARE DETECTORS	3,027	3,027
025	SUBMARINE LIFE SUPPORT SYSTEM	7,399	7,399
	REACTOR PLANT EQUIPMENT		
027	REACTOR COMPONENTS	296,095	296,095
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	15,982	15,982
	SMALL BOATS		
029	STANDARD BOATS	29,982	29,982
	TRAINING EQUIPMENT		
030	OTHER SHIPS TRAINING EQUIPMENT	66,538	66,538
	PRODUCTION FACILITIES EQUIPMENT		
031	OPERATING FORCES IPE	71,138	71,138
	OTHER SHIP SUPPORT		
032	NUCLEAR ALTERATIONS	132,625	132,625
033	LCS COMMON MISSION MODULES EQUIPMENT	23,500	23,500
034	LCS MCM MISSION MODULES	85,151	85,151
035	LCS SUW MISSION MODULES	35,228	35,228
036	REMOTE MINEHUNTING SYSTEM (RMS)	87,627	53,077
	Procurement in excess of need ahead of satisfactory testing		[-34,550]
	LOGISTIC SUPPORT		
037	LSD MIDLIFE	2,774	2,774
	SHIP SONARS		
038	SPQ-9B RADAR	20,551	20,551
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM	103,241	103,241
040	SSN ACOUSTICS	214,835	234,835
	Submarine Towed Array-Unfunded Requirement		[20,000]
041	UNDERSEA WARFARE SUPPORT EQUIPMENT	7,331	7,331
042	SONAR SWITCHES AND TRANSDUCERS	11,781	11,781
	ASW ELECTRONIC EQUIPMENT		
044	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,119	21,119
045	SSTD	8,396	8,396
046	FIXED SURVEILLANCE SYSTEM	146,968	146,968

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Line	Item	FY 2016 Request	Agreement Authorized
047	SURTASS	12,953	12,953
048	MARITIME PATROL AND RECONNAISSANCE FORCE	13,725	13,725
	ELECTRONIC WARFARE EQUIPMENT		
049	AN/SLQ-32	324,726	324,726
	RECONNAISSANCE EQUIPMENT		
050	SHIPBOARD IW EXPLOIT	148,221	148,221
051	AUTOMATED IDENTIFICATION SYSTEM (AIS)	152	152
	SUBMARINE SURVEILLANCE EQUIPMENT		
052	SUBMARINE SUPPORT EQUIPMENT PROG	79,954	79,954
	OTHER SHIP ELECTRONIC EQUIPMENT		
053	COOPERATIVE ENGAGEMENT CAPABILITY	25,695	25,695
054	TRUSTED INFORMATION SYSTEM (TIS)	284	284
055	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,416	14,416
056	ATDLS	23,069	23,069
057	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	4,054	4,054
058	MINESWEEPING SYSTEM REPLACEMENT	21,014	21,014
059	SHALLOW WATER MCM	18,077	18,077
060	NAVSTAR GPS RECEIVERS (SPACE)	12,359	12,359
061	AMERICAN FORCES RADIO AND TV SERVICE	4,240	4,240
062	STRATEGIC PLATFORM SUPPORT EQUIP	17,440	17,440
	TRAINING EQUIPMENT		
063	OTHER TRAINING EQUIPMENT	41,314	41,314
	AVIATION ELECTRONIC EQUIPMENT		
064	MATCALs	10,011	10,011
065	SHIPBOARD AIR TRAFFIC CONTROL	9,346	9,346
066	AUTOMATIC CARRIER LANDING SYSTEM	21,281	21,281
067	NATIONAL AIR SPACE SYSTEM	25,621	25,621
068	FLEET AIR TRAFFIC CONTROL SYSTEMS	8,249	8,249
069	LANDING SYSTEMS	14,715	14,715
070	ID SYSTEMS	29,676	29,676
071	NAVAL MISSION PLANNING SYSTEMS	13,737	13,737
	OTHER SHORE ELECTRONIC EQUIPMENT		
072	DEPLOYABLE JOINT COMMAND & CONTROL	1,314	1,314
074	TACTICAL/MOBILE C4I SYSTEMS	13,600	13,600
075	DCGS-N	31,809	31,809
076	CANES	278,991	278,991
077	RADIAC	8,294	8,294
078	CANES-INTELL	28,695	28,695
079	GPETE	6,962	6,962
080	MASF	290	290
081	INTEG COMBAT SYSTEM TEST FACILITY	14,419	14,419
082	EMI CONTROL INSTRUMENTATION	4,175	4,175
083	ITEMS LESS THAN \$5 MILLION	44,176	44,176
	SHIPBOARD COMMUNICATIONS		
084	SHIPBOARD TACTICAL COMMUNICATIONS	8,722	8,722
085	SHIP COMMUNICATIONS AUTOMATION	108,477	108,477
086	COMMUNICATIONS ITEMS UNDER \$5M	16,613	16,613
	SUBMARINE COMMUNICATIONS		
087	SUBMARINE BROADCAST SUPPORT	20,691	20,691
088	SUBMARINE COMMUNICATION EQUIPMENT	60,945	60,945
	SATELLITE COMMUNICATIONS		
089	SATELLITE COMMUNICATIONS SYSTEMS	30,892	30,892
090	NAVY MULTIBAND TERMINAL (NMT)	118,113	118,113
	SHORE COMMUNICATIONS		
091	JCS COMMUNICATIONS EQUIPMENT	4,591	4,591
092	ELECTRICAL POWER SYSTEMS	1,403	1,403
	CRYPTOGRAPHIC EQUIPMENT		
093	INFO SYSTEMS SECURITY PROGRAM (ISSP)	135,687	135,687
094	MIO INTEL EXPLOITATION TEAM	970	970
	CRYPTOLOGIC EQUIPMENT		
095	CRYPTOLOGIC COMMUNICATIONS EQUIP	11,433	11,433
	OTHER ELECTRONIC SUPPORT		
096	COAST GUARD EQUIPMENT	2,529	2,529
	SONOBUOYS		
097	SONOBUOYS—ALL TYPES	168,763	168,763
	AIRCRAFT SUPPORT EQUIPMENT		
098	WEAPONS RANGE SUPPORT EQUIPMENT	46,979	46,979
100	AIRCRAFT SUPPORT EQUIPMENT	123,884	123,884
103	METEOROLOGICAL EQUIPMENT	15,090	15,090
104	DCRS/DPL	638	638
106	AIRBORNE MINE COUNTERMEASURES	14,098	14,098
111	AVIATION SUPPORT EQUIPMENT	49,773	49,773
	SHIP GUN SYSTEM EQUIPMENT		
112	SHIP GUN SYSTEMS EQUIPMENT	5,300	5,300
	SHIP MISSILE SYSTEMS EQUIPMENT		
115	SHIP MISSILE SUPPORT EQUIPMENT	298,738	298,738
120	TOMAHAWK SUPPORT EQUIPMENT	71,245	71,245
	FBM SUPPORT EQUIPMENT		

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Line	Item	FY 2016 Request	Agreement Authorized
123	STRATEGIC MISSILE SYSTEMS EQUIP	240,694	240,694
	ASW SUPPORT EQUIPMENT		
124	SSN COMBAT CONTROL SYSTEMS	96,040	96,040
125	ASW SUPPORT EQUIPMENT	30,189	30,189
	OTHER ORDNANCE SUPPORT EQUIPMENT		
129	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	22,623	22,623
130	ITEMS LESS THAN \$5 MILLION	9,906	9,906
	OTHER EXPENDABLE ORDNANCE		
134	TRAINING DEVICE MODS	99,707	99,707
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	PASSENGER CARRYING VEHICLES	2,252	2,252
136	GENERAL PURPOSE TRUCKS	2,191	2,191
137	CONSTRUCTION & MAINTENANCE EQUIP	2,164	2,164
138	FIRE FIGHTING EQUIPMENT	14,705	14,705
139	TACTICAL VEHICLES	2,497	2,497
140	AMPHIBIOUS EQUIPMENT	12,517	12,517
141	POLLUTION CONTROL EQUIPMENT	3,018	3,018
142	ITEMS UNDER \$5 MILLION	14,403	14,403
143	PHYSICAL SECURITY VEHICLES	1,186	1,186
	SUPPLY SUPPORT EQUIPMENT		
144	MATERIALS HANDLING EQUIPMENT	18,805	18,805
145	OTHER SUPPLY SUPPORT EQUIPMENT	10,469	10,469
146	FIRST DESTINATION TRANSPORTATION	5,720	5,720
147	SPECIAL PURPOSE SUPPLY SYSTEMS	211,714	211,714
	TRAINING DEVICES		
148	TRAINING SUPPORT EQUIPMENT	7,468	7,468
	COMMAND SUPPORT EQUIPMENT		
149	COMMAND SUPPORT EQUIPMENT	36,433	36,433
150	EDUCATION SUPPORT EQUIPMENT	3,180	3,180
151	MEDICAL SUPPORT EQUIPMENT	4,790	4,790
153	NAVAL MIP SUPPORT EQUIPMENT	4,608	4,608
154	OPERATING FORCES SUPPORT EQUIPMENT	5,655	5,655
155	CAISR EQUIPMENT	9,929	9,929
156	ENVIRONMENTAL SUPPORT EQUIPMENT	26,795	26,795
157	PHYSICAL SECURITY EQUIPMENT	88,453	88,453
159	ENTERPRISE INFORMATION TECHNOLOGY	99,094	99,094
	OTHER		
160	NEXT GENERATION ENTERPRISE SERVICE	99,014	99,014
	CLASSIFIED PROGRAMS		
160A	CLASSIFIED PROGRAMS	21,439	21,439
	SPARES AND REPAIR PARTS		
161	SPARES AND REPAIR PARTS	328,043	318,043
	Excess carryover		[-10,000]
	TOTAL OTHER PROCUREMENT, NAVY	6,614,715	6,650,165
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	26,744	26,744
002	LAV PIP	54,879	54,879
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,652	2,652
004	155MM LIGHTWEIGHT TOWED HOWITZER	7,482	7,482
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	17,181	17,181
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	8,224	8,224
	OTHER SUPPORT		
007	MODIFICATION KITS	14,467	14,467
008	WEAPONS ENHANCEMENT PROGRAM	488	488
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	7,565	7,565
010	JAVELIN	1,091	51,091
	Program increase to support Unfunded Requirements		[50,000]
011	FOLLOW ON TO SMAW	4,872	4,872
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	668	668
	OTHER SUPPORT		
013	MODIFICATION KITS	12,495	152,495
	Additional missiles		[140,000]
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	13,109	13,109
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C)	35,147	32,956
	Procurement early to need		[-2,191]
	REPAIR AND TEST EQUIPMENT		
016	REPAIR AND TEST EQUIPMENT	21,210	21,210
	OTHER SUPPORT (TEL)		
017	COMBAT SUPPORT SYSTEM	792	792
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER \$5 MILLION (COMM & ELEC)	3,642	3,642
020	AIR OPERATIONS C2 SYSTEMS	3,520	3,520
	RADAR + EQUIPMENT (NON-TEL)		

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Line	Item	FY 2016 Request	Agreement Authorized
021	RADAR SYSTEMS	35,118	35,118
022	GROUND/AIR TASK ORIENTED RADAR (GATOR)	130,661	98,546
	<i>Delay in IOTE</i>		[-32,115]
023	RQ-21 UAS	84,916	84,916
	INTELL/COMM EQUIPMENT (NON-TEL)		
024	FIRE SUPPORT SYSTEM	9,136	9,136
025	INTELLIGENCE SUPPORT EQUIPMENT	29,936	29,936
028	DCGS-MC	1,947	1,947
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
031	NIGHT VISION EQUIPMENT	2,018	2,018
	OTHER SUPPORT (NON-TEL)		
032	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	67,295	67,295
033	COMMON COMPUTER RESOURCES	43,101	33,101
	<i>Marine Corps common hardware suite contract delay</i>		[-10,000]
034	COMMAND POST SYSTEMS	29,255	29,255
035	RADIO SYSTEMS	80,584	80,584
036	COMM SWITCHING & CONTROL SYSTEMS	66,123	66,123
037	COMM & ELEC INFRASTRUCTURE SUPPORT	79,486	79,486
	CLASSIFIED PROGRAMS		
037A	CLASSIFIED PROGRAMS	2,803	2,803
	ADMINISTRATIVE VEHICLES		
038	COMMERCIAL PASSENGER VEHICLES	3,538	3,538
039	COMMERCIAL CARGO VEHICLES	22,806	22,806
	TACTICAL VEHICLES		
041	MOTOR TRANSPORT MODIFICATIONS	7,743	7,743
043	JOINT LIGHT TACTICAL VEHICLE	79,429	79,429
044	FAMILY OF TACTICAL TRAILERS	3,157	3,157
	OTHER SUPPORT		
045	ITEMS LESS THAN \$5 MILLION	6,938	6,938
	ENGINEER AND OTHER EQUIPMENT		
046	ENVIRONMENTAL CONTROL EQUIP ASSORT	94	94
047	BULK LIQUID EQUIPMENT	896	896
048	TACTICAL FUEL SYSTEMS	136	136
049	POWER EQUIPMENT ASSORTED	10,792	10,792
050	AMPHIBIOUS SUPPORT EQUIPMENT	3,235	3,235
051	EOD SYSTEMS	7,666	7,666
	MATERIALS HANDLING EQUIPMENT		
052	PHYSICAL SECURITY EQUIPMENT	33,145	33,145
053	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	1,419	1,419
	GENERAL PROPERTY		
057	TRAINING DEVICES	24,163	24,163
058	CONTAINER FAMILY	962	962
059	FAMILY OF CONSTRUCTION EQUIPMENT	6,545	6,545
060	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	7,533	7,533
	OTHER SUPPORT		
062	ITEMS LESS THAN \$5 MILLION	4,322	4,322
	SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	8,292	8,292
	TOTAL PROCUREMENT, MARINE CORPS	1,131,418	1,277,112
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F-35	5,260,212	5,161,112
	<i>Efficiencies and excess cost growth</i>		[-99,100]
002	ADVANCE PROCUREMENT (CY)	460,260	460,260
	TACTICAL AIRLIFT		
003	KC-46A TANKER	2,350,601	2,326,601
	<i>Program Decrease</i>		[-24,000]
	OTHER AIRLIFT		
004	C-130J	889,154	848,354
	<i>Unit cost growth and contract delays</i>		[-40,800]
005	ADVANCE PROCUREMENT (CY)	50,000	50,000
006	HC-130J	463,934	444,434
	<i>Unit cost growth</i>		[-19,500]
007	ADVANCE PROCUREMENT (CY)	30,000	30,000
008	MC-130J	828,472	790,872
	<i>Program efficiencies</i>		[-37,600]
009	ADVANCE PROCUREMENT (CY)	60,000	60,000
	MISSION SUPPORT AIRCRAFT		
011	CIVIL AIR PATROL A/C	2,617	2,617
	OTHER AIRCRAFT		
012	TARGET DRONES	132,028	132,028
014	RQ-4	37,800	37,800
015	MQ-9	552,528	622,528
	<i>Accelerating procurement schedule to meet CCDR demand</i>		[80,000]
	<i>Restrain growth in government costs</i>		[-10,000]
	STRATEGIC AIRCRAFT		
017	B-2A	32,458	32,458

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Line	Item	FY 2016 Request	Agreement Authorized
018	B-1B	114,119	114,119
019	B-52	148,987	148,987
020	LARGE AIRCRAFT INFRARED COUNTERMEASURES	84,335	84,335
022	F-15	464,367	682,071
	F-15 MIDS JTRS transfer to RDT&E		[-12,796]
	F-15C AESA radars		[48,000]
	F-15D AESA radars		[192,500]
	Milestone C delay		[-10,000]
023	F-16	17,134	17,134
024	F-22A	126,152	126,152
025	F-35 MODIFICATIONS	70,167	70,167
026	INCREMENT 3.2B	69,325	69,325
	AIRLIFT AIRCRAFT		
028	C-5	5,604	5,604
030	C-17A	46,997	46,997
031	C-21	10,162	10,162
032	C-32A	44,464	44,464
033	C-37A	10,861	10,861
	TRAINER AIRCRAFT		
034	GLIDER MODS	134	134
035	T-6	17,968	17,968
036	T-1	23,706	23,706
037	T-38	30,604	30,604
	OTHER AIRCRAFT		
038	U-2 MODS	22,095	22,095
039	KC-10A (ATCA)	5,611	5,611
040	C-12	1,980	1,980
042	VC-25A MOD	98,231	98,231
043	C-40	13,171	13,171
044	C-130	7,048	146,248
	C-130 AMP increase		[75,000]
	C-130H Electronic Prop Control System - UPL		[13,500]
	C-130H In-flight Prop Balancing System - UPL		[1,500]
	Eight-Bladed Propeller		[16,000]
	T-56 3.5 Engine Mod		[33,200]
045	C-130J MODS	29,713	29,713
046	C-135	49,043	49,043
047	COMPASS CALL MODS	68,415	97,115
	EC-130H Force Structure Restoration		[28,700]
048	RC-135	156,165	156,165
049	E-3	13,178	13,178
050	E-4	23,937	19,937
	AEHF-PNVC ahead of need		[-4,000]
051	E-8	18,001	18,001
052	AIRBORNE WARNING AND CONTROL SYSTEM	183,308	183,308
053	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	44,163	44,163
054	H-1	6,291	6,291
055	UH-1N REPLACEMENT	2,456	2,456
056	H-60	45,731	45,731
057	RQ-4 MODS	50,022	50,022
058	HC/MC-130 MODIFICATIONS	21,660	21,660
059	OTHER AIRCRAFT	117,767	115,521
	C2ISR TDL transfer to COMSEC equipment		[-2,246]
060	MQ-1 MODS	3,173	3,173
061	MQ-9 MODS	115,226	115,226
063	CV-22 MODS	58,828	58,828
	AIRCRAFT SPARES AND REPAIR PARTS		
064	INITIAL SPARES/REPAIR PARTS	656,242	636,242
	Excess carryover		[-20,000]
	COMMON SUPPORT EQUIPMENT		
065	AIRCRAFT REPLACEMENT SUPPORT EQUIP	33,716	33,716
	POST PRODUCTION SUPPORT		
067	B-2A	38,837	38,837
068	B-52	5,911	5,911
069	C-17A	30,108	30,108
070	CV-22 POST PRODUCTION SUPPORT	3,353	3,353
071	C-135	4,490	4,490
072	F-15	3,225	3,225
073	F-16	14,969	8,969
	Unobligated balances		[-6,000]
074	F-22A	971	971
076	MQ-9	5,000	5,000
	INDUSTRIAL PREPAREDNESS		
077	INDUSTRIAL RESPONSIVENESS	18,802	18,802
	WAR CONSUMABLES		
078	WAR CONSUMABLES	156,465	156,465
	OTHER PRODUCTION CHARGES		
079	OTHER PRODUCTION CHARGES	1,052,814	1,111,900

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	<i>Transfer from RDT&E for NATO AWACS</i>		[59,086]
	CLASSIFIED PROGRAMS		
079A	CLASSIFIED PROGRAMS	42,503	42,503
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	15,657,769	15,919,213
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	94,040	94,040
	TACTICAL		
003	JOINT AIR-SURFACE STANDOFF MISSILE	440,578	420,578
	<i>Unit cost efficiencies</i>		[-20,000]
004	SIDEWINDER (AIM-9X)	200,777	200,777
005	AMRAAM	390,112	380,028
	<i>Joint program unit cost variance</i>		[-10,084]
006	PREDATOR HELLFIRE MISSILE	423,016	423,016
007	SMALL DIAMETER BOMB	133,697	133,697
	INDUSTRIAL FACILITIES		
008	INDUSTRIAL PREPAREDNESS/POL PREVENTION	397	397
	CLASS IV		
009	MM III MODIFICATIONS	50,517	50,517
010	AGM-65D MAVERICK	9,639	9,639
011	AGM-88A HARM	197	197
012	AIR LAUNCH CRUISE MISSILE (ALCM)	25,019	25,019
	MISSILE SPARES AND REPAIR PARTS		
014	INITIAL SPARES/REPAIR PARTS	48,523	48,523
	SPECIAL PROGRAMS		
028	SPECIAL UPDATE PROGRAMS	276,562	276,562
	CLASSIFIED PROGRAMS		
028A	CLASSIFIED PROGRAMS	893,971	893,971
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,987,045	2,956,961
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
001	ADVANCED EHF	333,366	327,366
	<i>Unjustified support growth</i>		[-6,000]
002	WIDEBAND GAPFILLER SATELLITES(SPACE)	53,476	74,476
	<i>SATCOM pathfinder</i>		[26,000]
	<i>Unjustified support growth</i>		[-5,000]
003	GPS III SPACE SEGMENT	199,218	199,218
004	SPACEBORNE EQUIP (COMSEC)	18,362	18,362
005	GLOBAL POSITIONING (SPACE)	66,135	64,135
	<i>Unjustified support growth</i>		[-2,000]
006	DEF METEOROLOGICAL SAT PROG(SPACE)	89,351	40,000
	<i>Minimum sustainment of DMSP-20 program</i>		[-49,351]
007	EVOLVED EXPENDABLE LAUNCH CAPABILITY	571,276	571,276
008	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	800,201	800,201
009	SBIR HIGH (SPACE)	452,676	452,676
	TOTAL SPACE PROCUREMENT, AIR FORCE	2,584,061	2,547,710
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	23,788	23,788
	CARTRIDGES		
002	CARTRIDGES	131,102	169,602
	<i>Increase to match size of A-10 fleet</i>		[38,500]
	BOMBS		
003	PRACTICE BOMBS	89,759	89,759
004	GENERAL PURPOSE BOMBS	637,181	637,181
005	MASSIVE ORDNANCE PENETRATOR (MOP)	39,690	39,690
006	JOINT DIRECT ATTACK MUNITION	374,688	354,688
	<i>Program reduction</i>		[-20,000]
	OTHER ITEMS		
007	CAD/PAD	58,266	58,266
008	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	5,612	5,612
009	SPARES AND REPAIR PARTS	103	103
010	MODIFICATIONS	1,102	1,102
011	ITEMS LESS THAN \$5 MILLION	3,044	3,044
	FLARES		
012	FLARES	120,935	120,935
	FUZES		
013	FUZES	213,476	213,476
	SMALL ARMS		
014	SMALL ARMS	60,097	60,097
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	1,758,843	1,777,343
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	8,834	8,834

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	58,160	58,160
003	CAP VEHICLES	977	977
004	ITEMS LESS THAN \$5 MILLION	12,483	12,483
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	4,728	4,728
006	ITEMS LESS THAN \$5 MILLION	4,662	4,662
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	10,419	10,419
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN \$5 MILLION	23,320	23,320
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	6,215	6,215
010	ITEMS LESS THAN \$5 MILLION	87,781	87,781
	COMM SECURITY EQUIPMENT(COMSEC)		
011	COMSEC EQUIPMENT	136,998	139,244
	<i>Transfer for Link 16 Upgrades</i>		[2,246]
012	MODIFICATIONS (COMSEC)	677	677
	INTELLIGENCE PROGRAMS		
013	INTELLIGENCE TRAINING EQUIPMENT	4,041	4,041
014	INTELLIGENCE COMM EQUIPMENT	22,573	22,573
015	MISSION PLANNING SYSTEMS	14,456	14,456
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	31,823	31,823
017	NATIONAL AIRSPACE SYSTEM	5,833	5,833
018	BATTLE CONTROL SYSTEM—FIXED	1,687	1,687
019	THEATER AIR CONTROL SYS IMPROVEMENTS	22,710	22,710
020	WEATHER OBSERVATION FORECAST	21,561	21,561
021	STRATEGIC COMMAND AND CONTROL	286,980	286,980
022	CHEYENNE MOUNTAIN COMPLEX	36,186	36,186
024	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,597	9,597
	SPCL COMM-ELECTRONICS PROJECTS		
025	GENERAL INFORMATION TECHNOLOGY	27,403	27,403
026	AF GLOBAL COMMAND & CONTROL SYS	7,212	7,212
027	MOBILITY COMMAND AND CONTROL	11,062	30,962
	<i>Additional battlefield air operations kits to meet need</i>		[19,900]
028	AIR FORCE PHYSICAL SECURITY SYSTEM	131,269	131,269
029	COMBAT TRAINING RANGES	33,606	33,606
030	MINIMUM ESSENTIAL EMERGENCY COMM N	5,232	5,232
031	C3 COUNTERMEASURES	7,453	7,453
032	INTEGRATED PERSONNEL AND PAY SYSTEM	3,976	3,976
033	GCSS-AF FOS	25,515	15,015
	<i>LOGIT—prioritize FIAR projects</i>		[-10,500]
034	DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYSTEM	9,255	9,255
035	THEATER BATTLE MGT C2 SYSTEM	7,523	7,523
036	AIR & SPACE OPERATIONS CTR-WPN SYS	12,043	12,043
037	AIR OPERATIONS CENTER (AOC) 10.2	24,246	14,846
	<i>Fielding funds ahead of need</i>		[-9,400]
	AIR FORCE COMMUNICATIONS		
038	INFORMATION TRANSPORT SYSTEMS	74,621	74,621
039	AFNET	103,748	98,748
	<i>Restructure program</i>		[-5,000]
041	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
042	USCENTCOM	15,780	15,780
	SPACE PROGRAMS		
043	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	79,592	54,592
	<i>Ahead of need</i>		[-25,000]
044	SPACE BASED IR SENSOR PGM SPACE	90,190	90,190
045	NAVSTAR GPS SPACE	2,029	2,029
046	NUDET DETECTION SYS SPACE	5,095	5,095
047	AF SATELLITE CONTROL NETWORK SPACE	76,673	76,673
048	SPACELIFT RANGE SYSTEM SPACE	113,275	108,275
	<i>Prior year carryover</i>		[-5,000]
049	MILSATCOM SPACE	35,495	35,495
050	SPACE MODS SPACE	23,435	23,435
051	COUNTERSPACE SYSTEM	43,065	43,065
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	77,538	133,438
	<i>Battlefield Airmen Kits Unfunded Requirement</i>		[19,900]
	<i>Joint Terminal Control Training Simulation Unfunded Requirement</i>		[36,000]
054	RADIO EQUIPMENT	8,400	8,400
055	CCTV/AUDIOVISUAL EQUIPMENT	6,144	6,144
056	BASE COMM INFRASTRUCTURE	77,010	77,010
	MODIFICATIONS		
057	COMM ELECT MODS	71,800	71,800
	PERSONAL SAFETY & RESCUE EQUIP		
058	NIGHT VISION GOGGLES	2,370	2,370
059	ITEMS LESS THAN \$5 MILLION	79,623	79,623

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	DEPOT PLANT+MTRLS HANDLING EQ		
060	MECHANIZED MATERIAL HANDLING EQUIP	7,249	7,249
	BASE SUPPORT EQUIPMENT		
061	BASE PROCURED EQUIPMENT	9,095	9,095
062	ENGINEERING AND EOD EQUIPMENT	17,866	17,866
064	MOBILITY EQUIPMENT	61,850	61,850
065	ITEMS LESS THAN \$5 MILLION	30,477	30,477
	SPECIAL SUPPORT PROJECTS		
067	DARP RC135	25,072	25,072
068	DCGS-AF	183,021	183,021
070	SPECIAL UPDATE PROGRAM	629,371	629,371
071	DEFENSE SPACE RECONNAISSANCE PROG.	100,663	100,663
	CLASSIFIED PROGRAMS		
071A	CLASSIFIED PROGRAMS	15,038,333	15,038,333
	SPARES AND REPAIR PARTS		
073	SPARES AND REPAIR PARTS	59,863	59,863
	TOTAL OTHER PROCUREMENT, AIR FORCE	18,272,438	18,295,584
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN \$5 MILLION	1,488	1,488
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	2,494	2,494
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	9,341	9,341
	MAJOR EQUIPMENT, DISA		
007	INFORMATION SYSTEMS SECURITY	8,080	11,580
	SHARKSEER		[3,500]
008	TELEPORT PROGRAM	62,789	62,789
009	ITEMS LESS THAN \$5 MILLION	9,399	9,399
010	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,819	1,819
011	DEFENSE INFORMATION SYSTEM NETWORK	141,298	141,298
012	CYBER SECURITY INITIATIVE	12,732	12,732
013	WHITE HOUSE COMMUNICATION AGENCY	64,098	64,098
014	SENIOR LEADERSHIP ENTERPRISE	617,910	617,910
015	JOINT INFORMATION ENVIRONMENT	84,400	84,400
	MAJOR EQUIPMENT, DLA		
016	MAJOR EQUIPMENT	5,644	5,644
	MAJOR EQUIPMENT, DMACT		
017	MAJOR EQUIPMENT	11,208	11,208
	MAJOR EQUIPMENT, DODEA		
018	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,298	1,298
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
	MAJOR EQUIPMENT, DSS		
020	MAJOR EQUIPMENT	1,048	1,048
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
021	VEHICLES	100	100
022	OTHER MAJOR EQUIPMENT	5,474	5,474
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
023	THAAD	464,067	414,067
	Program reduction		[-50,000]
024	AEGIS BMD	558,916	649,361
	Increase SM-3 Block IB canisters		[2,565]
	Increase SM-3 Block IB purchase		[117,880]
	Program reduction		[-30,000]
025	ADVANCE PROCUREMENT (CY)	147,765	0
	SM-3 Block IB		[-147,765]
026	BMDs AN/TPY-2 RADARS	78,634	78,634
027	AEGIS ASHORE PHASE III	30,587	30,587
028	IRON DOME	55,000	41,400
	Request excess of requirement		[-13,600]
	MAJOR EQUIPMENT, NSA		
035	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	37,177	37,177
	MAJOR EQUIPMENT, OSD		
036	MAJOR EQUIPMENT, OSD	46,939	31,939
	Mentor Protégé Program		[-15,000]
	MAJOR EQUIPMENT, TJS		
038	MAJOR EQUIPMENT, TJS	13,027	13,027
	MAJOR EQUIPMENT, WHS		
040	MAJOR EQUIPMENT, WHS	27,859	27,859
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
028A	DAVID SLING		150,000
	David's Sting Weapon System Procurement—Subject to Title XVI		[150,000]
028B	ARROW 3		15,000
	Arrow 3 Upper Tier Procurement—Subject to Title XVI		[15,000]
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	617,757	617,757

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
AVIATION PROGRAMS			
041	MC-12	63,170	0
	SOCOM requested realignment		[-63,170]
042	ROTARY WING UPGRADES AND SUSTAINMENT	135,985	135,985
044	NON-STANDARD AVIATION	61,275	61,275
045	U-28		63,170
	SOCOM requested realignment		[63,170]
047	RQ-11 UNMANNED AERIAL VEHICLE	20,087	20,087
048	CV-22 MODIFICATION	18,832	18,832
049	MQ-1 UNMANNED AERIAL VEHICLE	1,934	1,934
050	MQ-9 UNMANNED AERIAL VEHICLE	11,726	21,726
	MQ-9 capability enhancements		[10,000]
051	STUASLO	1,514	1,514
052	PRECISION STRIKE PACKAGE	204,105	204,105
053	AC/MC-130J	61,368	61,368
054	C-130 MODIFICATIONS	66,861	31,361
	C-130 TF/TA adjustments		[-35,500]
SHIPBUILDING			
055	UNDERWATER SYSTEMS	32,521	32,521
AMMUNITION PROGRAMS			
056	ORDNANCE ITEMS <\$5M	174,734	174,734
OTHER PROCUREMENT PROGRAMS			
057	INTELLIGENCE SYSTEMS	93,009	93,009
058	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,964	14,964
059	OTHER ITEMS <\$5M	79,149	79,149
060	COMBATANT CRAFT SYSTEMS	33,362	33,362
061	SPECIAL PROGRAMS	143,533	143,533
062	TACTICAL VEHICLES	73,520	73,520
063	WARRIOR SYSTEMS <\$5M	186,009	186,009
064	COMBAT MISSION REQUIREMENTS	19,693	19,693
065	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,967	3,967
066	OPERATIONAL ENHANCEMENTS INTELLIGENCE	19,225	19,225
068	OPERATIONAL ENHANCEMENTS	213,252	213,252
CBDP			
074	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	141,223	141,223
075	CB PROTECTION & HAZARD MITIGATION	137,487	137,487
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,130,853	5,137,933
JOINT URGENT OPERATIONAL NEEDS FUND			
JOINT URGENT OPERATIONAL NEEDS FUND			
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,701	0
	Program reduction		[-99,701]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	99,701	0
	TOTAL PROCUREMENT	106,967,393	110,330,946

1 SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY

2 OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
003	AERIAL COMMON SENSOR (ACS) (MIP)	99,500	99,500
004	MQ-1 UAV	16,537	16,537
MODIFICATION OF AIRCRAFT			
016	MQ-1 PAYLOAD (MIP)	8,700	8,700
023	ARL SEMA MODS (MIP)	32,000	32,000
031	RQ-7 UAV MODS	8,250	8,250
	TOTAL AIRCRAFT PROCUREMENT, ARMY	164,987	164,987
MISSILE PROCUREMENT, ARMY			
AIR-TO-SURFACE MISSILE SYSTEM			
003	HELLFIRE SYS SUMMARY	37,260	37,260
	TOTAL MISSILE PROCUREMENT, ARMY	37,260	37,260
PROCUREMENT OF W&TCV, ARMY			
WEAPONS & OTHER COMBAT VEHICLES			
016	MORTAR SYSTEMS	7,030	7,030
021	COMMON REMOTELY OPERATED WEAPONS STATION	19,000	19,000
	TOTAL PROCUREMENT OF W&TCV, ARMY	26,030	26,030

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
004	CTG, .50 CAL, ALL TYPES	4,000	4,000
MORTAR AMMUNITION			
008	60MM MORTAR, ALL TYPES	11,700	11,700
009	81MM MORTAR, ALL TYPES	4,000	4,000
010	120MM MORTAR, ALL TYPES	7,000	7,000
ARTILLERY AMMUNITION			
012	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	5,000	5,000
013	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
015	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	2,000	2,000
ROCKETS			
017	ROCKET, HYDRA 70, ALL TYPES	136,340	136,340
OTHER AMMUNITION			
019	DEMOLITION MUNITIONS, ALL TYPES	4,000	4,000
021	SIGNALS, ALL TYPES	8,000	8,000
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	192,040	192,040
OTHER PROCUREMENT, ARMY			
TACTICAL VEHICLES			
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	243,998	243,998
009	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	223,276	223,276
011	MODIFICATION OF IN SVC EQUIP	130,000	130,000
012	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	393,100	393,100
COMM—SATELLITE COMMUNICATIONS			
021	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	5,724	5,724
COMM—BASE COMMUNICATIONS			
051	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	29,500	29,500
ELECT EQUIP—TACT INT REL ACT (TIARA)			
057	DCGS-A (MIP)	54,140	54,140
059	TROJAN (MIP)	6,542	6,542
061	CI HUMINT AUTO REPRTING AND COLL(CHARGS)	3,860	3,860
ELECT EQUIP—ELECTRONIC WARFARE (EW)			
068	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITE	14,847	14,847
069	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,535	19,535
ELECT EQUIP—TACTICAL SURV. (TAC SURV)			
084	COMPUTER BALLISTICS: LHMCB XM32	2,601	2,601
ELECT EQUIP—TACTICAL C2 SYSTEMS			
087	FIRE SUPPORT C2 FAMILY	48	48
094	MANEUVER CONTROL SYSTEM (MCS)	252	252
ELECT EQUIP—AUTOMATION			
101	AUTOMATED DATA PROCESSING EQUIP	652	652
CHEMICAL DEFENSIVE EQUIPMENT			
111	BASE DEFENSE SYSTEMS (BDS)	4,035	4,035
COMBAT SERVICE SUPPORT EQUIPMENT			
131	FORCE PROVIDER	53,800	53,800
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	700	700
MATERIAL HANDLING EQUIPMENT			
159	FAMILY OF FORKLIFTS	10,486	10,486
OTHER SUPPORT EQUIPMENT			
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
	TOTAL OTHER PROCUREMENT, ARMY	1,205,596	1,205,596
JOINT IMPR EXPLOSIVE DEV DEFEAT FUND			
NETWORK ATTACK			
001	ATTACK THE NETWORK	219,550	204,550
	Adjustment due to low execution in prior years		[-15,000]
JIEDDO DEVICE DEFEAT			
002	DEFEAT THE DEVICE	77,600	77,600
FORCE TRAINING			
003	TRAIN THE FORCE	7,850	7,850
STAFF AND INFRASTRUCTURE			
004	OPERATIONS	188,271	138,271
	Program Reduction		[-50,000]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	493,271	428,271
AIRCRAFT PROCUREMENT, NAVY			
OTHER AIRCRAFT			
026	STUASLO UAV	55,000	55,000
MODIFICATION OF AIRCRAFT			
030	AV-8 SERIES	41,365	41,365
032	F-18 SERIES	8,000	8,000
037	EP-3 SERIES	6,300	6,300
047	SPECIAL PROJECT AIRCRAFT	14,198	14,198
051	COMMON ECM EQUIPMENT	72,700	72,700
052	COMMON AVIONICS CHANGES	13,988	13,988
059	V-22 (TILT/ROTOR ACFT) OSPREY	4,900	4,900

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
AIRCRAFT SUPPORT EQUIP & FACILITIES			
065	AIRCRAFT INDUSTRIAL FACILITIES	943	943
	TOTAL AIRCRAFT PROCUREMENT, NAVY	217,394	217,394
WEAPONS PROCUREMENT, NAVY			
TACTICAL MISSILES			
010	LASER MAVERICK	3,344	3,344
	TOTAL WEAPONS PROCUREMENT, NAVY	3,344	3,344
PROCUREMENT OF AMMO, NAVY & MC			
NAVY AMMUNITION			
001	GENERAL PURPOSE BOMBS	9,715	9,715
002	AIRBORNE ROCKETS, ALL TYPES	11,108	11,108
003	MACHINE GUN AMMUNITION	3,603	3,603
006	AIR EXPENDABLE COUNTERMEASURES	11,982	11,982
011	OTHER SHIP GUN AMMUNITION	4,674	4,674
012	SMALL ARMS & LANDING PARTY AMMO	3,456	3,456
013	PYROTECHNIC AND DEMOLITION	1,989	1,989
014	AMMUNITION LESS THAN \$5 MILLION	4,674	4,674
MARINE CORPS AMMUNITION			
020	120MM, ALL TYPES	10,719	10,719
023	ROCKETS, ALL TYPES	3,993	3,993
024	ARTILLERY, ALL TYPES	67,200	67,200
025	DEMOLITION MUNITIONS, ALL TYPES	518	518
026	FUZE, ALL TYPES	3,299	3,299
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	136,930	136,930
OTHER PROCUREMENT, NAVY			
CIVIL ENGINEERING SUPPORT EQUIPMENT			
135	PASSENGER CARRYING VEHICLES	186	186
CLASSIFIED PROGRAMS			
160A	CLASSIFIED PROGRAMS	12,000	12,000
	TOTAL OTHER PROCUREMENT, NAVY	12,186	12,186
PROCUREMENT, MARINE CORPS			
GUIDED MISSILES			
010	JAVELIN	7,679	7,679
OTHER SUPPORT			
013	MODIFICATION KITS	10,311	10,311
COMMAND AND CONTROL SYSTEMS			
014	UNIT OPERATIONS CENTER	8,221	8,221
OTHER SUPPORT (TEL)			
018	MODIFICATION KITS	3,600	3,600
COMMAND AND CONTROL SYSTEM (NON-TEL)			
019	ITEMS UNDER \$5 MILLION (COMM & ELEC)	8,693	8,693
INTELL/COMM EQUIPMENT (NON-TEL)			
027	RQ-11 UAV	3,430	3,430
MATERIALS HANDLING EQUIPMENT			
052	PHYSICAL SECURITY EQUIPMENT	7,000	7,000
	TOTAL PROCUREMENT, MARINE CORPS	48,934	48,934
AIRCRAFT PROCUREMENT, AIR FORCE			
OTHER AIRCRAFT			
015	MQ-9	13,500	13,500
OTHER AIRCRAFT			
044	C-130	1,410	1,410
056	H-60	39,300	39,300
058	HC/MC-130 MODIFICATIONS	5,690	5,690
061	MQ-9 MODS	69,000	69,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	128,900	128,900
MISSILE PROCUREMENT, AIR FORCE			
TACTICAL			
006	PREDATOR HELLFIRE MISSILE	280,902	280,902
007	SMALL DIAMETER BOMB	2,520	2,520
CLASS IV			
010	AGM-65D MAVERICK	5,720	5,720
	TOTAL MISSILE PROCUREMENT, AIR FORCE	289,142	289,142
PROCUREMENT OF AMMUNITION, AIR FORCE			
CARTRIDGES			
002	CARTRIDGES	8,371	8,371
BOMBS			
004	GENERAL PURPOSE BOMBS	17,031	17,031
006	JOINT DIRECT ATTACK MUNITION	184,412	184,412
FLARES			
012	FLARES	11,064	11,064
FUZES			

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
013	FUZES	7,996	7,996
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	228,874	228,874
	OTHER PROCUREMENT, AIR FORCE		
	SPCL COMM-ELECTRONICS PROJECTS		
025	GENERAL INFORMATION TECHNOLOGY	3,953	3,953
027	MOBILITY COMMAND AND CONTROL	2,000	2,000
	AIR FORCE COMMUNICATIONS		
042	USCENTCOM	10,000	10,000
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	4,065	4,065
056	BASE COMM INFRASTRUCTURE	15,400	15,400
	PERSONAL SAFETY & RESCUE EQUIP		
058	NIGHT VISION GOGGLES	3,580	3,580
059	ITEMS LESS THAN \$5 MILLION	3,407	3,407
	BASE SUPPORT EQUIPMENT		
062	ENGINEERING AND EOD EQUIPMENT	46,790	46,790
064	MOBILITY EQUIPMENT	400	400
065	ITEMS LESS THAN \$5 MILLION	9,800	9,800
	SPECIAL SUPPORT PROJECTS		
071	DEFENSE SPACE RECONNAISSANCE PROG.	28,070	28,070
	CLASSIFIED PROGRAMS		
071A	CLASSIFIED PROGRAMS	3,732,499	3,732,499
	TOTAL OTHER PROCUREMENT, AIR FORCE	3,859,964	3,859,964
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
008	TELEPORT PROGRAM	1,940	1,940
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	35,482	35,482
	AVIATION PROGRAMS		
041	MC-12	5,000	5,000
	AMMUNITION PROGRAMS		
056	ORDNANCE ITEMS <\$5M	35,299	35,299
	OTHER PROCUREMENT PROGRAMS		
061	SPECIAL PROGRAMS	15,160	15,160
063	WARRIOR SYSTEMS <\$5M	15,000	15,000
068	OPERATIONAL ENHANCEMENTS	104,537	104,537
	TOTAL PROCUREMENT, DEFENSE-WIDE	212,418	212,418
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	MISCELLANEOUS EQUIPMENT		250,000
	NGREA Program Increase		[250,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		250,000
	TOTAL PROCUREMENT	7,257,270	7,442,270

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
2 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
5 **TION.**

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4 **SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION FOR OVERSEAS CONTINGENCY OPER-**
 6 **ATIONS.**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OP-
ERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	1,500	1,500
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	1,500	1,500
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	1,500	1,500
		OPERATIONAL SYSTEMS DEVELOPMENT		
231A	9999999999	CLASSIFIED PROGRAMS	35,747	35,747
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	35,747	35,747
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	35,747	35,747
		OPERATIONAL SYSTEMS DEVELOPMENT		
133	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	300	300
246A	9999999999	CLASSIFIED PROGRAMS	16,800	16,800
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	17,100	17,100
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	17,100	17,100
		OPERATIONAL SYSTEM DEVELOPMENT		
248A	9999999999	CLASSIFIED PROGRAMS	137,087	137,087
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	137,087	137,087
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	137,087	137,087
		TOTAL RDT&E	191,434	191,434

7 **TITLE XLIII—OPERATION AND**
 8 **MAINTENANCE**

9 **SEC. 4301. OPERATION AND MAINTENANCE.**

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

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,094,429	1,344,429
	Force Readiness Restoration—Operations Tempo		[250,000]
020	MODULAR SUPPORT BRIGADES	68,873	68,873
030	ECHELONS ABOVE BRIGADE	508,008	508,008
040	THEATER LEVEL ASSETS	763,300	763,300
050	LAND FORCES OPERATIONS SUPPORT	1,054,322	1,054,322
060	AVIATION ASSETS	1,546,129	1,546,129

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

Line	Item	FY 2016 Request	Agreement Authorized
070	FORCE READINESS OPERATIONS SUPPORT	3,158,606	3,158,606
080	LAND FORCES SYSTEMS READINESS	438,909	438,909
090	LAND FORCES DEPOT MAINTENANCE	1,214,116	1,291,316
	Readiness funding increase		[77,200]
100	BASE OPERATIONS SUPPORT	7,616,008	7,626,508
	Readiness funding increase		[10,500]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,617,169	2,789,369
	Restore Sustainment shortfalls		[172,200]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	421,269	0
	Transfer base requirement to Title XV		[-421,269]
130	COMBATANT COMMANDERS CORE OPERATIONS	164,743	0
	Transfer base requirement to Title XV		[-164,743]
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	448,633	448,633
	SUBTOTAL OPERATING FORCES	21,114,514	21,038,402
	MOBILIZATION		
180	STRATEGIC MOBILITY	401,638	0
	Transfer base requirement to Title XV		[-401,638]
190	ARMY PREPOSITIONED STOCKS	261,683	0
	Transfer base requirement to Title XV		[-261,683]
200	INDUSTRIAL PREPAREDNESS	6,532	0
	Transfer base requirement to Title XV		[-6,532]
	SUBTOTAL MOBILIZATION	669,853	0
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	131,536	131,536
220	RECRUIT TRAINING	47,843	47,843
230	ONE STATION UNIT TRAINING	42,565	42,565
240	SENIOR RESERVE OFFICERS TRAINING CORPS	490,378	490,378
250	SPECIALIZED SKILL TRAINING	981,000	989,200
	Readiness funding increase		[33,200]
	Unjustified program growth		[-25,000]
260	FLIGHT TRAINING	940,872	940,872
270	PROFESSIONAL DEVELOPMENT EDUCATION	230,324	227,324
	Advanced Civil Schooling – Civilian Graduate School 10 Percent Reduction		[-3,000]
280	TRAINING SUPPORT	603,519	603,519
290	RECRUITING AND ADVERTISING	491,922	491,922
300	EXAMINING	194,079	194,079
310	OFF-DUTY AND VOLUNTARY EDUCATION	227,951	227,951
320	CIVILIAN EDUCATION AND TRAINING	161,048	161,048
330	JUNIOR RESERVE OFFICER TRAINING CORPS	170,118	170,118
	SUBTOTAL TRAINING AND RECRUITING	4,713,155	4,718,355
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	485,778	0
	Transfer base requirement to Title XV		[-485,778]
360	CENTRAL SUPPLY ACTIVITIES	813,881	813,881
370	LOGISTIC SUPPORT ACTIVITIES	714,781	687,781
	Unjustified program growth		[-27,000]
380	AMMUNITION MANAGEMENT	322,127	322,127
390	ADMINISTRATION	384,813	376,313
	Unjustified Growth in Public Affairs		[-8,500]
400	SERVICEWIDE COMMUNICATIONS	1,781,350	1,748,350
	DISN subscription services pricing requested as program growth		[-33,000]
410	MANPOWER MANAGEMENT	292,532	292,532
420	OTHER PERSONNEL SUPPORT	375,122	375,122
430	OTHER SERVICE SUPPORT	1,119,848	1,115,348
	Spirit of America program growth		[-4,500]
440	ARMY CLAIMS ACTIVITIES	225,358	225,358
450	REAL ESTATE MANAGEMENT	239,755	239,755
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	223,319	223,319
470	INTERNATIONAL MILITARY HEADQUARTERS	469,865	469,865
480	MISC. SUPPORT OF OTHER NATIONS	40,521	0
	Transfer base requirement to Title XV		[-40,521]
530	CLASSIFIED PROGRAMS	1,120,974	1,140,974
	Additional SOUTHCOM ISR and intel support		[20,000]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	8,610,024	8,030,725
	UNDISTRIBUTED		

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

Line	Item	FY 2016 Request	Agreement Authorized
540	UNDISTRIBUTED		-1,229,500
	<i>Civilian and services contract reductions to streamline management</i>		
	HQ		[-245,000]
	<i>Excessive standard price for fuel</i>		[-141,000]
	<i>Foreign Currency adjustments</i>		[-431,000]
	<i>Overestimation of Civilian FTE Targets</i>		[-262,500]
	WORKING CAPITAL FUND CARRYOVER ABOVE ALLOWABLE		
	CEILING		[-150,000]
	SUBTOTAL UNDISTRIBUTED		-1,229,500
	 TOTAL OPERATION & MAINTENANCE, ARMY	35,107,546	32,557,982
	 OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	MODULAR SUPPORT BRIGADES	16,612	16,612
030	ECHELONS ABOVE BRIGADE	486,531	486,531
040	THEATER LEVEL ASSETS	105,446	105,446
050	LAND FORCES OPERATIONS SUPPORT	516,791	516,791
060	AVIATION ASSETS	87,587	87,587
070	FORCE READINESS OPERATIONS SUPPORT	348,601	348,601
080	LAND FORCES SYSTEMS READINESS	81,350	81,350
090	LAND FORCES DEPOT MAINTENANCE	59,574	91,974
	<i>Readiness funding increase</i>		[32,400]
100	BASE OPERATIONS SUPPORT	570,852	557,852
	<i>Unjustified program growth</i>		[-13,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,686	259,286
	<i>Restore Sustainment shortfalls</i>		[13,600]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	40,962	40,962
	SUBTOTAL OPERATING FORCES	2,559,992	2,592,992
	 ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,665	0
	<i>Transfer base requirement to Title XV</i>		[-10,665]
140	ADMINISTRATION	18,390	18,390
150	SERVICEWIDE COMMUNICATIONS	14,976	14,976
160	MANPOWER MANAGEMENT	8,841	8,841
170	RECRUITING AND ADVERTISING	52,928	52,928
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	105,800	95,135
	 UNDISTRIBUTED		
190	UNDISTRIBUTED		-19,200
	<i>Civilian and services contract reductions to streamline management</i>		
	HQ		[-6,200]
	<i>Excessive standard price for fuel</i>		[-13,000]
	SUBTOTAL UNDISTRIBUTED		-19,200
	 TOTAL OPERATION & MAINTENANCE, ARMY RES	2,665,792	2,668,927
	 OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	709,433	901,933
	<i>Increased Operations Tempo to Meet Readiness Objectives</i>		[192,500]
020	MODULAR SUPPORT BRIGADES	167,324	167,324
030	ECHELONS ABOVE BRIGADE	741,327	741,327
040	THEATER LEVEL ASSETS	88,775	96,475
	<i>ARNG border security enhancement</i>		[7,700]
050	LAND FORCES OPERATIONS SUPPORT	32,130	32,130
060	AVIATION ASSETS	943,609	996,209
	<i>ARNG border security enhancement</i>		[13,000]
	<i>Readiness funding increase</i>		[39,600]
070	FORCE READINESS OPERATIONS SUPPORT	703,137	703,137
080	LAND FORCES SYSTEMS READINESS	84,066	84,066
090	LAND FORCES DEPOT MAINTENANCE	166,848	189,348
	<i>Readiness funding increase</i>		[22,500]
100	BASE OPERATIONS SUPPORT	1,022,970	998,970
	<i>Justification does not match summary of price and program changes</i>		[-14,000]
	<i>Unjustified growth</i>		[-10,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	673,680	708,880
	<i>Restore Sustainment shortfalls</i>		[35,200]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	954,574	954,574

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

Line	Item	FY 2016 Request	Agreement Authorized
	SUBTOTAL OPERATING FORCES	6,287,873	6,574,373
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	6,570	0
	Transfer base requirement to Title XV		[-6,570]
140	ADMINISTRATION	59,629	58,719
	National Guard State Partnership Program increase		[500]
	NGB Heritage Painting Program		[-1,410]
150	SERVICEWIDE COMMUNICATIONS	68,452	68,452
160	MANPOWER MANAGEMENT	8,841	8,841
170	OTHER PERSONNEL SUPPORT	283,670	272,170
	Army Marketing Program unjustified program growth		[-11,500]
180	REAL ESTATE MANAGEMENT	2,942	2,942
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	430,104	411,124
	UNDISTRIBUTED		
200	UNDISTRIBUTED		-70,400
	Civilian and services contract reductions to streamline management		
	HQ		[-27,400]
	Excessive standard price for fuel		[-43,000]
	SUBTOTAL UNDISTRIBUTED		-70,400
	TOTAL OPERATION & MAINTENANCE, ARNG	6,717,977	6,915,097
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,940,365	4,940,365
020	FLEET AIR TRAINING	1,830,611	1,830,611
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	37,225	0
	Transfer base requirement to Title XV		[-37,225]
040	AIR OPERATIONS AND SAFETY SUPPORT	103,456	103,456
050	AIR SYSTEMS SUPPORT	376,844	390,744
	Aviation Readiness Restoration—AV-8B Program Related Logistics		[4,000]
	Aviation Readiness Restoration—CH-53 Program Related Logistics		[1,900]
	Aviation Readiness Restoration—MV-22 Program Related Logistics		[1,200]
	MV-22 Fleet Engineering Support Unfunded Requirement		[6,800]
060	AIRCRAFT DEPOT MAINTENANCE	897,536	912,536
	Program increase		[15,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	33,201	33,201
080	AVIATION LOGISTICS	544,056	549,356
	Aviation Readiness Restoration—MV-22 Aviation Logistics		[5,300]
090	MISSION AND OTHER SHIP OPERATIONS	4,287,658	4,287,658
100	SHIP OPERATIONS SUPPORT & TRAINING	787,446	787,446
110	SHIP DEPOT MAINTENANCE	5,960,951	5,960,951
120	SHIP DEPOT OPERATIONS SUPPORT	1,554,863	0
	Transfer base requirement to Title XV		[-1,554,863]
130	COMBAT COMMUNICATIONS	704,415	684,815
	DISA/DISN price growth requested as program growth		[-19,600]
140	ELECTRONIC WARFARE	96,916	96,916
150	SPACE SYSTEMS AND SURVEILLANCE	192,198	192,198
160	WARFARE TACTICS	453,942	453,942
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	351,871	348,803
	Civilian FTE Growth		[-3,068]
180	COMBAT SUPPORT FORCES	1,186,847	1,154,487
	Civilian FTE Growth		[-17,360]
	Unjustified program growth		[-15,000]
190	EQUIPMENT MAINTENANCE	123,948	123,948
200	DEPOT OPERATIONS SUPPORT	2,443	2,443
210	COMBATANT COMMANDERS CORE OPERATIONS	98,914	98,914
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	73,110	73,110
230	CRUISE MISSILE	110,734	110,734
240	FLEET BALLISTIC MISSILE	1,206,736	1,206,736
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	141,664	141,664
260	WEAPONS MAINTENANCE	523,122	535,122
	Ship Self-Defense Systems Maintenance Backlog Reduction		[12,000]
270	OTHER WEAPON SYSTEMS SUPPORT	371,872	371,335
	Civilian FTE Growth		[-537]
280	ENTERPRISE INFORMATION	896,061	889,449
	Civilian FTE Growth		[-6,612]
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,220,423	2,245,723

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

Line	Item	FY 2016 Request	Agreement Authorized
	Restore Sustainment shortfalls		[25,300]
300	BASE OPERATING SUPPORT	4,472,468	4,468,940
	Civilian FTE Growth		[-3,528]
	SUBTOTAL OPERATING FORCES	34,581,896	32,995,603
MOBILIZATION			
310	SHIP PREPOSITIONING AND SURGE	422,846	0
	Transfer base requirement to Title XV		[-422,846]
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,464	6,964
	Aviation Readiness Restoration—F-18 Aircraft Activations/Inactivations		[500]
330	SHIP ACTIVATIONS/INACTIVATIONS	361,764	0
	Transfer base requirement to Title XV		[-361,764]
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	69,530	69,050
	Civilian FTE Growth		[-480]
350	INDUSTRIAL READINESS	2,237	0
	Transfer base requirement to Title XV		[-2,237]
360	COAST GUARD SUPPORT	21,823	0
	Transfer base requirement to Title XV		[-21,823]
	SUBTOTAL MOBILIZATION	884,664	76,014
TRAINING AND RECRUITING			
370	OFFICER ACQUISITION	149,375	148,514
	Civilian FTE Growth		[-861]
380	RECRUIT TRAINING	9,035	8,816
	Civilian FTE Growth		[-219]
390	RESERVE OFFICERS TRAINING CORPS	156,290	156,290
400	SPECIALIZED SKILL TRAINING	653,728	653,728
410	FLIGHT TRAINING	8,171	8,171
420	PROFESSIONAL DEVELOPMENT EDUCATION	168,471	161,561
	Civilian FTE Growth		[-910]
	Civilian Institutions Graduate Education Program		[-6,000]
430	TRAINING SUPPORT	196,048	196,048
440	RECRUITING AND ADVERTISING	234,233	234,363
	Civilian FTE Growth		[-370]
	Naval Sea Cadet Corps		[500]
450	OFF-DUTY AND VOLUNTARY EDUCATION	137,855	137,855
460	CIVILIAN EDUCATION AND TRAINING	77,257	69,961
	Civilian FTE Growth		[-7,296]
470	JUNIOR ROTC	47,653	47,653
	SUBTOTAL TRAINING AND RECRUITING	1,838,116	1,822,960
ADMIN & SRVWD ACTIVITIES			
480	ADMINISTRATION	923,771	912,767
	Civilian FTE Growth		[-6,004]
	Navy Fleet Band National Tours		[-5,000]
490	EXTERNAL RELATIONS	13,967	13,967
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,812	115,752
	Civilian FTE Growth		[-5,060]
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	350,983	340,017
	Civilian FTE Growth		[-6,966]
	Unjustified growth		[-4,000]
520	OTHER PERSONNEL SUPPORT	265,948	255,491
	Civilian FTE Growth		[-5,457]
	Navy Fleet Band National Tour		[-5,000]
530	SERVICEWIDE COMMUNICATIONS	335,482	334,817
	Civilian FTE Growth		[-665]
550	SERVICEWIDE TRANSPORTATION	197,724	0
	Transfer base requirement to Title XV		[-197,724]
570	PLANNING, ENGINEERING AND DESIGN	274,936	274,936
580	ACQUISITION AND PROGRAM MANAGEMENT	1,122,178	1,121,290
	Civilian FTE Growth		[-888]
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	48,587	48,587
600	COMBAT/WEAPONS SYSTEMS	25,599	25,599
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	72,768	72,768
620	NAVAL INVESTIGATIVE SERVICE	577,803	577,803
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,768	4,768
710	CLASSIFIED PROGRAMS	560,754	560,754
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,896,080	4,659,316

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

Line	Item	FY 2016 Request	Agreement Authorized
UNDISTRIBUTED			
720	UNDISTRIBUTED		-1,303,600
	Civilian and services contract reductions to streamline management		
	HQ		[-215,600]
	Excessive standard price for fuel		[-1,001,000]
	Foreign Currency adjustments		[-87,000]
	SUBTOTAL UNDISTRIBUTED		-1,303,600
	TOTAL OPERATION & MAINTENANCE, NAVY	42,200,756	38,250,293
OPERATION & MAINTENANCE, MARINE CORPS			
OPERATING FORCES			
010	OPERATIONAL FORCES	931,079	931,079
020	FIELD LOGISTICS	931,757	931,757
030	DEPOT MAINTENANCE	227,583	227,583
040	MARITIME PREPOSITIONING	86,259	86,259
050	SUSTAINMENT, RESTORATION & MODERNIZATION	746,237	775,037
	Restore Sustainment shortfalls		[28,800]
060	BASE OPERATING SUPPORT	2,057,362	2,057,362
	SUBTOTAL OPERATING FORCES	4,980,277	5,009,077
TRAINING AND RECRUITING			
070	RECRUIT TRAINING	16,460	16,460
080	OFFICER ACQUISITION	977	977
090	SPECIALIZED SKILL TRAINING	97,325	97,325
100	PROFESSIONAL DEVELOPMENT EDUCATION	40,786	40,786
110	TRAINING SUPPORT	347,476	347,476
120	RECRUITING AND ADVERTISING	164,806	164,806
130	OFF-DUTY AND VOLUNTARY EDUCATION	39,963	39,963
140	JUNIOR ROTC	23,397	23,397
	SUBTOTAL TRAINING AND RECRUITING	731,190	731,190
ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	37,386	0
	Transfer base requirement to Title XV		[-37,386]
160	ADMINISTRATION	358,395	351,695
	Unjustified Growth Marine Corps Heritage Center		[-6,700]
180	ACQUISITION AND PROGRAM MANAGEMENT	76,105	76,105
200	CLASSIFIED PROGRAMS	45,429	45,429
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	517,315	473,229
UNDISTRIBUTED			
210	UNDISTRIBUTED		-112,500
	Civilian and services contract reductions to streamline management		
	HQ		[-33,500]
	Excessive standard price for fuel		[-41,000]
	Foreign Currency adjustments		[-28,000]
	Working Capital Fund carry over above allowable ceiling		[-10,000]
	SUBTOTAL UNDISTRIBUTED		-112,500
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	6,228,782	6,100,996
OPERATION & MAINTENANCE, NAVY RES			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	563,722	563,722
020	INTERMEDIATE MAINTENANCE	6,218	6,218
030	AIRCRAFT DEPOT MAINTENANCE	82,712	82,712
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	326	0
	Transfer base requirement to Title XV		[-326]
050	AVIATION LOGISTICS	13,436	13,436
070	SHIP OPERATIONS SUPPORT & TRAINING	557	557
090	COMBAT COMMUNICATIONS	14,499	14,499
100	COMBAT SUPPORT FORCES	117,601	117,601
120	ENTERPRISE INFORMATION	29,382	29,382
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,513	49,213
	Restore Sustainment shortfalls		[700]
140	BASE OPERATING SUPPORT	102,858	102,858
	SUBTOTAL OPERATING FORCES	979,824	980,198

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

Line	Item	FY 2016 Request	Agreement Authorized
ADMIN & SRVWD ACTIVITIES			
150	ADMINISTRATION	1,505	1,505
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,782	13,782
170	SERVICEWIDE COMMUNICATIONS	3,437	3,437
180	ACQUISITION AND PROGRAM MANAGEMENT	3,210	3,210
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	21,934	21,934
UNDISTRIBUTED			
210	UNDISTRIBUTED		-68,500
	<i>Civilian and services contract reductions to streamline management</i>		
	HQ		[-1,500]
	Excessive standard price for fuel		[-67,000]
	SUBTOTAL UNDISTRIBUTED		-68,500
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,001,758	933,632
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	97,631	97,631
020	DEPOT MAINTENANCE	18,254	18,254
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	28,653	30,053
	Restore Sustainment shortfalls		[1,400]
040	BASE OPERATING SUPPORT	111,923	111,923
	SUBTOTAL OPERATING FORCES	256,461	257,861
ADMIN & SRVWD ACTIVITIES			
050	SERVICEWIDE TRANSPORTATION	924	924
060	ADMINISTRATION	10,866	10,866
070	RECRUITING AND ADVERTISING	8,785	8,785
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	20,575	20,575
UNDISTRIBUTED			
080	UNDISTRIBUTED		-3,500
	<i>Civilian and services contract reductions to streamline management</i>		
	HQ		[-1,500]
	Excessive standard price for fuel		[-2,000]
	SUBTOTAL UNDISTRIBUTED		-3,500
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	277,036	274,936
OPERATION & MAINTENANCE, AIR FORCE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	3,336,868	3,597,368
	A-10 restoration: Force Structure Restoration		[235,300]
	Civilian FTE Growth		[-2,100]
	EC-130H Force Structure Restoration		[27,300]
020	COMBAT ENHANCEMENT FORCES	1,897,315	1,901,015
	Civilian FTE Growth		[-14,000]
	Increase Range Use Support Unfunded Requirement		[37,700]
	Unjustified growth		[-20,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,797,549	1,690,349
	A-10 to F-15E Training Transition		[-78,200]
	Unjustified growth		[-29,000]
040	DEPOT MAINTENANCE	6,537,127	6,497,127
	Remove FY 15 contractor logistics support costs		[-40,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,997,712	2,132,812
	Restore Sustainment shortfalls		[135,100]
060	BASE SUPPORT	2,841,948	2,841,948
070	GLOBAL C3I AND EARLY WARNING	930,341	930,341
080	OTHER COMBAT OPS SPT PROGRAMS	924,845	924,845
100	LAUNCH FACILITIES	271,177	271,177
110	SPACE CONTROL SYSTEMS	382,824	382,824
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	900,965	889,965
	Unjustified growth		[-11,000]
130	COMBATANT COMMANDERS CORE OPERATIONS	205,078	164,078
	Joint Enabling Capabilities Command		[-41,000]
135	CLASSIFIED PROGRAMS	907,496	904,296
	Civilian FTE Growth		[-3,200]
	SUBTOTAL OPERATING FORCES	22,931,245	23,128,145

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

Line	Item	FY 2016 Request	Agreement Authorized
MOBILIZATION			
140	AIRLIFT OPERATIONS	2,229,196	2,152,196
	Excess to need		[-77,000]
150	MOBILIZATION PREPAREDNESS	148,318	0
	Transfer base requirement to Title XV		[-148,318]
160	DEPOT MAINTENANCE	1,617,571	0
	Transfer base requirement to Title XV		[-1,617,571]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	259,956	0
	Transfer base requirement to Title XV		[-259,956]
180	BASE SUPPORT	708,799	0
	Transfer base requirement to Title XV		[-708,799]
	SUBTOTAL MOBILIZATION	4,963,840	2,152,196
TRAINING AND RECRUITING			
190	OFFICER ACQUISITION	92,191	92,191
200	RECRUIT TRAINING	21,871	21,871
210	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,527	77,527
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	228,500	228,500
230	BASE SUPPORT	772,870	772,870
240	SPECIALIZED SKILL TRAINING	359,304	379,304
	Remotely Piloted Aircraft Flight Training Acceleration		[20,000]
250	FLIGHT TRAINING	710,553	726,553
	Consolidation of Air Battle Manager Resources not properly documented		[-4,000]
	Unmanned Aerial Surveillance (UAS) Training		[20,000]
260	PROFESSIONAL DEVELOPMENT EDUCATION	228,252	227,322
	Air Force Civilian Graduate Education Program Unjustified Growth		[-930]
270	TRAINING SUPPORT	76,464	76,464
280	DEPOT MAINTENANCE	375,513	0
	Transfer base requirement to Title XV		[-375,513]
290	RECRUITING AND ADVERTISING	79,690	79,690
300	EXAMINING	3,803	3,803
310	OFF-DUTY AND VOLUNTARY EDUCATION	180,807	180,807
320	CIVILIAN EDUCATION AND TRAINING	167,478	167,478
330	JUNIOR ROTC	59,263	59,263
	SUBTOTAL TRAINING AND RECRUITING	3,434,086	3,093,643
ADMIN & SRVWD ACTIVITIES			
340	LOGISTICS OPERATIONS	1,141,491	1,124,491
	O&M and IT budget justification inconsistencies		[-17,000]
350	TECHNICAL SUPPORT ACTIVITIES	862,022	832,022
	Acquisition Management Adjustment		[-10,000]
	Unjustified growth		[-20,000]
360	DEPOT MAINTENANCE	61,745	0
	Transfer base requirement to Title XV		[-61,745]
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	298,759	298,759
380	BASE SUPPORT	1,108,220	1,108,220
390	ADMINISTRATION	689,797	669,097
	DEAMS reduction-Funding ahead of need		[-20,700]
400	SERVICEWIDE COMMUNICATIONS	498,053	461,153
	DISN subscription services pricing requested as program growth		[-36,900]
410	OTHER SERVICEWIDE ACTIVITIES	900,253	900,253
420	CIVIL AIR PATROL	25,411	26,561
	Civil Air Patrol		[1,150]
450	INTERNATIONAL SUPPORT	89,148	0
	Transfer base requirement to Title XV		[-89,148]
460	CLASSIFIED PROGRAMS	1,187,859	1,182,959
	Civilian FTE Growth		[-4,900]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	6,862,758	6,603,515
UNDISTRIBUTED			
470	UNDISTRIBUTED		-1,452,800
	Civilian and services contract reductions to streamline management HQ		[-283,800]
	Excessive standard price for fuel		[-952,000]
	Foreign Currency adjustments		[-217,000]
	SUBTOTAL UNDISTRIBUTED		-1,452,800

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

Line	Item	FY 2016 Request	Agreement Authorized
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	38,191,929	33,524,699
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,779,378	1,781,878
	A-10 restoration: Force Structure Restoration		[2,500]
020	MISSION SUPPORT OPERATIONS	226,243	220,243
	Justification does not match summary of price and program changes for civilian pay		[-6,000]
030	DEPOT MAINTENANCE	487,036	0
	Transfer base requirement to Title XV		[-487,036]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	109,342	109,642
	Restore Sustainment shortfalls		[300]
050	BASE SUPPORT	373,707	370,707
	Air Force Support Standard Correction—transfer to SAG 11G not properly accounted		[-3,000]
	SUBTOTAL OPERATING FORCES	2,975,706	2,482,470
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	53,921	53,921
070	RECRUITING AND ADVERTISING	14,359	14,359
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,665	13,665
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,606	6,606
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	88,551	88,551
	UNDISTRIBUTED		
110	UNDISTRIBUTED		-175,700
	Civilian and services contract reductions to streamline management HQ		[-4,700]
	Excessive standard price for fuel		[-171,000]
	SUBTOTAL UNDISTRIBUTED		-175,700
	TOTAL OPERATION & MAINTENANCE, AF RE- SERVE	3,064,257	2,395,321
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,526,471	3,567,371
	A-10 restoration: Force Structure Restoration		[42,200]
	DISN pricing requested as program growth		[-1,300]
020	MISSION SUPPORT OPERATIONS	740,779	743,379
	ARNG border security enhancement		[2,600]
030	DEPOT MAINTENANCE	1,763,859	1,763,859
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	288,786	307,586
	Restore Sustainment shortfalls		[18,800]
050	BASE SUPPORT	582,037	582,037
	SUBTOTAL OPERATING FORCES	6,901,932	6,964,232
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	23,626	23,626
070	RECRUITING AND ADVERTISING	30,652	30,652
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	54,278	54,278
	UNDISTRIBUTED		
080	UNDISTRIBUTED		-309,100
	Civilian and services contract reductions to streamline management HQ		[-3,100]
	Excessive standard price for fuel		[-276,000]
	Unjustified growth		[-30,000]
	SUBTOTAL UNDISTRIBUTED		-309,100
	TOTAL OPERATION & MAINTENANCE, ANG	6,956,210	6,709,410
	OPERATION & MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	485,888	505,888
	Middle East Assurance Initiative		[20,000]

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

Line	Item	FY 2016 Request	Agreement Authorized
020	OFFICE OF THE SECRETARY OF DEFENSE	534,795	534,795
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	4,862,368	4,841,168
	Overestimation of civilian FTE		[-21,200]
	SUBTOTAL OPERATING FORCES	5,883,051	5,881,851
TRAINING AND RECRUITING			
040	DEFENSE ACQUISITION UNIVERSITY	142,659	142,659
050	NATIONAL DEFENSE UNIVERSITY	78,416	78,416
060	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	354,372	354,372
	SUBTOTAL TRAINING AND RECRUITING	575,447	575,447
ADMINISTRATION AND SERVICEWIDE ACTIVITIES			
070	CIVIL MILITARY PROGRAMS	160,320	170,320
	STARBASE		[10,000]
090	DEFENSE CONTRACT AUDIT AGENCY	570,177	570,177
100	DEFENSE CONTRACT MANAGEMENT AGENCY	1,374,536	1,374,536
110	DEFENSE HUMAN RESOURCES ACTIVITY	642,551	642,551
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,282,755	1,285,255
	SHARKSEER		[2,500]
140	DEFENSE LEGAL SERVICES AGENCY	26,073	26,073
150	DEFENSE LOGISTICS AGENCY	366,429	366,429
160	DEFENSE MEDIA ACTIVITY	192,625	192,625
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	115,372	115,372
190	DEFENSE SECURITY COOPERATION AGENCY	524,723	495,523
	Global Security Contingency Fund		[-22,200]
	Reduction to Combating Terrorism Fellowship		[-7,000]
200	DEFENSE SECURITY SERVICE	508,396	0
	Transfer base requirement to Title XV		[-508,396]
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	33,577	33,577
240	DEFENSE THREAT REDUCTION AGENCY	415,696	0
	Transfer base requirement to Title XV		[-415,696]
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,753,771	2,784,021
	Impact Aid		[30,000]
	School lunches for territories		[250]
270	MISSILE DEFENSE AGENCY	432,068	432,068
290	OFFICE OF ECONOMIC ADJUSTMENT	110,612	110,612
300	OFFICE OF THE SECRETARY OF DEFENSE	1,388,285	1,393,535
	Commission to Assess the Threat to the U.S. from Electromagnetic Pulse Attack		[2,000]
	OSD fleet architecture study		[1,000]
	OSD (Policy) unjustified growth		[-2,000]
	OSD AT&L Congressional Mandate (BRAC Support)		[-10,500]
	Readiness environmental protection initiative—program increase		[14,750]
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	83,263	83,263
320	WASHINGTON HEADQUARTERS SERVICES	621,688	621,688
330	CLASSIFIED PROGRAMS	14,379,428	14,276,828
	Classified program adjustment		[-102,600]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	25,982,345	24,974,453
UNDISTRIBUTED			
340	UNDISTRIBUTED		-1,053,100
	Civilian and services contract reductions to streamline management HQ		[-908,700]
	Excessive standard price for fuel		[-61,000]
	Foreign Currency adjustments		[-78,400]
	Program decrease		[-5,000]
	SUBTOTAL UNDISTRIBUTED		-1,053,100
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	32,440,843	30,378,651
MISCELLANEOUS APPROPRIATIONS			
MISCELLANEOUS APPROPRIATIONS			
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE ...	14,078	14,078
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	100,266	100,266
030	COOPERATIVE THREAT REDUCTION	358,496	358,496
040	ACQ WORKFORCE DEV FD	84,140	84,140
050	ENVIRONMENTAL RESTORATION, ARMY	234,829	234,829

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

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
060	ENVIRONMENTAL RESTORATION, NAVY	292,453	292,453
070	ENVIRONMENTAL RESTORATION, AIR FORCE	368,131	368,131
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,232	8,232
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	203,717	203,717
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	1,664,342	1,664,342
	TOTAL MISCELLANEOUS APPROPRIATIONS	1,664,342	1,664,342
	TOTAL OPERATION & MAINTENANCE	176,517,228	162,374,286

1 SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS

2 CONTINGENCY OPERATIONS.

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

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	257,900	257,900
040	THEATER LEVEL ASSETS	1,110,836	1,110,836
050	LAND FORCES OPERATIONS SUPPORT	261,943	261,943
060	AVIATION ASSETS	22,160	22,160
070	FORCE READINESS OPERATIONS SUPPORT	1,119,201	1,119,201
080	LAND FORCES SYSTEMS READINESS	117,881	117,881
100	BASE OPERATIONS SUPPORT	50,000	50,000
140	ADDITIONAL ACTIVITIES	4,500,666	4,526,466
	Army expenses related to Syria Train and Equip program		[25,800]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	5,000
	Program decrease		[-5,000]
160	RESET	1,834,777	1,834,777
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT		100,000
	AFRICOM Intelligence, Surveillance, and Reconnaissance		[100,000]
	SUBTOTAL OPERATING FORCES	9,285,364	9,406,164
	MOBILIZATION		
190	ARMY PREPOSITIONED STOCKS	40,000	40,000
	SUBTOTAL MOBILIZATION	40,000	40,000
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	529,891	529,891
380	AMMUNITION MANAGEMENT	5,033	5,033
420	OTHER PERSONNEL SUPPORT	100,480	100,480
450	REAL ESTATE MANAGEMENT	154,350	154,350
530	CLASSIFIED PROGRAMS	1,267,632	1,267,632
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,057,386	2,057,386
	TOTAL OPERATION & MAINTENANCE, ARMY	11,382,750	11,503,550
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	2,442	2,442
050	LAND FORCES OPERATIONS SUPPORT	813	813
070	FORCE READINESS OPERATIONS SUPPORT	779	779
100	BASE OPERATIONS SUPPORT	20,525	20,525
	SUBTOTAL OPERATING FORCES	24,559	24,559
	TOTAL OPERATION & MAINTENANCE, ARMY RES	24,559	24,559
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	1,984	1,984
030	ECHELONS ABOVE BRIGADE	4,671	4,671
060	AVIATION ASSETS	15,980	15,980
070	FORCE READINESS OPERATIONS SUPPORT	12,867	12,867
100	BASE OPERATIONS SUPPORT	23,134	23,134

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

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,426	1,426
	SUBTOTAL OPERATING FORCES	60,062	60,062
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEMEN AND COMMUNICATIONS	783	783
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	783	783
	TOTAL OPERATION & MAINTENANCE, ARNG	60,845	60,845
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,214,899	2,136,899
	<i>Fuel savings</i>		[-78,000]
030	EQUIPMENT AND TRANSPORTATION	182,751	182,751
040	TRAINING AND OPERATIONS	281,555	281,555
	SUBTOTAL MINISTRY OF DEFENSE	2,679,205	2,601,205
	MINISTRY OF INTERIOR		
060	SUSTAINMENT	901,137	869,137
	<i>Fuel savings</i>		[-32,000]
080	EQUIPMENT AND TRANSPORTATION	116,573	116,573
090	TRAINING AND OPERATIONS	65,342	65,342
	SUBTOTAL MINISTRY OF INTERIOR	1,083,052	1,051,052
	TOTAL AFGHANISTAN SECURITY FORCES FUND	3,762,257	3,652,257
	IRAQ TRAIN AND EQUIP FUND		
	IRAQ TRAIN AND EQUIP FUND		
010	IRAQ TRAIN AND EQUIP FUND	715,000	715,000
	SUBTOTAL IRAQ TRAIN AND EQUIP FUND	715,000	715,000
	TOTAL IRAQ TRAIN AND EQUIP FUND	715,000	715,000
	SYRIA TRAIN AND EQUIP FUND		
	SYRIA TRAIN AND EQUIP FUND		
010	SYRIA TRAIN AND EQUIP FUND	600,000	406,450
	<i>Change in scope of program</i>		[-125,000]
	<i>Realignment to Air Force</i>		[-42,750]
	<i>Realignment to Army</i>		[-25,800]
	SUBTOTAL SYRIA TRAIN AND EQUIP FUND	600,000	406,450
	TOTAL SYRIA TRAIN AND EQUIP FUND	600,000	406,450
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	358,417	361,717
	<i>Readiness funding increase</i>		[3,300]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	110	110
040	AIR OPERATIONS AND SAFETY SUPPORT	4,513	4,513
050	AIR SYSTEMS SUPPORT	126,501	126,501
060	AIRCRAFT DEPOT MAINTENANCE	75,897	92,897
	<i>Readiness funding increase</i>		[17,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,770	2,770
080	AVIATION LOGISTICS	34,101	34,101
090	MISSION AND OTHER SHIP OPERATIONS	1,184,878	1,184,878
100	SHIP OPERATIONS SUPPORT & TRAINING	16,663	16,663
110	SHIP DEPOT MAINTENANCE	1,922,829	1,922,829
130	COMBAT COMMUNICATIONS	33,577	33,577
160	WARFARE TACTICS	26,454	26,454
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,305	22,305
180	COMBAT SUPPORT FORCES	513,969	513,969
190	EQUIPMENT MAINTENANCE	10,007	10,007
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	60,865	60,865
260	WEAPONS MAINTENANCE	275,231	275,231
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	7,819	7,819
300	BASE OPERATING SUPPORT	61,422	61,422
	SUBTOTAL OPERATING FORCES	4,738,328	4,758,628
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307

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

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
360	COAST GUARD SUPPORT	160,002	160,002
	SUBTOTAL MOBILIZATION	165,309	165,309
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	44,845	44,845
	SUBTOTAL TRAINING AND RECRUITING	44,845	44,845
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,513	2,513
490	EXTERNAL RELATIONS	500	500
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,309	5,309
520	OTHER PERSONNEL SUPPORT	1,469	1,469
550	SERVICEWIDE TRANSPORTATION	156,671	156,671
580	ACQUISITION AND PROGRAM MANAGEMENT	8,834	8,834
620	NAVAL INVESTIGATIVE SERVICE	1,490	1,490
710	CLASSIFIED PROGRAMS	6,320	6,320
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	183,106	183,106
	TOTAL OPERATION & MAINTENANCE, NAVY	5,131,588	5,151,888
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	353,133	353,133
020	FIELD LOGISTICS	259,676	259,676
030	DEPOT MAINTENANCE	240,000	240,000
060	BASE OPERATING SUPPORT	16,026	16,026
	SUBTOTAL OPERATING FORCES	868,835	868,835
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	37,862	37,862
	SUBTOTAL TRAINING AND RECRUITING	37,862	37,862
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	43,767	43,767
200	CLASSIFIED PROGRAMS	2,070	2,070
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	45,837	45,837
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	952,534	952,534
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,033	4,033
020	INTERMEDIATE MAINTENANCE	60	60
030	AIRCRAFT DEPOT MAINTENANCE	20,300	20,300
100	COMBAT SUPPORT FORCES	7,250	7,250
	SUBTOTAL OPERATING FORCES	31,643	31,643
	TOTAL OPERATION & MAINTENANCE, NAVY RES	31,643	31,643
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,500	2,500
040	BASE OPERATING SUPPORT	955	955
	SUBTOTAL OPERATING FORCES	3,455	3,455
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	3,455	3,455
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,505,738	1,546,388
	<i>Air Force expenses related to Syria Train and Equip program</i>		[42,750]
	<i>Unjustified Increase</i>		[-2,100]
020	COMBAT ENHANCEMENT FORCES	914,973	905,273
	<i>Readiness funding increase</i>		[4,300]
	<i>Unjustified Increase</i>		[-14,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	31,978	31,978
040	DEPOT MAINTENANCE	1,192,765	1,192,765
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	85,625	85,625
060	BASE SUPPORT	917,269	917,269

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

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
070	GLOBAL C3I AND EARLY WARNING	30,219	30,219
080	OTHER COMBAT OPS SPT PROGRAMS	174,734	174,734
100	LAUNCH FACILITIES	869	869
110	SPACE CONTROL SYSTEMS	5,008	5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,190	100,190
135	CLASSIFIED PROGRAMS	22,893	22,893
	SUBTOTAL OPERATING FORCES	4,982,261	5,013,211
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,995,703	2,995,703
150	MOBILIZATION PREPAREDNESS	108,163	108,163
160	DEPOT MAINTENANCE	511,059	511,059
180	BASE SUPPORT	4,642	4,642
	SUBTOTAL MOBILIZATION	3,619,567	3,619,567
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	92	92
240	SPECIALIZED SKILL TRAINING	11,986	11,986
	SUBTOTAL TRAINING AND RECRUITING	12,078	12,078
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	86,716	86,716
380	BASE SUPPORT	3,836	3,836
400	SERVICEMAN COMMUNICATIONS	165,348	165,348
410	OTHER SERVICEMAN ACTIVITIES	204,683	141,683
	Reduction to the Office of Security Cooperation in Iraq		[-63,000]
450	INTERNATIONAL SUPPORT	61	61
460	CLASSIFIED PROGRAMS	15,463	15,463
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	476,107	413,107
	TOTAL OPERATION & MAINTENANCE, AIR FORCE ...	9,090,013	9,057,963
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT MAINTENANCE	51,086	51,086
050	BASE SUPPORT	7,020	7,020
	SUBTOTAL OPERATING FORCES	58,106	58,106
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	58,106	58,106
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	19,900	19,900
	SUBTOTAL OPERATING FORCES	19,900	19,900
	TOTAL OPERATION & MAINTENANCE, ANG	19,900	19,900
	OPERATION & MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	9,900	9,900
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,345,835	2,345,835
	SUBTOTAL OPERATING FORCES	2,355,735	2,355,735
	ADMINISTRATION AND SERVICEMAN ACTIVITIES		
090	DEFENSE CONTRACT AUDIT AGENCY	18,474	18,474
120	DEFENSE INFORMATION SYSTEMS AGENCY	29,579	29,579
140	DEFENSE LEGAL SERVICES AGENCY	110,000	110,000
160	DEFENSE MEDIA ACTIVITY	5,960	5,960
190	DEFENSE SECURITY COOPERATION AGENCY	1,677,000	1,477,000
	Reduction from Coalition Support Funds		[-200,000]
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	73,000	73,000
300	OFFICE OF THE SECRETARY OF DEFENSE	106,709	106,709
320	WASHINGTON HEADQUARTERS SERVICES	2,102	2,102
330	CLASSIFIED PROGRAMS	1,427,074	1,427,074
	SUBTOTAL ADMINISTRATION AND SERVICEMAN ACTIVITIES	3,449,898	3,249,898
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	5,805,633	5,605,633

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

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
	TOTAL OPERATION & MAINTENANCE	37,638,283	37,243,783

1 SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIRE-
2 MENTS.

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS		421,269
	Transfer base requirement from Title III		[421,269]
130	COMBATANT COMMANDERS CORE OPERATIONS		164,743
	Transfer base requirement from Title III		[164,743]
	SUBTOTAL OPERATING FORCES		586,012
	MOBILIZATION		
180	STRATEGIC MOBILITY		401,638
	Transfer base requirement from Title III		[401,638]
190	ARMY PREPOSITIONED STOCKS		261,683
	Transfer base requirement from Title III		[261,683]
200	INDUSTRIAL PREPAREDNESS		6,532
	Transfer base requirement from Title III		[6,532]
	SUBTOTAL MOBILIZATION		669,853
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION		485,778
	Transfer base requirement from Title III		[485,778]
480	MISC. SUPPORT OF OTHER NATIONS		40,521
	Transfer base requirement from Title III		[40,521]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES		526,299
	TOTAL OPERATION & MAINTENANCE, ARMY		1,782,164
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION		10,665
	Transfer base requirement from Title III		[10,665]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		10,665
	TOTAL OPERATION & MAINTENANCE, ARMY RES		10,665
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION		6,570
	Transfer base requirement from Title III		[6,570]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		6,570
	TOTAL OPERATION & MAINTENANCE, ARNG		6,570
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES		37,225
	Transfer base requirement from Title III		[37,225]
120	SHIP DEPOT OPERATIONS SUPPORT		1,554,863
	Transfer base requirement from Title III		[1,554,863]
	SUBTOTAL OPERATING FORCES		1,592,088
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE		422,846
	Transfer base requirement from Title III		[422,846]
330	SHIP ACTIVATIONS/INACTIVATIONS		361,764
	Transfer base requirement from Title III		[361,764]
350	INDUSTRIAL READINESS		2,237
	Transfer base requirement from Title III		[2,237]
360	COAST GUARD SUPPORT		21,823
	Transfer base requirement from Title III		[21,823]

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	SUBTOTAL MOBILIZATION		808,670
	ADMIN & SRVWD ACTIVITIES		
550	SERVICEWIDE TRANSPORTATION		197,724
	Transfer base requirement from Title III		[197,724]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		197,724
	TOTAL OPERATION & MAINTENANCE, NAVY		2,598,482
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION		37,386
	Transfer base requirement from Title III		[37,386]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		37,386
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS		37,386
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
040	AIRCRAFT DEPOT OPERATIONS SUPPORT		326
	Transfer base requirement from Title III		[326]
	SUBTOTAL OPERATING FORCES		326
	TOTAL OPERATION & MAINTENANCE, NAVY RES		326
	MOBILIZATION		
150	MOBILIZATION PREPAREDNESS		148,318
	Transfer base requirement from Title III		[148,318]
160	DEPOT MAINTENANCE		1,617,571
	Transfer base requirement from Title III		[1,617,571]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		259,956
	Transfer base requirement from Title III		[259,956]
180	BASE SUPPORT		708,799
	Transfer base requirement from Title III		[708,799]
	SUBTOTAL MOBILIZATION		2,734,644
	TRAINING AND RECRUITING		
280	DEPOT MAINTENANCE		375,513
	Transfer base requirement from Title III		[375,513]
	SUBTOTAL TRAINING AND RECRUITING		375,513
	ADMIN & SRVWD ACTIVITIES		
360	DEPOT MAINTENANCE		61,745
	Transfer base requirement from Title III		[61,745]
450	INTERNATIONAL SUPPORT		89,148
	Transfer base requirement from Title III		[89,148]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		150,893
	TOTAL OPERATION & MAINTENANCE, AIR FORCE ...		3,261,050
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT MAINTENANCE		487,036
	Transfer base requirement from Title III		[487,036]
	SUBTOTAL OPERATING FORCES		487,036
	TOTAL OPERATION & MAINTENANCE, AF RESERVE		487,036
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
200	DEFENSE SECURITY SERVICE		508,396
	Transfer base requirement from Title III		[508,396]
240	DEFENSE THREAT REDUCTION AGENCY		415,696
	Transfer base requirement from Title III		[415,696]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE AC- TIVITIES		924,092
	TOTAL OPERATION & MAINTENANCE, DEFENSE- WIDE		924,092
	TOTAL OPERATION & MAINTENANCE		9,107,771

1 **TITLE XLIV—MILITARY**
 2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

<i>SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)</i>		
<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
Military Personnel Appropriations	130,491,227	129,316,488
Additional support for the National Guard's Operation Phalanx		[21,700]
Basic Housing Allowance		[300,000]
Financial Literacy Training		[85,000]
Foreign Currency adjustments		[-480,500]
National Guard State Partnership Program increase		[2,100]
Projected understrength		[-115,839]
Unobligated balances		[-987,200]
Medicare-Eligible Retiree Health Fund Contributions	6,243,449	6,243,449
Total, Military Personnel	136,734,676	135,559,937

4 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**
 5 **GENCY OPERATIONS.**

<i>SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)</i>		
<i>Item</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
Military Personnel Appropriations	3,204,758	3,204,758
Total, Military Personnel Appropriations	3,204,758	3,204,758

6 **TITLE XLV—OTHER**
 7 **AUTHORIZATIONS**

8 **SEC. 4501. OTHER AUTHORIZATIONS.**

<i>SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)</i>		
<i>Program Title</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	50,432	50,432
TOTAL WORKING CAPITAL FUND, ARMY	50,432	50,432
WORKING CAPITAL FUND, AIR FORCE		
SUPPLIES AND MATERIALS		
.....	62,898	62,898
TOTAL WORKING CAPITAL FUND, AIR FORCE	62,898	62,898
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	1,435,354
Restoration of Proposed Efficiencies		[142,200]
Restoration of Savings from Legislative Proposals		[139,000]

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	Agreement Authorized
TOTAL WORKING CAPITAL FUND, DECA	1,154,154	1,435,354
NATIONAL DEFENSE SEALIFT FUND		
MPF MLP		
POST DELIVERY AND OUTFITTING	15,456	15,456
NATIONAL DEF SEALIFT VESSEL		
LG MED SPD 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	474,164
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 INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	739,009	761,009
SOUTHCOM Operational Support for Central America		[30,000]
Transfer to Demand Reduction Program		[-8,000]
DRUG DEMAND REDUCTION PROGRAM	111,589	119,589
Expanded drug testing		[8,000]
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	850,598	880,598
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	310,459	310,459
RDT&E	4,700	2,100
Funding ahead of need		[-2,600]
PROCUREMENT	1,000	0
Program decrease		[-1,000]
TOTAL OFFICE OF THE INSPECTOR GENERAL	316,159	312,559
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,082,298	8,962,926
Consolidated health plan unauthorized		[-29,719]
Pharmacy benefit reform unauthorized		[-30,528]
Removal of one-time fiscal year 2016 increases		[-59,125]
PRIVATE SECTOR CARE	14,892,683	14,886,930
Access to TRICARE Prime for certain beneficiaries		[4,000]
TRICARE consolidation not authorized		[-9,753]
CONSOLIDATED HEALTH SUPPORT	2,415,658	2,289,874
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[-10,290]
Removal of one-time fiscal year 2016 increases		[-115,494]
INFORMATION MANAGEMENT	1,677,827	1,654,814
Removal of one-time fiscal year 2016 increases		[-23,013]
MANAGEMENT ACTIVITIES	327,967	325,908
Removal of one-time fiscal year 2016 increases		[-2,059]
EDUCATION AND TRAINING	750,614	750,614
BASE OPERATIONS/COMMUNICATIONS	1,742,893	1,741,690
Removal of one-time fiscal year 2016 increase		[-1,203]
RESEARCH	10,996	10,996
EXPLORATORY DEVELOPMENT	59,473	56,323
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[-3,150]
ADVANCED DEVELOPMENT	231,356	228,256
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[-3,100]
DEMONSTRATION/VALIDATION	103,443	103,443
ENGINEERING DEVELOPMENT	515,910	515,910
MANAGEMENT AND SUPPORT	41,567	41,567
CAPABILITIES ENHANCEMENT	17,356	17,356
INITIAL OUTFITTING	33,392	33,392
REPLACEMENT & MODERNIZATION	330,504	330,504
THEATER MEDICAL INFORMATION PROGRAM	1,494	1,494
IEHR	7,897	7,897

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<i>Program Title</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
UNDISTRIBUTED		-433,300
Foreign Currency adjustments		[-54,700]
Unobligated balances		[-378,600]
TOTAL DEFENSE HEALTH PROGRAM	32,243,328	31,526,594
TOTAL OTHER AUTHORIZATIONS	35,917,538	35,508,404

1 SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-
2 TINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Program Title</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
WORKING CAPITAL FUND, AIR FORCE		
SUPPLIES AND MATERIALS		
TRANSPORTATION OF FALLEN HEROES	2,500	2,500
TOTAL WORKING CAPITAL FUND, AIR FORCE	2,500	2,500
WORKING CAPITAL FUND, DEFENSE-WIDE		
SUPPLY CHAIN MANAGEMENT—DEF		
DEFENSE LOGISTICS AGENCY (DLA)	86,350	86,350
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	86,350	86,350
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	186,000	186,000
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	186,000	186,000
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	10,262	10,262
TOTAL OFFICE OF THE INSPECTOR GENERAL	10,262	10,262
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	65,149	65,149
PRIVATE SECTOR CARE	192,210	192,210
CONSOLIDATED HEALTH SUPPORT	9,460	9,460
EDUCATION AND TRAINING	5,885	5,885
TOTAL DEFENSE HEALTH PROGRAM	272,704	272,704
UKRAINE SECURITY ASSISTANCE		
UKRAINE SECURITY ASSISTANCE		300,000
Provides assistance to Ukraine		[300,000]
TOTAL UKRAINE SECURITY ASSISTANCE		300,000
COUNTERTERRORISM PARTNERSHIPS FUND		
COUNTERTERRORISM PARTNERSHIPS FUND	2,100,000	750,000
Program decrease		[-1,350,000]
TOTAL COUNTERTERRORISM PARTNERSHIPS FUND	2,100,000	750,000
TOTAL OTHER AUTHORIZATIONS	2,657,816	1,607,816

1 **TITLE XLVI—MILITARY**
 2 **CONSTRUCTION**

3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
	<i>Alaska</i>			
Army	Fort Greely	Physical Readiness Training Facility	7,800	7,800
	<i>California</i>			
Army	Concord	Pier	98,000	98,000
	<i>Colorado</i>			
Army	Fort Carson	Rotary Wing Taxiway	5,800	5,800
	<i>Cuba</i>			
Army	Guantanamo Bay	Unaccompanied Personnel Housing	0	0
	<i>Georgia</i>			
Army	Fort Gordon	Command and Control Facility	90,000	90,000
	<i>Germany</i>			
Army	Grafenwoehr	Vehicle Maintenance Shop	51,000	51,000
	<i>Maryland</i>			
Army	Fort Meade	Access Control Point—Mapes Road	0	15,000
Army	Fort Meade	Access Control Point—Reece Road	0	19,500
	<i>New York</i>			
Army	Fort Drum	NCO Academy Complex	19,000	19,000
Army	U.S. Military Academy	Waste Water Treatment Plant	70,000	70,000
	<i>Oklahoma</i>			
Army	Fort Sill	Reception Barracks Complex Ph2	56,000	56,000
Army	Fort Sill	Training Support Facility	13,400	13,400
	<i>Texas</i>			
Army	Corpus Christi	Powertrain Facility (Infrastructure/Metal)	85,000	85,000
Army	Joint Base San Antonio	Homeland Defense Operations Center	43,000	0
	<i>Virginia</i>			
Army	Arlington National Cemetery	Arlington Cemetery Southern Expansion (DAR)	0	30,000
Army	Fort Lee	Training Support Facility	33,000	33,000
Army	Joint Base Myer-Henderson	Instruction Building	37,000	0
	<i>Worldwide Unspecified</i>			
Army	Unspecified Worldwide Locations	Host Nation Support	36,000	36,000
Army	Unspecified Worldwide Locations	Minor Construction	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design	73,245	73,245
	Military Construction, Army Total		743,245	727,745
	<i>Arizona</i>			
Navy	Yuma	Aircraft Maint. Facilities & Apron (So. CALA)	50,635	50,635
	<i>Bahrain Island</i>			
Navy	SW Asia	Mina Salman Pier Replacement	37,700	37,700
Navy	SW Asia	Ship Maintenance Support Facility	52,091	52,091
	<i>California</i>			
Navy	Camp Pendleton	Pendleton Ops Center	0	0
Navy	Camp Pendleton	Raw Water Pipeline Pendleton to Fallbrook	44,540	44,540
Navy	Coronado	Coastal Campus Utilities	4,856	4,856
Navy	Lemoore	F-35C Hangar Modernization and Addition	56,497	56,497
Navy	Lemoore	F-35C Training Facilities	8,187	8,187
Navy	Lemoore	RTO and Mission Debrief Facility	7,146	7,146
Navy	Miramar	KC-130J Enlisted Air Crew Trainer	0	11,200
Navy	Point Mugu	E-2C/D Hangar Additions and Renovations	19,453	19,453
Navy	Point Mugu	Triton Avionics and Fuel Systems Trainer	2,974	2,974
Navy	San Diego	LCS Support Facility	37,366	37,366
Navy	Twentynine Palms	Microgrid Expansion	9,160	9,160
	<i>Florida</i>			
Navy	Jacksonville	Fleet Support Facility Addition	8,455	8,455
Navy	Jacksonville	Triton Mission Control Facility	8,296	8,296
Navy	Mayport	LCS Mission Module Readiness Center	16,159	16,159
Navy	Pensacola	A-School Unaccompanied Housing (Corry Station)	18,347	18,347
Navy	Whiting Field	T-6B JPATS Training Operations Facility	10,421	10,421
	<i>Georgia</i>			
Navy	Albany	Ground Source Heat Pumps	7,851	7,851
Navy	Kings Bay	Industrial Control System Infrastructure	8,099	8,099
Navy	Townsend	Townsend Bombing Range Expansion Phase 2	48,279	43,279
	<i>Guam</i>			
Navy	Joint Region Marianas	Live-Fire Training Range Complex (NW Field)	125,677	125,677

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
Navy	Joint Region Marianas	Municipal Solid Waste Landfill Closure	10,777	10,777
Navy	Joint Region Marianas	Sanitary Sewer System Recapitalization	45,314	45,314
	<i>Hawaii</i>			
Navy	Barking Sands	PMRF Power Grid Consolidation	30,623	30,623
Navy	Joint Base Pearl Harbor-Hickam	UEM Interconnect Sta C to Hickam	6,335	6,335
Navy	Joint Base Pearl Harbor-Hickam	Welding School Shop Consolidation	8,546	8,546
Navy	Kaneohe Bay	Airfield Lighting Modernization	26,097	26,097
Navy	Kaneohe Bay	Bachelor Enlisted Quarters	68,092	68,092
Navy	Kaneohe Bay	P-8A Detachment Support Facilities	12,429	12,429
Navy	MCB Hawaii	LHD Pad Conversions MV-22 Landing Pads	0	0
	<i>Italy</i>			
Navy	Sigonella	P-8A Hangar and Fleet Support Facility	62,302	62,302
Navy	Sigonella	Triton Hangar and Operation Facility	40,641	40,641
	<i>Japan</i>			
Navy	Camp Butler	Military Working Dog Facilities (Camp Hansen)	11,697	11,697
Navy	Iwakuni	E-2D Operational Trainer Complex	8,716	8,716
Navy	Iwakuni	Security Modifications—CWV5/MAG12 HQ	9,207	9,207
Navy	Kadena AB	Aircraft Maint. Shelters & Apron	23,310	23,310
Navy	Yokosuka	Child Development Center	13,846	13,846
	<i>Maryland</i>			
Navy	Patucent River	Unaccompanied Housing	40,935	40,935
	<i>North Carolina</i>			
Navy	Camp Lejeune	2nd Radio BN Complex Operations Consolidation	0	0
Navy	Camp Lejeune	Range Safety Improvements	0	0
Navy	Camp Lejeune	Simulator Integration/Range Control Facility	54,849	54,849
Navy	Cherry Point Marine Corps Air Station	Airfield Security Improvements	0	23,300
Navy	Cherry Point Marine Corps Air Station	KC-130J Enlisted Air Crew Trainer Facility	4,769	4,769
Navy	Cherry Point Marine Corps Air Station	Unmanned Aircraft System Facilities	29,657	29,657
Navy	New River	Operational Trainer Facility	3,312	3,312
Navy	New River	Radar Air Traffic Control Facility Addition	4,918	4,918
	<i>Poland</i>			
Navy	Redzikowo Base	AEGIS Ashore Missile Defense Complex	51,270	51,270
	<i>South Carolina</i>			
Navy	Parris Island	Range Safety Improvements & Modernization	27,075	27,075
	<i>Virginia</i>			
Navy	Dam Neck	Maritime Surveillance System Facility	23,066	23,066
Navy	Norfolk	Communications Center	75,289	75,289
Navy	Norfolk	Electrical Repairs to Piers 2,6,7, and 11	44,254	44,254
Navy	Norfolk	MH-60 Helicopter Training Facility	7,134	7,134
Navy	Portsmouth	Waterfront Utilities	45,513	45,513
Navy	Quantico	ATFP Gate	5,840	5,840
Navy	Quantico	Electrical Distribution Upgrade	8,418	8,418
Navy	Quantico	Embassy Security Guard BEQ & Ops Facility	43,941	43,941
Navy	Quantico	TBS Fire Station Replacement	0	0
	<i>Washington</i>			
Navy	Bangor	Regional Ship Maintenance Support Facility	0	0
Navy	Bangor	WRA Land/Water Interface	34,177	34,177
Navy	Bremerton	Dry Dock 6 Modernization & Utility Improve.	22,680	22,680
Navy	Indian Island	Shore Power to Ammunition Pier	4,472	4,472
	<i>Worldwide Unspecified</i>			
Navy	Unspecified Worldwide Locations	MCON Design Funds	91,649	91,649
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	22,590	22,590
	Military Construction, Navy Total		1,605,929	1,635,429
	<i>Alaska</i>			
AF	Eielson AFB	F-35A Flight Sim/Alter Squad Ops/AMU Facility	37,000	37,000
AF	Eielson AFB	Rpr Central Heat & Power Plant Boiler Ph3	34,400	34,400
	<i>Arizona</i>			
AF	Davis-Monthan AFB	HC-130J Age Covered Storage	4,700	4,700
AF	Davis-Monthan AFB	HC-130J Wash Rack	12,200	12,200
AF	Luke AFB	Communications Facility	0	21,000
AF	Luke AFB	F-35A ADAL Fuel Offload Facility	5,000	5,000
AF	Luke AFB	F-35A Aircraft Maintenance Hangar/Sq 3	13,200	13,200
AF	Luke AFB	F-35A Bomb Build-up Facility	5,500	5,500
AF	Luke AFB	F-35A Sq Ops/AMU/Hangar/Sq 4	33,000	33,000
	<i>Colorado</i>			
AF	U.S. Air Force Academy	Front Gates Force Protection Enhancements	10,000	10,000
	<i>Florida</i>			
AF	Cape Canaveral AFS	Range Communications Facility	21,000	21,000
AF	Eglin AFB	F-35A Consolidated HQ Facility	8,700	8,700

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AF	Hurlburt Field	ADAL 39 Information Operations Squad Facility	14,200	14,200
	Greenland			
AF	Thule AB	Thule Consolidation PH 1	41,965	41,965
	Guam			
AF	Joint Region Marianas	APR—Dispersed Maint Spares & SE Storage Fac	19,000	19,000
AF	Joint Region Marianas	APR—Installation Control Center	22,200	22,200
AF	Joint Region Marianas	APR—South Ramp Utilities Phase 2	7,100	7,100
AF	Joint Region Marianas	PAR—Lo/Corrosion Cntrl/Composite Repair	0	0
AF	Joint Region Marianas	PRTC Roads	2,500	2,500
	Hawaii			
AF	Joint Base Pearl Harbor-Hickam	F-23 Fighter Alert Facility	46,000	46,000
	Japan			
AF	Yokota AB	C-130J Flight Simulator Facility	8,461	8,461
	Kansas			
AF	McConnell AFB	Air Traffic Control Tower	0	0
AF	McConnell AFB	KC-46A ADAL Deicing Pads	4,300	4,300
	Louisiana			
AF	Barksdale AFB	Consolidated Communications Facility	0	0
	Maryland			
AF	Fort Meade	CYBERCOM Joint Operations Center, Increment 3	86,000	86,000
	Missouri			
AF	Whiteman AFB	Consolidated Stealth Ops & Nuclear Alert Fac	29,500	29,500
	Montana			
AF	Malmstrom AFB	Tactical Response Force Alert Facility	19,700	19,700
	Nebraska			
AF	Offutt AFB	Dormitory (144 Rm)	21,000	21,000
	Nevada			
AF	Nellis AFB	F-35A Airfield Pavements	31,000	31,000
AF	Nellis AFB	F-35A Live Ordnance Loading Area	34,500	34,500
AF	Nellis AFB	F-35A Munitions Maintenance Facilities	3,450	3,450
	New Mexico			
AF	Cannon AFB	Construct AT/FP Gate—Portales	7,800	7,800
AF	Holloman AFB	Fixed Ground Control	0	0
AF	Holloman AFB	Marshalling Area ARM/DE—ARM Pad D	3,000	3,000
AF	Kirtland AFB	Space Vehicles Component Development Lab	12,800	12,800
	New York			
AF	Fort Drum	ASOS Expansion	0	0
	Niger			
AF	Agadez	Construct Airfield and Base Camp	50,000	50,000
	North Carolina			
AF	Seymour Johnson AFB	Air Traffic Control Tower/Base Ops Facility	17,100	17,100
	Oklahoma			
AF	Altus AFB	Dormitory (120 Rm)	18,000	18,000
AF	Altus AFB	KC-46A FTU ADAL Fuel Cell Maint Hangar	10,400	10,400
AF	Tinker AFB	Air Traffic Control Tower	12,900	12,900
AF	Tinker AFB	KC-46A Depot Maintenance Dock	37,000	37,000
	Oman			
AF	Al Musannah AB	Airlift Apron	25,000	25,000
	South Dakota			
AF	Ellsworth AFB	Dormitory (168 Rm)	23,000	23,000
	Texas			
AF	Joint Base San Antonio	BMT Classrooms/Dining Facility 3	35,000	35,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 5	71,000	71,000
	United Kingdom			
AF	RAF Croughton	Consolidated SATCOM/Tech Control Facility	36,424	36,424
AF	RAF Croughton	JLAC Consolidation—PH 2	94,191	94,191
	Utah			
AF	Hill AFB	F-35A Flight Simulator Addition Phase 2	5,900	5,900
AF	Hill AFB	F-35A Hangar 40/42 Additions and AMU	21,000	21,000
AF	Hill AFB	Hayman Igloos	11,500	11,500
	Worldwide Classified			
AF	Classified Location	Long Range Strike Bomber	77,130	77,130
AF	Classified Location	Munitions Storage	3,000	3,000
	Worldwide Unspecified			
AF	Various Worldwide Locations	Planning and Design	89,164	89,164
AF	Various Worldwide Locations	Unspecified Minor Military Construction	22,900	22,900
	Wyoming			
AF	F. E. Warren AFB	Weapon Storage Facility	95,000	95,000
	Military Construction, Air Force Total		1,354,785	1,375,785
	Alabama			
Def-Wide	Fort Rucker	Fort Rucker ES/PS Consolidation/Replacement	46,787	46,787
Def-Wide	Maxwell AFB	Maxwell ES/MS Replacement/Renovation	32,968	32,968
	Arizona			

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Def-Wide	Fort Huachuca California	JITC Buildings 52101/52111 Renovations	3,884	3,884
Def-Wide	Camp Pendleton	SOF Combat Service Support Facility	10,181	10,181
Def-Wide	Camp Pendleton	SOF Performance Resiliency Center-West	10,371	10,371
Def-Wide	Coronado	SOF Logistics Support Unit One Ops Fac. #2	47,218	47,218
Def-Wide	Fresno Yosemite IAP ANG Colorado	Replace Fuel Storage and Distrib. Facilities	10,700	10,700
Def-Wide	Fort Carson CONUS Classified	SOF Language Training Facility	8,243	8,243
Def-Wide	Classified Location Delaware	Operations Support Facility	20,065	20,065
Def-Wide	Dover AFB Djibouti	Construct Hydrant Fuel System	21,600	21,600
Def-Wide	Camp Lemonnier Florida	Construct Fuel Storage & Distrib. Facilities	43,700	43,700
Def-Wide	Hurlburt Field	SOF Fuel Cell Maintenance Hangar	17,989	17,989
Def-Wide	MacDill AFB Georgia	SOF Operational Support Facility	39,142	39,142
Def-Wide	Moody AFB Germany	Replace Pumphouse and Truck Fillstands	10,900	10,900
Def-Wide	Garmisch	Garmisch E/MS-Addition/Modernization	14,676	14,676
Def-Wide	Grafenwoehr	Grafenwoehr Elementary School Replacement	38,138	38,138
Def-Wide	Rhine Ordnance Bar- racks	Medical Center Replacement Iner 5	85,034	85,034
Def-Wide	Spangdahlem AB	Construct Fuel Pipeline	5,500	5,500
Def-Wide	Spangdahlem AB	Medical/Dental Clinic Addition	34,071	34,071
Def-Wide	Stuttgart-Patch Bar- racks	Patch Elementary School Replacement	49,413	49,413
	Hawaii			
Def-Wide	Kaneohe Bay	Medical/Dental Clinic Replacement	122,071	122,071
Def-Wide	Schofield Barracks	Behavioral Health/Dental Clinic Addition	123,838	123,838
	Japan			
Def-Wide	Kadena AB	Airfield Pavements	37,485	37,485
	Kentucky			
Def-Wide	Fort Campbell	SOF Company HQ/Classrooms	12,553	12,553
Def-Wide	Fort Knox	Fort Knox HS Renovation/MS Addition	23,279	23,279
	Maryland			
Def-Wide	Fort Meade	NSAW Campus Feeders Phase 2	33,745	33,745
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Iner 1	34,897	34,897
	Nevada			
Def-Wide	Nellis AFB	Replace Hydrant Fuel System	39,900	39,900
	New Mexico			
Def-Wide	Cannon AFB	Construct Pumphouse and Fuel Storage	20,400	20,400
Def-Wide	Cannon AFB	SOF Squadron Operations Facility	11,565	11,565
Def-Wide	Cannon AFB	SOF ST Operational Training Facilities	13,146	13,146
	New York			
Def-Wide	West Point	West Point Elementary School Replacement	55,778	55,778
	North Carolina			
Def-Wide	Camp Lejeune	SOF Combat Service Support Facility	14,036	14,036
Def-Wide	Camp Lejeune	SOF Marine Battalion Company/Team Facilities	54,970	54,970
Def-Wide	Fort Bragg	Butner Elementary School Replacement	32,944	32,944
Def-Wide	Fort Bragg	SOF 21 STS Operations Facility	16,863	16,863
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	38,549	38,549
Def-Wide	Fort Bragg	SOF Indoor Range	8,303	8,303
Def-Wide	Fort Bragg	SOF Intelligence Training Center	28,265	28,265
Def-Wide	Fort Bragg	SOF Special Tactics Facility (PH 2)	43,887	43,887
	Ohio			
Def-Wide	Wright-Patterson AFB	Satellite Pharmacy Replacement	6,623	6,623
	Oregon			
Def-Wide	Klamath Falls IAP	Replace Fuel Facilities	2,500	2,500
	Pennsylvania			
Def-Wide	Philadelphia	Replace Headquarters	49,700	49,700
	Poland			
Def-Wide	Redzikowo Base	AEGIS Ashore Missile Defense System Complex	169,153	169,153
	South Carolina			
Def-Wide	Fort Jackson	Pierce Terrace Elementary School Replacement	26,157	26,157
	Spain			
Def-Wide	Rota	Rota ES and HS Additions	13,737	13,737
	Texas			
Def-Wide	Fort Bliss	Hospital Replacement Iner 7	239,884	189,884
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 4	61,776	61,776
	Virginia			
Def-Wide	Fort Belvoir	Construct Visitor Control Center	5,000	5,000
Def-Wide	Fort Belvoir	Replace Ground Vehicle Fueling Facility	4,500	4,500
Def-Wide	Joint Base Langley- Eustis	Replace Fuel Pier and Distribution Facility	28,000	28,000

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Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Applied Instruction Facility	23,916	23,916
Def-Wide	Worldwide Unspecified Unspecified Worldwide Locations	Contingency Construction	10,000	0
Def-Wide	Unspecified Worldwide Locations	ECIP Design	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	8,687	8,687
Def-Wide	Unspecified Worldwide Locations	Planning and Design	31,628	31,628
Def-Wide	Unspecified Worldwide Locations	Planning and Design	3,041	3,041
Def-Wide	Unspecified Worldwide Locations	Planning and Design	1,078	1,078
Def-Wide	Unspecified Worldwide Locations	Planning and Design	27,202	27,202
Def-Wide	Unspecified Worldwide Locations	Planning and Design	42,183	42,183
Def-Wide	Unspecified Worldwide Locations	Planning and Design	13,500	13,500
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	15,676	15,676
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	5,000	5,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Various Worldwide Locations	East Coast Missile Site Planning and Design	0	30,000
Def-Wide	Various Worldwide Locations	Planning & Design	31,772	31,772
	Military Construction, Defense-Wide Total		2,300,767	2,270,767
NATO	Worldwide Unspecified NATO Security Investment Program	NATO Security Investment Program	120,000	120,000
	NATO Security Investment Program Total		120,000	120,000
Army NG	Alabama Camp Foley	Vehicle Maintenance Shop	0	4,500
Army NG	Connecticut Camp Hartell	Ready Building (CST-WMD)	11,000	11,000
Army NG	Delaware Dagsboro	National Guard Vehicle Maintenance Shop	10,800	10,800
Army NG	Florida Palm Coast	National Guard Readiness Center	18,000	18,000
Army NG	Georgia Fort Stewart	Tactical Aerial Unmanned Systems	0	6,800
Army NG	Illinois Sparta	Basic 10M–25M Firing Range (Zero)	1,900	1,900
Army NG	Kansas Salina	Automated Combat Pistol/MP Firearms Qual Course	2,400	2,400
Army NG	Salina	Modified Record Fire Range	4,300	4,300
Army NG	Maryland Easton	National Guard Readiness Center	13,800	13,800
Army NG	Mississippi Gulfport	Aviation Classification and Repair	0	40,000
Army NG	Nevada Reno	National Guard Vehicle Maintenance Shop Add/Alt	8,000	8,000
Army NG	Ohio Camp Ravenna	Modified Record Fire Range	3,300	3,300
Army NG	Oregon Salem	National Guard/Reserve Center Bldg Add/Alt (JFHQ)	16,500	16,500
Army NG	Pennsylvania Fort Indiantown Gap	Training Aids Center	16,000	16,000
Army NG	Vermont North Hyde Park	National Guard Vehicle Maintenance Shop Addition ..	7,900	7,900
Army NG	Virginia Richmond	National Guard/Reserve Center Building (JFHQ)	29,000	29,000
Army NG	Washington Yakima	Enlisted Barracks, Transient Training	19,000	19,000
Army NG	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	20,337	20,337

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Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,000	15,000
Military Construction, Army National Guard Total			197,237	248,537
Army Res	California Miramar	Army Reserve Center	24,000	24,000
Army Res	Florida MacDill AFB	AR Center/AS Facility	55,000	55,000
Army Res	Mississippi Starkville	Army Reserve Center	9,300	9,300
Army Res	New York Orangeburg	Organizational Maintenance Shop	4,200	4,200
Army Res	Pennsylvania Conneaut Lake	DAR Highway Improvement	5,000	5,000
Army Res	Puerto Rico Fort Buchanan	Access Control Point	0	10,200
Army Res	Virginia Fort AP Hill	Equipment Concentration	0	24,000
Army Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	9,318	9,318
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	6,777	6,777
Military Construction, Army Reserve Total			113,595	147,795
N/MC Res	Nevada Fallon	NAVOPSPCEN Fallon	11,480	11,480
N/MC Res	New York Brooklyn	Reserve Center Storage Facility	2,479	2,479
N/MC Res	Virginia Dam Neck	Reserve Training Center Complex	18,443	18,443
N/MC Res	Worldwide Unspecified Unspecified Worldwide Locations	MCNR Planning & Design	2,208	2,208
N/MC Res	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	1,468	1,468
Military Construction, Naval Reserve Total			36,078	36,078
Air NG	Alabama Dannelly Field	TFI—Replace Squadron Operations Facility	7,600	7,600
Air NG	Arkansas Fort Smith MAP	Consolidated SCIF	0	0
Air NG	California Moffett Field	Replace Vehicle Maintenance Facility	6,500	6,500
Air NG	Colorado Buckley AFB	ASE Maintenance and Storage Facility	5,100	5,100
Air NG	Connecticut Bradley	Ops and Deployment Facility	0	0
Air NG	Florida Cape Canaveral AFS	Space Control Facility	0	6,100
Air NG	Georgia Savannah/Hilton Head IAP	C-130 Squadron Operations Facility	9,000	9,000
Air NG	Hawaii Joint Base Pearl Harbor-Hickam	F-22 Composite Repair Facility	0	0
Air NG	Iowa Des Moines MAP	Air Operations Grp/CYBER Beddown-Reno Bldg 430	6,700	6,700
Air NG	Kansas Snokey Hill ANG Range	Range Training Support Facilities	2,900	2,900
Air NG	Louisiana New Orleans	Replace Squadron Operations Facility	10,000	10,000
Air NG	Maine Bangor IAP	Add to and Alter Fire Crash/Rescue Station	7,200	7,200
Air NG	New Hampshire Pease International Trade Port	Bldg Mod KC-46 Fuselage Trainer	0	0
Air NG	Pease International Trade Port	KC-46A ADAL Flight Simulator Bldg 156	2,800	2,800
Air NG	New Jersey Atlantic City IAP	Fuel Cell and Corrosion Control Hangar	10,200	10,200
Air NG	New York Niagara Falls IAP	Remotely Piloted Aircraft Beddown Bldg 912	7,700	7,700
Air NG	North Carolina			

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Air NG	Charlotte/Douglas IAP North Dakota	Replace C-130 Squadron Operations Facility	9,000	9,000
Air NG	Hector IAP Oklahoma	Intel Targeting Facilities	7,300	7,300
Air NG	Will Rogers World Air- port Oregon	Medium Altitude Manned ISR Beddown	7,600	7,600
Air NG	Klamath Falls IAP West Virginia	Replace Fire Crash/Rescue Station	7,200	7,200
Air NG	Yeager Airport Worldwide Unspecified	Force Protection—Relocate Coonskin Road	3,900	3,900
Air NG	Various Worldwide Lo- cations	Planning and Design	5,104	5,104
Air NG	Various Worldwide Lo- cations	Unspecified Minor Construction	7,734	7,734
Military Construction, Air National Guard Total			123,538	129,638
AF Res	Arizona Davis-Monthan AFB	Guardian Angel Operations	0	0
AF Res	California March AFB	Satellite Fire Station	4,600	4,600
AF Res	Florida Patrick AFB	Aircrew Life Support Facility	3,400	3,400
AF Res	Georgia Dobbins	Fire Station/Security Complex	0	10,400
AF Res	Ohio Youngstown	Indoor Firing Range	9,400	9,400
AF Res	Texas Joint Base San Antonio	Consolidate 433 Medical Facility	9,900	9,900
AF Res	Worldwide Unspecified Various Worldwide Lo- cations	Planning and Design	13,400	13,400
AF Res	Various Worldwide Lo- cations	Unspecified Minor Military Construction	6,121	6,121
Military Construction, Air Force Reserve Total			46,821	57,221
FH Con Army	Florida Camp Rudder	Family Housing Replacement Construction	8,000	8,000
FH Con Army	Germany Wiesbaden Army Air- field	Family Housing Improvements	3,500	3,500
FH Con Army	Illinois Rock Island	Family Housing Replacement Construction	20,000	29,000
FH Con Army	Korea Camp Walker	Family Housing New Construction	61,000	61,000
FH Con Army	Worldwide Unspecified Unspecified Worldwide Locations	Family Housing P & D	7,195	7,195
Family Housing Construction, Army Total			99,695	108,695
FH Ops Army	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings	25,552	18,552
FH Ops Army	Unspecified Worldwide Locations	Leased Housing	144,879	141,879
FH Ops Army	Unspecified Worldwide Locations	Maintenance of Real Property Facilities	75,197	75,197
FH Ops Army	Unspecified Worldwide Locations	Management Account	45,468	42,568
FH Ops Army	Unspecified Worldwide Locations	Management Account	3,047	3,047
FH Ops Army	Unspecified Worldwide Locations	Military Housing Privatization Initiative	22,000	22,000
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	840	840
FH Ops Army	Unspecified Worldwide Locations	Services	10,928	10,928
FH Ops Army	Unspecified Worldwide Locations	Utilities	65,600	60,600
Family Housing Operation And Maintenance, Army Total			393,511	375,611
FH Con Navy	Virginia Wallops Island Worldwide Unspecified	Construct Housing Welcome Center	438	438

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<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Design</i>	4,588	4,588
<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Improvements</i>	11,515	11,515
Family Housing Construction, Navy And Marine Corps Total			16,541	16,541
<i>Worldwide Unspecified</i>				
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	17,534	17,534
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	64,108	64,108
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance of Real Property</i>	99,323	99,323
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Management Account</i>	56,189	56,189
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous Account</i>	373	373
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Privatization Support Costs</i>	28,668	28,668
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Services Account</i>	19,149	19,149
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities Account</i>	67,692	67,692
Family Housing Operation And Maintenance, Navy And Marine Corps Total ..			353,036	353,036
<i>Worldwide Unspecified</i>				
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Improvements</i>	150,649	150,649
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	9,849	9,849
Family Housing Construction, Air Force Total			160,498	160,498
<i>Worldwide Unspecified</i>				
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	38,746	38,746
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization</i>	41,554	41,554
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	28,867	28,867
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i>	114,129	114,129
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Management Account</i>	52,153	52,153
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous Account</i>	2,032	2,032
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Services Account</i>	12,940	12,940
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities Account</i>	40,811	40,811
Family Housing Operation And Maintenance, Air Force Total			331,232	331,232
<i>Worldwide Unspecified</i>				
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	20	20
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	3,402	3,402
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	781	781
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	41,273	41,273
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	10,679	10,679
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance of Real Property</i>	1,104	1,104
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance of Real Property</i>	344	344
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Management Account</i>	388	388
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Services Account</i>	31	31
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities Account</i>	474	474
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities Account</i>	172	172

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
Family Housing Operation And Maintenance, Defense-Wide Total			58,668	58,668
	<i>Worldwide Unspecified</i>			
BRAC	<i>Unspecified Worldwide Locations</i>	<i>Base Realignment and Closure</i>	29,691	29,691
Base Realignment and Closure—Army Total			29,691	29,691
	<i>Worldwide Unspecified</i>			
BRAC	<i>Unspecified Worldwide Locations</i>	<i>Base Realignment & Closure</i>	118,906	118,906
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-100: Planning, Design and Management</i>	7,787	7,787
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-101: Various Locations</i>	20,871	20,871
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-138: NAS Brunswick, ME</i>	803	803
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-157: MCSA Kansas City, MO</i>	41	41
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-172: NWS Seal Beach, Concord, CA</i>	4,872	4,872
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-84: JRB Willow Grove & Cambria Reg AP</i>	3,808	3,808
Base Realignment and Closure—Navy Total			157,088	157,088
	<i>Worldwide Unspecified</i>			
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DOD BRAC Activities—Air Force</i>	64,555	64,555
Base Realignment and Closure—Air Force Total			64,555	64,555
	<i>Worldwide Unspecified</i>			
PYS	<i>Unspecified Worldwide Locations</i>	<i>Air Force</i>	0	-34,400
PYS	<i>Unspecified Worldwide Locations</i>	<i>Army</i>	0	-47,700
PYS	<i>Unspecified Worldwide Locations</i>	<i>Defense-Wide</i>	0	-134,000
PYS	<i>Unspecified Worldwide Locations</i>	<i>Housing Assistance Program</i>	0	-110,000
Prior Year Savings Total			0	-326,100
Total, Military Construction			8,306,510	8,078,510

1 **TITLE XLVII—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **PROGRAMS**
4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
5 **PROGRAMS.**

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

Program	FY 2016 Request	Agreement Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
<i>Nuclear Energy</i>	135,161	135,161
Atomic Energy Defense Activities		
National nuclear security administration:		

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

Program	FY 2016 Request	Agreement Authorized
Weapons activities	8,846,948	8,802,797
Defense nuclear nonproliferation	1,940,302	1,941,500
Naval reactors	1,375,496	1,359,996
Federal salaries and expenses	402,654	388,000
Total, National nuclear security administration	12,565,400	12,492,293
Environmental and other defense activities:		
Defense environmental cleanup	5,527,347	5,130,550
Other defense activities	774,425	770,522
Total, Environmental & other defense activities	6,301,772	5,901,072
Total, Atomic Energy Defense Activities	18,867,172	18,393,365
Total, Discretionary Funding	19,002,333	18,528,526
Nuclear Energy		
Idaho site-wide safeguards and security	126,161	126,161
Used nuclear fuel disposition	9,000	9,000
Total, Nuclear Energy	135,161	135,161
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	643,300	643,300
W76 Life extension program	244,019	244,019
W88 Alt 370	220,176	220,176
W80-4 Life extension program	195,037	195,037
Total, Life extension programs	1,302,532	1,302,532
Stockpile systems		
B61 Stockpile systems	52,247	52,247
W76 Stockpile systems	50,921	50,921
W78 Stockpile systems	64,092	64,092
W80 Stockpile systems	68,005	68,005
B83 Stockpile systems	42,177	42,177
W87 Stockpile systems	89,299	89,299
W88 Stockpile systems	115,685	115,685
Total, Stockpile systems	482,426	482,426
Weapons dismantlement and disposition		
Operations and maintenance	48,049	48,049
Stockpile services		
Production support	447,527	447,527
Research and development support	34,159	34,159
R&D certification and safety	192,613	185,000
Management, technology, and production	264,994	258,527
Total, Stockpile services	939,293	925,213
Nuclear material commodities		
Uranium sustainment	32,916	32,916
Plutonium sustainment	174,698	174,698
Tritium sustainment	107,345	107,345
Domestic uranium enrichment	100,000	50,000
Total, Nuclear material commodities	414,959	364,959
Total, Directed stockpile work	3,187,259	3,123,179
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	50,714	50,714
Primary assessment technologies	98,500	104,100
Dynamic materials properties	109,000	109,000
Advanced radiography	47,000	47,000
Secondary assessment technologies	84,400	84,400
Total, Science	389,614	395,214
Engineering		
Enhanced surety	50,821	50,821
Weapon systems engineering assessment technology	17,371	17,371
Nuclear survivability	24,461	24,461
Enhanced surveillance	38,724	38,724
Total, Engineering	131,377	131,377

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

Program	FY 2016 Request	Agreement Authorized
<i>Inertial confinement fusion ignition and high yield</i>		
Ignition	73,334	73,334
Support of other stockpile programs	22,843	22,843
Diagnostics, cryogenics and experimental support	58,587	58,587
Pulsed power inertial confinement fusion	4,963	4,963
Joint program in high energy density laboratory plasmas	8,900	8,900
Facility operations and target production	333,823	333,823
Total, Inertial confinement fusion and high yield	502,450	502,450
Advanced simulation and computing	623,006	617,006
Responsive Capabilities Program	0	0
<i>Advanced manufacturing</i>		
Component manufacturing development	112,256	93,448
Processing technology development	17,800	17,800
Total, Advanced manufacturing	130,056	111,248
Total, RDT&E	1,776,503	1,757,295
<i>Readiness in technical base and facilities (RTBF)</i>		
<i>Operating</i>		
Program readiness	75,185	60,000
Material recycle and recovery	173,859	160,000
Storage	40,920	40,920
Recapitalization	104,327	100,000
Total, Operating	394,291	360,920
<i>Construction:</i>		
15-D-302 TA-55 Reinvestment project, Phase 3, LANL	18,195	18,195
11-D-801 TA-55 Reinvestment project Phase 2, LANL	3,903	3,903
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL	11,533	11,533
07-D-220-04 Transuranic liquid waste facility, LANL	40,949	40,949
06-D-141 PED/Construction, Uranium Capabilities Replacement Project Y-12	430,000	430,000
04-D-125 Chemistry and metallurgy replacement project, LANL	155,610	155,610
Total, Construction	660,190	660,190
Total, Readiness in technical base and facilities	1,054,481	1,021,110
<i>Secure transportation asset</i>		
Operations and equipment	146,272	140,000
Program direction	105,338	97,118
Total, Secure transportation asset	251,610	237,118
<i>Infrastructure and safety</i>		
<i>Operations of facilities</i>		
Kansas City Plant	100,250	100,250
Lawrence Livermore National Laboratory	70,671	70,671
Los Alamos National Laboratory	196,460	196,460
Nevada National Security Site	89,000	89,000
Pantex	58,021	58,021
Sandia National Laboratory	115,300	115,300
Savannah River Site	80,463	80,463
Y-12 National security complex	120,625	120,625
Total, Operations of facilities	830,790	830,790
Safety operations	107,701	107,701
Maintenance	227,000	252,000
Recapitalization	257,724	307,724
<i>Construction:</i>		
16-D-621 Substation replacement at TA-3, LANL	25,000	25,000
15-D-613 Emergency Operations Center, Y-12	17,919	17,919
Total, Construction	42,919	42,919
Total, Infrastructure and safety	1,466,134	1,541,134
<i>Site stewardship</i>		
Nuclear materials integration	17,510	17,510
Minority serving institution partnerships program	19,085	19,085
Total, Site stewardship	36,595	36,595

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

Program	FY 2016 Request	Agreement Authorized
Defense nuclear security		
Operations and maintenance	619,891	631,891
Construction:		
14-D-710 Device assembly facility argus installation project, NV	13,000	13,000
Total, Defense nuclear security	632,891	644,891
Information technology and cybersecurity	157,588	157,588
Legacy contractor pensions	283,887	283,887
Total, Weapons Activities	8,846,948	8,802,797
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Defense Nuclear Nonproliferation R&D		
Global material security	426,751	422,949
Material management and minimization	311,584	311,584
Nonproliferation and arms control	126,703	126,703
Defense Nuclear Nonproliferation R&D	419,333	419,333
Nonproliferation Construction:		
99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	345,000	345,000
Analysis of Alternatives	0	5,000
Total, Nonproliferation construction	345,000	350,000
Total, Defense Nuclear Nonproliferation Programs	1,629,371	1,630,569
Legacy contractor pensions	94,617	94,617
Nuclear counterterrorism and incident response program	234,390	234,390
Use of prior-year balances	-18,076	-18,076
Total, Defense Nuclear Nonproliferation	1,940,302	1,941,500
Naval Reactors		
Naval reactors operations and infrastructure	445,196	445,196
Naval reactors development	444,400	430,400
Ohio replacement reactor systems development	186,800	186,800
SSG Prototype refueling	133,000	133,000
Program direction	45,000	43,500
Construction:		
15-D-904 NRF Overpack Storage Expansion 3	900	900
15-D-903 KL Fire System Upgrade	600	600
15-D-902 KS Engineer room team trainer facility	3,100	3,100
14-D-902 KL Materials characterization laboratory expansion, KAPL	30,000	30,000
14-D-901 Spent fuel handling recapitalization project, NRF	86,000	86,000
10-D-903, Security upgrades, KAPL	500	500
Total, Construction	121,100	121,100
Total, Naval Reactors	1,375,496	1,359,996
Federal Salaries And Expenses		
Program direction	402,654	388,000
Total, Office Of The Administrator	402,654	388,000
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Hanford site:		
River corridor and other cleanup operations:		
River corridor and other cleanup operations	196,957	268,957
Central plateau remediation:		
Central plateau remediation	555,163	555,163
Richland community and regulatory support	14,701	14,701
Construction:		
15-D-401 Containerized sludge removal annex, RL	77,016	77,016
Total, Hanford site	843,837	915,837
Idaho National Laboratory:		

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

Program	FY 2016 Request	Agreement Authorized
<i>Idaho cleanup and waste disposition</i>	357,783	357,783
<i>Idaho community and regulatory support</i>	3,000	3,000
Total, Idaho National Laboratory	360,783	360,783
NNSA sites		
<i>Lawrence Livermore National Laboratory</i>	1,366	1,366
<i>Nevada</i>	62,385	62,385
<i>Sandia National Laboratories</i>	2,500	2,500
<i>Los Alamos National Laboratory</i>	188,625	188,625
Total, NNSA sites and Nevada off-sites	254,876	254,876
Oak Ridge Reservation:		
OR Nuclear facility D & D		
<i>OR Nuclear facility D & D</i>	75,958	75,958
Construction:		
<i>14-D-403 Outfall 200 Mercury Treatment Facility</i>	6,800	6,800
Total, OR Nuclear facility D & D	82,758	82,758
<i>U233 Disposition Program</i>	26,895	26,895
OR cleanup and disposition:		
<i>OR cleanup and disposition</i>	60,500	60,500
Total, OR cleanup and disposition	60,500	60,500
<i>OR reservation community and regulatory support</i>	4,400	4,400
Solid waste stabilization and disposition		
<i>Oak Ridge technology development</i>	2,800	2,800
Total, Oak Ridge Reservation	177,353	177,353
Office of River Protection:		
Waste treatment and immobilization plant		
<i>01-D-416 A-D/ORP-0060 / Major construction</i>	595,000	595,000
<i>01-D-16E Pretreatment facility</i>	95,000	95,000
Total, Waste treatment and immobilization plant	690,000	690,000
Tank farm activities		
<i>Rad liquid tank waste stabilization and disposition</i>	649,000	649,000
Construction:		
<i>15-D-409 Low Activity Waste Pretreatment System, Hanford</i>	75,000	75,000
Total, Tank farm activities	724,000	724,000
Total, Office of River protection	1,414,000	1,414,000
Savannah River sites:		
<i>Savannah River risk management operations</i>	386,652	389,652
<i>SR community and regulatory support</i>	11,249	11,249
Radioactive liquid tank waste:		
<i>Radioactive liquid tank waste stabilization and disposition</i>	581,878	581,878
Construction:		
<i>15-D-402—Saltstone Disposal Unit #6</i>	34,642	34,642
<i>05-D-405 Salt waste processing facility, Savannah River</i>	194,000	194,000
Total, Construction	228,642	228,642
Total, Radioactive liquid tank waste	810,520	810,520
Total, Savannah River site	1,208,421	1,211,421
Waste Isolation Pilot Plant		
<i>Waste isolation pilot plant</i>	212,600	212,600
Construction:		
<i>15-D-411 Safety significant confinement ventilation system, WIPP</i>	23,218	23,218
<i>15-D-412 Exhaust shaft, WIPP</i>	7,500	7,500
Total, Construction	30,718	30,718
Total, Waste Isolation Pilot Plant	243,318	243,318
<i>Program direction</i>	281,951	281,951
<i>Program support</i>	14,979	14,979
Safeguards and Security:		
<i>Oak Ridge Reservation</i>	17,228	17,228
<i>Paducah</i>	8,216	8,216

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

<i>Program</i>	<i>FY 2016 Request</i>	<i>Agreement Authorized</i>
<i>Portsmouth</i>	8,492	8,492
<i>Richland/Hanford Site</i>	67,601	67,601
<i>Savannah River Site</i>	128,345	128,345
<i>Waste Isolation Pilot Project</i>	4,860	4,860
<i>West Valley</i>	1,891	1,891
<i>Technology development</i>	14,510	14,510
<i>Subtotal, Defense environmental cleanup</i>	5,055,550	5,130,550
 <i>Uranium enrichment D&D fund contribution (Legislative proposal)</i>	471,797	0
<i>Total, Defense Environmental Cleanup</i>	5,527,347	5,130,550
 <i>Other Defense Activities</i>		
<i>Specialized security activities</i>	221,855	217,952
 <i>Environment, health, safety and security</i>		
<i>Environment, health, safety and security</i>	120,693	120,693
<i>Program direction</i>	63,105	63,105
<i>Total, Environment, Health, safety and security</i>	183,798	183,798
 <i>Enterprise assessments</i>		
<i>Enterprise assessments</i>	24,068	24,068
<i>Program direction</i>	49,466	49,466
<i>Total, Enterprise assessments</i>	73,534	73,534
 <i>Office of Legacy Management</i>		
<i>Legacy management</i>	154,080	154,080
<i>Program direction</i>	13,100	13,100
<i>Total, Office of Legacy Management</i>	167,180	167,180
 <i>Defense-related activities</i>		
<i>Defense related administrative support</i>		
<i>Chief financial officer</i>	35,758	35,758
<i>Chief information officer</i>	83,800	83,800
<i>Management</i>	3,000	3,000
<i>Total, Defense related administrative support</i>	122,558	122,558
 <i>Office of hearings and appeals</i>	5,500	5,500
<i>Subtotal, Other defense activities</i>	774,425	770,522
<i>Total, Other Defense Activities</i>	774,425	770,522

Attest:

Clerk.

114TH CONGRESS
1ST SESSION

S. 1356

AMENDMENT